

**BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)**

(Appointed by the Maharashtra Electricity Regulatory Commission  
under Section 42(6) of the Electricity Act, 2003)

**REPRESENTATION NO. 94 OF 2025**

In the matter of installation of smart meter without intimation

Divine Chemicals Company... ..Appellant  
(Cons. No. 221029012370)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Ratnagiri Circle. ....Respondent  
(MSEDCL)

Appearances:

Appellant : 1. Darshan Gosavi, Admin Officer  
2. Pujhesh Tiwari, Construction Manager

Respondent : Sunilkumar Mane, Superintending Engineer, Ratnagiri Circle


**Coram: Vandana Krishna [IAS (Retd.)]**

Date of hearing: 12<sup>th</sup> November 2025

Date of Order : 5<sup>th</sup> December 2025

**ORDER**

This Representation was filed on 25<sup>th</sup> September 2025 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 31<sup>st</sup> July 2025 in Case No. 48 of 2025 passed by the Consumer Grievance Redressal Forum, MSEDCL, Kolhapur Zone (the Forum). The Forum by its order rejected the grievance application of the Appellant.

  
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2. Aggrieved by the order dated 31.07.2025 passed by the Forum, the Appellant filed this representation. An e- hearing was held on 12<sup>th</sup> November 2025 through video conference. Parties were heard at length. The Respondent's submissions and arguments are stated as below. *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

- (i) The Appellant is a HT industrial consumer since 06.05.2019. The details of the electric connection are provided in Table 1 as below:

Table 1:

Name of Consumer	Consumer No.	Address on Bill	Sanctioned load/ Contract Demand	Date of Supply
Divine Chemicals Company	221029012370	C-28/29 Lote MIDC Tal.Khed, Dist. Ratnagiri 415722	447 KW / 237 kVA	06.05.2019


The Appellant is a polymer liquid manufacturer.

**Preamble:**

- (ii) The Respondent relied on the Ministry of Power, Government of India Notification dated 17th August 2021 (F. No. 23/35/2019-R&R), issued under Clause 4(1)(b) of the CEA (Installation and Operation of Meters) Amendment Regulations, 2019 read with Section 55(1) and Section 177(2)(c) of the Electricity Act, 2003, prescribing the timelines for mandatory replacement of existing meters with Smart Meters having a pre-payment feature. The relevant portion of the notification is reproduced below:

*All consumers (other than agricultural consumers) in areas with communication network, shall be supplied electricity with Smart Meters working in prepayment mode, conforming to relevant IS, within the timelines specified below:*

- (i) *All Union Territories, electrical divisions having more than 50 % consumers in urban areas with AT&C losses more than 15% in financial year 2019-20, other electrical divisions with AT&C losses more than 25% in financial year 2019-20, all Government offices at*

  
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*Block level and above, and all industrial and commercial consumers, shall be metered with smart meters with pre-payment mode by December 2023:*

*Provided that the respective State Regulatory Commission may, by notification, extend the said period of implementation, giving reasons for doing so, only twice but not more than six months at a time, for a class or classes of consumers or for such areas as may be specified in that notification.*

- (ii) *All other areas shall be metered with smart meters with pre-payment mode by **March 2025**:*

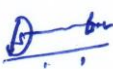
*Provided that in areas which do not have communication network, installation of pre-payment meters, conforming to relevant IS, may be allowed by the respective State Electricity Regulatory Commission.*

*All consumer connections having current-carrying capacity beyond that specified in relevant IS, may be provided with meters with smart meters having AMR facility.*

- (iii) As per the directives issued by the Government of India, all existing electricity meters are to be upgraded to Smart TOD Meters under the Revamped Distribution Sector Scheme (RDSS). The meter replacement work has been entrusted to an authorized AMISP (Advanced Metering Infrastructure Service Provider). Accordingly, the meter replacement work in Ratnagiri Circle area is being carried out through authorized agencies under the supervision of the Maharashtra State Electricity Distribution Company Limited (MSEDCL).

Key Benefits of Smart Meters:

- **Free installation:** The smart meter will be installed free of cost.
- **Time-of-Day (TOD) Tariff:** The consumer can avail of tariff advantage for certain times of the day, as per Commission's Tariff order in force.
- **Real-time Energy Monitoring:** You can track your electricity consumption, voltage, current, and load in real time via the MAHA VIDYUT mobile app. Daily electricity consumption can be viewed, helping you manage your energy usage more efficiently.
- **Accurate & Automatic Billing:** Meter readings will be collected automatically through Cellular communication, eliminating the need for manual readings. Because of this, human mistakes in meter reading will be eliminated.


