



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

Order NO.-MERC/FAA/2023/Appeal/12 of 2023/0526

Date:12.10.2023

Date of RTI application filed: 26.07.2023
Date of reply of PIO: 18.08.2023
Date of receipt of first appeal: 15.09.2023
Date of order of first appeal: 12.10.2023

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act,2005)
Maharashtra Electricity Regulatory Commission, Mumbai

Mr. Vijay R. Gharge

.....**Appellant**

V/s

PIO, MERC, Mumbai

.....**Respondent**

In exercise of the power conferred upon the Appellate Authority by Section 19(6) of Right to Information Act, 2005, the Appellate makes the following decision.

Facts of the Appeal

1. The appellant had filed an application dated 19.07.2023 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 26.07.2023. The PIO/Respondent, vide letter dated 18.08.2023, provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 13.09.2023 (received at Office of the Commission on 15.09.2023).
2. The First Appellate Authority has given the opportunity of a personal hearing on 11.10.2023 by serving a notice of hearing upon Appellant dated 04.10.2023. The Appellant and PIO attended the hearing and made an oral submission.
3. Information sought by Appellant was as follows:

"Maharashtra Electricity Regulatory Commission (Transaction of Business and Fees and Charges) Regulations 2022 Certified copy with duly signed Amended and approved by state Legislature, Governor and Secretary, legal Dept. of Mah. Gov. Published mentioned in Gazette of MERC (Transaction of Business and Fees and Charges) Regulation 2022 it Registration No. also inward/outward nos. through all depts. Including MERC

corresponded for Regulations 2022 as per EA 2003 section 182. (30.06.2022 to 31.10.2022)".

4. Reply by PIO was as follows:

"The information available with the Office of the Commission will be provided as per your application. (The total number of pages-90)

5. Reason for filling an Appeal:

The charges communicated by PIO is Rs. 230 (90 pages x Rs. 2 per page + Rs. 50 for postal charges) or Rs. 180 if collected personally by visiting Commission's Office. However, it is mentioned on the Gazette only Rs. 9.

6. The Appellant has approached the Commission by filing the instant Appeal to the Commission.

7. Upon perusal of the Appeal, and oral submission of the POI, this Authority is of an opinion that the information sought by the Appellant is available in the office of the Commission in downloadable format and the office is ready to provide the information subject to deposit the requisite amount as prescribed in the RTI Act. The Appellant does not fall under BPL category.

8. In the light of the above, it is found that the response given to the Appellant by the PIO is according to the provisions of the RTI Act. Therefore, Appeal filed by the Appellant is dismissed. and PIO is directed to return the Two Indian Postal Order to the Appellant bearing no. 60C 901539 & 60C 901540 of Rs. 05 each.

9. In case, the Appellant is not satisfied with decision, he may prefer Second Appeal under RTI Act, 2005, within 90 days from the issue of this decision before the State Information Commissioner, 13th Floor, New Administrative Building, Madam Cama Road, Opposite Mantralaya, Mumbai-400032.

Decision

The Appeal is dismissed.



Abhijeet Chatuphale
First Appellate Authority & Dy. Director (A&F)
Maharashtra Electricity Regulatory Commission

To,

Shri. Vijay R. Gharge
Plot No. 4, Satyamnagar,
Sangamnagar, Satara,
Pincode-415003.



Abhijeet Chatuphale
First Appellate Authority & Dy. Director (A&F)
Maharashtra Electricity Regulatory Commission

Copy to PIO of MERC.