

**This format is prepared by me Kamlakar Shenoy to the best of his ability in larger public interest. you can make the changes as the consumer deems fit. Please educate me if my submission is incorrect.**

**to all consumers of any electric company can file this letter and seek explanation from the Head of the electric company ( GM, MD, Chairman) not any middle level officer**

**Date: 27.4.26**

**To,**

The General Manager, BEST Undertaking

The Hon'ble Members, Maharashtra Electricity Regulatory Commission (MERC)

The Managing Director, MSEDCL

The Managing Director, Tata Power

The Managing Director, Adani Electricity

The Managing Director, Torrent Power

**CC: consumer should address this letter to all concerned police officers as mentioned below. consumer**

Senior Police Inspector, Colaba Police Station

Senior Police Inspector, Azad Maidan Police Station

Deputy Commissioner of Police (DCP), Zone –1

Additional Commissioner of Police (South)

**Subject:** Formal Objection to Illegal Installation of Smart Meters in Violation of the Electricity Act, 2003 and Threat to Consumers' Rights

**Reference:** Forcible Installation of Smart Meters by Electric Distribution Companies — Arbitrary Actions Against Larger Public Interest in Violation of the Electricity Act, 2003

**What consumers shall do against illegal notice received**

- a. Lock all meters' box / cabin and paste board on it seeking reply our queries first. till then no smart meters.
- b. Copy this letter with required changes and email / hand delivery this letter to the electric company and local police station and preserve the acknowledgment and seek point wise reply.

Till then no smart meters.

**What consumers shall do when electric companies illegally come to install smart meters.**

- i. Get all ladies down and surround them all those thieves who have already committed offence of trespassing. Do not allow them to run away.
- ii. First Call the local police by 100, 112 or whatever the number is. These numbers are evidence as they provide complaint numbers. When you call such number you **should not forget to take the complaint number under any circumstances.**
- iii. Take custody of the smart meters the thieves have brought with them, as it is evidence of the motive and dishonest intention to get conviction of these robbers along with MD and directors of the electric company to enter your premises without permission and for offence of trespassing
- iv. Start FB live video recording and record the taking over of smart meters and make a statement that these smart meters shall be handed over to police as evidence.
- v. After police comes seek the notice **u/s 171 electricity act issued in name of consumer and not society** and permission sought under **SUPPLY CODE 15.2.1 to enter at specific date and specific time** (most important) so the consumer shall be present.
- vi. **Keep the FB live video recording on and go to police station and hand over the THEIVES AND smart meters under video recording on condition of registering the FIR against the thieves and their MD/ GM Directors of electric companies. As the Inspector to carry out Panchanama by following all legal procedure and not just a receipt. (video record all these acts of Police)**
- vii. **If the inspector does not register FIR, he can be prosecuting for offence u/s 166a of IPC or 199 of BNS. No sanction to prosecute is required for such offence. Do not hand over the smart meters without following due process of law or else the police will show you as thief keeping the video recording on is a must.**
- viii. **Take the copy of FIR from police station**
- ix. **No police can stop you from video recording.**
- x. **No police can say we are conducting enquiry, as there is offence of trespassing evidence, making of false notice and using it as genuine for purpose of cheating.**

**Respected Sir / Madam,**

**1. INTRODUCTION AND BACKGROUND**

**1.1 Status of BEST Undertaking**

BEST Undertaking has itself stated in RTI reply dt. 5.3.26 addressed to Kamlakar Shenoy that it

is not a State-owned entity but an undertaking of the Brihanmumbai Municipal Corporation (BMC). Therefore:

- a. I am informed vide RTI reply that GM BEST has not issued any order and direction to install smart meters as he is aware that BEST do not fall within the ambit of RDSS scheme, **(similarly no MD/ Director has issued such direction, every consumer shall file RTI**
- b. BEST does not fall within the ambit of State-owned companies for the purposes of the RDSS Scheme.
- c. Its actions in installing smart meters lack the legal backing claimed.
- d. Such actions are consequently arbitrary and without statutory authority.
- e. **Any such installation the consumer can prosecute the electric company along with directors, GM MD ED**

### **1.2 Nature and Purpose of this Representation**

The undersigned is raising serious objections in larger public interest against the illegal, forceful, and coercive installation of Smart Meters affecting individual consumers across the distribution area.

