



# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission



माहितीचा  
अधिकार

Order NO.-MERC/FAA/2025/Appeal/6 of 2025/0332

Date: 28.05.2025

Date of RTI application filed: 12.03.2025

Date of reply of PIO: 07.04.2025

Date of receipt of first appeal: 15.04.2025

Date of order of first appeal: 28.05.2025

**BEFORE THE APPELLATE AUTHORITY**  
**(Under the Right to Information Act, 2005)**  
**Maharashtra Electricity Regulatory Commission, Mumbai**  
**Appeal No. 06 of 2025**

Shri. Kamlakar Ratnakar Shenoy

.....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 12.03.2025 under the Right to Information Act, 2005 (hereinafter referred to as RTI Act). The application was received at the office of the Commission on 12.03.2025. The PIO/Respondent, vide letter dated 07.04.2025 provided the information to the Appellant. Accordingly, the Appellant filed the First appeal on 10.04.2025 (received at Office of the Commission on 15.04.2025).
2. The First Appellate Authority has given the opportunity of a personal hearing on 21.05.2025 by serving a notice of hearing upon Appellant dated 15.05.2025. The Appellant and PIO attended the hearing and made an oral submission on 21.05.2025.
3. The information sought by Appellant was as follows:
  - a) Action taken on my letter dated 05.03.2025 and 08.03.2025.
  - b) All information sought in the letters.

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

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**4. The reply by PIO was as follows:**

This information related to case no. 207 of 2024 on the MYT petition filled by BEST. The Commission is a quasi-judicial body and has followed due process in case no. 207 of 2024, including the public consultation process and public hearing.

The Commission has issued the final order in case no. 207 of 2024 on 28 March 2025 which is available on Commission's website in downloadable format.

The applicant can refer the order for the information. The copy of summary petition is also available on the Commission's website.

**5. Reason for filling an Appeal:**

Information not provided.

6. Accordingly, in-person hearing scheduled on 21.05.2025 in combination with two other appeals of the similar subject of the appellant. The Appellant and Respondent argued orally, and no written submission was received during the hearing.
7. The letters of Appellant mentioned in the appeal requested the information regarding the names and details of public/consumer representatives, minutes of meetings, records or any official documentation and clarification on the legal provisions permitting the MERC to conduct public hearings without appointing public/consumer representatives with relevant expertise.
8. The Appellant also requested the details regarding the due process followed by the Commission while passing the final order.
9. The Respondent PIO contended in his reply that the information asked by the Appellant is pertains to MYT petition filed by BEST Undertaking and after following due process including the public consultation and public hearing, the Commission has passed the final order on 28 March 2025 which is available on Commission's website in downloadable format.
10. As informed by the PIO, the Commission has already published the operational procedure and protocol to be followed for e-filing and e-hearing of the petition before the Commission. The procedure of e-hearing is laid down in the practice direction and the same is available on Commission's website in downloadable format.



**11. Decision:**

- a) After contemplating both side arguments, the copy of MYT final order of the Commission pertains to BEST Undertaking including errata and corrigendum order is to be provided to the Appellant. This authority has directed the PIO in the case of 4 of 2025 to provide the copy of MYT final order of the Commission pertains to BEST Undertaking including errata and corrigendum order in similar matters.
- b) For the due process aspect, the copy of operational procedure and protocol for E-hearing to be provided.
- c) Both the above-mentioned documents are to be provided free of cost within 20 days of the date of this order.
- d) Since the Appellant is senior citizen, the PIO is directed to provide the documents with proper Index.

**12.** The appeal is being disposed of with the above decision within 45 days of extended period as per section 19(6) after mutually deciding to combine the hearing with other two applications of the Appellant on a similar matter.

**13.** In case the Appellant is not satisfied with the decision, he may prefer the second appeal within 90 days before the State Information Commissioner, 13<sup>th</sup> Floor, New Administrative Building, Madam Cama Road, Opposite Mantralaya, Mumbai-400032.



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

To,

Shri. Kamlakar Ratnakar Shenoy  
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Sheth Motisha (love) Lane,  
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**Abhijeet V. Chatuphale**  
**First Appellate Authority & Jt. Director (A&F)**  
**Maharashtra Electricity Regulatory Commission**

Copy to PIO of MERC for necessary action.