



## Press Release

### **NDTV asks Sir Martin Sorrell not to take India lightly. To get his facts right and clean up his TV ratings operations in India.**

Sir Martin Sorrell knows better than all of us that the first rule of any PR campaign is never to get your facts wrong. Hence we can only conclude that Sir Martin Sorrell has been misled by his team into making several incorrect statements. Let us list some of the errors.

But first, we request Sir Martin not to take India lightly. We request him to clean up his ratings operation in our country and to refrain from using his global PR clout to perpetuate corruption in his India ratings operation; to respect our country and the serious issues raised in our very real lawsuit (Sir Martin referring to it as "hypothetical" was bizarre) and take real steps to correct them. We, like all other Indian broadcasters, are happy to work together with Sir Martin to establish an honest, reliable and credible institution to measure ratings in India. This has not happened, despite repeated requests by us and promises made by Kantar and Nielsen.

**The first error:** Sir Martin has alleged that NDTV's lawyers reached out to his lawyers to ask for a settlement. This is completely untrue. There was no such approach after the Complaint was filed and communicated. In fact, it was his own CEO, Eric Salama, the CEO of Kantar, a WPP company, who sent a confidential mail to NDTV on the 8th of August, suggesting a meeting if NDTV would "halt litigation". A further mail exchange followed. NDTV has respected Mr Salama's confidentiality by not making this public till now- but Sir Martin would do well to check with his own senior executives before making baseless charges.

**The second error:** The biggest accusation against Sir Martin's TAM rating system in India has come from Nielsen's own global head of security, Mr. Robert Messemer, not just from Indian broadcasters and NDTV. Mr. Messemer, formerly of the FBI, in a meeting in Delhi on 11<sup>th</sup> April, in front of two dozen people (including the CEO of Kantar), called Sir Martin's TAM India operations the most corrupt in the world -- and he has been to many, many countries to fight fires for Nielsen. Sir Martin needs to check his facts with Mr. Messemer or would he perhaps threaten to sue him for defamation?

**The third error:** Sir Martin seems to have finally discovered that this is not a "hypothetical" lawsuit. It is available on the website of the Supreme Court of New York for his team to read if Sir Martin is busy. Strangely, Sir Martin contradicts himself by now applying to the New York court for dismissal of the real lawsuit, using a plea based on technicalities of jurisdiction. Sir Martin and his lawyers (presumably) are not refuting any facts; they are merely using legalistic technical



grounds to challenge NDTV. Our request is for Sir Martin and his team to argue the substantive factual merits of the case, and demonstrate a desire to stop the bribery and corruption.

As an aside, Sir Martin must know that his sudden outbursts have done even more to prove that jurisdiction is indeed in the US and not in India, as Sir Martin has openly acknowledged how deeply involved he and thus Nielsen ( his partner) are, in Indian TAM viewership ratings operations.

**The fourth error:** No amount of maliciously false and defamatory statements will work against our lawyers. Sir Martin's 10 billion dollar global operations - for which we normally have great admiration - may indeed be able to hire the biggest and most famous legal names, but Sir Martin should know that the truth wins in the end - not lawyers. We leave it to our lawyers to respond to the allegations made against them.

We may not have a 10 billion dollar empire backing us, but WPP should realize that a court case is fought on the merits. We urge them to read the 194 page lawsuit, which contains indisputable facts, and respond to it on the factual merits, not with personal attacks.

**The fifth error:** Sir Martin keeps referring to NDTV's low market cap (vs. his 10 billion dollars). Size matters? We would like to point out that it is indeed near impossible for an honest Indian media company to function in the dishonest environment his company has helped create in India. If Sir Martin had a similar corrupt system in the UK or US, he wouldn't be where he is at the moment. Yes, if NDTV's true ratings were reflected as 62% (see attached evidence for this) rather than TAM's corrupted 25%, the impact on NDTV's revenues and market cap would be hugely significant. Sir Martin, or rather his team, knows that too. The details can be found in our (non-hypothetical) lawsuit.

**The sixth error:** Sir Martin said "We will do everything to improve the system but not with a gun to our head" In fact, Sir Martin Sorrell was personally informed about all the problems with TAM ratings at a meeting at The Oberoi Hotel in Gurgaon in August 2011, in the presence of a large number of media journalists and eminent people. That was a year ago, and there was no "gun to the head". Why was nothing done?

Finally, we would like to thank Sir Martin for respecting NDTV's editorial position. We are a fiercely independent Indian news operation and proud to be a leader in India. Sir Martin Sorrel has appeared on many occasions on our channels, which clearly shows a mutual respect (and perhaps an indicator that he actually recognizes that NDTV is larger than his TAM ratings suggest).

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