### **1.3 Lack of Public Awareness and Transparency**

No public awareness programs have been conducted at any point of time, nor has any information been provided to housing societies or individual consumers prior to the commencement of installation. Consumers have been kept entirely uninformed about:

- a. The legal implications and risks of smart meters.
- b. Their rights under the Electricity Act, 2003.
- c. **The financial implications, including Time-of-Day (ToD) i.e. heavy surging charges in peak period times which will loot the consumers.**
- d. **The smart meter expenses shall be recovered from consumers**
- e. **That the postpaid meters shall be immediately converted in prepaid meters once all the smart meters are installed.**
- f. **That there shall be immediate disconnect of electric supply on the expiry of the amount paid violating section 56 of electricity act**

### **1.4 Reference Video Evidence by Kamlakar Shenoy himself**

The following video links document the illegal activities being carried out in the name of smart meter installation, including a meeting at the MSEB Mumbai office:

<https://www.facebook.com/share/v/18d4BYpUZH/>

<https://kamlakarshenoy.com/updates/mr-gaonkar-from-go-a-wanted-me-to-address-t-042526/>

[https://www.youtube.com/watch?v=W\\_lguiG4Yic](https://www.youtube.com/watch?v=W_lguiG4Yic)

[https://youtu.be/XoKFcNmRL3Q?si=u9uqA\\_fKqSViaL3C](https://youtu.be/XoKFcNmRL3Q?si=u9uqA_fKqSViaL3C)

<https://youtu.be/JRzszF8QmpM?si=LDND64iliFqtmUC>

<https://youtube.com/shorts/orGEgL9GthU>

<https://youtube.com/shorts/hUsnom8KzDI?feature=share>

<https://kamlakarshenoy.com/updates/mseb-meeting-at-mumbai-office-shows-all-ill-03262>

## **2. SPECIFIC ILLEGALITIES IN THE INSTALLATION OF SMART METERS**

### **2.1 Violations in General Installation**

- a. Installation without the consent of the consumer violates Section 47(5) of the Electricity Act, 2003.
- b. No individual notice issued to the consumer violates the statutory safeguards under Sections 47(5) and 171.
- c. Installation in the absence of the consumer violates due process under Sections 47(5) and 55, and Supply Code Clauses 8.2, 8.3, and 15.2.1.
- d. Deployment of police force to coerce consumers violates the statutory framework and consumer protection provisions of the Act.
- e. Threats of disconnection without compliance with Section 56 (requiring 15-day prior notice) are illegal.
- f. Threat of section 163 Electricity act to disconnect the electric supply. There is no provision to disconnect the electric supply if the consumers oppose the illegal and forcible installation of smart meters**
  - i. without following due process of law**
  - ii. when their meter is in good condition**
  - iii. when there is monopoly forced of a particular meter when the existing meter is good one installed just 4 years back thereby causing financial burden on consumers.**
  - iv. Without replying to the objections raised by the consumers, along with relevant materials, section and provision of law and public hearing under live video recording**
  - v. Without creating public awareness of benefits to consumers after installation of smart meters. i.e. who will bear the cost, what will be reduction of cost per unit and copy certificate issued to each meters by State Metrology department.**
  - vi. As per section 163(2) Electricity Act 2003 the orders of Executive Magistrate is must before entering the premises. The Executive Magistrate is not a judge or judicial officer. he is a designated Revenue / administrative officer.**

- vii. Before passing any order by the Executive Magistrate he shall give notice to both the parties and hear the presentation of both side before passing any order, as per the principle of natural justice.**

## **2.2 Installation in New Buildings**

- a. Installation without consumer consent violates Section 47(5), as the developer has no right to act on behalf of consumers. The public servants have threatened orally and forced the developers to install the smart meters or else their further sanction shall be stopped
- b. Installation without proper approval violates Section 55.
- c. Non-disclosure of material information violates:
  - i. Section 47(5);
  - ii. Section 61 (transparency and fairness); and
  - iii. Supply Code Clauses 8.2, 8.3, and 15.2.1.

