



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार

MERC/ADM/RTI/01/2023/0001



एक कदम स्वच्छता की ओर

Dt. 04.01.2023

To,
Shri. Chinmay Purav,
41/A, At.- Kamare,
Palghar, Pin - 401404

Subject : Your application dated 28.12.2022 submitted under RTI Act 2005.

Your application has been transfer from CERC vide its letter No. ADMIN-11037/1/2019-RTI CELL/CERC, Dated 29th December, 2022 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 through CERC dated 02.01.2023 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:

No	Information Sought	Information Provide
	I own a piece of agricultural land in Maharashtra. It is shared with other family members and we are the tenants of the land as per The Bombay Tenancy and Agricultural Lands Act, 1948.	
1	Do I need any NOC for getting a new connection from the distribution licensee?	Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.
2	Do I need any NOC for from other family members for the same?	A Public Information Officer (PIO) is not expected to provide intangible such as interpretations, opinions, advices, explanations, reasons as they cannot be said to be included in the definition of information in Section 2(f) of the RTI Act, 2005.
3	Which connections can I get.: a. Residential b. Commercial c. Agricultural	

According to section 2(f) of the 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. The Act, however, does not require the PIO to deduce some conclusion from the 'material' and supply the 'conclusion' so deduced to the applicant. The PIO is required to supply the 'material, in form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

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 Anil Kumar Ukey, Director (Legal) In-charge is the first Appellate Authority for the purpose of Appeal under Sub- Section (1) of section 19 of the Right Information Act, 2005. Address: Maharashtra Electricity Regulatory Commission, World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai – 400005 Tel. No. 022-22163964/65/69. Email: anilkumar.ukey@merc.gov.in.

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary

Copy to:-

Shri Sachin Kumar,
Assistant Secretary (P&A), Nodal Officer (RTI),
Central Electricity Regulatory Commission,
Ground Floor, Chanderlok Building,
36, Janpath, New Delhi - 110001.