



माहितीचा  
अधिकार

# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission



एक कदम स्वच्छता की ओर

Dt. 26.05.2023

MERC/ADM/RTI/065/2023/0250

To,

Shri. Prabhat,  
LIG 212, E 7 Arera Colony,  
Near Union Bank,  
Bhopal, MP, Pin: 462016.

Subject : Your application dated 15.05.2023 submitted under RTI Act 2005.

Sir,

Your application has been transfer from CERC vide its letter No. ADMIN-11037/1/2019- RTI CELL/CERC, dated 18<sup>th</sup> May, 2023 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 by email dated 18.05.2023 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:-

No.	Information Sought	Information Provided
1	<p>Please share the guidelines issued in respect to the write off of electricity overdues by Distribution Company for the electricity connection with liquidated property under the provisions of the IBC 2016.</p> <p>IBC 16 says no recovery from the buyers and ask for claim from distribution company to liquidator only.</p> <p>Distributor company is not ready to write off the dues in Maharashtra Pune.</p>	<p>Section 45 (Power to recover charges) empowers the Commission to formulate the regulations in accordance with the provision of Electricity Act, 2003 to recover the charges by distribution licensee for the supply of electricity.</p> <p>The Commission has notified "MERC (Electricity Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulations, 2021" on 25<sup>th</sup> February, 2021 along with the "Statement Of Reasons" wherein the Commission has stated that, unpaid electricity dues from the previous consumer shall be charge on the premises transmitted to the legal representative / successors-in-law new occupier of the premise and such dues shall be recoverable by Distribution licensee.</p> <p>In Statement of Reasons of MERC (Electricity Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulations, 2021 the Commission has stated that new occupier /owner is expected to exercise adequate due diligence before purchasing the property and make appropriated financial settlement of unpaid dues with earlier owner.</p> <p>Copy of the Regulation &amp; SOR is available in downloadable form on Commission website <a href="http://www.merc.gov.in">www.merc.gov.in</a></p>

As per the Hon'ble CIC decision No. CIC/YA/A/2014/000379/SB Dated 19.09.2016 in the matter of Shri. K. Lall Vs M. K. Bagri, Assistant Registrar of Companies and CPIO, Appeal No. CIC/AT/A/2007/00112, dated 12.04.2007, since the same is available in public domain, the PIO is not obliged to provide the same to the appellant under the RTI Act.

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](mailto:anilkumar.ukey@merc.gov.in).

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary

**Copy to:-**

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