



माहितीचा
अधिकार

महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



एक कदम स्वच्छता की ओर

MERC/ADM/RTI/33/2024/0340

Dt. 12.06.2024

To,
Shri. K Senthil Kumar,
Suvis Associates,
No. 102, DPF Street,
Ramasamy Naidu Layout, P.N. Palayam,
Coimbatore-641037.

Subject : Your application dated 02.05.2024 submitted under RTI Act 2005.

The office of the Commission is in receipt of your application dated 22.05.2024 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	What is the prescribed Networking Charges for Solar Generation.	Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.
2	What is the policy regarding Net metering- Whether excess units generated will be carry forwarded to subsequent months/year or will it lapse after certain period.	A Public Information Officer (PIO) is not expected to provide intangible such as interpretations, opinions, advices, explanations, reasons as they cannot be said to be included in the definition of information in Section 2(f) of the RTI Act, 2005.*
3	Details of charges payable to the Consumer for excess Electricity Generated after the self-consumption.	This details are available in MERC (Grid Interactive Rooftop Renewable Energy Generating Systems) Regulations, 2019 and MERC (Grid Interactive Rooftop Renewable Energy Generating Systems) (First Amendment) Regulation, 2023. The above Regulations are available on downloadable form on website of the Commission i.e. www.merc.gov.in **
4	Details of Subsidy available under State & Central Governments.	Information not available with office of the Commission.
5	The amount of initial charges payable by the consumer during the Solar Installation.	Details of registration fees is also provided in MERC (Grid Interactive Rooftop Renewable Energy Generating Systems) Regulations, 2019 and MERC (Grid Interactive Rooftop Renewable Energy Generating Systems) (First Amendment) Regulation, 2023. The above Regulations are available on downloadable form on website of the Commission i.e. www.merc.gov.in **

* 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".

As per Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009. "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.

** As per the Hon'ble CIC decision No. CIC/YA/A/2014/000379/SB Dated 19.09.2016 in the matter of Shri. K. Lall Vs M. K. Bagri, Assistant Registrar of Companies and CPIO, Appeal No. CIC/AT/A/2007/00112, dated 12.04.2007, since the same is available in public domain, the PIO is not obliged to provide the same to the appellant under the RTI Act.

Shri Abhijeet Chatuphale, Deputy Director (Admin & Finance) In-charge 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