

V. S. Ugrappa, B.Sc., LL.B.,  
ADVOCATE  
MEMBER : KARNATAKA LEGISLATIVE COUNCIL



M : +91 9448464914  
Tel : 080 25725890 (R)  
080 25725869 (R)

7<sup>th</sup> May, 2018

To,

1. The Bharatiya Janata Party  
Represented by its General Secretary  
6 - A, Deen Dayal Upadhyaya Marg,  
New Delhi -110002
2. Mr. Narendra Modi  
Hon'ble Prime Minister of India  
No. 7, Race Course Road  
New Delhi - 100001
3. Mr. Amit Shah  
President, Bharatiya Janata Party  
No. 11, Ashoka Road,  
New Delhi - 100001
4. Mr. Yeddyurappa  
President, Bharatiya Janata Party Karnataka  
48, Temple Street, 11th Cross,  
Malleshwaram, Bengaluru,  
Karnataka 560003

Sirs,

**SUBJECT: LEGAL NOTICE FOR CRIMINAL AND CIVIL DEFAMATION**

Under instructions from my client Mr. Siddharamaiah, Hon'ble Chief Minister of Karnataka aged 69 years, presently residing at: 'Kaveri', Kumarakrupa Road, Bangalore 560001, this notice is issued as under:

1. My client Mr. Siddharamaiah is the Chief Minister of the State of Karnataka since 13<sup>th</sup> May, 2013. In his political career of close to 50 years, he has always maintained personal and political integrity and honesty. Any imputation of irregular dealings and dishonesty not only affects my client's reputation in the eyes of the public and his peers but also adversely affects his party viz the Indian National Congress. That you, all above mentioned noticees, have intentionally

1

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and maliciously made knowingly false and defamatory statements against him. You have made these statements and published them knowing and intending to harm the reputation of my client and to defame him.

2. The 1<sup>st</sup> noticee, the Bharatiya Janata Party, has published/telecast political advertisements in several Kannada and English newspapers, television channels and LED screens across the state and also on social media, which are false and defamatory against my client. The photographs of the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Noticees being in the above mentioned newspaper advertisements all of you above, have authorized the contents of the said advertisements.
3. Further, the 2<sup>nd</sup> Noticee i.e. Mr. Narendra Modi, Hon'ble Prime Minister of India, have unabatedly made several defamatory and untrue statements in your speeches in Karantaka during the election campaign. While addressing the public in the concluding meeting of Navakarntaka Parivarthana Yatra organized by the BJP, at Palace grounds, Bengaluru on 5<sup>th</sup> February, 2018, you have referred to my client's government as "Karnataka ki Congress sarkar 10% ki Sarkar hai" and also went on to say that while the world was talking about "ease of doing business" Karnataka government indulged in "ease of doing murders". Similarly, on another occasion while addressing a public meeting at Mysore you the 2<sup>nd</sup> Noticee, alleged that 'yahan pe scams or mafia ka nanga naach chal raha hain' (here there is a naked dance of scams and mafia) while referring to my client's government. Further, on 27<sup>th</sup> of February, 2018 while addressing a public meeting at Davanagere you have alleged that my client's government is "Seeda Rupaiya Sarkar". You have also stated that "in everything there is a Seeda Rupaiya and only then work happens". You have repeated all these allegations again on 3<sup>rd</sup> May, 2018 while at Gulbarga, Bellary and Bengaluru. It has been reported that on 5<sup>th</sup> May, 2018 while addressing a public meeting at Shivamogga you have referred to a watch gifted to my client by a friend alleging that it was a kickback he received for the development of Jog falls. My client had received the watch from his friend as gift and he has paid required tax for it and on the floor of the Karnataka Assembly declared the source of the watch and handed it over to the Hon'ble Speaker to treat the same as an asset of the state. Accordingly the said watch is the asset of the state and the same is placed in the Cabinet Hall.

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Despite this with an intention to malign my client's image, you, the 2<sup>nd</sup> Noticee have made such baseless, untrue and false remarks.

4. The 1<sup>st</sup> Noticee, the Bharatiya Janata Party has published series of advertisements both in electronic/digital and print media titled as "Sidda Sarkara" containing false information and casting aspersions on the character and integrity of my client. Inspired by the speeches of the 2<sup>nd</sup> Noticee the 1<sup>st</sup> Noticee has given such advertisements with false contents. At the instance of 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>, the 1<sup>st</sup> Noticee has prepared the advertisements and published and telecasted both in the print and electronic media as well as social media and LED screens, cinema halls etc. It is stated in the advertisements telecast on various Kannada and English television channels that:

*"The government that has turned all areas into hell.  
 The government that has not stopped the murder of patriots.  
 The government that has broken up society.  
 The corrupt government with the fake fortunes.  
 The state government's "anna bhagya" scheme is "Kanna Bhagya" (loot Bhagya).  
 A government that protects all hoodlums.  
 A government that has sacrificed/killed farmers".*

In another advertisement that appeared in the news papers on 3<sup>rd</sup> May, 2018 you have shown my client in the witness box along with Mr. Rahul Gandhi, Hon'ble President, AICC and accused them of being responsible for 3800 farmer suicides, alliances with murders of patriots, poisoning society by communalizing and dividing people, inciting caste-based violence as well as forging alliances with organizations that have terror links.

One of the Videos telecast in various television channels, begins with the following lines, "Solar power tender- Rs. 800,00,00,000 (Rs 800 crores)-gone."

