



माहितीचा  
अधिकार

# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission



एक बदल स्वच्छता को और

Order No. MERC/FAA/2019-20/APPEAL/09 of 2019/1

Date : 09<sup>th</sup> January, 2020

Date of RTI Application filed : 07.11.2019  
Date of Reply of PIO : 26.11.2019  
Date of receipt of First Appeal : 24.12.2019  
Date of Order of First Appeal : 09.01.2020

**BEFORE THE APPELLATE AUTHORITY**  
**(Under the Right to Information Act, 2005)**  
**Maharashtra Electricity Regulatory Commission, Mumbai**

### Appeal No. 09 of 2019

Shri. Ramzan Shaikh ..... **Appellant**

**Vs.**

PIO, MERC, Mumbai ..... **Respondent**

In exercise of the power, conferred upon the Appellate Authority by Section 19 (6) of Right to Information Act, 2005, the Appellate Authority makes the following decision:

### Facts of the Appeal

- 1) The Appellant had filed an application dated 07.11.2019, under the Right to Information Act, 2005, (hereinafter referred to as "RTI Act"). The Respondent vide letter dated 26.11.2019 responded to the Appellant's Application. The Appellant has filed this Appeal on 24.12.2019, against the said response.
- 2) Before passing an Order, the First Appellate Authority has given the Appellant an opportunity of personal hearing on 08.01.2020 by serving upon him a notice of hearing dated 26.12.2019. The Appellant and PIO were present in the hearing.
- 3) I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.

१३वा मजला, केंद्र क्र. १, जागतिक व्यापार केंद्र, कफ परेड, मुंबई - ४०० ००५.

13<sup>th</sup> Floor, Centre No. 1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

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- 4) Upon perusal of the Appellant's request for information as made through his application, was as follows:

*Kindly provide me the true certified copies of action taken report on my letter dated 14.10.2019.*

- 5) **The response provided by PIO to the above queries are as follows:**

Your application dated 14.10.2019 is forwarded to the Chief Executive Officer, Adani Electricity Mumbai Ltd., Devidas Lane, Off SVP Road, Near Devidas Telephone Exchange, Borivali (W), Mumbai- 92 on 14 November, 2019 for further appropriate action.

- 6) **The Grounds of the Appeal:**

The Appellant stated that, I had asked under RTI dated 06/11/2019 but not proper reply received, it seems purposely misleading to give the information and sending my letter to Adani Electricity Mumbai Ltd., hence the First Appeal.

- 7) Without prejudice to the foregoing, upon a consideration of the Appellant's request for information as contained in his application in light of his Appeal, it would appear that Appellant has sought information, which is related action taken report on the Appellant's letter dated 14.10.2019.
- 8) The Respondent PIO has already responded to the query of the Appellant and furnished the information along with the copies to the Appellant. However, during the hearing the Appellant contended the ingredients of the letter qua not displaying and printing the guidelines for public in English and Marathi at all collection centre and all bills which are raised by Adani Electricity Mumbai Ltd. The contention pertains to the grievance, and under the Right to Information, it is not a grievance redressal mechanism rather than providing the required information.

- 9) It submitted that, the Hon'ble Central Information Commission in second Appeal No. CIC/SCOFI/A/2018/128650 in Appeal of Pratap Singh V/s. Supreme Court of India held in its decision dated 15.10.2019 that, "..... the RTI Act is not the proper law for redressal of grievances and that there are other appropriate fora for resolving such matters." In the light of above decision and submissions the Appeal disposed off accordingly.
- 10) In case, the appellant is not satisfied with decision, he may prefer Second Appeal under RTI Act, 2005, within 90 days from the issue of this decision before the State Information Commissioner, 13<sup>th</sup> Floor, New Administrative Building, Madam Cama Road, Opposite Mantralaya, Mumbai- 400 032.

**Decision**

Accordingly, Appeal disposed off.



9.1.2020

**(Anilkumar Ukey)**  
**First Appellate Authority & Director, Legal (I/c)**  
**Maharashtra Electricity Regulatory Commission**

To  
Shri Ramzan Shaikh,  
C/O. A.R. Rehman Electrical Work Company,  
Govt. Licenced Electrical Contractor,  
(License No. MC 23516),  
Shastri Nagar, Plot No. 1,  
Room No. 54, Opp. Bus Depot,  
Bandra (West), Mumbai – 400050.  
Mob.No.9892185445/7666634370.



9.1.2020

**(Anilkumar Ukey)**  
**First Appellate Authority & Director, Legal (I/c)**  
**Maharashtra Electricity Regulatory Commission**