



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/073/2024/0635

Dt. 14.10.2024

To,
Shri Deven D. Vekariya,
406 – 407, REXIL Corporate, Earth Plaza,
B/S Rivanta Square, Chhaprabhatha Rd,
Amroli, Surat, Gujrat – 394107
Mob No. - 9825170900.

Subject: Your application dated 06.10.2024 submitted under RTI Act 2005.

Sir,

The office of the Commission is in receipt of your application on dated 07.10.2024 under section 6 (1) RTI Act 2005 seeking information by the PIO. Applicant has sought the information as under: -

No	Information Sought	Information Provided
1	What regulations or guidelines has the MERC establishment for all DISCOMs under its jurisdiction concerning the provision of new connections to Electric Vehicle Charging Stations (EVCS)?	
2	Is the MERC compliant with all the rules and regulations set forth by the Ministry of Power, and does it adhere to the directives issued by the Ministry?	
3	The Ministry of Power has provided guidelines to all State Nodal Agencies to ensure compliance with the attached directives: (A) The guideline issued on September 17, 2024, specifies in Point No. 5 (General Requirement), Sub Point.2, a timeline within which DISCOMs are required to provide connections. Does the MERC adhere to this timeline? If so, could you please share a copy of that guideline? (B) In Point No.11 (Charging Stations Network), Sub Point No.3, It is stated that State and Union Territory Governments will also utilize the density/distance guidelines. This indicates that DISCOMs must prioritize the installation of supporting infrastructure, such as Distribution Transformers (DTC) and feeders for electricity distribution, and implement these measures even in the absence of central or state subsidies. Does the MERC follow these guidelines? If so, please provide the relevant regulations that MERC has issued to all DISCOMs regarding these measures. If not, could you explain the reasoning?	Information asked 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.
4	Could you provide information on the New Service Connection Scheme (NSC), including a copy of the relevant guidelines? Additionally, how has MERC ensured that DISCOMs are aware of and are following this scheme?	
5	Has the MERC issued any specific guidelines to all DISCOMs regarding the expansion of electrifications efforts for EVCS? If	

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.

Tel.: 022-2216 3964 / 2216 3965 / 2216 3969

E-mail : mercindia@merc.gov.in Website : www.merc.gov.in

No	Information Sought	Information Provided
	so, please attach those guidelines.	
6	What initiatives has the MERC undertaken to promote the development of EVCS infrastructure for the benefit of the public, including EVCS Charge Point Operators (CPOs) and individuals?	

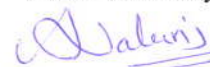
Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008 mentioned that, "According to section 2(f) of the Act, 'information' means 'any material in any form'. A citizen, under the Act, has a right to get 'material' from a public authority 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, Joint 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, Cuffee Parade, Mumbai 400005 Tel No. 022-22163964/65/69 Email: abhijeet.chatuphale@merc.gov.in

Yours faithfully,



(Arun Walunj)

Public Information Officer & Dy. Director (A&F)