



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/084/2023/0415



Dt. 08.08.2023

To,

Shri. Mohammed Shahnawaz Khan,
Room No. 704, Building No. 14, Tagore Nagar,
Geetanjali Society (Shraddha pinnacle),
Tagore Nagar, Vikhroli (E),
Mumbai – 400083.

Subject : Your application dated 25.07.2023 submitted under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application dated 26.07.2023 under section 6 (1) RTI Act 2005 seeking information by the PIO.

No.	Information Sought	Information Provided
1	<p>Please advise / guide if the 23rd Storey Redeveloped Building must have the power Sub-Station installed.</p> <p>Please advise if the permission of power Sub-station is granted? Whether the builder had built the same for Building No. 14, Tagore Nagar, Geetanjali Society (Shraddha pinnacle), Tagore Nagar, Vikhroli (E), Mumbai – 400083.</p>	<p>Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.</p> <p>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.</p>

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 from 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 Vishwanath Kulkarni, Director (Administration and Finance) 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:- vishwanath.kulkarni@merc.gov.in.

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary