



# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission



माहितीचा  
अधिकार



एक कदम स्वच्छता की ओर

Dt. 26.10.2023

MERC/ADM/RTI/0102/2023/0549

To,  
Shri. Mohammad Masuk Siddiqui,  
Bhagat Singh Nagar No. 2,  
Tambe Galli, Goregaon (W),  
Mumbai – 400104.

Subject : Your application dated 20.09.2023 submitted under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application on dated 04.10.2023 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	Provide G.R. and circular copy of order regarding forest land rules for obtaining Electricity Connection	Information sought regarding applications for New Connections & Change of name is available in MERC (Electricity Supply code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021.  Copy of the same is available on MERC website i.e. <a href="http://www.merc.gov.in">www.merc.gov.in</a> .
2	Provide & furnish details correspondence of State Government with MERC & service provider.	This information is not available with the Office of the Commission.
3	What is the policy for Aarey land which is forest land and they are getting Electricity Conn.	Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.  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.
4	Provide details circular and policy for forest land in Mumbai & suburban.	This information is not available with the Office of the Commission.

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008 mentioned that, "According to section 2(f) of the Act, 'information' means 'any material in any form'. A citizen, under the Act, has a right to get 'material' from a public authority which is held by or under the control of that public authority. The right includes inspection of work, documents, records; taking notes, extracts or certified copies of documents or records; taking certified samples of material; taking information in the form of diskettes, floppies, tapes video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device. 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 Public Information Officer 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 the 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".

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. Abhijeet Chatuphale, Deputy Director (Admin & 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: abhijeet.chatuphale@merc.gov.in.

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary