

Complicating the City

Media Itineraries

MEDIA RESEARCHERS @ SARAI

The new globalisation has transformed media networks in Delhi.

At the level of the everyday, the old prohibition and regulation on the social life of commodities have proved ineffective. Urban residents are now assaulted with a deluge of cultural products, cassettes, CDs, MP3s, VCDs, cable television, grey market computers, cheap 'Chinese' audio and video players, thousands of cheap print flyers, and signage everywhere.

Remarkably, the majority of these products come from the grey or informal sector, outside the effective regulation of the state or large capital. India today has the world's second largest music market, a large film industry with global dreams, a majority grey computer market, hundreds of thousands of tiny phone and word processing shops, and cyber cafés. As if from the ruins of urban planning, the new media bazaars that supply these networks have emerged, proliferating in the cusp of legality and illegality. Everyday a guerrilla war is raging, between new intellectual property raiders, the police/enforcement regimes and unceasing neighbourhood demand for grey ware.

Journeys in the History of the Present

As researchers of the Publics and Practices in the History of the Present (PPHP) programme at Sarai, we constantly traverse zones of legality and illegality, passing through markets, cinemas, corporate offices, music companies, film distribution offices, detective agencies, law courts, police stations, government archives and factories. We meet shopkeepers, software pirates, porn merchants, architects, singers, accountants, labourers, lawyers, officials and policemen – all of whom constitute the fraught fabric of the Media City, the intertwining networks of circulation and curtailment.

In enforcement, there is an increasing link between property and propriety. The Economic Offences Wing conducts raids for 'Obscene Material' and 'Copyright Violations', and these are invariably reported together. Locally made video satires on religious themes, a new variation on a long-existing tradition, have to go underground to prevent the 'spread of communalism'. A plethora of laws are being used, or sought to be used, to discipline

pirate networks and their free, untrammelled, circulation. Copyright, obscenity, communalism, the Cinematograph Act...

At the same time, laws and regulations are being changed to privilege large capital, and a sanitised, globalised imagination of the city. The boom in malls has been fuelled by the repeal of the Urban Land Ceiling Act in 1999. Multiplexes act as drivers for malls, and have become possible because of changes in MCD (Municipal Corporation of Delhi) regulations on land use.

Forms of Sharing Research

In the PPHP program, as we bear witness to the rapidly transforming city, we try to knit our diverse experiences into a picture of larger processes and transformations by posting field notes (largely experiential) on a common list and archive, a space for sharing information, for collaborative research, for creative interventions. Newspaper clippings and other print and audiovisual material are also collected and digitised. There is a commitment to making the research public, and in this endeavour, we engage with a variety of forms of presenting research – staccato field notes, news clippings, more ‘poetic’ evocative texts, archival resources, other ‘intermediate’ forms of writing not yet polished into an essay or scholarly article. These modes of writing are put out into the public domain via new forms – the broadsheet, the spiral-bound volume, the hyperlinked CD.

We follow leads, and thread through the quotidian flux and constant change that characterise the Media City: a city that cannot be navigated through the cartographic grid, or the practices of mapping. Think rather of the labyrinth of legend, unmapped and unmappable. Think of Theseus navigating through the labyrinth with a ball of thread, slowly unravelling. The threads we draw/follow through the city may not ‘map’ the city in any traditional sense, but following these diverse routes will give you the warp and weft, a feel, of the fabric of the everyday.

The Public

The beginnings.

And first questions.

If the public (domain) is public, what of its image?

Who owns the images of the public domain?

[PPHP] Film Production - Fieldwork (2)
 Debashree Mukherjee <debbie_m@mail.com>
 28 May 2004

Churchgate, Mumbai.

...Permissions. The very word strikes terror in the hearts of independent filmmakers. Each tile, each footpath, each subway in this city falls under the jurisdiction of different sets of authorities. First the police, who have to allow the shoot to take place and control crowds. Then the RTO (Regional Transport Office), which charges a fee for shoots in public

spaces. VT and Churchgate would also bring in the Railway authorities. And the Churchgate subway is privately owned. So, often, one location might need permission from, and bribes to, four separate parties. In order to finally obtain a piece of 'official' stamped paper, one has to go through a lengthy process involving red tape, inefficiency and the inevitable palm-greasing.

The alternative is to risk shooting without permissions. This involves an inconspicuous, blink-and-you-miss-the-camera style. Shoot and run. A hand-held camera, single takes, no lighting, end claps, a getaway van and smooth-talking production guys are absolute essentials. The cops, though, will invariably land up. They seem to have an almost esoteric system of sniffing out any shoots in the neighbourhood. Shoots are perceived to be extremely lucrative opportunities. Kishore Sawant and Anand (assistant directors), however, managed to handle them with expert ease. They tried every trick in the book, from convoluted talk to hints about money having changed hands at the 'highest levels'!

An important scene had to be shot at the Oval Ground that day. It is owned by a private trust. This presented a problem because one could not assume that some ready cash would save the day. Several attempts had been made to contact Ms. Bharucha, the trustee. Finally, two hours before the scene was to be shot, Kishore got hold of her address. After reviewing Ms. Bharucha's profile, culled from various sources, it was decided that 'Aunty' might be best persuaded by a convent-educated female. Which basically meant me. I was immediately rushed to the given address and Kishore gave me a precise brief on the way. Talk in English. She's been the principal of a posh girls' school. Mention NFDC and stress that it's a 'children's film'. That'll melt most people. Try to use the word 'documentary' at some point, as she's really into NGOs and stuff. For example: "It's a documentary kind of film about the plight of homeless children in Mumbai..." Anyway, we met her and she melted. So we got to shoot for free. And that's the story of my initiation into the wily ways of the bad, bad film world.

[PPHP] *Goondagardi*
Bhrigupati Singh <bhrigupati@hotmail.com>
21 February 2002

Goondagardi refers to the strong-arm tactics by which toughs controlled the black marketing of cinema tickets, and maintained surrogate 'ownership' of cinema halls. How do cinema halls map themselves onto localities – their particular locations in urban space and time? How are they enmeshed in existing forms of social interaction, and what are the ways in which they shape and engender new forms of sociality?

One way of answering these questions is to look at the practice of selling tickets in the 'black' market, usually controlled by a local *dada* (tough) of the area. We asked O.P. Sharma and V.C. Jain, managers of Liberty Cinema (New Rohtak Road), what they felt was the single biggest change in cinema-viewing culture in the last two decades. "*Goondagardi khatam ho gayi hai* (Hooliganism has ended)", they said. They described a network of surrogate 'ownership' linked to various cinema halls. Here are some names they, and people from other cinema halls, remember from the 1970s:

बोल कौदड़िय
साईन ए
1. चलत चलत च
CHAL CHALA CH
2. तुझको चलत
TUJHKO CHALNA
3. बोली बजत च
BOLO BUM BUM
4. चलते रे ओले
CHALO RE BHOLI
साईन बी
1. मेरे बाबा ड
MERE BABA DAN
2. ओ मेरे अंदा
O MERE BHANDA
3. चढ़ाने काँवर
CHADHANE KAAH
4. काँचे काँवर
KAANDHE KAAH
नए नुए
MOLEE ME
मिले नुए नुए
मिले नुए नुए
मिले नुए नुए
मिले नुए नुए





Liberty Cinema: Shaadi Lal
 Majestic Cinema: Puran Tunta (subsequently murdered)
 Moti Cinema: Shanti
 Kumar Talkies: Om Prakash *urf* (a.k.a) 'Kala'
 Novelty Cinema: Madhi
 Jubilee Cinema: Kinnu (subsequently murdered)
 Ambar Cinema: Banarsi and Ranjit
 Golcha Cinema: Kauri
 Jagat Cinema: Munna and Saleem

Each time a new cinema hall was built there was intense contest within the area for the 'ownership' of the hall. A number of dramatic stories are attached to each of these *goondas*. Interestingly, the narration of these stories and the way people remember them is deeply invested with elements of 1970s early action Hindi cinema. Puran Tunta, for instance, famously beat up a *dhobi* (washerman), who had been rude to him without knowing 'who he really was'. According to Mr. Jain, he was the local leader of about 200 coolies. He had lost one hand in a fight but continued his reign over the area nevertheless, because he carried a lethal knife in his other hand at all times of day and night. Puran was killed one fateful evening on the one day that he was not carrying a knife. Ironically, this happened because he was taking his wife to watch a film.

A number of interesting questions arise if we begin to trace these stories and the history of cinema hall related *goondagardi* as a social practice.

What kinds of loyalties were working in the formation of these local *dadas*? Were their networks composed of new immigrants to the city? What are the ways in which these *dadas*' identities were created and circulated, apart from the more obvious aspect of their articulation with the cinema hall? What kinds of conflicts arose between these *dadas* and the police-cinema owner nexus? How did these *dadas* negotiate the local police presence? What contexts have shaped the present juncture where cinema-halls are spaces not important enough to require a local 'owner'? (According to several accounts, this practice continues in varying degrees, though on a much smaller scale. For example according to 'Pawwa' ('quarter')/250 ml. bottle of country liquor) Pehelwan who runs a chicken shop adjacent to Jagat Cinema, the present *dada*, Chikki, simply cannot match the stature of his predecessors).

Are the stories around these various people themselves a kind of film-related culture – drawing from (and perhaps giving rise to) films of the time? How did this practice 'end', as Jain and Sharma put it?



