



Dated: 22nd March 2014

To,

Respected, Shri. Narendra Modiji
Bhartiya Janta Party

Respected, Shri. Rahul Gandhiji
Indian National Congress

Respected, Shri. Arvind Kejriwalji
AAM Aadmi Party

Respected Sirs,

Today, we the Cable TV industry of India are forced to be, writing to you all, in order to make you all aware of the woes faced by the Cable TV Industry here, that have flourished on sheer private investments made and the entrepreneurship of thousands of individuals that has enabled you all to be seen 24X7 365 days in the Indian voter households, and that how this industry has, in return been continuously subjected to a lot of exploitation at the hands of the few interested parties, those actively connive with the past Governments in power and lately by the UPA government ministers namely Ms. Ambika Soni, Mr. Manish Tiwari and the bureaucrats functioning under them, namely Mr. Uday Varma (Now Retd.) Ms. Supriya Sahu, Mr. Ranjan Thakur and Mr. Yogendra Pal.

The entire idea behind the Digitization Scam "As we would all say now" was to benefit few corporate and individuals and it was the brain child of the Rupert Murdoch family that was cleverly executed by his employees and their close associates.

An overview of the Cable TV Industry is enumerated herein below, that will give you all a fair idea about the personnel involved in this trade and the strength in sheer numbers, that we hold, where as per the estimate of employment in the industry based on what is reported by TRAI and the Ministry of Information & Broadcasting, assuming that there are 95 million cable TV households serviced by 60,000 last mile operators and 7000 Headends (Control Stations). This estimate indicates 21 lakh people employed in the industry only by small cable operators and Independent MSOs. [**Please find enclosed a report on Cable TV Network** (as published in Cable Quest -March 2013)].

Needless to say that these 21 lakh people employed in the Cable TV industry can very effectively and easily influence the electoral franchise of their immediate and extended family members and at the ratio of 1:10 more than 2 crore individuals, spread across all over the country, While we for the time being, will leave aside the 95 million Cable TV households serviced by the 21 lakh people employed in this trade with an average of 2 adult members in a household to be influenced for

casting their electoral franchise those are also aggrieved with the unnecessary situation they all have been subjected to by the present UPA Government.

Hence it's a very serious issue for us to bring about in the knowledge of all the Political parties that are in the fray for the 2014 Parliament Elections.

Ever since 1998, whoever has been in centre, **has only worked towards promoting the business interest of the few Pay Channel broadcasters namely Rupert Murdoch entities and Mr. Subhash Chandra owned ZEE Group.** Late, Shri Pramod Mahajan, Mr. Arun Jaitlyji even being the Minister for Information & broadcasting did nothing but to promote the business interest of these foreign broadcasters and their Indian partners.

Only hope we ever got was in Mrs.Sushma Swaraj, when she took the charge of the Ministry of I&B, when she did all her best to bring in the **CAS legislation**, that was even finally passed in the parliament under lot of opposition from Mr. Kapil Sibal Shri. Lalu Yadav and Mr. Nilotpal Basu. All these people were actively lobbying in the Indian Parliament to safe guard the business interest of Rupert Murdoch. Needless to say there has be an incentive attached to all this lobbying against the CAS legislation, anyhow even after the CAS legislation was finally passed and notified in the gazette for implementation Mr. Ravi Shankar Prasad took over the charge of the Ministry of I&B and eventually was successful in scuttling the entire legislation of CAS.

After the industry made numerous representations to have an industry regulator to ensure a level playing field in the business, and to put an end to the exploitation of the Indian Masses by these handfuls of pay TV broadcasters, finally TRAI "Telecom Regulatory Authority of India" was given the additional charge of regulating this industry finally in Dec 2003.

TRAI somewhat started to understand the industry issues and they came out with some regulations that where always challenged by these broadcasters and the matters continued to be dragged in the courts.

