



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

Order NO.-MERC/FAA/2023/Appeal/09 of 2023/0485

Date:18.09.2023

Date of RTI application filed: 10.07.2023
Date of reply of PIO: 04.08.2023
Date of receipt of first appeal: 28.08.2023
Date of order of first appeal: 18.09.2023

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

Mr. Ramzan Shaikh

.....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 10.07.2023 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 11.07.2023. The PIO/Respondent, vide letter dated 04.08.2023, provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 26.08.2023 (received at Office of the Commission on 28.08.2023).
2. The First Appellate Authority has given the opportunity of personal hearing on 11.09.2023 by serving a notice of hearing upon Appellant dated 30.08.2023. The PIO attended the hearing; however, the Appellant did not attend the hearing.
3. Due to absence of Appellant, First Appellate Authority has given one more opportunity of personal hearing on 15.09.2023 by serving a notice of hearing upon Appellant dated 12.09.2023. However, the Appellant again did not attend the hearing on 15.09.2023 despite receiving both the notices on his given address through speed post. The PIO attended the hearing and made an oral submission.
4. Information sought by Appellant was as follows:

“Please provide me information about that how many years any employee/officer can work in one department of your office as per Government GR and after how many years any employee/officer is transferred to another department, please state the rules of your office and also G.R. copy of the same”.

5. Reply by PIO was as follows:

“Regarding service matters of employees, the Commission has notified “Maharashtra Electricity Regulatory Commission (Recruitment and Condition of Service of Employees) Regulations, 2007 & Maharashtra Electricity Regulatory Commission (Recruitment and Condition of Service of Employees) (Amendment) Regulations, 2011”. Above Regulations are available in downloadable form on Commission website www.merc.gov.in.

6. Reason for filling an Appeal:

Information not provided MERC/ADM/RTI/80/2023/0411 dated 04.08.2023

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

8. 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 on the Commission's website i.e. on public domain in downloadable form. Therefore, the office of the Commission has disclosed the information u/s (4) of the RTI Act.

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, 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,

Mr. Ramzan Shaikh
Room No. 125, Ahilyabai Holkar Chawl,
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Mumbai-400043.


Abhijeet Chatuphale

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

Copy to PIO of MERC.