Dreams

[PPHP] Film Production - Fieldwork (5)
 Debashree Mukherjee <debashree_m@mail.com>
 28 June 2004

Mumbai: Ravi Dada

He makes a curious figure standing there. Always present, for every shot, except you don't quite notice him. "Ravi *dada*!" "Make-up *dada*!" everyone shouts, and Ravi Rajput quietly appears from behind a reflector.

He carries his make-up kit everywhere, all the time. The two are inseparable. He's bent with the constant weight but won't let go of it. It's a big, brown, mundane-looking bag but seems to be heavy with mystery and magic. (And I wanted so badly to believe the magic...)

Like most people I've spoken to these past few months, Ravi *dada* wanted to talk. Some of the stories are old favourites, told over many an evening with friends. Some I'd heard before, on the way to the locations, and in different forms...

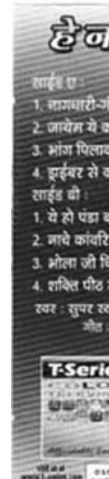
Born and brought up at Marine Lines in Mumbai, Ravi *dada* left school after Class 6 and started working in a printing press. In a few years he quit and got a peon's position at an AC plant in Tardeo. It was a small manufacturing unit that basically made spare parts for air compressors. His job was to give the staff water and tea. Occasionally he would have to take files from one desk to the other. This was in 1972, when he was 15 years old.

Ravi soon became friendly with the other peons at the office. One of them doubled as a make-up man for the theatre after office hours. He would regale his pals with stories about the Gujarati theatre scene. One day he asked Ravi if he wanted to make some extra cash. This was during the Navratri period when *ras garbas* (Gujarat folk dances) were being performed all over the city.

His troupe was putting up several stage shows and each show had around 40 dancers. They desperately needed extra help with the make-up. Was he interested? Ravi was reluctant initially because he had no idea about make-up; and besides, he was just not interested in this kind of thing. Eventually, though, it seemed like a good idea and he took the job. He got Rs. 5 per show. Soon he was making Rs. 30-40 every month from stage shows and plays in Gujarati and Marwari. He worked at the office from 9 am to 6 pm, and then worked at the 'other' job till midnight. His first big play was a Gujarati play called *Marichhe ta Marinehi* (Mine and Yet Not Mine) which was performed at the famous Birla Matushree theatre in Marine Lines.

By this time he had been promoted at his office job and was now doing the filing and delivering parcels. Soon, however, he had an altercation with his boss and was sacked. Ironically, a month later, his boss was arrested for stealing spare parts from the Kirloskar AC plant. This is how the alternative spare parts industry worked/ (works): storekeepers at plants like Kirloskar were bribed and original goods were smuggled out. Then hundreds of duplicate parts were manufactured based on this copy.

After a couple of short-lived stints at other day jobs, Ravi was left with no option but to follow make-up as a full-time vocation. "It was completely accidental; and that's the story of





my life”, he says. The money wasn't good and he was completely disillusioned with the glamour industry. The atmosphere of licentiousness, the illicit messy affairs, the alcoholism and drugs – it was all true and very frightening for a young boy.

In 1980 the Doordarshan centre in Bombay had an opening for four-five make-up men. Ravi got a temporary job there, and the plays continued side-by-side. During his association with a dance troupe, he fell in love with one of the dancers. Their romance was nipped in the bud when the girl got an offer from a rich patron that she couldn't refuse. This led to a phase of severe depression in Ravi *dada's* life, and he took to drinking...

...Then he worked with Mani Kaul. At that time, Mani was involved with the casting for *The Idiot/Ahmaq*. They were stuck with regard to finding someone for the role of Pawan Raghujan. Ravi *dada* suggested Shahrukh Khan. After much coaxing and convincing, Shahrukh agreed to meet Mani, and the rest is history. Ravi *dada* maintains that had he cashed in on his friendship with Shahrukh, he could have made it big in the make-up world. But that would have meant joining a coterie of yes-men. So he didn't attempt it.

Since then he's worked on several films, his most recent being *Raghu Romeo*. He's also worked on plays like *Evita* with Alyque Padamsee.

When asked if he is satisfied with the way his career has materialised, he shakes his head vigorously. He is vehement about the fact that this was not a career of his choosing, and that it has not been particularly fulfilling. There were some good times, but make-up men are way down in any crew's hierarchy and they don't get much respect or creative freedom. “Even the spot boys throw attitude and won't get us tea!” On most big budget films, the stars get their own make-up persons. On the independent film circuit, actors generally don't have personal stylists, and then he is responsible for the entire cast. “This kind of a situation is more challenging and more fun.” As far as creative authority is concerned, “It's only in Hollywood or in the case of a Mickey Contractor that the make-up artiste has complete freedom. Here, if the actor feels that he/she needs more pancake or a clean-shaven look, it's their call”.

Ravi *dada* now wants to direct his own film. He has a few ideas and is looking for a financier. It's his only dream in life...

[PPHP] Interview with B. K. Malhotra, Jagat Cinema
Bhrigupati Singh <bhrigupati@hotmail.com>
12 April 2002



“I played the lead role in a play once, in Srinagar in 1961, at the 5th All India Police Function. Balraj Sahni and Mohammed Rafi were there. Sheikh Abdullah was the chief guest. I was born in 1945, so I was 16 years old at the time. After the climax of the show, Balraj Sahni came up on stage. He hugged me and told me that I would be as big a star as him. Fortunately, or unfortunately, that was the turning point in my life. Some years later, in 1967, I was doing another play, *Naya Zamana*, which I directed. We performed at the Delhi Public Library. J.C. Sharma, the noted film producer, was in the audience. After the play was over he invited me to Bombay to join his team. Like me, he was a native of Shahdara in Delhi. He had just announced a new picture called *Surag*. Many letters came, and he called

people for auditions in batches and collected money from them. This was a hoax; he was actually collecting money for the release of *Maharani Padmini* that turned out to be his last film. After this I did some freelancing through contacts I had made while working with him. Unfortunately, I didn't find a godfather, and in Bombay that is absolutely necessary.

"Then in 1968, a tragedy took place in my life. My mother, who worked in the police, died in an accident. At this point of time my father worked here in Jagat Cinema. My *mamaji* (maternal uncle) got me a permanent job in the Railways, but I didn't take it because I met another man who invited me to Bombay. Today the fellow who took up the Railways job earns Rs. 24,000 a month. I was even offered a job in the police in place of my mother; but I didn't take it because I pictured myself in a police uniform, and I am short, so I thought I would look comic. Instead I went to Bombay. *Filmi bhoot savaar tha na* (I was obsessed with films). This time I spent two years there. After a while I wasn't even being able to scrape together enough money for a decent meal, so I came back to Delhi. I met Seth Jagat Narain's son *aur unke aage peeche ghoomne laga* (and began to hang around him), hoping he would give me a job. Then, in June 1970, I was appointed at Ritz Cinema as a gatekeeper..."



[PPHP] Censor Scriptwriter
Ankur Khanna <ankurva@gmail.com>
20 September 2004

This week, a profile of a different sort of scriptwriter.

On one of my frequent visits to the Naaz cinema compound on Lamington Road I ran into an old friend of mine, Ali Abbas, who now works as an Assistant Director in Mumbai. Over lunch, he explained that for the past week or so he had been meeting a particular censor 'agent' regarding a feature's clearance at the Central Board of Film Certification (CBFC) office in Valkeshwar. Since I had just rudimentary notions of the procedures involved in actually obtaining a censor certificate for a film, I asked Ali to elaborate. He said that he could do better than that – he could introduce me to the agent, who would then clarify everything for me. Ali made the necessary phone calls and arranged a meeting with Mr. Shripati Mishra. I was surprised that he was so eager to meet me. I had anticipated reluctance, if not an outright refusal on his part. When I met him, I joked about this almost immediately. Mr. Mishra himself was surprised that I would think so. "Why shouldn't I tell you my story? I have almost nothing to be ashamed of. The only thing I won't talk about is my script idea which I want to make with Amitabh and his son".

Shripati came to Bombay in 1993 from Champaran in Bihar. "Everyone who comes to Bombay has a hero from his part of the world who made it big in the movies. These stories are very important in our village. For example, everyone in my circle of friends knows the story behind Manoj Bajpai and Prakash Jha. They are from our village, and their lives are chronicled in the greatest detail and passed from generation to generation".

When he arrived in Bombay, Shripati knew no one except a distant cousin who worked at a childcare utilities service. He worked there as a delivery boy for close to 16 months. At this point he felt that he needed to work within the industry if he had to get anywhere in





life. A friend had mentioned certain vacancies within the trade journal *Complete Cinema*. Soon he was a delivery boy with the magazine. “Yet, this was a very different job from the previous one”, Shripati clarified. “Trade magazines are not sold in magazine or newspaper outlets. They are only made available to subscribers within the industry. *Complete Cinema* also claimed to have the second-largest circulation within Bombay. Initially, Mr. Mahindra, the secretary, offered me a desk job as a clerk: organising papers, serving *chai-pani* (tea, water) etc. But I insisted that I wanted to be a delivery boy even though it was not as prestigious as being a clerk. I kept saying, ‘I only want the delivery boy job’. That way I would know where everyone lived – producers, distributors, actors, directors. I would know all the important offices within the industry. With a little luck, I would meet someone important while I was delivering the magazine; and who knows, anything could happen.

“I had no place to stay, so I lived within the office premises and read the back issues of the magazine at night. That’s why my English is so good; and this helped me to get my next job as a censor scriptwriter.

“At this stage, let me clarify: I’m not an agent, I am a censor scriptwriter”.