## **2.3 Illegal Notices Issued to Housing Societies**

The practice of issuing notices to housing societies is fundamentally illegal for the following reasons:

- a. A housing society is not a “consumer” within the meaning of the Electricity Act, 2003.
- b. Statutory notices must be issued to individual consumers under Sections 47(5) and 171.
- c. A housing society has no authority to:
  - i. Waive individual consumer rights under Section 47(5); or
  - ii. Give consent on behalf of individual consumers under Section 55 and Supply Code Clauses 8.2, 8.3, and 15.2.1.

## **2.4 Defects and False Statements in Notices**

The notices issued are defective, incomplete, and contain false and misleading statements, as detailed below:

- a. The notices were formerly pasted on the building and gates.
- b. No acknowledgment or consent is obtained from individual consumers on delivery of any such notice as required under section 171 of Electricity act.
- c. No names or addresses of individual consumers are mentioned.
- d. Only photocopies are provided; no original notices are given.
- e. No visible signature, and no name of the issuing authority is disclosed.
- f. No outward reference number is included.
- g. No contact details (name, address, telephone) of the officer to whom objections may be addressed.

- h. Telephone numbers provided in the notice are non-functional.
- i. False representation that smart meters are being provided free of cost.
- j. Concealment of Time-of-Day (ToD) surging charges are applicable during peak periods ( no limits of what percentage of extra charges will be levied is also not informed) .
- k. False representation that meters are post-paid, while consumers have been informed that all meters will be converted to prepaid after full installation.
- l. Many notices bear no date, signature, or name of the issuing officer.
- m. Illegal threats of police action.
- n. Illegal threats of disconnection under Section 163 of the Electricity Act.
- o. Circulation of Government Resolution dated 1.4.2026 that itself violates provisions of the Electricity Act, 2003.
- p. No Standard Operating Procedure (SOP) disclosed for resolution of inflated bills.
- q. No time limit specified for replying to consumer objections.
- r. No penalty mechanism disclosed for failure to reply to consumer objections.
- s. False and incorrect information provided to induce and threaten the consumers to install smart meters.

### **3. VIOLATION OF STATUTORY PROVISIONS OF THE ELECTRICITY ACT, 2003**

#### **3.1 Overview of Violations**

The installation drive violates Sections 47(5), 50, 53, 55, 61, and 171 of the Electricity Act, 2003, read with Supply Code Clauses 8.2, 8.3, and 15.2.1. No Government Resolution or executive circular can override the provisions of the Electricity Act, 2003, which is a parliamentary statute.

#### **3.2 Section 55 — Correct and Certified Meter**

- a. Every meter must be tested, certified, and sealed by the State Legal Metrology Department before installation. The consumers are being compelled to rely upon and accept the internal testing of meters as accurate and conclusive, notwithstanding the evident conflict of interest, as such testing is conducted by the very authority responsible for installation and enforcement.
- b. Delegation of this statutory function to private agencies is illegal.
- c. Smart meters are susceptible to manipulation due to their remote communication mechanism:
  - i. External control and data interference is possible.
  - ii. Accuracy and reliability are thereby compromised.
  - iii. The installation and operation of such meters' result in unwarranted intrusion into the privacy of consumers, as their usage patterns and movement can be easily monitored and tracked, thereby violating their right to privacy.
  - iv. Consumer representations reveal serious defects, including:
  - v. Use of substandard and imported components, including Chinese-origin parts.

- vi. Abnormal increase in readings during voltage fluctuations.
- vii. Inaccurate readings in high temperature conditions.

