

Humble submission requesting written clarification from Hon. Devendra Fadnavis ji and Hon. Central Minister for Power

## **ON SMART METERS, TOD TARIFF & PRIVATISATION POLICY**

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### **1. Suppression of True Cost Impact of TOD Tariff**

The statement made by Devendra Phadnavis is incomplete, selective, and misleading, as it suppresses the real financial burden arising from Time-of-Day (TOD) tariff implementation. While projecting a marginal reduction (e.g., 90 paise), no disclosure is made regarding peak-hour surcharges.

- a) Peak-hour tariffs can result in a substantial increase in electricity bills.
  - b) The structure resembles surge pricing models adopted by Ola, allowing excessive pricing during demand peaks.
  - c) This creates a hidden mechanism for tariff escalation, not disclosed to the legislature or the public.
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### **2. Misrepresentation of “Savings” from Smart Meters**

The claim of tariff reduction due to smart meters is factually incorrect and economically misleading.

- a) Smart meters are justified on the grounds of reducing theft and technical losses.
  - b) Increased availability of solar energy reduces overall generation cost.
  - c) Therefore, actual savings should be significantly higher, and limiting it to 90 paise indicates withholding of consumer benefits.
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### **3. Absence of Disclosure on Future Tariff Hikes**

There is complete silence on long-term financial implications.

- a) No disclosure of maximum permissible tariff hikes under ARR.
  - b) No clarity on the multi-year tariff trajectory.
  - c) This lack of transparency prevents consumers from assessing their future financial burden.
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#### **4. Unjustified Introduction of Peak Hour (Surge) Charges**

The introduction of peak-hour pricing lacks justification.

- a) Smart meters improve efficiency and reduce losses.
  - b) Renewable energy increases supply availability.
  - c) Instead of reducing tariffs, penal pricing is introduced, burdening consumers for essential usage.
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#### **5. ₹27,000 Crore Public Investment – No Consumer ROI**

Massive public investment has been made without defined benefits.

- a) Approximately ₹27,000 crores of public funds have been invested.
  - b) No defined Return on Investment (ROI) for consumers.
  - c) No guaranteed reduction in tariffs or improvement in service quality, indicating misuse of public funds.
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#### **6. Silence on Meter Accuracy & Metrology Certification Issues**

Serious concerns regarding meter reliability remain unaddressed.

- a) Certificates issued by the State Metrology Department indicate possible manipulation or inaccuracies.
  - b) No such widespread complaints existed with earlier electronic meters.
  - c) This raises apprehension of systematic overbilling and lack of accountability.
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#### **7. No Binding Assurance on Non-Imposition of Surge Charges**

There is no legal or written safeguard for consumers.

- a) No assurance that peak/surge charges will not be imposed.
  - b) No restriction on arbitrary tariff categorisation.
  - c) Consumers are exposed to unregulated pricing risks.
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## **8. Cost Recovery Through ARR – Hidden Burden on Consumers**

The financial burden is being indirectly shifted to the public.

- a) No undertaking that smart meter costs will not be recovered through ARR.
  - b) Taxpayer-funded infrastructure may be recovered again through tariffs.
  - c) This results in a double financial burden on citizens.
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## **9. Attempt to Convert “Consumers” into “Customers”**

There is a fundamental policy shift being attempted.

- a) Electricity, an essential service, is being treated as a commercial commodity.
  - b) The term “consumer” under law ensures protection, whereas “customer” implies a commercial contract with reduced safeguards.
  - c) This shift dilutes statutory protections under the Electricity Act and weakens public interest obligations.
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## **10. Systematic Move Towards Privatisation of Essential Services**

The policy direction indicates a gradual transfer of public utilities to private entities.

- a) Essential services like electricity distribution are being increasingly handed over to private companies.
  - b) Public utilities are being structured to appear inefficient to justify privatisation.
  - c) This undermines the principle of equitable access to essential services.
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## **11. Deliberate Weakening of Public Utilities like BEST & MSEDCL**

There appears to be a systematic attempt to weaken public sector utilities.

- a) Financial and operational stress is being allowed to accumulate in entities like BEST Undertaking and Maharashtra State Electricity Distribution Company Limited.
  - b) Inefficiencies are not addressed but allowed to grow.
  - c) This creates a narrative to justify eventual handover to private players at undervalued terms.
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## **12. Larger Public Interest & Constitutional Violation**

The cumulative effect of these actions is against public interest.

- a) It violates principles of transparency, fairness, and accountability.
  - b) It defeats the objective of affordable and accessible electricity.
  - c) It results in misleading the legislature and citizens, contrary to constitutional governance norms.
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## **13. Conclusion**

The statement made on the Assembly floor is misleading, incomplete, and strategically suppresses material facts.

- a) Minor benefits are highlighted while major financial risks are concealed.
  - b) Long-term burden on consumers is not disclosed.
  - c) No legal, financial, or regulatory safeguards are provided.
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## **14. Issuance of Oral Assurances Without Binding Written Orders & Resultant Consumer Harassment**

References to Ministerial Statements / Submissions:

1. Facebook Statement (Video Reference)
2. Instagram Reel (Public Reaction / Ground Reality Evidence)
3. Parliament Statement reported in news (Lok Sabha submission)
4. Social media video reference

(As provided in your document)

There is a clear and consistent pattern wherein ministers make oral statements in the Assembly and Parliament but fail to issue corresponding written directions or statutory orders, rendering such assurances ineffective and misleading.

- a) Despite claims that prepaid smart meters are not mandatory, no binding written orders prevent coercive implementation.
- b) Smart meters are being installed through force and coercion.
- c) There is no proper grievance redressal mechanism for billing issues.
- d) Strict actions are taken against consumers, while large defaulters receive leniency.
- e) Selective enforcement creates discriminatory governance.

- f) Claims of post-paid systems are misleading; evidence suggests a shift to prepaid systems.
  - g) Forced implementation violates provisions of the Electricity Act.
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This conduct reflects a deliberate bypassing of legal safeguards and consumer protection mechanisms, resulting in unfair gains for electricity companies and harm to consumers.

This requires immediate disclosure, regulatory intervention, and judicial scrutiny to protect public interest.

Please educate me if my submission is incorrect.

Date: 03.04.26

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Jai Hind