Date: 18.6.25

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

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

Or

Tatapower : tatapower@tatapower.com

Tata: customercare@tatapower.com

Adani: helpdesk.mumbaielectricity@adanielectricty.co

Adani: helpdesk.mumbaielectricty@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:**

| **Law/Provision** | **Requirement** |
| --- | --- |
| 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:**

1. **GM BEST wrongfully avoiding to meet and consult public before implementation of the smart meter’s policy. No reply to written and telephonic calls.**
2. **Today Called Noronha PA to BEST GM on 18.6.25 at 3.41 pm on land line number 022-22873961 as assured on 17.6.25 to give personal meeting. He said he will revert back and inform time and date of meeting. But did not call and fix appointment.**
3. **Violation of GR 13.1.2025 to fix board disclosing time to meet public without prior appointment and denying to meet public.**
4. **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.

1. **Smart Meters: Misuse of Policy**
2. Smart meters are intended to improve efficiency and reduce transmission and distribution (T&D) losses below 12%.
3. 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.
4. 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.
5. 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.

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

1. 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.
2. 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.
3. 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.**

1. 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.
2. 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.

1. **Wheeling charges:** Sections under electricity act relied upon to charge wheeling charges to retail sale consumers.
2. **Defiance of Maharashtra Government Policy**

4.1 Deputy 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>

1. **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 for implementing this 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?

6.4 Why is there no certification from the Department of Metrology?

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

* BEST energy cost units between 300 to 500 is charged approx. Rs. 10
* BEST 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 Two Sets of 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 not disclosing implementation of

1. prepaid billing
2. TOD charges and surging charges
3. Reasons and public interest to complicate the charges of energy cost
4. 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)

**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.

1. **Legal obligation to** **intimate and obtain concurrence** **from the actual** **registered consumer**,
2. **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.”

1. 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.
2. **The notices issued by Accused is illegal and bad in law as it concealed mandatory information and not served to individual consumer in whose name the meter is issued.**
3. The notice does not disclose the name of the signatory.
4. The notice does not disclose the details of the officer concerned such as names, designation, email id, and office address to whom the consumer shall contact for the clarification and objections.
5. The accused have not issued a uniformed notice as required under law. But went on changing the format as and when BEST undertaking was caught on wrong foot and illegalities in the notice was exposed.
6. False and incorrect and misleading sections 163 of electricity Act 2003, are used to threaten and cause fear of disconnection in the minds of consumers and force them to install smart meters. **refer Dadar notice 9.4.25 and reply dt.** **13.5.25)**

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

1. **The accused have concealed the following facts from the consumers that there is arrangement done in smart meter for**
2. prepaid billing
3. Time of Day (TOD)
4. Surging charges as per Time of the day
5. Remote disconnection of electricity
6. No Benefit to the consumers by way of reduction in cost of electricity per unit.
7. That the cost and maintenance of the newly installed smart meters shall be recovered from the consumers
8. Making false statement in tice that BEST will not charge for replacement of smart meters.

Hereto annexed and marked as **Exhibit-----** are copy of notices (of different formats) issued by the BEST UNDERTAKING.

**Prayers to Police station**

1. To issue notice 168 BNSS to tata power / Adani/ Torrent / MSEDCL to not enter the premises till the reply is given and the consumer is satisfied
2. 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