

Date: 26.7.25

180 / GM- BEST / request for meeting / Sadguru café smart meter magistrate folder and file

To,

1. General Manager BEST: gm@bestundertaking.com
2. Addl MC city BMC: amc.city@mcgm.gov.in

Cc to

3. SR. PI Colaba police station
4. DCP zone 1
5. Addl CP South Region
6. MERC: ehearing@merc.gov.in
7. MERC secretary: mercindia@mercgov.in
8. Mr. Chandankar CECC: cecc@bestundertaking.com

Or

Tatapower : tatapower@tatapower.com

Tata: customercare@tatapower.com

Adani: helpdesk.mumbaielectricity@adanielectricity.co

Adani: helpdesk.mumbaielectricity@adani.com

Torrent: connect.ahd@torrentpower.com

MSEDCL: customercare@mahadiscom.in

MSEDCL: helpdesk_pg@mahadiscom.in

Sub: Public consultancy before implementing any policy is mandatory

“It is a constitutional and statutory obligation of public authorities to engage with citizens on matters of public policy, as required under Article 243S, Section 4(1)(c) of the RTI Act, and relevant provisions of the MMC Act. Failure to do so not only defeats the purpose of democratic governance but also increases conflict, confusion, and administrative overload in the form of

complaints, appeals, and litigation. Hence, we demand that public consultations be conducted before implementing any policy that affects residents at large.”

Summary Table of Legal Bases for Policy-Level Public Consultation:

<u>Law/Provision</u>	<u>Requirement</u>
Article 243 & 243A	Gram Sabha must be consulted for rural policy decisions
Article 243S	Ward Committees/Area Sabhas for urban areas
RTI Act Section 4(1)(c)	Publish policy info & consult public before decisions
EIA Notification	Public hearing before environmental clearance
Smart Cities Guidelines	Citizen involvement mandatory in planning
MMC Act Sections 31A, 66A	Require budget and plan disclosures, public input
Citizen Charter (Sevottam)	Participatory governance framework
Judicial Doctrine	SC affirms citizen’s right to be consulted in policy

Reg:

- i. GM BEST wrongfully avoiding to meet and consult public before implementation of the smart meter’s policy. No reply to written and telephonic calls.**
- ii. Violation of GR 13.1.2025 to fix board disclosing time to meet public without prior appointment and denying to meet public.**
- iii. Not maintaining proper record that movement register as required under law.**

I shall be constrained to come to your office call 100 number for committing offence and destruction of evidence, and not maintaining proper records as per public record act.

I am informing your office to avoid confrontations, as our intention to set the law in motion.

Respected Sir / Madam,

please arrange a meeting as well alert senior citizens have raised several issues which need clarification. your office has not provided any information.

1. Illegal Trespassing and Forced Installation of Smart Meters

There are several instances when BEST just comes, opens the doors of the meter room, and installs smart meters by committing theft of electronic meters.

1.1 BEST has unlawfully appointed agents without legal authority who entered consumers' premises with deceit and forcibly replaced electronic meters with smart meters against consumers'

wishes.

1.2 These actions constitute trespassing and coercion, violating fundamental consumer rights and legal protections.

2. Smart Meters: Misuse of Policy by BEST, Tata Power, Adani and other private electric companies

- a. Smart meters are intended to improve efficiency and reduce transmission and distribution (T&D) losses below 12%.
- b. However, BEST's T&D loss is only 3.5%, making it ineligible for mandatory smart meter installation under government policy. Despite this, BEST is forcibly installing smart meters without justification.
- c. Hence, the wastage of ₹1720 crores. This constitutes cheating and criminal breach of trust by all those involved., making it ineligible for mandatory smart meter installation under government policy. Despite this, BEST is forcibly installing smart meters without justification.
- d. The RDSS policy is only for government DISCOMs and none others. However, illegal installations are forcibly done. This is an offence of cheating and criminal breach of trust by public servants and those involved in permitting the smart meters and its subsequent consequential implementation.

Regarding MSEDCL

- e. The MSEDCL shall first give the details of percentage of losses incurred and if it is above the level of 15% and what remedial action it has proposed to Ministry of Power.
- f. In view of Chief Minister statement on the floor of the assembly that smart meters is not compulsory MSEDCL shall provide the sections and law to force upon the consumers to install smart meters. **(link is attached at para 5)**
- g.

Where is the profit gone after reduction of loss in distribution and transmission to the extent of 66%?