### **3.3 Supply Code Violations — Clauses 8.2 and 8.3 and 15.2.1**

- a. **15.2.1:** It is submitted that while the provision mandates that meters shall be replaced only in the presence of the consumer and upon prior notice as required under law, the same is wholly inadequate in safeguarding consumer rights, as it fails to address the fundamental issue of absence of necessity for replacement of meters that are already in proper working condition. Mere compliance with procedural requirements of notice and presence does not cure the illegality arising from arbitrary and unjustified replacement, particularly when no objective criteria, independent verification, or demonstrable consumer benefit—such as reduction in cost per unit—has been established. The provision, therefore, suffers from substantive unreasonableness and is liable to be reconsidered.
- b. Prior notice with a specific date and time of installation is mandatory.
- c. Personnel entering premises must display proper identification, including:
  - i. Job sheets and work orders.
  - ii. Batch numbers and identity badges worn on the chest.
  - iii. All other prescribed details of the persons entering the premises.

### **3.4 Section 53 — Safety**

No safety audit or study has been disclosed to the public. Serious unaddressed concerns include:

- a. Radiation impact on consumers and residents.
- b. The presence of electronic components and/or any other components in such meters poses a significant risk of fire hazards, with the potential for rapid escalation and spread in the event of ignition, thereby endangering life and property.
- c. Risk of large-scale failure and mass damage to meters.
- d. Environmental impact, including:
  - i. Disposal of crores of discarded electronic meters.
  - ii. No environmental impact assessment has been conducted.

### **3.5 Sections 47(5) and 55 — Wrongful Replacement of Functional Meters**

- a. a. No cogent or lawful justification has been provided for the replacement of meters that are in proper working condition, in clear violation of Section 47(5); the reasons cited are merely cosmetic and illusory (“window dressing”) and fail to demonstrate any real or

proportionate reduction in cost per unit when weighed against the substantial investment and projected returns on investment.

- b. Replacement of functional, defect-free meters violates Section 55.
- c. Such arbitrary removal violates both Sections 47(5) and 55.

### **3.6 Central Electricity Authority (CEA) Directions — Subordinate to the Act**

- a. CEA directions cannot override Sections 47(5), 50, 53, 55, 61, and 171 of the Electricity Act, 2003. Supply code 8.2. 8.3 and 15.2.1.
- b. CEA directions are subordinate to the parent statute, i.e., the Electricity Act, 2003, and must be read subject to its provisions.
- c. The directions of CEA cannot over rule the Electricity act 2003.

### **3.7 Amendment / change in rooftop solar energy systems in violation to section 61 of Electricity act**

- a. At the outset, it is submitted that the policy framework initially introduced by the authorities actively encouraged installation of rooftop solar energy systems with the stated objective of promoting renewable energy, reducing dependency on conventional sources, and enabling equitable distribution of electricity to deficit areas. However, after inducing consumers to make substantial capital investments, the very same framework is now being altered through imposition of Time-of-Day (TOD) tariffs and related mechanisms, effectively taxing and restricting the beneficial use of solar energy. This is particularly arbitrary and unreasonable in the prevailing circumstances where there is no assured or continuous electricity supply, with frequent blackouts occurring daily, weekly, and at unpredictable hours. The shift in policy defeats its original purpose and operates as a complete reversal, causing wrongful loss to consumers who acted in good faith reliance on earlier representations.
- b. It is further submitted that the introduction of Time-of-Day (TOD) tariff through smart meters adversely impacts consumers who have invested in rooftop solar energy systems. Such consumers generate electricity during daylight hours, which coincides with the designated peak tariff period. However, the excess energy exported to the grid is credited at a lower rate, while grid power drawn during evening hours attracts peak TOD (Time of Day) surging charges. This asymmetry financially penalizes environmentally responsible consumers and discourages adoption of renewable energy, in direct violation of Section 61 of the Electricity Act, 2003, which mandates promotion of efficient and economic use of electricity including from renewable sources.
- c. It is further submitted that the aforesaid mechanism substantially delays the recovery of the initial investment made by consumers in rooftop solar systems by several years beyond the originally projected payback period. Such artificial distortion in recovery timelines renders the investment commercially unviable and acts as a strong disincentive against adoption of solar energy. The resultant effect is not only to discourage renewable energy generation at the consumer level but also to disproportionately benefit well-connected electricity

distribution companies, who continue to recover higher tariffs without corresponding obligations.