Finally TDSAT "Telecom Dispute Settlement & Appellant Tribunal" was entrusted to also look into the disputes of the Cable & Broadcasting sector, Justice Santosh Hegde, as the chairman of TDSAT did exemplary work and the Industry still remains grateful to him for his landmark judgements passed in TDSAT.

But with all these regulations being made to deliver equitable justice and ensure a level playing field in business, Late. Shri. J.S Sarma was brought into TRAI as the Chairman by the very powerful by now, Rupert Murdoch lobby that has been able to penetrate the Indian political and bureaucratic setup and that was operating here in India on his instructions.

Where, Shri J.S Sarma was only interested to bring about changes and manipulating the already notified, well appreciated regulations and tariff notifications, that would suit the interest of the Pay TV broadcasters lobby. He advocated the concepts like keeping the tariff in forbearance so that the

Pay TV broadcasters could be left free to further milk the Indian masses in the guise of collecting subscription for the complete package of pay TV channels forced upon the consumers even if they were not being watched or subscribed. (As unfortunately the CAS legislation passed in 2003 was never implemented in order to protect the business interest of these handfuls of foreign pay TV broadcasters and their aligned distribution platforms)

Being the Minister for Information & Broadcasting Mr. Das Munshi and our Mr. Anand Sharma did nothing but continued to safe guard the interest of these foreign players for all the incentives being provided to them and to the bureaucrats working under them like Ms. Zohra Chatterji at that time.

Finally after the 2009 Parliament Elections, Ms. Ambika Soni was entrusted to take charge of the Ministry of Information & Broadcasting and **as we all know that these last 5 years of the UPA tenure at the centre was only for masterminding the various multibillion dollar Scams. So why would Ms. Ambika Soni not also take her cue, so advised by her close lieutenants namely Mr. Uday Verma, Secretary I&B & Mr. Ranjan Thakur,** devised a unique way of giving benefits to a few business houses those are solely doing business on the basis of manipulating financials and then fooling the ignorant Indian stock market investors and institutional investors like LIC of India, while collecting billions of rupees from floating an IPO (Similar on the lines of the Satyam Scam) and as Rupert Murdoch's top employees here are also part of these consortiums so many independent businesses all over the country were gobbled down or forcefully taken over by denying the Pay TV content to them. **As by this time we had Justice Shri. S.B Sinha (Retd,) been appointed as Chairman of TDSAT, who was also very much hand in glove with these Pay TV Broadcaster, Channel Aggregators and their aligned MSOs namely DEN Networks Ltd, Hathway Cable & Datacom Ltd and Siticable Networks Ltd.** Where he managed the balance task on behalf of this consortium, if and when anybody approached the Tribunal for seeking equitable justice **where Justice Shri. S.B Sinha insured that an absurd order is passed in order to financially burden the petitioners or the matter keeps on dragging in the TDSAT with no interim relief passed,** so the independent entrepreneurs are forced to either join the Rupert Murdoch led consortium or just wind up its business operations permanently.

Even the regulation for the Advertisement Cap of 10 + 2 minutes for the TV channels in 1 hour of programming that was initiated by the present TRAI Chairman Shri. Rahul Khullar, after a due consultation process from the industry and consumer groups even though **we had asked TRAI to keep the Advertisement Cap to only 6 minutes maximum to an hour for the Pay TV channels programming for those channels that charge a subscription fee** and the 10+2 minutes advertisement cap should be allowed to the FTA free to air channels, regional news channels that are not pay TV channels. But the Chairman TRAI, Mr. Rahul Khullar dint agree as he must have been under some extreme pressure exerted by the UPA Government on him. Even this regulation passed of Advertising Cap on TV Channels was not implemented as our Justice Shri. S.B Sinha, Hon'ble Chairman of TDSAT, had stayed the notification passed by TRAI. Just before his retirement due from the Tribunal. Anyone can understand the magnitude of this deal stuck, when we all

know that multibillion crores of the advertising budgets are allocated to this Rupert Murdoch family owned and operated channels here in India every year, with AC Nielson “another Murdoch entity” manipulating the TAM TRP sample data being collected, while thousands of crores are being also collected as subscription fee from the Indian consumers for watching these Pay TV channels.

