



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

Order NO.-MERC/FAA/2023/Appeal/14of 2023/0556

Date:30.10.2023

Date of RTI application filed: 18.08.2023
Date of reply of PIO: 05.09.2023
Date of receipt of first appeal: 04.10.2023
Extension request received: 11.10.2023
Date of order of first appeal: 30.10.2023

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act,2005)
Maharashtra Electricity Regulatory Commission, Mumbai
Appeal No. 14 of 2023

Shri. 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 18.08.2023 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 21.08.2023. The PIO/Respondent, vide letter dated 05.09.2023, provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 03.10.2023 (received at Office of the Commission on 04.10.2023).
2. The First Appellate Authority has given the opportunity of a personal hearing on 11.10.2023 by serving a notice of hearing upon Appellant dated 05.10.2023. However, The Appellant vide letter dated 09.10.2023 requested to extend the hearing date from

11.10.2023 to 26.10.2023 or 27.10.2023. The request of Appellant was accepted and accordingly the hearing was re-scheduled for 26.10.2023 and notice was served upon Appellant dated 13.10.2023. The Appellant and PIO attended the hearing and made an oral submission on 26.10.2023.

3. Information sought by Appellant was as follows:

Please provide true and certified copy of Order issued by you to Adani Electricity Mumbai Ltd. to stop accepting applications for New Connections (Progress Dept.) and change of name for offline through hard copy.(2023 to till date)

4. Reply by PIO was as follows:

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. www.merc.gov.in

5. Reason for filling an Appeal:

The relevant information required is not given which is required in the form of writing.

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

7. Upon perusal of the Appeal, it is observed that the information sought by the Appellant is available on the Commission's website under MERC (Electricity Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021 i.e. on public domain in downloadable form.

8. During the hearing, the matter was heard from the Appellant and PIO and informed the Appellant about availability of information related to New Connection, Change of Name under MERC (Electricity Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021 which is already available on public domain. However, the Appellant insisted on the requirement of information in hard format. Accordingly, the PIO/Respondent is directed to provide the true copy of MERC (Electricity

Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021 to the Appellant after depositing the requisite fees in MERC office by the Appellant as per RTI Act, 2005.

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 PIO/Respondent is directed to provide the true copy of MERC (Electricity Supply Code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021 to the Appellant after depositing the requisite fees in MERC office by the Appellant as per RTI Act, 2005.



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

To,

Mr. Ramzan Shaikh
Room No. 125, Ahilyabai Holkar Chawl,
Annabhau Sathe Nagar, Opp. PMPG Colony,
Mumbai-400043.



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

Copy to PIO of MERC.