- d. It is further submitted that prior to introducing such a far-reaching and adverse policy change, no study, impact assessment, or public consultation has been placed in the public domain demonstrating how the impugned mechanism serves the larger public interest. In particular, there is no material to show how the said policy contributes to improving electricity availability in deficit areas or ensures equitable distribution of power. In absence of any such transparent exercise, the decision is arbitrary, lacks application of mind, and is contrary to the principles of reasonableness and public accountability.

#### **Anticipated Rebuttal and Reply:**

- e. The Respondents are likely to contend that the introduction of TOD tariffs is a regulatory measure aimed at grid stability, demand-side management, and reduction of peak load stress, and that differential tariffs are a globally accepted practice. It may further be argued that solar consumers continue to receive benefits such as net metering and that the policy balances the interests of all stakeholders, including non-solar consumers.
- f. Such contentions are wholly misconceived and untenable. Firstly, while grid management may be a legitimate objective, the same cannot be achieved by imposing a disproportionate and discriminatory burden on a specific class of consumers who are, in fact, contributing to reduction of peak demand during daylight hours. The policy fails to recognize that rooftop solar generation itself alleviates grid stress and reduces transmission losses, and therefore penalizing such consumers is counterproductive.
- g. Secondly, the alleged “balancing of interests” is illusory, as the tariff structure creates a clear and unjustifiable asymmetry—where electricity supplied by solar consumers is undervalued, while electricity consumed by them is overcharged during peak hours. This results in a one-sided financial burden with no corresponding rational basis.
- h. Thirdly, if the objective was genuinely to serve public interest and improve supply to deficit areas, the Respondents ought to have demonstrated, through empirical data and publicly available studies, the actual benefits arising from the impugned mechanism. In absence thereof, the justification remains speculative and arbitrary.
- i. Lastly, regulatory powers, though wide, are not unfettered and must conform to the mandate of Section 61 of the Electricity Act, 2003. Any measure which has the effect of discouraging renewable energy adoption, delaying cost recovery, and imposing inequitable financial burdens is ex facie contrary to the statutory objective and therefore liable to be set aside.
- j. The impugned framework, therefore, amounts to a complete undermining of the statutory mandate and public policy, transforming an incentive-based regime into a punitive structure, and defeating the very objective of promoting decentralized renewable energy generation.

#### **4. VIOLATION OF SUPPLY CODE Non-compliance with Supply Code Clause 8.2: No prior individual notice with specific date and time issued.**

- a. **Non-compliance with Supply Code Clause 8.3:** No proper identification or work-order details provided by installation personnel.
- b. **Non-compliance with Meter Installation Code 15.2.1:** Meters installed without adherence to prescribed procedure.

Each of the above simultaneously violates Sections 47(5) and 55 of the Electricity Act, 2003.

## **5. MISUSE OF AUTHORITY AND POLICE FORCE**

### **5.1 Illegal Use of Police**

- a. Deployment of police force for meter installation violates the statutory scheme of the Electricity Act, 2003.
- b. Threats invoking Section 163 of the Electricity Act to effect disconnection are illegal and without authority.

### **5.2 Forced Replacement — Specific Violations**

- a. Section 163 does not permit replacement of correctly functioning meters under Sections 47(5) and 55.
- b. Replacement of functional meters violates:
  - i. Section 55 (correct and certified meter); and
  - ii. Section 47(5) (consumer rights).
- c. No provision of the Electricity Act, 2003 mandates the installation of smart meters exclusively.
- d. Section 61 promotes efficiency and competition; it does not authorise a monopolistic mandate. Yet smart meters are leading to inflated bills and increased financial burden on consumers.
- e. No certificate of correctness or functioning has been obtained for smart meters from the State Legal Metrology Department as required under Section 55.
- f. False information provided to consumers violates statutory obligations under Sections 47(5) and 61.

### **5.3 Mandatory Disclosures Required from Distribution Companies**

The distribution companies are required to disclose:

- a. The specific provision of the Electricity Act, 2003 that permits forced replacement of meters.
- b. The specific provision mandating the use of smart meters exclusively.
- c. The specific provision permitting removal of a correctly functioning meter.