Hence Ms. Ambika Soni, also decided to go with the flow, as advised to her by the then Secretary I&B. Mr. Uday Verma and Mr. Ranjan Thakur to implement mandatory Digitization of Cable TV services as been proposed to the UPA government by Mr. J.S Sarma, Chairman TRAI at that time, giving the example of the USA and the UK markets. Hence in an extreme hurry an ordinance was passed in Dec 2011 for mandatory digitization of the Cable TV. **While no efforts were ever made to have any facilities for indigenous manufacturing of the Digital Set top boxes in India, when it was known that millions of these set top boxes will be needed to seed in the Indian households.** Finally this ordinance on mandatory digitization of cable TV was passed in the Parliament, tabled by the then Hon’ble I&B Minister Sahiba, where even Mr. Shatrughan Sinha of BJP supported it, without application of any mind and overseeing the consequences whereof.

As a result billions of these sub standard set top boxes were imported from China, after over invoicing them by the Murdoch consortium companies from the billions of rupees been collected from the stock exchange / IPO offerings made here to the Indian public investors and this money was conveniently money laundered to fill up the Murdoch family coffers and even the top employees of Rupert Murdoch here namely Mr. Uday Shankar too made a handsome cut in all these illegal transactions made through his close associates Mr. Sameer Manchanda and Mr. S.N Sharma who all have successfully misappropriated and siphoned billions of rupees collected from the ignorant Indian Investors.

But this was not an end, these sub-standard Chinese set top boxes, that have been over invoiced and then imported here, were again distributed to the ignorant Indian households by showing them a fear of a complete blackout of the television programs and anywhere between **Rs. 900- 1500** was collected in cash for each STB by these companies from the millions of Cable TV households across the country under the guise of implementing the Digitization law, as was passed by the UPA Government under the Phase- I and Phase – II of this draconian law passed and implemented in such a hurry that has violated the fundamental right of every citizen for the right of entertainment as well the right to livelihood. (While the media was gagged to not cover any negative stories about this large scale experiment of Digitalization of Cable TV, where in case any stories were done by any news channel not part of the NBA and IBF, The editor in charge was to be summoned by Mr. Uday Verma then Secretary I&B and was threatened of cancelling the channels Uplink and Downlink licence that is issued by the Ministry of Information & Broadcasting itself.)

Interestingly just before 48 hours of this forced digitization law sunset date of the Phase-I notified metropolitan cities was to be implemented with the entire machinery working overtime day and night at the ministry of I&B , Ms. Ambika Soni hands over the charge of the Ministry to her predecessor Mr. Manish Tiwari and just disappears not even bothered to see the consequences of

her wrong doings, **The entire media was managed and gagged, as NBA (News Broadcasters Association) was assured that the carriage / placement fee they been paying to the MSOs will be drastically reduced and they will make higher profits (An absolute quid pro quo situation)**

Even though the Cable TV industry made repeated representations to the leaders of the oppositions namely Shri. Prakash Javdekar, Shri Nitin Gadkariji and Shri. Vijay Goel but unfortunately no one intervened to stop this wrong doing of the UPA Government; it actually seemed that every one there was hand in glove with the people who had actually engineered all this to get benefited.

It was the worst Diwali for the people of Delhi in 2012 when there was a complete black out of cable TV services on the midnight of 31st October 2012. Well as a result, we all have witnessed how the people of Delhi had thrown out the insensitive Congress Government out of power in Delhi assembly elections within just one year.