  
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- **Solar Net Metering:** Consumers with solar installations can conveniently view their Export-Import energy data on the App.
- **Accuracy of meters:** Smart meters are tested in labs approved by Govt., ensuring high accuracy.

**Submissions:**

- (iv) Monday is observed as a staggered weekly holiday in the Ratnagiri Zone, including the area of Lote MIDC. Accordingly, the HT meter replacement activity pertaining to the Appellant's installation in the Lote MIDC region was scheduled on 16.06.2025, a Monday, to ensure that regular production activity was not disrupted. On the said date, the Testing Team of the Ratnagiri Testing Division, led by Shri Altaf Attar, Deputy Executive Engineer, visited the consumer's premises for replacement of the existing HT meter with a Smart Meter, in accordance with the policy of the Government of India. Shri Attar duly presented his official identity card (ID No. **086214**) to the representative of the Appellant, and the same was verified. Thereafter, the Appellant permitted the Respondent's team to enter the premises. The team also informed the concerned personnel that the meter replacement was being undertaken under a **Special Drive for installation of Smart Meters**. The Respondent replaced the old meter by a smart meter in the presence of the Appellant's representative. The meter replacement report was duly handed over to the personnel of the Appellant.
- (v) On 16th June 2025 at 15:07 hrs, the Executive Engineer (EE), Khed Division, MSEDCL received a phone call from mobile number 8369184476 of Darshan Gosavi, Admin Officer of the Appellant, enquiring about the required procedure for HT consumer meter replacement without any authority, and entering into the Company premises without any permission. The Executive Engineer, Khed Division of the Respondent informed the Appellant that the Testing Team of the Ratnagiri Testing Division is duly authorized to replace the meter. The consumer repeatedly questioned the authority of MSEDCL officials to enter the premises without prior written intimation for replacement of a functional meter. During the

  
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telephonic communication, the Executive Engineer clarified that the Testing Team is fully empowered to visit the consumer's premises up to the metering point without prior intimation, since the meter is the property of MSEDCL. Normally, the Respondent may issue advance intimation wherever necessary; however, whenever MSEDCL decides to install an advanced-feature meter in place of an existing meter, it is within its statutory authority to do so. It was further stated that copies of the meter replacement report along with the final readings had already been handed over to the consumer or their authorized representative.


- (vi) The Respondent put on record Clause No. 4 (Note Section) under Metering Specifications of MSEDCL Commercial Circular No. 291 dated 29.06.2017, which states:

*“Access to Premises and Apparatus: The authorized employees of the MSEDCL are entitled by statute at all reasonable times to enter upon the premises of the consumer to which energy is supplied for the purpose of inspection and reading meters and other maintenance works.”*

- (vii) The Respondent referred to the MERC (State Grid Code) Regulations 2020, Part H : Metering Code Point No. 73 which is reproduced as below:

*‘73. Access to meter: The owner of the premises where, the meter is installed shall provide access to the authorized representative (s) of the other entities for installation, testing, commissioning, reading, and recording and maintenance of meters.’*

- (viii) Despite receiving repeated explanations, the consumer appeared anxious and was unwilling to heed the clarifications provided by the E.E., Khed Division. The Appellant made multiple calls to the undersigned at 15:22 hrs, 16:09 hrs, 18:31 hrs, and later at night. During each interaction, the E.E. patiently reiterated that the authorized officials had properly disclosed their identity, had accessed only the metering equipment—which is the property of MSEDCL—and that the visit was conducted strictly within normal working hours (15:00 to 15:45 hrs). Nonetheless, the consumer continued to express undue apprehension, involved his legal team in

  
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conference calls, and collectively argued with the E.E. At one stage, the consumer and his team even threatened legal action against the E.E.

- (ix) As per MSEDCL Corporate Office directives, replacement of consumer meters through AMISP (Advanced Metering Infrastructure Services Provider) is being undertaken on a mass scale across all divisions as a policy. Accordingly, HT consumer meter replacement activity is also in progress across Ratnagiri District. Till date, out of 251 HT consumers, smart meter installation has been completed for 159 consumers. No dispute has arisen from any HT consumer except the Appellant.
- (x) The Appellant was the first consumer in this batch, and there was a minor communication gap between the parties (regarding lack of advance intimation), for which due care has since been taken.
- (xi) The Respondent, Superintending Engineer, Ratnagiri, has also submitted that 159 HT consumers have already had their meters replaced under the AMISP program out of the total 251 HT consumers in the Ratnagiri Circle.
- (xii) The Superintending Engineer assured in the hearing that the Appellant, being a valued consumer, will continue to be accorded due consideration and importance for any further discussions at the Circle/Zone level.
- (xiii) The Forum, by its order dated 31.07.2025, has rightly rejected the grievance. In view of the above submissions, the Respondent prays that the representation filed by the Appellant be rejected.