- h. In fact, BEST has proposed a hike of 40 paisa per unit, which amounts to 60 paisa per unit. So, where any establishment uses 6000 units, BEST shall charge maintenance of almost the cost of the meter every month, i.e., every month the recovery is that of the cost of the meter. So, where any establishment uses 6000 units, BEST shall charge maintenance of almost the cost of the meter every month.
- i. When there is a reduction of almost 60% in transmission losses, where is the profit gong? Why are consumers not given concessions per unit? Instead of providing concessions despite having windfall gains from reduced transmission losses, BEST wants to charge 40 paisa per unit. The cumulative effect of 40 paisa goes to 60 paisa when the bill is charged to the consumer.
- j. In spite of the above charges of 40 paisa per unit through ARR submitted in MYT 2024, BEST falsely claims in their illegal notice issued to anyone else (but not the direct consumers mentioning the meter number and consumer number) to claims that installation

is free of cost, which constitutes cheating and criminal breach of trust. in transmission losses, where is the profit going?

Possibility of Tampering and Manipulation in Meter Reading.

- k. There exists a significant possibility of tampering and manipulation in meter readings when the process is handled manually or remains in the control of third parties. In such cases, the accuracy and integrity of the consumption data cannot be relied upon.
- l. Hence, there is every possibility of inflated bills being generated, as the billing is based on readings that may not reflect actual consumption.

However, in the case of electronic meters, the chances of such manipulation are considerably reduced, as the data is automatically recorded and is not directly accessible or controllable by any individual. This minimizes human intervention and enhances transparency in the billing process.

3. **Wheeling charges:** Sections under electricity act relied upon to charge wheeling charges to retail sale consumers.

4. Defiance of Maharashtra Government Policy

- 4.1 Chief Minister Devendra Fadnavis stated in the Maharashtra Legislative Assembly that smart meters should only be installed in feeders, substations, and government offices.
- 4.2 BEST has blatantly ignored this directive, continuing unauthorized installations in residential buildings.
- 4.3 Video reference of Devendra fadnavisji

https://youtu.be/wQS_LRuoBRw?si=FqURXT_a5yhSB5IT

5. CM Devendra fadnavis statement on floor of assembly that smart meters is no compulsory and voluntary
<https://youtu.be/OHdv0dM7pBU>

6. BEST is already collecting TOD from consumers

Documents and order relied upon to show that TOD charges collected for consumers below 20 KVA.

6. Unanswered Queries Despite Repeated Appeals

- 6.1 What action has MERC taken against BEST and all electric companies for implementing this smart meter project without public consultation and violating the due process of law?

6.3 Why has the cost of a meter risen from ₹600 to ₹ 4000 or 6000 or above just for adding TOD or prepaid functions? Affidavit that all the facilities of prepaid in the smart meter has been removed and shall not be installed.

6.4 Why is there no certification from the Department of Metrology? This fraud and main cause for inflated bills. And discloses willful and deliberate inflated bills

6.5 Why is the electricity rate in Maharashtra one of the highest in the country and almost double of Tamilnadu?

- BEST and others energy cost units between 300 to 500 is charged approx. Rs. 10
- BEST and others energy units above 500 units is charged 11.73
- Tamilnadu charged Rs. 6.50 above 500 units

8. Discrepancy in Notices and lack of legal Justification for Issuing Notices

Inadequate Notice Period & Failure to Serve Consumers Individually

8.1 There are instances that disconnection notices are issued under threat without giving consumers sufficient time to respond. Further, even after the notice is replied to, BEST fails to clarify the points raised and comes for theft of electronic meters and for the illegal installation of fabricated meters. **Notices are often issued on Friday evening, and then forcible installations are carried out on Sunday morning, which is a public holiday, depriving consumers of any opportunity to respond or seek legal recourse.**

8.2 sections and provision of law relied upon to issue threat of disconnection in the first illegal notice which is not addressed to the individual consumer with meter specific number and specific consumer number.

8.3 false submission that the smart meter installation is free of cost when cost O&M is recovered ARR.

8.4 notice illegal and violating every provision of law and concealing mandatory information which is going to cause injury to consumers disclosing implementation of

- i. prepaid billing
- ii. details of changes made in smart meters to convert the prepaid to post paid
- iii. since when were the tenders for postpaid meters called and opened
- iv. what has been done to the prepaid smart meters which were installed before elections.
- v. TOD charges and surging charges details and all the slots which shall be implemented**
- vi. Reasons and public interest to complicate the charges of energy cost
- vii. Reasons and public interest not to attach a short note disclosing how the consumers shall be affected with the proposal in MYT. (Copy of HT newspaper)

- viii. Section and provision of law relied upon to issue notice to society / watchman when society is not consumer and has no authority to grant any consent on behalf of the consumers.
- ix. Section and provision of law under which the society or owner of chawl can give consent to installation of smart meter.
- x. Section and provision of law to paste the notice on wall of the building.
- xi. Section and provision of law relied upon not mention date, outward number, name signature and designation of the person signing the illegal notice.
- xii. Not mention email id and name of the person to whom the complaint/ objections/ suggestions shall be made and he shall be responsible to reply and satisfy the consumer in writing and with supporting documents.
- xiii. Section and provision of law relied upon to threaten to disconnect the electricity when Hon. Chief Minister Shri Fadnavis has made a statement on the floor of the assembly that smart meter is not compulsory
 - a. without issuing notice to individual consumer mentioning the consumer number, meter number and detail of premises where the electricity is being used.
 - b. Without replying to the suggestions and complaints.
 - c. By installation on threat and police presence or threat to file police complaint.
 - d. Without giving date and time to consumers when they shall come