Now the entire political scenario looks so dubious that the Industry has decided to unanimously raise its voice and be heard well, before we all decide on exercising our right to franchise to elect only a stable Government to the parliament that will honestly and sincerely take care of the interest of 95 million Cable TV households (almost a population of 400 million) and that wont succumb to the pressure mounted from the Rupert Murdoch lobbyists operating here in India and to promise and with all sincerity ensure the following **Demands are met** of this highly neglected Cable TV industry for the past 2 decades, by all who came to power at the centre :

1. **A fair and independent time bound enquiry to be ordered for being conducting by a Commission or SIT (Special Investigation Team),** on the implementation of this Mandatory Digitization of Cable TV in such a hurry and to take strict penal action against all the beneficiaries involved and been a party to this Digitization of Cable TV services Scam. In case it's found that this law was passed to benefit certain beneficiaries then some relaxation should be extended till the time entire country gets digital, **by allowing Analogue transmission again of about basic 30- 36 TV channels including all the DD services so that there is no black out experienced of basic TV viewing in case the Set top box goes faulty** or there is a default of payment by the consumer for any unforeseen reason and the alternative choice is given to the consumers.
2. TRAI the industry regulator has to be immediately instructed to ensure a level playing field for all the stake holders in the distribution value chain with a **prescribed revenue share arrangement** on non discriminatory terms of doing business , To fix reasonable and affordable MRP price for the Pay TV channels that should benefit the consumers at large and to ensure that the Advertisement Cap for the pay TV channels should be lowered to maximum 6 minutes in an hour while there should be no Advertisement Cap or the existing 10+2 minutes Advertisement cap regulation should be made for the FTA free to air for consumers TV channels.

3. **Strict laws to be passed on Cross Media Holdings and to check Monopoly in the Cable TV industry** as of today that are being blatantly misused again by the Murdoch owned entities and strict penal action to be taken in case anyone tries to circumvent these laws. The CCI (Competition Commission of India) has been entrusted to do all these jobs but they never did anything since its very inception as the Chairman has been all for sale, and have only touched matters that could only help him and his member team to get some personal benefits (i.e Sponsored education of children abroad, properties , vacation homes abroad)
4. **The Government shall ensure that the Phase – III and Phase – IV of this mandatory digitization of Cable TV services is only implemented** when, there are adequate indigenous digital Set Top Box manufacturing has been already set up in India , Where these STB manufacturing units will be provided a subsidy on the Excise and VAT till the time Implementation is achieved 100% in the country, as this subsidy in the Excise and VAT will certainly help the rural India to get digital enabled.
5. Cable TV Industry demands abolishing of the **Entertainment TAX** as levied by the various State Governments, as TV viewing at home, no longer construe as an entertainment. It should be termed as an essential information service.
6. All the Rupert Murdoch entities and associated partner companies i.e. A.C Nielson, Star India, News Television, Fox India, Star Sports India, Hathway Cable Ltd, Star Den {P} Limited, TATA SKY and many more, that have continuously been evading to follow the law of the land and have circumvented the law to suit their business interests, should be put to a through scrutiny since their very inception here in India, and strict penal actions to be taken for all the misdemeanours, Bribing/Corrupting Govt. Officials, floating Ponzi schemes at the Stock market through subsidiaries like DEN Network Ltd, to defraud millions of Indian investors, misappropriation of funds by a public Ltd Company, evasion of taxes and laundering money out of the Country.

The Cable TV Industry of India has been closely watching all the political developments and is well aware that in the forthcoming elections it will be a fractured mandate, where things can get from very bad to worst.

Therefore in the interest of the nation the industry has unanimously decided to only exercise its right to franchise and to also actively influence the Cable TV consumers at large to only vote for the political party that will assure us all in writing that they will seriously make all endeavours to meet our very reasonable demands made here.

May you all call it “Issuing a whip” or a “Fatwa” but as for the current state of affairs in the country, for the first time this Cable TV Industry will make and ensure a big difference.

With Regards, and wishing you all the very best wishes for the forthcoming elections!