In 1997, delivering trade magazines, he ran into Mr. Vijay Kumar, a censor scriptwriter, in his office behind the Naaz cinema compound. Mr. Kumar was looking for an assistant and offered Shripati a job. It seemed enticing: the pay was almost three times what he was making at *Complete Cinema*, and he would get to watch and re-script films. However, Shripati was reluctant to tell his bosses at *Complete Cinema*. He felt indebted to them. They had let him stay in the office, on many occasions bought him dinner and breakfast, and twice even paid for medical emergencies. He felt they would be very angry if he told them that he was quitting for another job.

“Finally I decided to use emotional blackmail. I told Mr. Mahindra that I was needed back at my village in Bihar to look after my farm because my brother was dying. My plan was to disappear in the city. There was no way they would know if I was in my village or not. I would quietly work for Mr. Vijay Kumar in Valkeshwar and Lamington Road, and never go near Bandra-Khar where the *Complete Cinema* office was located. Years later I was caught by the delivery boy who worked under me there, but by then it didn’t matter”.

Shripati worked under Mr. Vijay Kumar for almost three years. He learned to draft the various letters of authority to the Regional Officer, write declarations and prepare cheques depending on the length of the script: at a rate of Rs. 100 for every 300 feet of film, and an honorary cheque of Rs. 20,000 made out to the Chairman of the Board.

After that, other payments need to be made depending on the content of the film. This is a slightly complicated procedure because these are unofficial payments. You must know the various rates for people within the CBFC bureaucracy. It is crucial because many of them are responsible, in small ways, for selecting the Examining Committee (EC). The Examining Committee usually consists of five members: one officer (an employee of the CBFC Regional Office) and four selected Board members (two women and two men). The censor scriptwriter must be able to anticipate how the film will fare with the Committee and negotiate all the payments, how and when they need to be made, before the Committee sits for the first screening. Very little damage control can be done after the Examining Committee has seen the film and decided on cuts/modifications etc. At that stage the filmmaker can do nothing

**OPT
SOLUTIONS**

FIBER RANGE FIBER OPTIC

- Die Cast Body
- 200 Meters Length
- Double Ended and
- Precision Path Light
- Cabinet Power Use

FIBRE CABLE

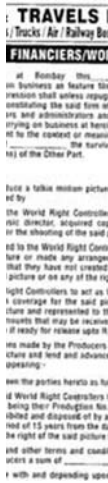
- 4 Fibre (3 in Tube & Multi)
- Made
- around
- of length

ACCESSORIES

- Termination Box
- Joint Enclosure
- Mechanical Splice

SERVICE & SUPPLY

- Splicing Machine



the film's final cut. The official rate to be paid for dubbed versions as well as trailers and music promos is Rs. 10,000. Above this rate the Officer might need to be 'convinced' (*thanda rakhna/baraf daalna* (keeping cool/putting ice)) or 'hurried' (*pankha chalana* (fanning)) to meet a certain deadline.

Our discussion finally turned to the censor scriptwriting. Shripati stressed that at the heart of the entire censorship procedure lies the script prepared by the censor scriptwriter. "It should be detailed and complicated and not very easy to read. That is crucial".

He showed me the censor script of *Cold Sweat*, a movie that he was currently working on. It resembled a shooting script and was structured in a tabular form, with each shot marked and described in the greatest detail. This was according to the rules of the Central Board of Film Certification. The shot description was divided according to action, dialogue, setting and background score. The duration of each shot had to be marked according to its reel length, its location within a specific reel and its time duration. Shripati stresses that detailed time code references need to be made for digital films and for video copies of celluloid prints. The CBFC insists that each shot, however brief, must be documented in the script. "But of course, the ground realities are slightly different", smiles Shripati. Careful omissions, glossed-over segments, unnecessary detail, emphases on portions that are likely to go down well with the Committee, are staples of a censor script. Only one copy is handed to the five members. The officer in charge of the Committee usually reads through it and marks the recommended cuts/modifications on to the script itself while the movie itself is being screened. This marked script is returned to the filmmaker, who then assesses the situation and decides on a particular strategy. The other four members are handed booklets prepared by the censor scriptwriter that contain a detailed synopsis and crew/cast details. Of course, there can be no obvious discrepancies between the script prepared and the film screened.

Since he started out on his own in 1999, Shripati Mishra has handled Guddu Dhanoa and Sunny Deol films, along with ad films for EFX and Prime Focus. "In fact, I have a Limca Record", he claims. "It is for the fastest-censored film in Bombay. It was *Karz - The Burden of Truth*, a Sunny Deol action film. The application was filed in the morning, the script was prepared in two hours by my three assistants, the screening for the jury was in the afternoon and the certificate was issued in the evening. It is still talked about in censorship circles. Ask anyone".

However, Shripati himself states that his specialty is C grade/'sexy' films; and up to now he has had an impeccable record. Not one of his films has been stalled by the Board. In fact, his last assignment was the latest C-circuit hit in the Mumbai region, *Hottest Mail. Com*, touted as India's first film on cyber crime. It was passed with one cut, and the entire procedure from beginning to end took only five days. The other C-circuit films that he will be censoring in the next two weeks are *Jail Queens*, *Maut ke Peeche Maut*, and *Kaam Ki Bhookh*. He has also ventured into distribution with two friends, and will be distributing these three films along with some others in the next two months.

Apart from these 'sexy' films, he is currently responsible for *Amu*, a film about the 1984 riots, which could possibly run into trouble with the Board. "It's not often that I get *dangey-*





time. The court has posted them for the 28 July 2003. This is in favour of the plaintiffs, because the order stands and if there is any contempt of it, they can take further action.

[PPHP] "Lamhe" Case - Some Comments
 Jeebesh Bagchi <jeebesh@sarai.net>
 16 April 2003

These are some preliminary comments on reading the documents submitted to the Delhi High Court:

- 1) The case is between an incredibly gigantic grouping of entertainment industry players (Time Warner Entertainment Company, Columbia Pictures Industries, Inc., Disney Enterprises, Inc., Metro-Goldwyn-Mayer Studios, Inc., Paramount Pictures Corporation, Tristar Pictures, Inc., Twentieth Century Fox Film Corporation, Universal City Studios) versus Arun Kumar Gupta, Proprietor of Lamhe: The Music Shop, New Delhi.
- 2) The economic value of these big players put together is more than the GDP of India and some other countries put together! The economic value of Mr. Gupta's violation is much less than the local office rent of any one of these players.
- 3) It seems Arun Gupta has claimed that he is 'running a library'. So the offence against him is not one of copying or selling (here software cases will take a different route – you cannot run a software library!).
- 4) The infringements are of three kinds:
 - i) A violation of the Export Policy of India – i.e., Mr Gupta has brought in media goods that are only meant to be sold in the US, Europe or other regions.
 - ii) A violation of the Copyright Act (1957) because things sold in one region cannot be relayed in another region without the permission of the copyright holder. Mr Gupta has circulated licenced products, but those licences do not cover all regions. And since he is earning money from this transaction, he is 'renting' or 'hiring' without permission and thus violating copyright.
 - iii) A violation of the Cinematograph Act as Mr Gupta possesses films without the Censor certificate. Public distribution is not permitted without this certificate.

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 a Nagar, Delhi - 110

Mobile No. :
 Fax No. :
 E-mail :
 President :

विज्ञापित

अपने ही ने आज सारा
 अपना विश्व दर्ज कर
 कर रहा ।

अपने अपरेटिंग-कोला
 हरणन सामन्य एक्सप्लिकेट
 । दिल्ली में सारापार :
 अतिरिक्त असाज पर सारा ।
 दू एका केरफक की दर अ
 बट के असाज हीन्य हीन
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[Points (i) and (iii) may not apply in terms of books and software. We have to check other cases to see how the legal framework is evolving]

The Plaintiff faces a critical problem with regard to the 'graveness of this offence'. I.e., how threatening is a small business of running a DVD library to these big players, in terms of 'costs' or 'effective costs'? And herein lies the 'critical care' part of this case. I quote Point No. 28 of the plaintiff's plea, which makes for brilliant reading:

"Even a single sale or rental of a film by the Defendant is capable of causing irreparable injury and damage to the Plaintiffs. The single film can act as a plate from which several thousands of other pirate prints can be prepared. If the print reaches the hand of a cable network, even a single telecast on a network is capable of reaching several million homes all over India. The potential for damage is immeasurable and irreparable".

The fecund copy, and rhizomic circulation...
Such a conjuring up of layered social and technological junctions is rare!

[PPHP] Re: Sarai Posting #1
Jeebesh Bagchi <jeebesh@sarai.net>
30 August 2004

Distribution is a term used by the industry and understood to imply a set of functions. It has a clear mandate and now involves lots of players and protocols. But, what is troubling the industry is the concept of 'circulation'. Circulation seems to suggest VCDs and cheap copies that flood the market on the day of the release. Since the time-window between the release of the film and of copies is very small, this allegedly affects the film's theatre revenues. The connection between the two seems to be 'forced', however, as telecast rights are negotiated after the release and a good cheap copies market should get more for the producer (telecast rights are based on advertisement catching power).

[PPHP] Interview with P. Samraj
Mayur Suresh <mayur@sarai.net>
19 November 2004

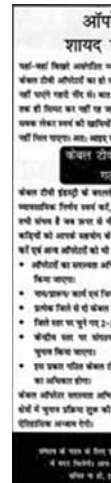
Over the past two days I had two sessions with Mr. Purushotam Samraj, managing director of Showtime Advertisement (Pvt.) Ltd., and Showtime Vigilance and Media Protection (Pvt.) Ltd.

