**format to be addressed by every consumer to police and relevant electric companies**

**who are illegally installing smart meters. lock your meter box. no police can force the installation of smart meters without clarifying and giving opportunity to the consumers and without the electric companies giving written reply along with materials, section, provision of law and supporting evidences.**

**this matter is directly and adversely affecting the fundamental rights of every citizen as well as electricity is essential commodity**

**Date:** [Insert Date]

**To:**
The Commissioner of Police, Mumbai

All DCP of Mumbai
All Senior Police Inspectors – Police Stations under Mumbai Police Jurisdiction

**Cc:**

1. Joint CP (Law & Order), Mumbai
2. Addl. CP South Region
3. DCP Zone 1
4. Principal Secretary – Energy Department, GoM
5. MERC Chairperson
6. GM – BEST Undertaking
7. CEOs – Adani Electricity, Tata Power, MSEDCL

**Subject: Request to Issue Notice under Section 168 of BNSS, 2023 to BEST, Adani, Tata Power, and MSEDCL and other private electric companies – Cognizable Offences and Preventive Police Action Required**

Respected Sir,

This is to bring to your notice that BEST Undertaking and private DISCOMs such as Adani Electricity, Tata Power, and MSEDCL are unlawfully entering **residential, commercial, and industrial premises** to forcibly replace electronic meters with smart meters. These actions are carried out **without serving valid individual notices**, **without consent of the registered consumer**, and by misrepresenting legal provisions such as Section 163 of the Electricity Act, 2003.

These unauthorized actions constitute **cognizable offences** under IPC and Electricity laws, and therefore demand urgent preventive intervention from the Mumbai Police under **Section 168 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023**.

**1. Request under Section 168 of BNSS, 2023**

Under Section 168 BNSS, where a person becomes aware that a cognizable offence is likely to occur, the police must be informed and preventive measures may be taken.

Accordingly, we request your office to immediately **issue formal notices under Section 168 BNSS** to:

* General Manager, BEST Undertaking
* CEO, Adani Electricity Mumbai
* CEO, Tata Power Mumbai
* Managing Director, MSEDCL **(if illegally installing smart meters where the loss is less than 15% )**
* Other private companies

**2. Contents of Notice: Clarification and Legal Documents Required**

The following questions and legal justifications must be answered by the above DISCOMs before any further action is taken:

* 1. **Approval from Ministry of Power (MoP), Government of India**
1. Submit documentary proof that BEST, Adani, Tata, and MSEDCL are recognized as **state-owned DISCOMs** eligible for coverage under the **Revamped Distribution Sector Scheme (RDSS)**.
2. In absence of such approval, these companies **cannot legally proceed** with smart metering under RDSS.

**2.2 Proof of Eligibility Based on AT&C Losses**

* Submit the certified loss data showing **Aggregate Technical & Commercial (AT&C) losses exceeding 15%**, as required under RDSS eligibility norms.
* In fact, BEST (3.5%), Tata (1%), and Adani (5.9%) fall below the threshold, thus making them **ineligible**.

**2.3 Compliance with MERC Regulation 13(3)**

Confirm that prior to any meter installation, **individual written notices** are served to the registered consumer (not the society), clearly mentioning:

* 1. **Name, consumer number, and meter number**
	2. **Proposed date and time of installation**
	3. **Name, designation, and contact details of the issuing officer**

**2.4 Disclosure of Metering and Tariff Impact**

* Whether the smart meters being forcibly installed support:
	1. **Prepaid billing**
	2. **Time of Day (TOD) charges (disclosing the maximum percentage of surging prices allowed for next 10 years)**
	3. **Remote disconnection by private entities**
* Justify the claim of "free installation" when the cost is being recovered through **ARR and tariff hike**

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**2.5 Safety and Technical Certifications**

Submit certification from the **Department of Metrology**, **fire safety approvals**, and **environmental clearance** for smart meter hardware, and for disposal of removed meters.

**3. Preventive Police Action Requested**

You are requested to:

3.1 **Immediately restrain** DISCOM officials, agents, or contractors from entering any **residential, commercial, or industrial premises** for the purpose of smart meter installation **without full compliance** of above conditions.

3.2 **Issue formal warning under Section 168 BNSS** to each DISCOM, stating that:

*“No smart meter shall be forcibly installed without consent of the individual consumer and in full compliance with law, failing which criminal prosecution may be initiated.”*

3.3 **Where violations continue**, direct concerned Police Stations to:

* Register FIRs under **IPC Sections 409, 420, 441, 468, 120B**, and
* Take appropriate legal action under **Electricity Act** and **Public Records Act**.

**4. Legal Background and Public Interest**

1. The Hon’ble Deputy Chief Minister **Devendra Fadnavis**, while replying to a starred question in the Maharashtra Legislative Assembly, has **clearly stated on the Assembly floor** that **smart meters are to be installed only at feeders, substations, and government offices**.
2. He further clarified that **residential, commercial, and industrial consumers are not to be subjected to forced installation of smart meters**.
3. Despite this clear policy position, **BEST, Adani Electricity, Tata Power, and MSEDCL** have **ignored these directions** and are forcibly installing smart meters in **urban residential and commercial premises**, in **direct violation of this assurance** and government guidelines.

**Video reference – Devendra Fadnavis statement in Assembly:**
<https://youtu.be/wQS_LRuoBRw?si=FqURXT_a5yhSB5IT>

1. These actions are being carried out even in **low-loss areas**, while avoiding **high-loss rural or agricultural zones**, showing **malicious intent and discriminatory enforcement**.
2. Further, the notices served to consumers are **defective and misleading**:
	1. They are not addressed to individual registered consumers,
	2. They do not mention consumer number or meter number,
	3. They conceal key facts such as **prepaid billing**, **TOD tariff charges**, **remote disconnection capabilities**, and **cost recovery via tariff hike** (ARR), while falsely claiming “free” installation.

**5. Relief Sought**

We request you to:

1. Issue **Section 168 BNSS notices to all above DISCOMs**
2. Publish a directive clarifying that police shall not assist in any coercive installation until legal procedures are followed
3. Protect vulnerable consumers (especially senior citizens, shopkeepers, and small industries) from harassment, illegal disconnection threats, and extortion.

We trust the Mumbai Police will uphold the rule of law and protect citizens from unlawful corporate actions.

Thanking you,
**Yours sincerely,**
[Full Name]
[Full Postal Address]
[Mobile / Email]
[Signature, if required]