*An actor with his back to the audience is seen. He is clearly intended to be representing my client. The back of his chair says "CM". He is wearing a heavy gold watch and is shown handing gifts to a lady. Text appears on the screen with the words "The story of a watch", with an arrow pointing to the heavy gold watch worn by the actor. It is accompanied by the lines, "The state government's "anna bhagya" scheme is Kanna*

  
 3

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*Bhagya (Loot Bhagya). The person still sitting on a chair with "CM" written on it, then hands a gift to a man in a suit. There is a line underneath that reads, "K.P.C. coal mine tender"- Rs 400,00,00,000. (Rs. 400 crores) gone. The actor sitting on the CM's chair hands another gift to a man. An arrow points to the heavy gold watch on his wrist, with the words underneath saying, "10% commission watch?" The gift handed over to the man is encircled with question marks, with the accompanying text stating, "Indira Canteen!! Crores and crores looted!!" The actor sitting on the CM's chair hands another gift to a man. Accompanying line states, "BBMP garbage clearance tender"- "Rs 400,00,00,000. (Rs. 400 crores) gone". The actor sitting on the CM's chair hands another gift to a man. An arrow points to the heavy gold watch on his wrist, with the words underneath saying, "Rs. 40,00,000 Hublot watch!!" The gift handed over to the man is encircled with question marks, with the accompanying text stating, "This fortune, that fortune, it is the people's misfortune!!" The advertisement then says the following; "Think about this-Solar Power tender, KPC coal mine tender, BBMP garbage clearance tender - Rs. 1600,00,00,000 [One thousand six hundred crores]- gone". "Change the government, make the BJP win."*

5. Further in many daily newspapers both in Kannada and English across the state of Karnataka from the 28<sup>th</sup> of March 2018 advertisements are being published making statements knowing them to be false and only for the purposes of harming the image of my client and the Indian National Congress Party in the State Assembly Elections of Karnataka. Through these political advertisements all the Noticees have made fabricated and unsubstantiated allegations and remarks against my client and the Indian National Congress. The said advertisements stated that under the leadership of my client the Karnataka has become Goondaraj, lakes have been destroyed, garbage mess etc. Furthermore, the use of the phrase 'Siddha sarkar' and a silhouette of my client makes it explicit that the allegations are of personal nature and an attack on the image of my client.
6. These allegations are completely false, fabricated and do not have an iota of truth and the same have been made with a malicious intent to defame my client and destroy his reputation in the eyes of public at large. My client has instructed me that he himself heard the speeches made by the 2<sup>nd</sup> Notices and saw the advertisements on television channels and newspapers and knows that the

4 

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Advocate's Office : # 5, 3rd Cross, Kilari Road, Bangalore - 560 053

Legislator's Home : Room No. 24 & 25, Bangalore - 560 001.



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allegations are false, fabricated and politically motivated with an intention to defame my client and his political party. Further, he has instructed me that he has been contacted by innumerable friends, well wishers, relatives, party workers and colleagues from across the country regarding these advertisements and statements. All these people expressed their anguish and resentment at the imputations made on my client and questioned if the same were true. My client then had to individually make it clear to them that all the allegations and imputations were completely false and baseless. Due to the statements of the 2<sup>nd</sup> Noticee and the advertisements issued by all of you, my client's image has been tarnished irreparably and defamed which cannot be quantified and compensated in monetary terms. All you noticees, have publically made and published these allegations knowing them to be false and the same has harmed my client's public image. Publishing such advertisements and making such statements without any enquiry or verification, circulating totally false, offensive and defamatory statements are adversely affecting his reputation.

7. These imputations of irregular dealings, unprofessional conduct or dishonesty is bound to affect my client's reputation in the eyes of the public, government officials, the intelligentsia and his peers. By putting my client's likeness and image on these advertisements along with the false and baseless allegations you have sought to project my client as active and/or complicit in all those reprehensible acts. In ensuring the said publication, all of you were aware that the imputation and innuendo cannot but affect my client's reputation adversely. It is clear that you had no factual or inferential basis for making the aforesaid innuendo and imputation against my client. This has caused my client and members of his family immense harm and anguish. The only motive attributable to your statements and publication of the defamatory advertisements is that all of you set out to deliberately, that is to say intending to and/or knowing that such publication and visible representation will, harm my client's reputation. Defamation inheres in the suggestion that my client is responsible for all the falsely attributed allegations. You know the imputations that you have published are blatantly false and thus caused him severe mental agony and anguish.

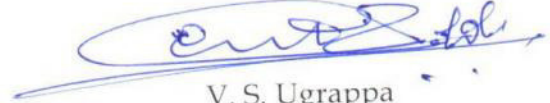
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8. You have jointly and severally committed libel and offences punishable under Sections 499, 500, 501 and 502 of the Indian Penal Code. Therefore you are called upon to cease and desist from making such statements forthwith and give an unconditional public apology immediately through electronic, print and social media etc. in which the statements and advertisements have appeared. In the event you fail to do so, please note that you have rendered yourself liable to civil and criminal action and payment of exemplary damages of Rs. 100,00,00,000/- (Rupees One Hundred Crores Only) and cost of this notice being Rs. 1,00,000/- (Rupees One Lakh Only) and my client shall initiate appropriate legal proceedings as per provisions of the law of the land at your cost and consequences thereof.

Bangalore  
7/5/2018

  
V. S. Ugrappa  
Advocate