



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/62/2018/227

Date: 29.09.2018

To,
Shri. Shantilal P. Patel,
7, Laxmi Gauri Chawl,
Koknipada, Kurar Village,
Malad (E), Mumbai-400097

Subject : Your RTI application dated 17.09.2018 under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application dated 19.09.2018 under section 6 (1) RTI Act 2005 seeking information by the PIO.

Applicant has sought the information as under:-

No	Information Sought	Information Provide
1	Whether the M.E.R.C. have granted permission/approved the policy made by Reliance Infrastructure Ltd. /Adani Electricity Mumbai Ltd. for Electric supply to the public or they should do the work as per the policy made and given by your department to the Electricity Distribution Companies.	Information sought is nature of justification/clarification the PIO is not supposed to answer the justification/ clarification.
2	Whether the distribution Licensee Companies can make their own policies for providing electric supply to the persons ignoring the policies made and given to them.	Information sought is nature of question, the PIO is not supposed to answer.

According to section 2(f) of the RTI Act 'Information' means 'any material in any form'. Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008. Careful reading of the definition of 'Information' and 'right to information' makes it clear that a citizen has a right to get the material, inspect the material, take notes form the material, take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the citizen who seeks it.

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009. Information cannot include within its fold answers to the question "Why" which would be same thing as asking the reason for a justification for a particular thing. The PIO cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification are matter within the domain of adjudication authorities and cannot properly be classified as information." This is not come under RTI.

Shri Anilkumar Ukey, Deputy Director (Legal) is the First Appellate Authority for the purpose of Appeal under Sub- Section (1) of section 19 of the Right Information Act, 2005.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Pradeep Mohare', with a horizontal line extending to the right.

(Pradeep Mohare)

Public Information Officer & Section Officer