



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार



एक कदम स्वच्छता की ओर

Dt. 20.10.2023

MERC/ADM/RTI/0103/2023/0538

To,
Shri. Ashok Chandak,
First Floor, Below Sharekhan Office,
Chaitnya Pith Apt., 78, Shivaji Nagar,
Nagpur - 440010.

Subject : Your application dated 03.10.2023 submitted under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application on dated 05.10.2023 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	The details of order no. in which BIS or ISI approved material do not require any testing permission particularly in Electrical installation Material.	This information is not available with the Office of the Commission.
2A.	A condition of supply 2021 section 5.5, a register Co-Operative Group Housing Society for eligible for getting individual new service connection for their occupied premises as per this prescribe as per this prescribe information	Information asked is in question format. The Act does not expect the PIO to find answers for raised question.
2B.	What is the meaning of single phase supply?	A Public Information Officer (PIO) is not expected to provide intangible such as interpretations, opinions, advices, explanations, reasons as they are not included in the definition of information in Section 2(f) of the RTI Act, 2005.
3	As per section 4.3.7 of condition of supply 2021 can distribution licensee permit for mix HT, LT erection work or partial LT work to be carried out through Electrical contractor.	

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".

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009 mentioned that, "The definition of 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 because the citizen makes a requisition about information. Justification are matter within the domain of adjudicating authorities and cannot properly be classified as information."

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