



# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission

Order NO.-MERC/FAA/2023/Appeal/15of 2023/0537

Date:20.10.2023

Date of RTI application filed: 10.08.2023  
Date of reply of PIO: 18.08.2023  
Date of receipt of first appeal: 04.10.2023  
Date of order of first appeal: 20.10.2023

**BEFORE THE APPELLATE AUTHORITY**  
**(Under the Right to Information Act,2005)**  
**Maharashtra Electricity Regulatory Commission, Mumbai**  
**Appeal No. 15 of 2023**

Shri. Mohammed Shahnawaz Khan

.....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 10.08.2023 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 11.08.2023. The PIO/Respondent, vide letter dated 18.08.2023, provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 28.09.2023 (received at Office of the Commission on 04.10.2023).
2. The First Appellate Authority has given the opportunity of a personal hearing on 17.10.2023 by serving a notice of hearing upon Appellant dated 09.10.2023. The Appellant and PIO attended the hearing and made an oral submission.

3. Information sought by Appellant was as follows:

*Provide Sanction letter and Final Inspection Report of power sub-station for project Shradha Pinnacle, Plot bearing /CTS/Survey/Final Plot no. 352 Pt 18 to 25 at Kurla, Mumbai Suburban-400083. (Project Address Bldg No. 14 Tagore Nagar Vikhroli (E), Mumbai-400083.*

4. Reply by PIO was as follows:

*Application transferred to PIO (RTI), MSEDCL, Plot No. G-9, Prakashgad, Bandra (East), Mumbai-400005 under Section 6 (3) of the RTI Act, 2005.*

*The PIO (RTI), MSEDCL further transferred the application to PIO B.E.S.T. Undertaking, O/o General Manager, A-ward, First floor, Electric House, Best Bhavan, Shaheed Bhagatsingh Road, Kulaba, Mumbai-400005.*

5. Reason for filling an Appeal:

Information not received.

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 not pertaining to this office and accordingly PIO, MERC transferred the application to MSEDCL office. However, the information was pertaining to the office of BEST Undertaking, the PIO, MSEDCL forwarded the application to PIO BEST Undertaking. Since the information sought by the appellant is not received by the Appellant therefore, filed first appeal.

8. During the hearing, the matter was heard from the Appellant and PIO and accordingly informed the Appellant regarding the holder of the information may be BEST Undertaking and not MERC. The Appellant is informed to obtain the required information from appropriate office.

9. In the light of the above, the Appeal filed by the Appellant is dismissed.

10. 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, 13<sup>th</sup> 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. Mohammed Shahnawaz Khan  
Room No. 704, Building No. 14,  
Shraddha Pinnacle, Geetanjali,  
Tagore Nagar Society, Tagore Nagar,  
Vikhroli (E), Mumbai-400083.

  
**Abhijeet Chatuphale**

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

Copy to PIO of MERC.