3. The Appellant's submissions and arguments are stated as below: -

- (i) The Appellant is a HT consumer (No. 221029012370) from 06.05.2019. The relevant are provided in Table 1. The Appellant is billed under "Industrial" Tariff Category. Divine Chemicals Company is an innovation-driven, multi-specialty chemical manufacturer offering sustainable and value-added solutions for a safer and healthier life. The company provides services for the Leather and Textile industries, fully compliant with international quality standards. The Appellant company is based in Mumbai, with its manufacturing facility at Lote Parshuram, Khed, Ratnagiri.

  
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- (ii) The present grievance is regarding unauthorized entry into the Appellant's industrial premises and replacement of the functional electricity meter without prior notice or consent, which the Appellant submits is a violation of consumer rights and due procedural requirements.
- (iii) On 16.06.2025, an employee from the Respondent, namely Shri Altaf Attar, Dy. Executive Engineer (ID No. 086214), entered the Appellant's premises without prior intimation, permission, or coordination with the authorized company representatives, and proceeded to replace the existing HT electric meter under the pretext of "testing". The Appellant's representative expressly informed the said officials that the premises were closed on that day and requested that the activity be undertaken during the following week after issuance of proper intimation. Notwithstanding this request, the officials of the Respondent proceeded to replace the meter in the absence of the consumer's authorized personnel, thereby acting without authority and in contravention of established norms of consumer communication and procedural fairness.
- (iv) Upon contacting Pramod Babrekar, Executive Engineer, Khed of the Respondent, Division, for clarification regarding the incident, he responded in a dismissive and unprofessional manner, asserting:
- "We don't require any permission to come there, and we don't intimate anyone before changing the meter."*
- (v) The Appellant has strongly objected to the following actions:
- a) The unauthorized entry by MSEDCL officials into private industrial premises without consent or notice.
  - b) Replacement of a functional and operational meter without prior written intimation or presence of the consumer's authorized representative.
  - c) The discourteous, irresponsible, and non-transparent response from the concerned Executive Engineer.
- (vi) Such conduct raises serious concerns regarding procedural propriety, transparency, accountability, and security of the industrial establishment.
- (vii) The Appellant filed a grievance application before the Forum on 18.06.2025, **seeking reinstallation of the original electric meter** that was removed without authorization,

  
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a written explanation outlining the procedure followed during the meter replacement, clarification on whether MSEDCL has any policy or practice permitting meter replacement without consumer awareness or prior written intimation, and initiation of corrective and disciplinary action against the officials responsible for procedural lapses and misconduct.

- (viii) By order dated 31.07.2025, the Forum rejected the Appellant's grievance. The Forum failed to appreciate the core issue, namely, that the Respondent was required to provide proper prior intimation and that **there was no necessity to replace a properly functioning meter.**
- (ix) The Appellant has placed on record the Meter Inspection Report dated 16.06.2025, issued by the Executive Engineer, Testing Division, Ratnagiri.
- (x) In view of the above, the Appellant prays that the Respondent be directed to:
- Restore the original electric meter removed from the Appellant's premises without authorization.
  - Provide a written explanation and detailed procedural chronology of the replacement undertaken.
  - Confirm whether it is MSEDCL's standard practice or policy to replace electricity meters without consumer awareness or written communication.
  - Initiate disciplinary action against the concerned staff for misconduct and violation of procedure.

### Analysis and Ruling

4. Heard the parties and perused the documents on record. The Appellant is an industrial consumer as detailed in Table 1.

5. The Respondent contended that, in compliance with the Ministry of Power Notification dated 17.08.2021 under the Electricity Act, 2003 and CEA Metering Regulations, replacement of existing meters with Smart Meters is mandatory. As Monday is a staggered weekly holiday in Ratnagiri Zone, the HT meter replacement at the Appellant's premises was scheduled on 16.06.2025, a Monday, and the authorized Testing Team, after showing valid ID, replaced the

  
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meter in the presence of the Appellant's representative and issued the replacement report. The Executive Engineer clarified that MSEDCL officials are legally empowered to access metering equipment without prior written intimation and that the activity forms part of the national Smart Metering Programme. The Superintending Engineer confirmed that 159 of 251 HT consumers have already been upgraded metering without objection except the Appellant, and the issue appears to have arisen due to a minor communication gap, i.e. lack of prior intimation. The Respondent assures that the Appellant, being a valued consumer, will be accorded due consideration in future interactions.