#### **5.4 Inflated Bills — Complete Absence of Statutory Mechanism**

No Standard Operating Procedure (SOP) has been prescribed or disclosed, thereby resulting in absence of uniformity, transparency, and accountability in implementation.

- a. No effective grievance redressal mechanism, as mandated under Section 42, has been specified or operationalized for the prompt resolution of inflated or erroneous billing, thereby subjecting consumers to undue hardship and harassment.
- b. It is further submitted that complaints pertaining to inflated or incorrect bills ought to be capable of being addressed and resolved without requiring the physical presence of the consumer, and should be processed upon a simple complaint made through email or any other consumer-friendly mode of communication.
- c. No specific and reasonable time frame has been prescribed within which such grievances relating to inflated billing shall be resolved, resulting in unnecessary delay and compelling consumers to undergo avoidable hardship, including filing multiple applications and appeals.
- d. Section 56 has not been complied with:
  - i. No 15-day prior notice is being issued.
  - ii. Consumers are being immediately coerced into compliance.
- e. The following must be disclosed by the distribution companies:
  - iii. The grievance redressal mechanism under Section 42.
  - iv. Consumer protection against disconnection under Section 56.
  - v. Meter testing procedure under Section 55.

### **6. RIGHTS OF CONSUMERS**

#### **6.1 Statutory Rights under the Electricity Act, 2003**

- a. **Section 47(5) and Section 171:** Right to prescribed conditions and safeguards prior to installation.
- b. **Section 55:** Right to a correct, tested, and certified meter by State Metrology department.
- c. **Section 56:** Right to protection from arbitrary disconnection.
- d. **Section 42:** Right to written reply and access to grievance redressal.

#### **6.2 Financial Accountability**

Consumers have the right to demand accountability and disclosure under Section 61, including:

- a. The quantum of investment made (reported to be approximately ₹1,800 crore).
- b. Studies and data showing cost reduction per unit for consumers.

- c. Evidence of actual consumer benefit and tariff reduction.
- d. Justification for recovering the investment with a reported 16% Return on Investment (ROI) from consumers with no corresponding benefit.
- e. Full disclosure of:
  - i. Time-of-Day (ToD) surging charges.
  - ii. Peak-period tariff implications.
  - iii. Whether the postpaid shall be converted to pre-paid at any point of time after the installing of all smart meters thereby cheating the consumers

### **6.3 Rights in Case of Forcible Entry**

Every consumer has the right to:

- a. Demand proper legal notice as per section 171 Electricity act, supply code 8.2, 8.3 and 15.2.1.
- b. Refuse unauthorized Entry into their premises.
- c. Demand written authorization before permitting entry.
- d. Verify the identity and authority of personnel seeking entry.
- e. Verify the legal correctness of your entry and the job electric company intends to carry out.
- f. Demand written communication along with sections and provision of Electricity Act 2003 and other relevant law for every objection raised. The signatory shall mention his office address, name and department and post held by him along with email ID and telephone numbers (which are in working conditions).
- g. Seek proof of compliance with:
  - i. Section 47(5) of the Electricity Act, 2003.
  - ii. Section 50 of the Electricity Act 2003
  - iii. Section 53 of the Electricity Act, 2003.
  - iv. Section 55 of the Electricity Act, 2003.
  - v. Section 56 of the Electricity Act, 2003.
  - vi. Section 171 of the Electricity Act, 2003.
  - vii. Supply code 8.2, 8.3, 15.2.1.

### **6.4 Rights in Case of Illegal Police Assistance**

Where police force is unlawfully deployed, consumers are entitled to:

- a. Demand the copy of the letter addressed to police station along with specific provision of the Code of Criminal Procedure (CrPC) / BNSS under which the police have been requisitioned by the electricity company.**

- b. Obtain a copy of the Station Diary entry from the local police station providing police protection.
- c. Lodge a First Information Report (FIR) against the Senior Police Inspector of the local police station if illegal force is applied.
- d. Thereafter file complaint before Zonal DCP for registration of FIR against the Sr PI of local police station.
- e. **Thereafter file complaint with Local Magistrate u/s 166A IPC / 199 BNS. No sanction is required to prosecute any police officer / public servant under this section as this act does not fall within ambit of discharge of official duty.**

