May \_\_, 2019

To

The Superintendent of Police

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Subject: **Complaint of commission of cognizable offences punishable under Penal  Code,   Copyright Act and Cable Television (Regulation) Act  by M/s.** **Yadav Cable Network, City Gwalior, District Gwalior, Madhya Pradesh, India- 474001**Sir,

I, \_\_\_\_\_\_\_\_\_\_S/o\_\_\_\_\_\_, adult, having office at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby give my complaint as under:

I am working as an investigator with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Our agency has been engaged by the Constituted Attorneys of Star India Private Limited, having its registered office at 'Star House', Urmi Estate, 95 Ganpatrao Kadam Marg, Lower Parel (West), Mumbai 400 013, to do preliminary recording of piracy of it pay channels and file a complaint, as may be submitted by the company, in accordance with law.

Star India Private Limited is engaged in the business of broadcasting satellite television channels of various categories such as general entertainment, sports, infotainment, movies etc. in India and various other countries. It owns, manages, controls and broadcasts several pay channels such as "Star Gold", "Star Plus", "Star Bharat", "Star Plus HD", "Star Gold HD", "Star Movies HD", "Star Sports 1", "Star Sports 1 HD", etc. ("Star Pay Channels") in India. The company owns all rights, titles, interests and intellectual property rights including the 'Broadcast Reproduction Right' for these Star Pay Channels under the Indian Copyright Act, 1957.

Star India Private Limited noticed that a Free to Air Network - Yadav Cable Network, owned by Gajendra Singh Yadav, having office at 125 Aau Khana, Ghasmandi , Gwalior,Distt. Gwalior, Madhya Pradesh, India- 474001, has been illegally retransmitting and broadcasting Star Pay Channels in Town Aantri, District Gwalior, Madhya Pradesh without any license or authorization from Star India Private Limited.  The Local Cable Operator does not have any agreement or contract with Star India Private Limited obtaining signals of Star Pay channels to be retransmitted, rebroadcasted and telecasted over his network, nor has he obtained any license or permission from Star India Private Limited for rebroadcasting the Star Pay Channels over its network.

In view of illegal transmission of its pay channels by M/s Yadav Cable Network, Star India Private Limited through their constituted attorney- Nanavati & Co., Advocates deputed our anti-piracy agency, to reach the location and to capture illegal broadcast of the Star Channels over the local network. I carried out the recording on 13.05.2019 in the area of the Local Cable Operator.  The recording was sent to Star India for examination of mode and source of piracy, which revealed that Local Cable Operator is obtaining the signals of Star Pay Channels illegally by using Sun Direct and Videocon D2H. The Direct To Home logo of Videocon D2H is visible on Star Plus and Movies Ok and Direct To Home logo of Sun Direct is visible Star Bharat and Star Sports 1 Hindi. Even the Broadcaster Fingerprint number 00113FC8 is visible on Star Bharat establishing that the source of signal feed is Sun Direct TV Private Limited and Finger Print Number 00113FB0 is visible on Star Plus establishing that the source of signal feed is Videocon D2H Limited.   Furthermore, the Cable Operator is transmitting the signals in analogue mode, which is prohibited under Section 4A of the Cable Television Networks (Regulation) Act, 1995.  The law mandates that every cable operator to transmit or retransmit programmes of any channel in an encrypted form.

The documentary material clearly reveals that the owners/operators/technicians of M/s. Yadav Cable Network are dishonestly taking the signals (judicially pronounced as movable property) of the company without consent of the Company and thereafter illegally re-broadcasting and making available for viewing Star Pay Channels through its cable network without any permission of the company or authority of law and infringing the broadcast reproduction rights (copyright) of the company.  The Cable Operator is transmitting the signals in an unencrypted mode, and thereby committing violation of provisions of the Cable Television Networks (Regulation) Act, 1995.  In this manner, the owners and operators of M/s. Yadav Cable Network are committing offences punishable under Sections 379 of the Penal Code and Sections 37 read with Sections 51 and 63 of the Copyright Act, 1957, and provisions of the Cable Television Networks (Regulation) Act, 1995.

We, therefore, request your good self to register a complaint against the owners/operators/technicians of cable operator M/s. Yadav Cable Network and for illegal obtaining signals of Star Pay Channels and thereafter without license retransmitting them and thereby committing offences of theft punishable under Section 379 and infringement of broadcasting reproduction rights of Star India Private Limited under Sections 37 read with Sections 51 and 63 of the Copyright Act, 1957.

Sincerely,