6. The Appellant contended that Divine Chemicals Company is an innovation-driven chemical manufacturer and that the dispute arises from the Respondent's alleged unauthorized entry into its industrial premises and replacement of a functional HT meter without prior notice. On 16.06.2025, the Dy. Executive Engineer and his team entered the closed premises without intimation and replaced the functioning meter despite a request to carry out the work later with proper notice. The Appellant objected to the unauthorized entry, the replacement of a working meter in the absence of authorized personnel, and the dismissive response of the concerned officer, raising issues of transparency, procedural propriety, and industrial security. The Appellant seeks restoration of the original meter, disclosure of the procedure followed, clarification of policy, and disciplinary action against the officials involved.

7. Ministry of Power, GOI, issued a Notification dated 17<sup>th</sup> August 2021 (F. No. 23/35/2019-R&R), issued under the CEA Metering Regulations and Sections 55(1) and 177(2)(c) of the Electricity Act, 2003, which mandates replacement of existing meters with Smart Meters equipped with a pre-payment feature within prescribed timelines. As per the directives issued by the Government of India, all existing electricity meters are to be upgraded to Smart TOD Meters under the Revamped Distribution Sector Scheme (RDSS). Replacement of existing (even if functional) meters by new smart meters is thus a part of broad government policy and directives, and involves upgradation of technology.

  
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It is obligatory for the distribution licensee to install smart meters for all categories of consumers, in accordance with directions issued by the Appropriate Commission and applicable regulatory standards. A smart meter is an advanced digital device that records electricity consumption in real time, enables two-way communication with the distribution licensee, and supports remote monitoring and control, ensuring accurate and transparent billing, reducing unauthorized usage and theft, facilitating demand-side management and load balancing, enabling better integration of renewable energy, and empowering consumers with detailed data for efficient energy use.

No doubt the Respondent should have ideally intimated the consumer in advance about its meter upgradation drive; however, this lapse can be condoned under the circumstances mentioned above. The intention of the Respondent was bonafide, and legally it is authorized to enter industrial premises for purposes related to meter checking or replacement, as meters are the property of the licensee.

8. The Forum has given a well-reasoned and speaking order. The Appellant ought to have understood the benefits of a smart meter. The Forum has already quoted the contents of MERC tariff order case No.217 of 2024 dated 28.03.2025, and the policies of the Central Electricity Authority regarding commissioning of Smart Meters. The important contents of the Commission's Tariff Order in Case No. 217 of 2024 (Tariff Order dated 28.03.2025) state that:

- The MYT Order discusses the smart meter rollout being implemented under the Revamped Distribution Sector Scheme (RDSS) through the Advanced Metering Infrastructure Service Provider (AMISP), the agency responsible for supplying, installing, operating, and maintaining the smart metering system.
- MERC notes, in its Suo-Moto observations referred to in the MYT, that the RDSS scheme has a sunset date of 31 March 2026, beyond which no new works will qualify for central grant support.

9. There was lack of communication between the Respondent and the Appellant regarding the scheduling of the smart meter upgradation, most probably since the Appellant was among the first consumers in the rollout; thus, initial operational challenges are understandable. The

  
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Respondent did not provide adequate advance, need-based information about the smart meter replacement programme to the consumer. However, the allegations made by the Appellant are not sustainable, as the Respondent's team was performing its official duty, properly displayed identification upon entry, and deliberately chose the area's staggering (non-working) day to ensure that no production activity was disrupted and no loss was caused to the Appellant. Considering the bonafides of the Respondent, this cannot be considered as a serious lapse meriting disciplinary action. However, the Respondent is advised to henceforth intimate consumers in advance regarding its schedule for installation of smart meters, to avoid any miscommunication.

10. Under the CGRF & EO Regulations, 2020, the terms “**Complaint**” & “**Grievance**” are defined as follows:


*2.1(d) “**Complaint**” means a submission made by a consumer expressing dissatisfaction with the electricity supply service provided by the Distribution Licensee;*

*2.1(e): “**Grievance**” means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance, which has been undertaken to be performed by a Distribution Licensee in pursuance of a licence, contract, agreement or under the Electricity Supply Code or in relation to Standards of Performance of Distribution Licensees as specified by the Commission and includes inter alia Grievances in respect of non-compliance of any Order of the Commission or any action to be taken in pursuance thereof, which are within the jurisdiction of the Forum or Electricity Ombudsman, as the case may be;*

11. In the present matter, no such deficiency in service or violation of regulatory obligations has been established. The Respondent has carried out its duty of upgrading the meter of the Appellant with a ‘Smart’ meter of advanced technology. If the Appellant required clarification regarding the smart meter programme, the appropriate course was to contact MSEDCL’s higher authorities, such as the Superintending Engineer, Ratnagiri Circle, or the Chief Engineer, Ratnagiri Zone. Accordingly, it is held that no valid grievance exists.

12. The Representation is rejected and disposed of accordingly.

Sd/  
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