



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

Order NO.-MERC/FAA/2024/Appeal/09 of 2024/0458

Date:29.07.2024

Date of RTI application filed: 28.05.2024

Date of reply of PIO: 12.06.2024

Date of receipt of first appeal: 11.07.2024

Date of order of first appeal: 29.07.2024

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act,2005)
Maharashtra Electricity Regulatory Commission, Mumbai
Appeal No. 09 of 2024

Shri. Mehmood Husain Qureshi

.....**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 28.05.2024 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 31.05.2024. The PIO/Respondent, vide letter dated 12.06.2024, provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 08.07.2024 (received at Office of the Commission on 11.07.2024).
2. The First Appellate Authority has given the opportunity of a personal hearing on 23.07.2024 by serving a notice of hearing upon Appellant dated 12.07.2024. The Appellant did not attend, instead Ms. Rumana Rais Qureshi attended the hearing on behalf of the Appellant. The Authority Letter dated 22.07.2024 submitted by Ms. Rumana Rais Qureshi

during the hearing. The PIO attended the hearing and both the parties made an oral submission on 23.07.2024.

3. Information sought by Appellant was as follows:

- a) *I am enclosing herewith photo copy of electricity bill dated 08.01.2024 for Rs. 5715.62 of Consumer no. B-1301013 ID A/c No. 102077213, cycle #18, book #207, service #013 invoice no. 600010814434, tariff #LT-1b total outstanding bill upto Nov 22 issued in the name of my real parent aunty Mrs. Badrunira Manjoor Ahmed Qureshi w/o Late Mr. Manzoor Ahmed Qureshi near Jama Masjid, SV Road, Bandra (West), Mumbai-400050 (Maharashtra) for want of current bill copy dated 08.05.2024 (May-24) showing present outstanding of all dues in bill detail enabling me to clear long pending outstanding dues since Nov 22 as well prior copy of last payment made against this bill in details for your ready reference and kind perusal.*
- b) *Another new electric meter connection had been reported installed at the above noted house premises in the name of Shaisla w/o Qayamuddin s/o Sh Islam during the period from February 2017 to February 2022 while dues were outstanding in the name of Mrs. Badrunnisa Manjoor Ahmed Qureshi present previous A/C #102077213 pending since Nov. 22 without clearing outstanding dues against connection #B-12010113 in the name of Badrunnisa Manjoor Ahmed Qureshi. All correct information must be provided on time as to why new electricity connection was reported installed on which document basis and under which rules and regulations in what circumstances without doing P.D. of old consumer #B13010113. All filled documents photocopies must be made available regarding new connection to applicant on time within prescribed time limit as per guidelines of RTI Act 2005.*
- c) *If a new electricity connection is installed at premises while already dues are pending against old one then in such circumstances / conditions how many connections have been installed by department from March 2017 to February 2022. A correct complete list of all such connections must be provided on time duly certified by you.*
- d) *How much amount is to be deposited as security and what documents are to be submitted by the consumer at the time of applying to get new electricity connection*

and how long time to wait for installation new electric meter. All correct information should be provided to applicant on time within the prescribed time limit of 30 days.

4. Reply by PIO was as follows:

For Point no. 1 to 3 the PIO replied, This information is not available with office of the Commission.

The Hon'ble Bombay High Court by its order dated 13.10.2011, interalia stayed the Maharashtra State Information Commission's order dated 14.03.2011 Adani Electricity Mumbai Ltd. being not a 'Public Authority' as defined under the provision of Section 2(h) of the Right to Information Act, 2005. (Attached Order Copy)

Therefore, transfer of application under Section 6(3) of RTI Act, 2005 is not required.

For Point no. 4, Information sought regarding New Connections is available in MERC (Electricity Supply code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021. The copy of the same is available on MERC website i.e. www.merc.gov.in in downloadable format.

5. Reason for filling an Appeal:

Information not provided by the PIO MERC.

6. Upon perusal of the Appeal and oral submission of the POI and the Appellant during the hearing which was scheduled on 23.07.2024, this Authority is of the opinion that the response given by the PIO MERC against information sought by the Appellant under point no. 01 to 03 is appropriate and factual. Such type of information is not available in the Commission's office. The reply of the PIO was according to the provision of the RTI Act, 2005 and order dated 13.10.2011 of The Hon'ble Bombay High Court.

7. For the information sought under point no. 04, the Appellant was rightly informed by the PIO MERC that information regarding New connection available in MERC (Electricity Supply code and Standard of Performance of Distribution Licensees including Power Quality) Regulation, 2021 on MERC website www.merc.gov.in in downloadable format.

8. This Authority further opined that the information may be sought directly from M/s Adani Electricity Mumbai Ltd. Moreover, the Authority informed the Appellant about the forum made available by the Commission for Consumer grievances. The Appellant is asked to approach before the appropriate forum for redressal of its complaints.
9. Accordingly, the appeal is dismissed and disposed of.
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 and disposed of.



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

To,

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

Copy to PIO of MERC