Mr. Samraj has three businesses. He owns and leases out cable rights for Hindi movies. He has been appointed by the Central Board of Film Certification to raid theatres in Bihar and Bengal for violations of the Copyright and Cinematograph Acts. He has also started distributing VCDs for Bambino.

Mr. Samraj, while working with Columbia electronics, made a number of contacts among film producers, and in 1990 started his Showtime advertising company that sold cable television rights in movies. Now he owns the cable rights to 80% of movies in Delhi.

Mr Samraj proudly claimed that he introduced cable to Delhi. He says that he went around neighbourhoods to tell people about cable. He "guided" people who wanted to set up cable networks. After the cable network was set up, he "sold areas". By this he means that he sold the cable rights in movies to the cable network owners in particular localities. In the early 1990s he used to sell the rights for a year, and for a sum of around Rs. 12,000. Now it depends on the number of connections that the cable fellow has. He charges Rs. 6 per connection. The lowest that he gets paid from one cable operator is Rs. 16,000 and the highest is Rs. 5 lakhs per year. He says that he's got written contracts with only a few cable operators. But he only does "Number 1" deals and no "Number 2" deals (no underhand deals). He also said that he gives receipts for all his transactions.

However, he adds that cable fellows often screen films without his permission, and hence he has some 25 chaps who go and spy on the cable fellows. They go to a house in a locality, and if they find that any movie is being screened without permission, they report it to the police, and then they raid the cable fellow.



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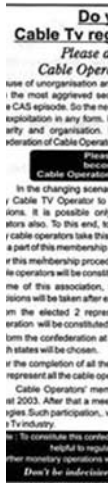
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The entire operation has to take place within three hours (before the movie ends) so that the cable operator can be caught red-handed.

First the movie is “detected”. Then the cops have to be arranged. They have to be goaded and bribed before the raid a cable fellow. When they raid, they seize everything. All the equipment is taken by the police. Often, the police will refuse to raid. The cops will say, “One small fellow is playing *Amar Akbar Anthony*, why give him trouble”. But if the cops know that copies of the movie are being made, they will readily raid the place. The cops know that if they raid pirates, they get good media publicity.

Mr Samraj said that the cops don't want to register complaints because then their area will look crime-prone. Cable operators also pay *hafta* (weekly bribe) to the cops and hence fend off being raided by them.

At the back of his office is a large white board, on which he has a list of the cases that he's raided, and the court dates for these cases. There are about 15, from all around Delhi.

He also said that the cops don't know anything about the Copyright Act. He buys the Act in bulk and gives it to them. The other big problem was that the courts system doesn't take copyright any more seriously than the cops and film industry. The courts took too long, and kept giving dates. One day some witness won't come, the next time the cop won't come, and so like this, the courts just delay matters.

At present he's got a case that dates back four years.

In 2001, Mr Samraj was reading the paper when he saw an advertisement from the Censor Board asking for private investigators to 'detect' theatres that were screening pornographic and anti-national films. He applied for the post because he had experience in 'detecting' cable fellows. So the Board started Mr Samraj off on an experimental basis in the four metros. It was apparently so successful that they extended it to all over the country. Mr, Samraj is in charge of Bihar, West Bengal and Jharkhand. On that white board in his office, there's a list of the districts in these three states and the number of theatres in each of them. Mr. Samraj says that theatres often insert 15 minutes of pornographic clips in the middle of a censored film. In Bihar and West Bengal, people break theatre chairs if pornographic clips aren't shown. He has agents who go to watch movies in these states. Each agent watches about 100 movies a month. So when these films are “detected”, the agents report them to the local SP (Superintendent of Police), and then go with the cops to raid the cinema.

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Piracy: Popular Practices

[Commons-Law] Culture of Copy: Publics and Music
Bhagwati Prasad <bhagwati@sarai.net>
12 February 2004

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Pirated CD: Hit or Flop?

Talking of a 'hit' or a 'flop' creates an impression that we are making a countdown of such films. We are, however, speaking of the profits and losses of those in the business.

If it is a hit, the director is happy; if it is a flop, the director is unhappy. It is loudly

propagated that the happiness or otherwise of the director is connected to the relationship between the film industry and piracy. If the film is a hit, then credit goes to the calibre and labour of the director. If it is a flop, then piracy is held responsible. But this is far from reality. The films which are a hit or likely to be a hit, are pirated. It is on the basis of these estimates that the number of copies are made, and repeated according to need. So, if the film is a flop, then the piracy will also be a 'flop'. The pirates are unhappy or happy to the same extent as the director or producer of the film. The argument that a film is a flop due to it having been pirated really carries no weight. If we study the countdown in the piracy market, the film *Kabhi Khushi Kabhi Gham* was a great hit, and therefore was pirated five or six times.

New Aspects of Copy Culture

For the last few years, there is an atmosphere of depression in the film world, which is due perhaps to a series of flops. Those connected with the film world think that for the last several years, the film industry has incurred huge losses mainly because of piracy. What is this 'piracy', affecting films so deeply? The concept of piracy means to copy any creation, such as a book, software, film, music, etc., and to sell copies in the market. But piracy cannot be understood only in this way. 'Piracy' is not a word but a process. A lot of things are interconnected within this. One can say that piracy is like a tree with roots, stems, leaves, branches, fruits, etc. Every part has a job, and discharges a function.

Until the last few years, the method of pirating was quite simple: a CD used to be distributed among small producers, who would then prepare a large number of copies. Then the copied CDs were taken by their makers or salesman to be sold to shopkeepers. These were then sold by shopkeepers to customers. The customers could acquire them easily because they knew where to get them. Everybody was satisfied because everybody got a portion of profit.

During 2001-02, the production, distribution, sale and purchase of copied music/film were locality-centric. The customer could get the goods from different nodes within the locality. This has been observed through fieldwork in a few localities in North Delhi. These reports did not suggest much difference in the modes of operation in different localities.

But the situation has changed now. Activities over the past few months show that the 'piracy' market is no more of the old type. Now everything happens in a more organised manner. The main reason for this greater efficiency is the widespread network of the 'pirates'. Now producers do not have to look for a new market; they simply fulfil the demand of the already established network. The locality is now moving towards becoming a node in a larger network. The sites of production are no longer locality-specific. They have become specialised, and distribution is dispersed.

Earlier, the films in the cinema halls used to be 'covered' by video camera, and CDs used to be prepared from the footage. This was called the 'master'. This work used to be full of risks. Now there is a slight change. In addition to this footage, the 'masters' of the films are also coming in from outside the country. These master copies carry advertisements for video albums, candy and music companies, etc. The method of their distribution is as before, but now only those people who are able to invest heavily can survive. Their entry into

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the field has put out of business the smaller producers who used to prepare 100 CDs on computers. Bigger investments have made use of better techniques.

This has directly affected the quality and nature of CDs. Earlier, thin paper was used for CD covers and the names of the films were written by hand. Now the covers are made of cardboard and the printing is superior. Not only this: even screen-printing is possible. The quality and artistic form make it nearly impossible to tell whether the CD is real or fake.

We started to understand, during our investigations, that the sphere of piracy is limited. People used to acquire CDs from the neighbourhood and nearby shops, because the items used to be made in nearby homes, shops or factories. But now it is not necessary that the thing you buy will have been made in your neighbourhood. Wherever you buy it, the CD will be of a uniform type. It is clear that the pirated items are made at some select centralised places and then distributed to various shops and sale centres.

Actually, the shopkeepers, petty dealers and small distributors prefer to buy readymade items, rather than making these themselves. They don't have to take any risks. The interesting fact is that despite the changes in production and distribution methods, the makers and customers of pirated CDs have increased enormously. If there is a raid at one place, the work of piracy goes on unabated in other places. Thus, the piracy market has expanded and grown.

[PPHP] POP IN
 Khadeeja Arif <khadeeja@sarai.net>
 1 December 2004

It was the spring of 1999. Sheikhu was quite out of work. He could not survive as a property agent. A plot he owned in Zakir Nagar was valuable. In addition, two shops were also lying vacant. What was the best business to set up within the premises of the house? A general store or a phone booth?

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A music shop sounded a good idea! Audiocassettes are there for the selling. But customers want '10-on-10', meaning they prefer to have all the songs of their choice recorded on one cassette, rather than buying a cassette of film music that hardly has more than three good songs. Well, in that case, there should be a recording facility as well, along with the business of selling of film music. There was no scope for audio CDs, as these cost too much. Or perhaps Sheikhu knew his customers too well!

The fact that there were hardly any such shops in the neighbourhood would work in his favour.

Recording charges at Sheikhu's shop, named POP IN:
 Hindi Song – Rs. 2 per song
 Album/Pop Song – Rs. 3 per song
 English Song – Rs. 4 per song
 Blank Cassette – Rs. 25

POP IN was still in its early stages and had not even been properly noticed by its customers, when MP3 made its presence felt, providing the option of 120-130 film songs recorded on a single CD. Customers were obviously mesmerised. Thus, the sale of audiocassettes did not prove to be a feasible option. But the recording business sustained itself. It took Sheikhu very little time to understand his customers' demands. Soon he started providing them MP3s more than cassettes.