## **7. CONTRADICTIONS IN THE POSITION OF ELECTRICITY COMPANIES**

- a. **Distribution companies claim statutory authority as government-owned entities while simultaneously ignoring all consumer rights and statutory safeguards under the Electricity Act, 2003.**
- b. **The stated objectives of the RDSS Scheme (reduction of distribution losses) contradict the actual distribution loss figures, which are already well within the target, in violation of the efficiency mandate under Section 61.**
- c. **Selective implementation — excluding the agriculture sector where arrears, distribution losses, and theft are the highest — violates the principle of equality.**
- d. **The ₹1,720 crore financial burden imposed on urban consumers, with no corresponding reduction in cost per unit, violates the mandate of Section 61.**
- e. **BEST Undertaking, being a BMC entity and not a State-owned company, cannot claim the benefit of the RDSS Scheme mandate while bypassing the mandatory conditions of the Electricity Act, 2003.**

## **8. RDSS SCHEME AND DISTRIBUTION LOSS CRITERIA**

- a. Present distribution losses in the relevant area are approximately 3.5%, which is already far below the RDSS Scheme target.
- b. The RDSS Scheme aims to bring distribution losses below 15%.
- c. Since losses are already well below the target:
  - i. No justification exists for the mandatory rollout of smart meters.
  - ii. Such implementation is therefore arbitrary and unjustified.

## **9. VIOLATION OF ARTICLE 14 OF THE CONSTITUTION OF INDIA**

- a. **Smart meters are not being installed in the agriculture sector, despite that sector having the highest distribution losses, arrears, and incidents of theft.**
- b. This selective and discriminatory implementation:
  - i. Violates the right to equality under Article 14 of the Constitution of India.

- ii. Targets urban consumers while excluding the primary high-loss sector.
- iii. Is therefore unconstitutional and liable to be struck down.

## **10. DEMANDS AND RELIEF SOUGHT**

### **In light of the foregoing, the undersigned demands:**

- a. Reinstall all electronic meters removed and remove all smart meters installed without following due process of law.
- b. Strict and immediate compliance with Sections 47(5), 50, 53, 55, 56, 61, and 171 of the Electricity Act, 2003.
- c. Strict compliance with Supply Code Clauses 8.2, 8.3, and Meter Installation Code 15.2.1.
- d. Immediate cessation of all forcible and coercive installation of smart meters without individual consumer consent.
- e. Immediate cessation of the use of police force in connection with smart meter installation.
- f. **Issuance of proper individual notices to each consumer as required under Sections 47(5) and 171. Any notice to society and not consumers is illegal, bad-in-law and amounts to making of incorrect documents and using these incorrect documents as genuine for purpose of cheating.**
- g. Full disclosure of the specific legal authority and sections under Electricity act 2003, for forced replacement of functional meters.
- h. **Disclosure of certification from the State Legal Metrology Department for all smart meters installed till this day and to be installed hereafter, as required under Section 55.**
- i. Disclosure of a clear Standard Operating Procedure (SOP) for resolution of inflated bills arising from smart meter installation wherein the consumer need not go to electricity office but can communicate through the mode comfortable to consumer.

### **The specific time period within which the inflate bills issued shall be resolved without going in for litigation and appeals.**

- j. A detailed safety and environmental impact assessment as required under Section 53.
- k. Disclosure of the financial justification for the investment of ₹1,800 crores. detailed calculation disclosing the Recovery of invested amounts along with 16% Return on Investment (ROI) as per compliance with Section 61 of Electricity act 2003.
- l. Action against officials who have issued false, defective, and misleading notices to housing societies and consumers by concealing true facts and by misrepresentation of true facts.

It is made clear that if the above demands are not complied with forthwith, the undersigned reserves the right to take all legal remedies available under the Electricity Act, 2003, the Constitution of India, and other applicable laws, including approaching the Hon'ble High Court

and/or the Hon'ble Supreme Court of India by way of Public Interest Litigation or otherwise.

Yours faithfully,

**Sd/-**

[Name of Complainant / Representative]

[Address]

By reduction in cost peruniy[Date]