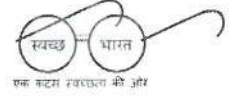




माहितीचा
अधिकार

महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/064/2024/0605

Dt. 04.10.2024

To,

Shri Naushad Ali,
Pallikkattuthodi house,
Alanallur, Palakkad,
Pkd, Pin: 678 601

Subject: Transfer of RTI application Shri Naushad Ali in terms of section 6 (3) of the RTI, Act, 2005-reg.

Sir,

Your application has been transfer from CERC vide its letter No. Admin - 12038/3/2024-CERC/RTI CELL, dated 12 September, 2024 under section 6 (3) RTI Act 2005 to the Public Information Officer, Maharashtra Electricity Regulatory Commission, Mumbai. The office of the Commission is in receipt of your application through CERC under Section 6 (1) RTI Act 2005 seeking information by the PIO as under:

Sr. No.	Information Sought	Information Provide
1	Requesting the following details of electricity charges collecting from the consumers of each states. 2. How percentage duty electricity bill 6. How percent GST on meter rent	Information asked is in question format. The Act does not expect the PIO to find answers for raised question. A Public Information Officer (PIO) is not expected to provide intangibles such as interpretations, opinions, advices, explanations, reasons as they are not included in the definition of information in Section 2(f) of the RTI Act, 2005.
1	Requesting the following details of electricity charges collecting from the consumers of each states. 1. Energy Charge per unit 3. Fuel Charge 4. Fixed Charges 5. Meter Rent	With regards to details of electricity charges in Maharashtra following Orders may be persued, which are available in downloadable format on website of the Commission. (www.merc.gov.in)** 1. MSEDCL – Case No. 226 of 2022 2. AEML-D – Case No. 231 of 2022 3. TPC-D – Case No. 225 of 2022 4. BEST – Case No. 212 of 2022 all dated 31 st March, 2023.

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 & Finacne) 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, Cuffee Parade, Mumbai 400005 Tel No. 022-22163964/65/69 Email: abhijeet.chatuphale@merc.gov.in

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary

Copy to:

Shri.Sachin Kumar,
Nodal Officer (RTI),
Central Electricity Regulatory Commission,
8th Floor, Tower B, World Trade Centre,
Nauroji Nagar, New Delhi- 110029.