



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार



एक कदम स्वच्छता की ओर

Dt. 07.03.2025

NO.: MERC/ADM/RTI/025/2025/0151

To,
Shri. Anandamoy Mukhopadhyay,
Room No. 5012,
Hostel 18 IIT Bombay,
Mumbai, Maharashtra,
Pincode – 400076

Subject: Your application dated 25.02.2025 submitted under RTI Act 2005.

Sir,

Your application has been transfer from CERC vide its letter No. ADMIN-12038/3/2024-CERC/RTI CELL, dated 28.02.2025 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 dated 05.03.2025 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:-

No	Information Sought	Information Provide
1	By which law, an electrical energy meter is a rented property between the domestic customer and the electricity distribution company?	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 intangible 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.*
2	By which law, the electricity distribution company can upgrade the postpaid electrical energy meter, situated at the domestic customer premises, to a prepaid meter i.e. a smart meter, unilaterally and without consent from the customer?	


* 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."

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, Cuffe Parade, Mumbai – 400005 Tel. No. 022-22163964/65/69. Email: abhijeet.chatuphale@merc.gov.in.

Yours faithfully,



(Arun Walunj)

Public Information Officer & Joint Director (Adm.& Fin.)

Copy to:-

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