The blue jazzy board boldly invites you to the land of music, *masti* (fun) and a lot of cinema (both Hindi and English). On the jet-black glass door, a huge poster of Shahrukh and Preity, in the best of their romantic gestures, invites everyone to pick up *Veer-Zaara*. As I walked into the shop, a group of guys were going berserk – *Hulchul* was on! From somewhere in the crowd emerged Sheikhu's nephew Naeem, who looks after the shop. He thought I was another customer who had come to pick up either *Veer-Zaara* or *Mughal-e-Azam*.

"*Bahut achchi business kar rahi hai Hulchul. Comedy hai na! Sab ko hi pasand aati hai aisi filmein to...*(*Hulchul* is doing very good business, because it's a comedy. Such films always do well...)", he says.

POP IN was one of its kind in the entire neighbourhood. There were other music shops like the one in the nearby Mirza Market, but nobody had such a good collection of audiocassettes as the one offered by POP IN.

In 2000, the local agent from Palika Bazaar started supplying VCDs of the latest films (both Hindi and English). Within no time POP IN was converted from a music shop into a VCD parlour. A small collection of audiocassettes and the recording business remain intact, though marginal.

POP IN caters mostly to local factory workers, students and women. "Our shop is in the interior of the locality, so women feel comfortable; they come and pick up the CDs of their choice during the day, when they have free time".

VCD charges at POP IN:

One VCD for Rs. 20, for 12 hours

VCD player with a TV set and four VCDs for Rs. 180, for 12 hours.

Saturday is a busy day for Naeem and his two brothers. All the factory workers watch the latest films of their choice on Saturday night. Naeem's duty is not only to rent out the VCD players and the VCDs but also to make sure that the player does not malfunction. If there is any problem with the player or the VCDs, it is POP IN's responsibility. If any damage happens to the set/VCDs during the show, the borrower has to compensate.

Soon the BCX multiplex will come up in the area. I asked Naeem if he thought it would have any impact on POP IN's business

"*Arre nahi, aap ko kiya lagta hai ki workers aur family ke log itne mehngi rates par film dekhenge? Aur cinema jaane wale log to ab bhi jaate hai aur tab bhi jayenge* (Not at all, do you think that workers and family people will watch films at such exorbitant rates? And those who prefer to watch in the theatre will continue to go to the halls, just as they do now)", Naeem replied.

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[PPHP] Madipur Village/Colony
Bhagwati Prasad <bhagwati@sarai.net>
29 June 2004

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The village of Madipur lies adjacent to the Madipur colony in west Delhi. Of course, it doesn't look like a village at all. There are tall buildings, broad tarred roads, and several factories. Perhaps it can be said that the existence of factories is the sole logic for the construction of buildings. The factories produce hosiery, shirts, trousers, etc.

Factory workers live in this village. Some have taken houses on rent, and others live in the factories. Sundays are off, and is the day for relaxing, roaming around. But Saturday nights have a different importance altogether. That's the time for watching films.

The cassette shops here rent out some videocassettes, but mostly VCDs. Every shopkeeper/owner possesses five to six video CD players. And business is best on Saturday evenings. A set-up comprising a VCD player, a colour television and four movies is rented out at rates from Rs. 120-150.

There was a police raid here a few days ago. All the shopkeepers were apprehended and asked to pay up Rs. 5,000. At first, the shopkeepers refused. But there was little they could do. The police simply told them, "Not only do you not have licenses to run video parlours, but moreover, you rent out pirated VCDs. If you don't pay up, we'll confiscate all your material".

What could the shopkeepers do? They all handed over the Rs. 5,000 without another moment's hesitation.

Among the shopkeepers is Mohammad Faizal. He said, "At least this will get the policemen to leave us in peace". According to him, the maximum earning is from the blue film VCDs, because those are usually carried home along with one or two other VCDs. And blue film CDs also get sold. "That's why we don't want to close shop", he says. "Four to five rentals every night means an earning of Rs. 600. And all the material returns to the shop by morning. Why would we want to close a business such as this?"

It is clear that the police are aware of the weak links in this business, and use them to earn money. But the shopkeepers also know that if they have to continue their business, they will have to bear with these small 'injuries'.

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[PPHP] My Friendly Neighbourhood Video Pirate
Anand V. Taneja <anand@sarai.net>
28 August 2004

Yesterday I went to a highly recommended shop to get a pirated copy of *Fahrenheit 9/11*. An interesting set of exchanges with Sandeep Gujral, the man who runs the show, followed.

One of his men came into the shop with CDs hidden under his shirt. I asked him, "Aisa kyon (Why like this)?"

He says, "Well, it's illegal; these are pirated copies. But people want to see them so I stock them. I know how completely illegal it is because I'm supposed to fight this".

"You're part of some anti-piracy cell?"

"I'm part of the MPA (Motion Pictures Association)..."

Sandeep Gujral has a collection of over 11,000 titles, many of them pirated "from Singapore" (a passion reminiscent of Tarantino and Verma). He started this business 19 years ago, at the age of 14, selling/renting videocassettes from home. Now he supplies to all of south Delhi.

"Aap to Ram Gopal Verma ban ne se reh gaye (You just missed becoming Ram Gopal Verma)", I tell him.

To which he says, "Haan, par ab mein apna theatre kholna chahta hoon. Ek theatre banaa ke janaa chahta hoon. Yehi mera sapna hai (Yes, but now I want to open a theatre. I want to go after constructing a cinema. This is my dream)".

He's been studying the business, he says, and now he's looking for funding.

I ask him why he doesn't just take over Eros cinema, lying empty next to my house.

He says, "Arre, Sood is planning to turn it into a multiplex...Ajay Sood is one of my customers. All these people from Aurangzeb Road and Prithviraj Road are my customers". These are some of the most exclusive residential areas in central Delhi.

I ask him whether he wants to open a multiplex or a single theatre. He says, "Definitely a single theatre. The multiplex divides a theatre into four small halls. Where will you get the opening a film really deserves in one small hall? You need a big one..."

By the way, *Fahrenheit 9/11* was a bad camera print...

[PPHP] Nehru Place: Field Notes 02
Tripta Chandola <tripta@sarai.net>
10 February 20031

A lull. Nehru Place has never seemed this expansive or clean ever before. All the stalls on the pavements and the courtyards have been removed. And predictably, my landmark, Karim's corner, was also not there. (His bookstall is not in the corner, it is right in the centre of the main courtyard, but thinking of it as a corner makes it more comforting.) Some urgent inquiries where made.

"Kahaan chale gaye hain Karim bhai sahib (Where has Karim bhai gone)?"

"Raid hua tha tho nikaal diya (There was a raid, he was thrown out)".

"Par woh tho pichle hafthe hua tha (But that took place last week)".

"Nahin, phir dobara hua. Chinta na karein, Monday tak sab theek ho jaayega (No, it happened again. But don't worry, everything will be all right by Monday)".

I moved on, thinking about Karim and his books. What happened to them? What is he doing today? Is the shift going to be permanent? I should have taken the phone number last time! When will he come back? What happens if his house is also demolished?

Harinder, the 'pirate', the man with a blue file, greeted me with a warm grin as if I was early for a scheduled appointment. Today he was sitting slightly further away from his usual place next to the garment shop. More stools were pulled out, *chai* ordered, "teabag wali". Introductions were exchanged with his partner Sonu and the boy, Chotu.

"Aur...kaise hain aap? Suna phir se raid ho gaye (And...how are you? I heard there have been raids)".

Hundreds of pirated VCDs found in Palika shop
Police have recovered hundreds of pirated VCDs and DVDs following a raid at a shop in Palika Bazaar. Police and a representative of the Indian music industry

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rice and a representative of the Indian music industry seized 784 pirated VCDs and 360 DVDs of Hindi and English movies. Narendra Singh was arrested on charges of storing and selling screen printed films in violation of the Copyright Act.

“Aisa hi hai, is baar tho hamara ladka bhi padka gaya tha (That’s how it is, and this time our boy also got caught)”.

The nature of raids and the agencies conducting them in Nehru Place is a complicated affair. The raids are conducted by DDA (Delhi Development Authority), NASSCOM (National Association of Software and Service Companies) (for software piracy) and T-Series (for music piracy). In Nehru Place, the drive against software piracy is dreaded the most. And, in recent years, the most frequent as well. Last week two raids were conducted in the area, back to back, by the crime branch of the Delhi Police. Earlier, the patterns of the raids could be predicted, inside information sought. But it has become very difficult now as the companies’ interests and stakes have gone up.

In the first raid, Harinder’s boy Chotu was also arrested. Chotu is an agile boy of about 14-15 years. He moves around in fast, rhythmic motions as if dancing to a tune playing in his head. And abruptly stops to smile bemusedly, as if the song had changed. ‘Kisi se jyada baat-cheet nahin karta, apne mein mast rahta hai (He doesn’t talk too much to anybody, remains happy with(in) himself)”.

He is smart, courteous, eager to learn, and has a ‘thing’ about taking risks. Usually he is very careful, but that day when a customer wanted a CD, instead of just getting the one asked for, he got the entire stack. This put him in trouble. Interestingly, the CD in question was Mandrake 8.0 (a Linux/free software distribution package). We discussed the implications of free/open software and its licence policy – which should safeguard them from prosecution – it came forth that during the raid it really didn’t matter to the officials.

Chotu was released after a bribe of Rs. 25,000 to the crime branch officials. It takes about a month-and-a-half to recover this amount from sales, according to Harinder.

