

Shyam S. Agrawal

ADVOCATE

Standing Counsel for Tirumala Tirupathi Devasthanams

REGISTERED POST ACK. DUE

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Ref.No.171/2023

To

Date : 09-05-2023


Ms. Mamata Banerjee
Hon'ble Chief Minister
State of West Bengal
R/o. 30B, Harish Chatterjee Street, Kolkata.

office at NABANNA, 14th floor, 325
Sarat Chatterjee Road, Shibpur, Howrah - 711102.
Email: CM@wb.gov.in.

Madam,

Under the instructions from my clients (1) Sri Abhishek Agarwal of M/s. Abhishek Agarwal Arts, office at House No.207, Pushami House, Filmnagar, Road No.76, Jubilee Hills, Hyderabad - 500 096, (2) Sri Vivek Ranjan Agnihotri and (3) Smt. Pallavi Joshi, both of M/s. I AM Buddha Entertainment & Media, office at Flat No.403, 4th Floor, Jewel Mahal Chsl, JP Road, Seven Bungalow Circle, Andheri (W), Mumbai - 400061, I do hereby address you this legal notice as follows:

1. My clients state that No.1 of them is a reputed producer of motion pictures in the country apart from running other businesses. No.2 of my clients is a renowned producer and director of motion pictures and has been honoured with numerous awards for his excellence in the field and more particularly a national award also which is the highest honour for such work. No.3 of my clients has been in the field for the past about three decades having acted in numerous movies in bollywood as well as other languages and she has further been a producer of movies, who has also been honoured with national award. All my clients have acquired very good name and reputation in the fields, have huge following from not only the fans and critics in the country but also over worldwide. Their work is admired even by media, critics and public.
2. My clients further state that together they have produced and No.2 of my clients also directed the movie "The Kashmir Files", after doing extensive ground work and research even before taking the decision to put it in the reels. My clients had spent time and money and also taken help from experts in doing research work in regard to the incidents that have been shown in it.


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Address for Correspondence : # 204, Legend Siddhi, 3-6-465, Street No. 5, Himayatnagar, Hyderabad-500 029
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It is only after getting themselves convinced and also confirming truthfulness from various sources, my clients had finalized the script of said movie. My clients had undergone great amount of strain, trauma, etc., in the process of making the movie and their main intention was to bring to the notice of the public the reality that has been hidden over the decades.

3. My clients also state that as is known to one and all and is borne by records that there was lot of opposition and criticism from those who did not want the facts to be placed before public, but still my clients dared to proceed with release of the movie and in appreciation and recognition of their hard work, commitment and the courage, the movie was a blockbuster hit. However, a few persons who do not wish the facts to be shown on silver screen have still been criticising my clients as well as the said movie, with ill intentions and malafides.
4. My clients state that you have been occupying a respectable position of the Chief Minister of the State of West Bengal with good following among your party persons and public. For the reasons best known to you alone, when the movie was released on 11-03-2022, you made statements before media, which was telecasted and broadcasted on several television channels and newspapers, wherein you called said movie a "conspiracy" and that it is mostly fiction and planned. You had tweeted the same and also made statement on floor of the assembly without taking the name of the movie. You further stated that the movie is funded and created and that there is conspiracy to create unrest. You also urged the people not to watch the movie.
5. In fact, though your statements caused grave amount of damage to the reputation of my clients and also the profit of the movie, but in view of the movie being a super hit all over the world and my clients getting appreciation from all corners, they did not wish to enter into any kind of controversy with you in view of your occupying such big position and remained silent. You have also made several other statements criticising the said movie of my clients.
6. My clients further state that they had planned to make a movie on the issue of Bengal Genocide of the years 1946-47 and 1971, titled as "The Delhi Files". My clients have been doing the research work on subject and issue, they have engaged several persons to do serious job and have also has been spending good amount of money. No.2 of my clients visited Kolkata in the process of such research work and to interact with local researchers as well as general public.

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On 14-03-2023 when No.2 of my clients had announced in Kolkata about his forthcoming 2024 film "The Delhi Files" is about the Bengal Genocide and how the same Khilafat ideology is responsible for constant communal conflict including recent Delhi riots, No.2 of my clients was attacked, abused, threatened of FIRs, etc. by your party members. He was banned to sign his book titled "Urban Naxals" in a Kolkata Mall, which is the bestseller book on the stalls.

7. My clients also state that on 08-05-2023, you addressed media stating that movie being made by my clients is funded by Bharatiya Janata Party, referred to said visit of No.2 of my clients to Kolkata and also that making of movie The Bengal Files is at the instance of BJP and several other statements in that regard. Immediately No.2 of my clients tweeted your video of such address to media, stating that you were talking about him in that video, that he had come to Bengal to interview survivors of direct action day genocide instigated by Khilafat and role of Sri Gopal Patha. He also questioned in tweet as to on what basis you think that the movie The Kashmir Files which was about genocide and terrorism, was to defame Kashmir people, on what basis you say so maliciously that it is funded by political party, that the film you named is 'The Delhi Files' and not The Bengal Files and also stated why he should not file defamation case against you. However, there is no response from your end.
8. My clients state that subsequent to your said address to media, they have been getting phone calls from friends, relatives, well wishers and media questioning as to whether the movie The Kashmir Files was really funded by Bharatiya Janata Party as alleged by you, whether the movie was to defame Kashmir people, whether incidents shown therein are not true and whether the movie The Delhi Files is work of fiction. With stroke of single statement made by you, all the hard work, commitment, truthfulness of my clients and appreciation received by them has got damaged bringing bad name to movie and my clients and the same is irreparable.
9. My clients further state that only to gain easy popularity among the so called seculars in the country, to coerce and prevent my clients from going ahead with the making of the movie 'The Delhi Files' and also to see that the Bengal genocide does not see the light of the day and to keep the public at large in dark on the said issue, you have made such statements causing damage of reputation of my clients, for which you have no right in this democratic country governed by the revered Constitution of India. Such acts of you are illegal and are also not expected from a person occupying such high place in the society.

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10. My clients also state that your said statements are false, baseless, far away from truth and are also part of the story concocted by you for above said purposes. Those statements are highly defamatory, unverified and made with ill intentions and malafides to defame my clients before general public and others, thereby to tarnish the image and damage the reputation built by my clients over a long period of time with their hard work, sincerity, commitment, dedication, etc. My clients enjoy high reputation and are highly respectable persons in the society and the field. My clients are shocked to hear such addresses of you to the media, numerous persons are continuously calling them and they are looked at with suspicion.
11. In view of above, it is required that either you substantiate the allegations made by you against my clients and their movie by producing authenticated proof or to withdraw your statements by addressing media in similar manner and tendering unconditional apology to them. You need to give equal amount of publicity for withdrawing the accusations made against my clients.
12. Therefore, I have specific instructions from my clients to call upon you to tender unconditional apology to my clients by withdrawing all the allegations, statements and accusations made by you in your address to media on 08-05-2023 in respect of their films 'The Kashmir Files' and 'The Delhi Files', through the same mode and manner in all media including print, television, social, etc., within a period of one week from the date of receipt of this notice, failing which my clients will be constrained to initiate possible appreciate legal proceedings against you for defaming them and causing damage to their reputation, including claim of damages to be ascertained, holding you responsible for all the costs and consequences arising there from.

Yours truly,


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 M/s. Shyam S. Agrawal
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