



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार



Dt. ०८.०८.२०२४

No.: MERC/ADM/RTI/051/2024/०४९१

To,
Smt. Savita N Metakari,
Office at Allauddin Chawl Cottege,
Office No. 388-386-Juhu Lane,
Wireless Road, Opp. A/1 Medical Near Zam zam Store,
Andheri (West), Mumbai – 400058.

Subject : Your application dated 26.06.2024 submitted under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application on dated 29.07.2024 under section 6 (1) RTI Act 2005 seeking information by the PIO. Applicant has sought the information as under:-

No	Information Sought	Information Provide
	Regarding – Adani Electricity Company –Assessment officer of Enforcement Dept. Imposing Penalties Assessment of fine Period is (Three Years to Five Years) u/s 135 theft of Electricity Act, 2003 but in the Electricity Act 2003 The Assessing officer have Power to imposed Penalties Assessment of fine only 12 months but Assessing officers charging more then 12 months i.e. Three Years continuously to various consumers of Andheri west suburban Areas and their Site Visit officers Directly / forcibly Entering the Consumer House forcibly without having any kinds of order from Court and climbing over the roof as well as knocking the Door of the Consumer Early Morning 6.00 pm by Adani Electricity Company Employee from MIDC Marol Adani office for Andheri West Division. Period from January 2024 to till today 26.07.2024. Assessing officer joyfully charging penalties Assessment of fine assessment for more then 12 months and also his site visit officers forcibly entering the consumers room premises when the meter cabin is out side the room premises and knocking the door of the consumers at early morning 6.00 am and climbing over the roof without permission.	
1	Please provide me the full details information under RTI Act 2005- That whether the Assessing officers of Adani Electricity Company have power to charge Penalties Assessment of fine for 36 months i.e. More then 12 months under section 126 and 135 of the Electricity Act, 2003.	Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.
2	Please provide me detail information under RTI Act whether Adani Electricity Company officers from MIDC Marol office can directly Enter the Consumers house without any permission from Court to Enter the Consumer House when the Meter Cabin is absolutely outside of the Room Premises then as to why they are entering the Room Premises of the Consumers Room Premises by putting them under fear and tension-it is legal or illegal please give me details.	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
3	Please provide me information under RTI Act 2005 whether Adani Electricity Company officers can climb upon the Roof of the Consumers without any order or permission and climbing without permission over the roof private property is legal or illegal.	
4	Please provide me details information under RTI Act 2005 whether Adani Electricity Company officers can Knock the door of Consumers Early Morning 6.00 am when the consumers is sleeping and how the Adani Electricity Company officers coming at 6.00 am early morning and continuously knock the door of Consumer and disturb them please provide me in details whether Adani Electricity Company Officers from MIDC Marol Andheri East Office-can enter in any Consumers House –Private	

१३वा मजला, केंद्र क्र. १, जागतिक व्यापार केंद्र, कफ परेड, मुंबई - ४०० ००५.

13th Floor, Centre No. 1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

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Property without any Permission and Court order and Coming Early Morning at 6.00 am and knocking the Door of Consumers when they were sleeping and Climbing over the roof without permission of the consumer and without knowledge of the Consumers- Please Provide me full details information under RTI Act, 2005.	information in Section 2(f) of the RTI Act, 2005*
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* 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 mentioned that, "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."

Shri. Abhijeet Chatuphale, Deputy Director (Admin & Finance) 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