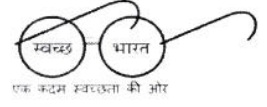




महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/85/2018/330

Date: 22.11.2018

To,
Shri. Bhavesh Mitaliya,
10, Nav Kartik CHS, Chedda Road,
Dombivali (East),
Pin – 421201.

Subject : Your RTI application dated 30.10.2018 under RTI Act 2005.

Sir,

Your application has been transfer from CERC, New Delhi vide its letter No.1/27(2)2018-सु.का.अ/के.वि.वि.आ.(2987) Dated 30th October, 2018 under section 6 (3) RTI Act 2005 to the Public Information Officer, Maharashtra Electricity Regulatory Commission, Mumbai. The office of the Commission is in receipt of your application dated 13.11.2018 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	In which condition MSEB can remove meter for non payment of dues. What procedure should be followed by MSEB before removing meter and whether customer need to give notice of 15 days or not for making payment. Cause in my case meter was removed for non payment of one month dues.	Information sought is nature of justification / clarification the PIO is not supposed to answer the justification / clarification. However for your quires you may refer MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014 and MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) (First Amendment) Regulations, 2017. which are available in downloadable format on Commission's websites www.merc.gov.in and www.mercindia.org.in

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.

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

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

Tel.: 022-2216 3964 / 2216 3965 / 2216 3969 Fax : 022-2216 3976

E-mail : mercindia@merc.gov.in / mercindia@mercindia.org.in Website : www.merc.gov.in / www.mercindia.org.in

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,



(Pradeep Mohare)

Public Information Officer & Section Officer

CC:-

Sachin Kumar,
Nodal Officer (RTI),
CERC, Ground Floor,
Chandralok Building,
36 Janpath, New Delhi-110001.