Every stall selling pirated software is manned by these ‘boys’ while the actual owners sit at a distance and supervise the proceedings. The age group of the boys is between 12-18 years; 15 is ideal, and these are the ones who actually carry on the transactions. This is a clever strategy, as in case of arrest during a raid these ‘boys’ cannot be charged under a criminal case, and are tried in juvenile court. The relationship between them and the stall owners is based on mutual trust and need.

“Why do they take so on much risk for you?” I asked.

“We treat them quite nicely. And they are also assured that if they are caught, we will get them out. Moreover, compared to the work boys of their age do, this is very relaxed, there is no running around, no manual labour. Chotu has now developed a taste for such work and will not shift to any other, given a chance”.

“Sab kuch bahut filmi tha (Everything was very dramatic)”, Chotu remarked. He was caught, hit by the policemen and threatened with dire consequences if he did not tell them the name of his ‘owner’. But Chotu did not reveal anything and proudly claimed, “Agar poori raat bhi maarte rahte tho kuch nahin batata (If they had beaten me up the whole night, I still wouldn’t have told them anything)”. He got a pat on the back from Harinder at that moment.

Chotu packed up the stall as some policemen started doing rounds. “Don’t worry. Today there is one of our men in that lot. Go set up the stall”, Harinder told Chotu. The stall owners have to pay a monthly bribe to the local constable and the owner outside whose shop they set up their stall. However, during raids the shop owners get away by pleading ignorance

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of any activities that take place outside their shops.

All the stall owners involved in the trade are bound by the safe distance they keep from each other. There is no organised set-up of these owners. Or a union. Or rules for newcomers. Harinder informed me that no one revealed any information about each other. Partners in crime.

The software is made available by 'suppliers' who come twice or thrice a week in the evening to give the latest CDs on receiving half the payment in cash. Stall owners do not usually involve themselves in the 'production process' as it is risky, though in times of need, a CD or two is copied. Most of these suppliers work in close conjunction with professionals from the 'mainstream'. In this context it is interesting to go through the following news item that reports Microsoft punishing its staff for illegal software resale: http://www.ciol.com/content/news/repts/103020604.asp?nl=ctt2_6

Along with the issues of 'piracy' and the aura of illegality around the term and the phenomenon, it is interesting to note that the distinction between 'mainstream' and 'pirate' economies is highly blurred. In everyday practice, the two continually intersect at vital junctions.

I visited the hardware guy, 'Sachin'. He greeted me with sense of familiarity but no surprise; and as I approached him, he asked for a cigarette and ordered tea and did not bother about me. I sat at his shop for about 20 minutes. "Engineer nahin aaya hai aaj. Sab kuch mujhe karna hai (The engineer has not come today. I have to do everything)". The customers at the shop ranged from individuals who were buying for personal use to people involved in wholesale distribution. From what I observed, the 'second' (second hand) hardware market is in a bit of a flux because of the prices of the 'originals' being slashed by a remarkable percentage. The prices of the components are circulated every day (photocopies of the rates are available with regulars), on an hourly basis.

Recycling and circulation are the key words in this market. Sachin is often asked for things he does not have: 10 GB hard drives, USB ports, etc. All he does is dial a number on the intercom (most of the 'permanent' shops are connected thus) and place an order.

"Aapka storehouse hai (Do you have a storehouse)?"

"Nahin. Lekin bhaichara hai. Ek doosre ke bina kya kareng (No. But we have brotherhood. What would we do without one another?)?"

I take my leave, as Sachin finds it slightly difficult to divide his attention between his clientele and the interest I have aroused. "Agley hafte (Next week)..."

Before leaving, I visited Harinder and handed over the CDs I had got for him.

"Itne der tak kahan thi aap (Where were you for so long)?"

"Yunhi...Nehru Place dekh rahe the (Just like that...I was looking around Nehru Place)".

"Aap bhi...dekhne layak kya hai yahaan (You, really...what is worth looking at here)?"

[PPHP] A Brief Biography of a Cable Operator

Lokesh <lokesh@sarai.net>

5 June 2003

"In our city, activities not regulated by the law have a perpetual fear of being branded illegal. It is possible that the whole cable industry could be declared illegal

नकली
पकड़ी
नई दिल्ली,
अपराध शाखा
फैक्टरी का भंडा
गिरफ्तार कर रि
भारी मात्रा में नई
की गई है। बरा
सीडी में वह फि
भी है जो सीरी प
आडिटोरियम
आईएफएफआई
दौरान दिखाई गई
अपराध शा
दीपेन्द्र पाठक ने
पी. सिंह की टी

नकली सीडी व वीसीडी बेचने वाले सात पकड़
01/06/2003 Dame Jagan
नई दिल्ली, जॉस! कानून प्रशासन ने पॉलिक्का वाजार में छापामार कर नकली
वीसीडी और कंप्यूटर गेम सीडी बेचने वाले सात दुकानदारों को गिरफ्तार किया है। इनके

नकली सीडी व कैसेट
 Dangal Jayram ११/११/१३

tomorrow since there has been no legislation in this field. In a similar way our *jhuggis* (slum dwellings) were also declared illegal; my *kabari* (scrap) shop is functioning, but on the basis of a secret deal with the law. The law needs to be bribed to allow illegal dealings”.

– Shrikant *cablewala*, alias Shrikant *kabariwala*, alias Shrikant Lala.

Shrikant's testimony not only reflects the reality of the cable industry today, but also makes one acutely aware of the insecurity endemic to urban legal regulations. His career indicates something of the dynamic of trades in Delhi. At present Shrikant lives in Sangam Vihar, but when he arrived in Delhi in 1980 he used to stay in Shiv Basti near Khyber Pass. He started a *kabari* business and then started a grocery shop outside his own *jhuggi*.

In 1994, Shrikant got a cable connection for his house. Due to a lack of laws and government intervention, the field offered a lot of opportunities to an enterprising newcomer. But in 1994 Zee TV and Star TV started a company called Siti Cable to ensure that their channels reach the maximum number of houses. Siti Cable started wiring localities. With the coming of pay channels, customers had to pay the broadcasters a certain amount. Thus, 1994 initiated a new phase for the cable industry.

During 1995-96, the cable operator in Shrikant's *basti* (settlement) started shutting down cable connections because he had suffered losses. Shrikant gathered some courage and bought the business off him, despite the fact that his own trade was doing well and he did not know much about cable operations. When asked for a reason he said, “Thinking of the future and planning for it prompted me into this business. Death is a reality, and so is the removal of *jhuggis*”. Shrikant ran his cable business only part time, up till when the *jhuggis* were demolished.

In mid-1990s, many people got into the business of cable operation. By 1996, every block had a cable operator. Siti Cable had become a major player in the market. The network now runs about 70% of the cable industry in the city. On the other hand, local cable operators also started asserting their control. The field became competitive, and both fair and unfair means, including force, were used in this struggle amongst operators. Operators like Major Yadav emerged, whose market was spread over more than one area. A game of poaching on others' territories started, and with it increased *goondagardi* (thuggish behaviour), money and mind games. Operators vied to show new releases first, or, if an operator charged Rs. 100 for a connection, another would offer it at Rs. 75.

They also started some special schemes. For instance, when Major Yadav gave his business over to Shrikant, he told him to use it for free for a couple of months, and then pay him Rs. 3,000 a month. In the Jahangirpuri area, the operators showed sent cable to households for free for a month, then charged Rs. 50, and then Rs. 100 a little later. All this led to a brouhaha amongst the operators. Cable wires were snapped in the middle of the night, and there were violent encounters amongst rival parties.

In the meantime, IN company, owned by the Hinduja, came up. In 1999, Star TV dissociated itself from Siti Cable and invested in the shares of Hathway Company. By 2000 another company called Win came in. While companies like IN, Win, Siti and other small companies entered the field, people like the Major kept challenging their monopoly. The

सा बरस पहल शुरु हुइ दश
 में संगीत की रिकॉर्डिंग

cable industry saw competition on a cutthroat scale.

By 2000, when local *bastis* were demolished to make way for the construction of the Metro Rail, Shrikant started working full time and moved his cable work from the *jhuggis* to the nearby B. D. Estate, Timarpur, and other places. The area of Timarpur in north Delhi is a middle- and lower-middle-class area, inhabited by government employees for the most part. At a short distance is the B. D. Estate, an upper-class area. There were four big cable operators in the area, before Shrikant. He could not match their resources in terms of man and money power.

However, he ignored the threats of the bigger players. His amicable behaviour, coupled with the lower prices he offered, won him clients in these areas. And soon Shrikant's connections shot from zero to over 200; he became a major irritant to his competitors. According to Shrikant there were many confrontations, some of which ended in the *thana* (police station). The final showdown took place in the Win cable office. Shrikant, who at the time was operating for Win, was asked to sell his territory to his competitor. He refused; and one night his connection wires were snapped. He switched to IN.

By 2001, the number of pay channels increased and so did the rates and competition. You needed more capital now. Shrikant's competitors were all well off, so they could bear the costs, and increase rates minimally. Shrikant says that the other operators also troubled him a lot. They would either put a pin in his wire or superimpose their amplifiers over his to make reception unclear in his territory.

During this period, many factors altered the internal functions of the industry. A major truce was negotiated between the three big distribution companies and the head-end operators in the month of April-May 2002. The companies divided territories amongst themselves and agreed not to put up any new operators. No operator could now abandon an old connection, and there were to be no new private head-ends.

This led to a major change in business stratagems. The companies now exercise a monopoly over their respective territories, and have effectively prevented the entry of newcomers. Consumers too have been constrained, as they have no alternative but to sign up with the designated operator for the area.

