May \_\_, 2019

To

The Superintendent of Police

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Subject: **Complaint of commission of cognizable offences punishable under Penal Code Copyright Act and Cable Television (Regulation) Act  by M/s. Shivam Cable Network, Town Avantipur Barodiya, District Shajapur, Madhya Pradesh, India- 474001**

Sir,

I, \_\_\_\_\_\_\_\_\_\_S/o\_\_\_\_\_\_, adult, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 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 Local Cable Operator - Shivam Cable Network, owned by Vishnu Prajapati ( Beriya), having office at Bus Stand Narmada Jhabua Gramin Bank Ke Pass Town Avantipur Barodiya Distrit Shahjapur 465118, has been illegally retransmitting and broadcasting Star Pay Channels in Town Avantipur Barodiya District Shahjapur , 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 Shivam 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 17.05.2019 in the area 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 Videocon D2H. The Direct To Home logo of Videocon D2H is visible on Star Sports 1 Hindi. 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. Shivam 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. In this manner, the owners and operators of M/s. Shivam 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.

We, therefore, request your good self to register a complaint against the owners/operators/technicians of cable operator M/s. Shivam Cable Network and for illegal obtaining signals 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,