9. Failure to Conduct and Disclose Mandatory Impact Studies

9.1 Despite the wide-scale rollout of smart meters and associated infrastructure (including communication towers, routers, and boosters), none of the DISCOMs have disclosed any scientific or technical studies addressing the following critical concerns:

9.1.1 Health risks arising from radiation, electromagnetic fields (EMF), and constant data transmission via smart meters and network towers installed for continuous internet connectivity.

9.1.2 Fire and explosion risks due to high-voltage equipment and 24x7 power supply required to maintain smart meter functionality.

9.1.3 Environmental impact due to: (a) Tower installations and signal boosters placed in residential and ecologically sensitive areas;

(b) Improper disposal of existing black electronic meters, leading to potential e-waste and pollution hazards.

9.1.4 Economic burden on consumers, including hidden costs of maintaining infrastructure (such as towers and routers) for smart meter communication, which are not disclosed or reflected transparently in tariff models.

9.2 The continuous failure to conduct and disclose these studies not only reveals a **dishonest intent** and **lack of transparency**, but also constitutes a **gross dereliction of duty** on part of all concerned authorities.

9.3 You are hereby called upon to immediately provide all such reports, feasibility studies, risk assessments, health impact assessments, environmental audits, cost-benefit analyses, and technical evaluations conducted prior to or during the rollout of smart meters.

10. Discriminatory Rollout and Internet Dependency Risks

10.1 The functioning of smart meters is heavily dependent on continuous internet connectivity. However, DISCOMs have failed to address the following crucial issues:

10.1.1 Impact of Internet Outages:

In areas where internet service is intermittent or unavailable, smart meters are prone to malfunction or delayed data transmission, leading to billing errors, consumption misreporting, and denial of real-time monitoring benefits.

10.1.2 Exclusion of Remote and Rural Areas:

Consumers in rural or hilly areas—where internet connectivity is poor—are either excluded from the smart meter rollout or face faulty installations. No plan has been shared to ensure equitable and effective access to smart metering in these regions.

10.1.3 Selective Targeting of Urban Consumers:

While DISCOMs aggressively enforce smart meter installations in urban households through threats of disconnection, they have **deliberately avoided** implementation in the agricultural sector where transmission and distribution (T&D) losses are highest.

10.1.4 Discriminatory Policy Execution:

This selective enforcement not only exposes **double standards** in policy execution but also indicates a strategy to burden compliant urban consumers, while **shielding high-loss sectors** for political or commercial considerations.

10.2 You are required to explain: (a) The rationale behind avoiding smart meter installations in the agricultural sector.

(b) The contingency plans for non-functional meters due to internet outages.

(c) The basis for targeting only urban consumers despite MERC orders allowing consumer choice and voluntary participation.

11. Legal obligation to intimate and obtain concurrence from the actual registered consumer.

- a. Violation / disobedience of **Regulation 13(3) of the MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021**, which mandates that:

*“The Distribution Licensee shall **inform the consumer in writing** of the proposed replacement of meter and **shall provide an opportunity for the consumer to be present** at the time of testing.”*

- b. Thus, the BEST Undertaking is under a legal obligation to intimate and obtain concurrence from the actual registered consumer, and not merely from a third party such as the society, which has no locus over individual metering contracts.

Hereto annexed and marked as **Exhibit----** is copy of the notices dt. ----- issued under threat of disconnection u/s 163 Electricity act.

12. The accused have concealed the following facts from the consumers that there is arrangement done in smart meter for

- a. prepaid billing
- b. Time of Day (TOD)
- c. Surging charges as per Time of the day
- d. Remote disconnection of electricity
- e. No Benefit to the consumers by way of reduction in cost of electricity per unit.
- f. That the cost and maintenance of the newly installed smart meters shall be recovered from the consumers
- g. Making false statement in tice that BEST will not charge for replacement of smart meters.
- h. Details of the losses committed in agriculture sector

Hereto annexed and marked as **Exhibit----** are copy of notice issued by the BEST UNDERTAKING.

Prayers to Police station

1. To issue notice 168 BNSS to BEST/ Tata power / Adani/ Torrent / MSEDCL to not enter the premises till the reply is given and the consumer is satisfied
2. MSEDCL shall give in writing that their loss is more than 30%
3. In case of smart meter being installed register FIR for trespassing, cheating and criminal breach of trust amongst other offences.

Awaiting your reply

Jai Hind