Since Shrikant was in the way of the cable monopolists, they tried to remove him. He has ultimately compromised with the companies, withdrawing his operations on the assurance that he would receive a guaranteed monthly sum. He was confident that the companies would not cheat him. When asked why he came to a compromise, he said, rather allusively, "The deal took place at the distributors' office, you see".

According to Shrikant, if he keeps getting that promised sum he would at least be saved the regular tensions and hazards of the cable operations business. But the matter was not that simple. In Shrikant's own words, "They said to me, 'Do not kill the hen that lays the golden eggs, just take the egg and use it'". The hen was Shrikant's rival who could go on making a profit if he got a monopoly over the area, and this would only be possible if Shrikant was removed. Also, the distributors' commission would increase and the company would also get a bigger collection. It was the cable users who suffered, as they would have to pay more. And Shrikant himself only gets a fixed sum per month, rather than a share in a burgeoning trade.

Now one needs to wait and see as to whether Shrikant sacrifices the hen that lays the golden eggs, or is sacrificed by it in turn. Does Shrikant get the gold, or get an *anda* (egg; also, zero)?

भूल-बिसर सगात क
संजो रहा है तरतर्जन

अश्लील

नई दिल्ली (सिनेमाघरों पर गांव जाकाश और जगत सिनेमा के मामले में जबकि यतरा सिनेमा अन्य आवश्यक उपाय दिया गया है। दिग्गज श्याम ने सिनेमाघरों के क्यों न उनका ला

सुरक्षा उपाय करने पर बात के खिलाफ भी कार्रवाई

गत 14 सितम्बर और केंद्रीय फिल्म 14 एंजेंसी नाइट वॉर के अधिकारी जाभा शुरुआत और शाम चार को लैला फिल्म देख फिल्म के बीच-बीच दिखाए जा रहे हैं। इ

गैल रिकार्डिंग के शतक वर्ष को सुरक्षित बनाई गई है जिसे वर्ष 1939 में सबसे पहले मुस्लिम दिखाने के 1954 के बीच रिकार्ड किया गया है नवंबर 1902 को कलकत्ता में हुई अली अकबर खा और टाइपराइटर कंपनी की पहली नन्दलाल घोष का संग्रह तथा अबादास

The Raid

[PPHP] Field Notes 01
Parvati Sharma <itsorap@yahoo.co.uk>
15 November 2001

The Pirates

"Raid to hona hi hai. Abhi kuch din pehle Lajpat Rai Market mein hua, phir Bhagirath Place. Ab Nehru Place ka number aayega (The raid is unavoidable. Just a few days ago it took place in Lajpat Rai Market, then Bhagirath Place. Nehru Place is next)..."

"Policewale aate hain kya (Do the cops come)?"

"Woh dekhiye, madam: policewala baitha hua hai (Look over there, madam: that's a cop sitting there). People come, looking just like you. We think they are students. Then, as soon as we sell them something, they give a signal, and a bunch of policemen appears. The police themselves just take money, but sometimes the company people come on the raids: then we can't give money".

"Then...?"

"Then what? We go in".

"Then...?"

"Get bail in a month. And come back".

"Companywale raid karwate hain (Do the company people get you raided)?"

"Haan, madam! Wohi to hain... Aur khud phir aa ke hamse software kharidte hain... Woh dekh rahin hain aap – Microsoft ka office naya bana hai. Wahin se aate hain, wahan service karnewale, aur hamse copy lete hain. Original to wahan bhi ek-do computer pe laga hota hai, na (Yes, madam! They are the ones... And then they themselves come and buy software from us... You can see that Microsoft office building there, newly built. They come from there, the people who work there, and buy copies from us. The original must be loaded only on one or two computers there)".

Ding Dong Chai Shop near the Microsoft office does desultory business, Nehru Place dark and satanic only in the eyes of the beholder. For those who work it, pulling down shutters, coughing, smoking the last cigarette, waiting, discussing the day, everything is innocent; confusion is clarity.

आकार खाते थे फिल्में

सं.)। राजधानी रकी मुज ही गाँ पर को अस्लीस में लिल कर दिया गया भी आग से बचा करने के लिए बंद पुलिस के लाइसेंस नोटिस भेजकर पूरे हमेशा के लिए रखा दिया जाए। फि के अधिकारियों अनुसार राजधानी के अन्य सिनेमाघर भी कार्रवाई जानी है। पुलिस की विशेष न बोर्ड द्वारा नियुक्त क्वोरिटी लिमिटेड अदर स्थित जगत में

[PPHP] Palika Raid Report 19/10/02
Rakesh K. Singh <rakesh@sarai.net>
23 October 2002

I had an appointment with Mr. Rakesh Kaul, JE [Junior Engineer] (Civil) to get some facts and figures on Palika Bazaar. But I didn't find him in his office, and his assistant told me to come back at noon. Moving out, I was wondering what to do. With this dilemma, I reached in the central hall, took a seat and started observing the surroundings.

Around 11:20, suddenly there was hue and cry all around the mezzanine floor. A lot of shops were pulling down their shutters. Plainclothes personnel from the Crime Branch, wielding *dandas* (sticks), had already seized some shops. Some were chasing the

shopkeepers and sales boys who were trying to run away. Meanwhile, a boy jumped down from the upper floor. Many of the shopkeepers and sales boys managed to escape the clutches of *dandadharis* (stick-wielders) and gathered in the central hall. Now it completely became the affair of Shops No. M-9, M-12, M-13 and the raiding party. Within few minutes it was completely 'house full' in the central hall. Barring a few outsiders like me, the rest of the audience consisted of shopkeepers and their respective staff. Suddenly some one from the hall whistled, which was followed by voices hurling profanities such as "*Maro saale ko, iski bahan****...*" (Hit the bastard, sister-f****..."). And with this, people started moving towards the stairs, which had been taken over by the *dandadharis*. The crowd started pushing the police, which resulted in a minor *lathi* charge. Since the police had already blocked off both exits, it was difficult for the crowd to disperse.

Now it was time for the raiding party to leave the Bazaar with the seized materials (pirated/pornographic CDs). Here again the crowd, about 300 people, started shouting against the raiding party. It became difficult for them to push through. Finally they got out their revolvers. The crowd scattered, but within a few seconds it started abusing the raiding party and pelting them with glasses and bottles. However, they managed to move out of the Bazaar with four or five big jute bags of seized materials. And of course they took two or three guys away with them.

I returned to the central hall after watching the entire episode, and looked around for someone with whom I could discuss it. Suddenly I noticed Mahesh (name changed), who sold cheap men's wear in Shop No. 45. I asked him about the incident. He said, "*Bhai sahib, dekh liya aapne kaise raid padta hai yahan. Arre aaj to police wale bach ke nikal gaye yahan se, warna to yahan par hamesha raid karne wale pit kar jate hain. Pichli bar to teen policewale ghayal kar diye the market walon ne, aur ek ko adhmara kar diya tha. Yeh to koi badi taiyyari hogi, nahin to yahan pahle hi pata chal jata hai ki aaj raid padne wali hai. Aapko pata hai, Shop No. M-9 se local beat wale ko do lakh rupye monthly diya jata hai, behenchod...dhokha de gaya* (Brother, you have seen how raids are carried out here. Today the police escaped, but usually whoever is trying to raid this place gets beaten up. Last time three policemen were injured and the market people left another one half-dead. This raid must have had some big planning, otherwise we get to know in advance that a raid is about to happen. Do you know that from Shop No. M-9 the cop on the local beat gets Rs. 2 lakhs?...yet the sisterfucker betrayed us)".

After listening to Mahesh, I went towards a small group of youths. Sanjay (the owner of Shop No. M-1) was giving his sales boys tips in Punjabi about how to close shop during raids. "*Sanu pahle counter ander karan di koshish karni chahidi ae, fir shutter girana chahida ae. Hunn main agge to ik danda lyawanga, ode nal tussi counter ander kar dena...*" (First of all we should try to push the goods-counter inside and then think of pulling down the shutter. Now I will bring a long stick to push the counter inside)..."

I went again to the central hall and observed the surroundings. The mezzanine floor had a completely deserted look. Sales boys were sitting in small groups. The goods-counters are the prevailing sales structures in Palika Bazaar today. Almost every shop has three or four counters. Generally, counter attendants, vendors and salesmen are worst affected by such raids. True to form, today's raid was yet another nightmare for these people.

फिल्मों के अंत में
राष्ट्रगान अनिवार्य

चार करोड़ को सोडो
व साफ्टवेयर जब्त

पुणे, 27 नवंबर (एजेसी)। महाराष्ट्र के गवर्नर ने अगले साल 26 जनवरी से मोहम्मद फजल को राष्ट्रीय गान के सभी विनियमनों में फिल्मों के प्रस्तुतीकरण से संबद्ध प्रस्तावों को अंतिम रूप से रद्द किया जाना चाहिए। राज्यपाल ने अगले साल गान

'Insider' Piracy

[PPHP] Four Encounters, *Musafir* and Other Black Markets

Anand V. Taneja <anand@sarai.net>

16 December 2004

This evening I was in Palika buying DVDs. The shop was Electronics Zone, where under a glass counter are arranged the visiting cards of regular customers. Mostly media professionals from production houses and news channels. Electronics Zone has the best, pirated, international DVD collection in Palika.

Sumit, behind the DVD counter, told me that Sanjay Gupta, director of the big Bollywood movie *Musafir*, 'now playing', had come into his shop a couple of days ago, and bought Rs. 40,000 worth of pirate DVDs...(at Electronic Zone rates, Rs. 200 a copy, that's 200 DVDs)...

He has, in return, promised Sanjay Gupta he will not sell copies of *Musafir* at his shop. So, how much of a difference does piracy make?

"Well", says Sumit, "*farak to padta hai, 5-10% ka* (it does make a difference of 5-10%)..."

But then, he gives me the details.

Sumit's logic is that the sale of pirate DVDs cannot happen without the connivance of the film producers who sell the rights. He says that most piracy happens only after the US video/DVD rights are sold, which often happens before the film is released in theatres in India. He said that if the producers so decide, there would be no piracy...He gave me the examples of *Veer-Zaara* and *Aitraaz*, for which apparently there are no pirated DVDs on the market yet, a month after the release of both films.

Camera Prints, shot in theatres where the film is showing, which are of course available, do not matter, according to Sumit. Nobody likes watching them...people return films to him if they think they're camera prints...

दिल्ली, 15 जुलाई (जास) : पुलिस की आर्थिक अपराध शाखा ने पालिका बाजार में छपा मारकर चार करोड़ रुपये

[PPHP] 'Self-Piracy'

Ankur Khanna <ankurva@gmail.com>

30 August 2004

For the past week I have been visiting the IMPPA (Indian Motion Pictures Producers' Association) House in Bandra and have had regular discussions with an administrative officer, Mr. Jayanta Dhar. He is a Bengali from Delhi who in the early 1990s worked for the MPA (Motion Pictures Association, an organisation primarily for distributors and exhibitors based in and around Delhi), and who moved to Bombay to "work with producers for a change". Initially wary of my project because, by his own admission, he found it ridiculous that someone would actually fund research on such areas, he gradually warmed to me and we have had extended discussions/arguments about Bombay cinema. He warned me, affectionately, that the only 'juice' I could possibly get out of him was about the sexual infidelities of stars because that was frequently discussed and quite harmless...Though the

producers, distributors and exhibitors are constantly engaged in games of one-upmanship, they maintain an unwritten yet negotiated code of silence (an *omerta*, in Mr. Dhar's words).

The whole system had shifted to a model of advanced commission, where the producer promises the distributor that his film will do well and quotes an approximate box-office return for a specified period of time. The distributor then pays him an advance commission for the film. If the film does not do well, the producer, according to the agreement reached, will return a portion of the advanced commission to the distributor, the percentage of which will be governed by the difference between the promised approximate and the actual collections at the box-office. This new system, through its brief history of implementation, has led to a fair share of disputes. Producers frequently accuse distributors of conspiring with exhibitors and resorting to inaccurate revenue declaration (similar to the TV broadcaster-cable operator dispute). Distributors, in turn, accused producers of secretly supporting piracy.

This statement intrigued me because this was the second time I had heard this. One of my first interviews in Bombay had been with Mr. Natarajan, Secretary, IMPDA (Indian Motion Picture Distributors' Association). It had been brief, but one fact he mentioned that stood out from the standard officialese he fed me was that producers didn't care about piracy because distributors and exhibitors suffered much more than they did. Also, since copyright rested with the producers, no legal procedure against a copyright violator could be initiated without their consent. He even hinted that producers support pirates because piracy creates circuits of circulation and promotion that the producer/distributor budgets couldn't afford.

Now Mr. Dhar too had mentioned this. His personal opinion was that both producers and distributors indulged in 'self-piracy', depending on the film's run at the box-office. This happens far more frequently with producer-distributors who handle the overseas rights of Bombay films. Almost no one will pay for a pirated 'camera print' disc nowadays, as people have higher expectations of picture-sound quality. So when a film has a weak theatrical opening, prints are rushed to 'centres' outside the country where the master discs are prepared. Jayantada (by now he insists I call him that) assures me that none of the masters are prepared within the country, as the teleciné process and digitisation need to be of a high quality, and at the same time not attract too much attention. There were some 'centres' in Bangalore but he feels they might have been shut down. Most of the master discs are prepared from the overseas prints, preferably before subtitles are added, but some can only be accessed after the subtitling is complete. Sometimes the masters are mass-replicated outside and then smuggled into the country, but this can be cumbersome as well as risky. The alternative is to create the copies within the country, but it all depends on the logistics/networks at the pirates' disposal.

[PPHP] Film Distribution - Posting 2
Ankur Khanna <ankurva@gmail.com>
10 September 2004

In the afternoon I met Rahul Puri, Vice President, Finance and Strategy, Mukta Arts Limited. He is married to Meghna Ghai, Subhash Ghai's daughter, who is currently overseeing the

केबल
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म अत

Whistling Woods International Initiative (India's first private film school) in Goregaon. Meghna lunches everyday at the writers' office, just above hers. Over copious amounts of fruit salad, we discussed her brief stint as head of overseas distribution for Mukta Arts films. She seemed fairly forthcoming and talked freely about what is generally perceived as *andar ki baat* (insider dope).

She said that after *Pardes*, Mukta had severed ties with Eros International Ltd., the largest distributors of Bombay cinema in the US, and had decided to manage their own overseas distribution because they felt Eros did not handle their publicity well. She told me that Eros frequently pirated their own prints and sold the pirated DVDs because they didn't want to invest in making too many prints. They quickly realised the limitations of theatrical releases within the nascent yet growing US market, especially given the rising costs for shipping of subtitled prints, etc. However, overseas rights till today remain undifferentiated, which means that they handle theatrical release as well as home entertainment rights. So Eros releases limited copies of the official DVD (as per the contract) as well as larger numbers of the pirated version, which are priced at one-fourth the cost of the official DVD.

Special care is taken to ensure that the pirated DVD possesses all the characteristics of what is perceived to be the prototypical pirated disc. In other words, an attempt is made to deliberately downgrade the packaging of the disc so that it subscribes to a certain notion of a pirated disc cover: soft cellophane sleeves (as opposed to a hard case) containing high-grade colour printouts of original disc covers. The disc itself is of exactly the same quality as that of the original. Eros makes huge profits selling these self-pirated discs: primarily because they don't pay tax on it, and because they can muscle out other competitors in the piracy market through the superior quality of the disc and by the sheer velocity and range of their distribution network.

[PPHP] Film Distribution - Posting 2

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म अत
लकाता
प्रेट, नई दि
धानी दिल्ली में
के महेनजर कैर
ले को टाले ज
गिर कोलकाता
करने के लिए
जहाँ एक सित
प्रस्ताव है।
में जहाँ कैस वे
के सहयोगी द
उठा है, चर्ह
सरकार ने इ

"Pirates of the Cyber Cafés", *Bombay Times*, 10 August 2004

When a series of raids happened on city cyber cafés in the past one-and-a-half months, café owners thought it was the latest anti-piracy drive of the IMPPA. But authorities have recently revealed that these raids were not conducted by the association at all.

IMPPA closed down its anti-piracy cell over one-and-a-half months ago. The people accompanying the cops were misrepresenting themselves, according to the association's senior vice president, K. D. Shorey.

If so, IMPPA's 'ghost employees' managed to maintain their cover for a long time, 'raiding' cyber cafés in places ranging from Thane to Vashi to Vile Parle and Powai. There have been at least ten such bogus raids in the last one-and-a-half months, says Ashish Saboo of the APIAP (Association of Public Internet Access Providers).

According to Saboo, the crooks seem to have extracted hefty sums of money ranging from Rs. 30,000 to Rs. 60,000 under the table, besides helping the accompanying cops take *panchnamas* (inventories). But Saboo says that he has heard of only one case made

by the police. Otherwise, he says, the matter is usually 'settled'.

The cops accompanying the bogus IMPPA agents were given no orders to raid by the Social Service branch, which handles copyright infringement matters. According to Deputy Commissioner of Police (Enforcement) Pradnya Sarvade, "We aren't carrying out the raids".

A cyber café owner who was raided says the police come from local police stations. Though his café at Churchgate was raided before the period mentioned in this article, he says no police complaint was filed against him. "We settled the matter".

So who are these bogus vigilantes? Shorey of IMPPA thinks they were formerly part of the association's anti-piracy cell. "They are basically frauds", he says.

Pahlaj Nihalani, President of the AMPTPP (Association of Motion Pictures and Television Programme Producers), thinks that the frauds are people working for the movie producers. "Producers have appointed private organisations to investigate piracy. But (many of) these organisations misuse their authority and are indulging in extortion", he says.

ब्रॉडकास्ट

संतोष ठाकुर,

फील गुड के इस ब्रॉडकास्टर्स के लिए प बन कर आया है। पे- प्रतिबंधित करने के उ ही टुई अब ब्रॉडकास्ट गवर्नमन को प्रतिबंधित र भी विचार कर ब्रॉडकास्टर कुछ बड़े को अपने प्रसारण के र् देकर छोटे व अंतिम पं को उनसे व्यापार व करता है।

टुई कैसे पर लग घोषित होने वाली अ ही इस आशय की घो विचार कर रहा है।

■ कैसे ब्रॉडक कता है फील

टुई सूत्रों के ग्लोब रिपोर्ट में ऑपरेटर्स ने यह ब्रॉडकास्टर कुछ सर्विसेस ऑपरेटर्स अनुबंध कर उन्हें दे देते हैं। जिसके तो अपने नीचे बना देते हैं। या अंतिम पंक्ति के की सुविधा उपलब्ध है। ऐसे में जब सुविधा होती है। चैनल के लिए ज छोटे ऑपरेटर्स से है। दूसरा ऑपरेट