



**CAMA**  
LUXURY CARS

ALL ABOUT LUXURY CARS

7<sup>th</sup> March 2012

To,  
Mr. A. K. Singhal  
Assistant Director General  
Office of Director General  
Competition Commission of India  
The Hindustan Times House,  
18-20, Kasturba Gandhi Marg,  
New Delhi - 110007

**Sub :Notice under section 36(2) read with section 41(2) of the Competition Act, 2002**

Dear Mr. Singhal,

We are in receipt of the subject notice and would like to respond as follows :

Cama Motors Pvt. Ltd. was the authorized dealer of Mercedes Benz India Pvt. Ltd. from 1997 to 2009. The relationship between Cama Motors Pvt. Ltd. and Mercedes Benz India Pvt. Ltd. alongwith their parent company Daimler / DaimlerChrysler AG began to deteriorate over many years **due to the extremely poor quality of vehicles** and various **malpractices** connected with the same.

Many attempts were made by Cama Motors Pvt. Ltd. to call for **meaningful high level investigations** into the above practices by the parent company Daimler / DaimlerChrysler AG in the belief that the illegal and criminal activities were originating from a lower level and that the Board of Directors etc. would be interested in a **clean up operation**. However, as we can prove from a long series of correspondence at the highest level, a conspiracy was unfolded by the Board of Directors and the senior management of both companies to harass, financially ruin and destroy the reputation of our company for daring to **blow the whistle**.

Cama Motors Pvt. Ltd. left no stone unturned, even promising the Chairman of the Board, that we would peacefully resign, in exchange for a civilized and professional atmosphere, in which to exit. Even the Indo German Chamber of Commerce and other such bodies were approached for help but refused any rational support.

**CAMA**  
**STUDIO**  
Refurbish & Design

**CAMA**  
*signature*  
LUXURY CARS

**CAMA**  
**care**  
Repairs & Maintenance

During the years as dealers, Cama Motors Pvt. Ltd. and others were forced to sign agreements while being tied down to huge investments and unilateral conditions imposed as per the will of the manufacturer. The terms of these agreements became unbearable but since a number of dealerships **had been forced to shut down** in a high handed manner, each dealer was forced to carry on as long as it was financially possible. Many large dealerships were favored by Mercedes Benz India Pvt. Ltd. and the non transparent mechanism of distribution as well as unilateral audit systems linked to dealers earnings were slowly transformed into weapons against any dealer who did not toe the line. No form of transparency was ever brought about on Mercedes Benz while through increasingly centralized Dealer management software all control was slowly taken away from the dealer to the extent that the dealer could not even control what changes were made to unsuspecting customers cars through various online techniques which are opaque to the dealer.

Cama Motors Pvt. Ltd. started to witness how defective designs and poor quality parts were being manipulated by after sales procedures which were carried out in secret and even software changes were made in this manner. However, when confronted from 2003 onwards, the company refused to give any written response and threatened Cama Motors Pvt. Ltd. that no such issue could be proved and therefore, **if any information was shared, Cama Motors Pvt. Ltd. would be destroyed in every way possible**. Even the cars of the Directors' family showed serious defects like brake failure and total corrosion of welding joints. Even in these cases, Cama Motors Pvt. Ltd. was totally deceived and only realized that there was a high level conspiracy **when secret service measures have introduced at a later date** dealing with these same defects. Towards the last few years, the company declared open warfare on Cama Motors Pvt. Ltd. (as other examples had been set in the past).

Even after continuous protest from 2007 onwards, Cama Motors Pvt. Ltd., having served Mercedes Benz India Pvt. Ltd. for 10 years **was refused a copy of the very dealership agreement under which they were operating**. It was a shocking violation of our rights and with a gun pointed at our head, we were **forced to remain legally in a questionable stage till the date of resignation** and this was pre-meditated by the senior management. Since the option of terminating an award winning dealer with the highest standards of morality and performance was not available, Mercedes Benz began outright harassment by diverting our customers to brokers using information stolen from our systems online and cut our supply down to a trickle. Additionally they used loopholes in the RTO norms to divert a large amount of sale from Gujarat to other states with lower taxes through the broker network.

Finally, Cama Motors Pvt. Ltd. was approached by the Legal Secretary of Mercedes Benz India Pvt. Ltd. and asked to report all the above information to the Business Practice Office (BPO) of Daimler AG. He requested that no information regarding quality related violations should be put on paper, so that the Board of Directors of Daimler AG would have the option to take the initiative of investigation. In this manner, Cama Motors Pvt. Ltd. spent many

months offering to disclose this information to the BPO directly. The letters to the BPO and the Board of Directors contained detailed accounts of how the commercial practices of Mercedes Benz India were being used to force Cama Motors Pvt. Ltd. out of the network. The protection of the board of directors was asked for yet no response was given so that Cama Motors would feel humiliated and fear for its existence.

The details of all the above facts are contained in volumes of correspondence of which the important chapters are being included with this letter (ENCL 1).

As it can be seen, after using the diversion and trap of the BPO to ensure the silence of Cama Motors Pvt. Ltd. towards the media and courts, Mercedes Benz India Pvt. Ltd. and Daimler AG preplanned and carried out the elimination of Cama Motors Pvt. Ltd. from the Mercedes Benz network in the most **dastardly, cowardly and unimaginable** manner. They preemptively blackened our reputation so that if we chose to blow the whistle nobody would listen once we were categorized as an Ex-dealer with a grudge. Cama Motors put this fear forward to the Board of Daimler AG one year in advance never expecting that such a thing would be done with the blessing of such highly placed officials as the Chairman of the Board Jochim Schmidt and the entire team at Daimler AG.

By visiting Cama Motors Pvt. Ltd. under the pretext of a **final high level meeting to settle differences on the 30<sup>th</sup> of Jan 2009**, the MD & CEO of Mercedes Benz India Pvt. Ltd., Dr. Wilfried Aulbur, handed over a letter mentioning that a second dealership was being advertised for!!! The MD & CEO, Dr. Aulbur had arrived at the dealership one year after being asked for help, with a caveat being obtained against Cama Motors Pvt. Ltd trying to prevent the above mentioned appointment of a new dealer. To this day, even the territory of Delhi was managed by a single dealer and under the circumstances, the message given to Cama Motors Pvt. Ltd., to get out, was loud and clear. One day after the so called meeting to “settle issues”, **an advt. appeared in the Times of India asking for a new dealer in Ahmedabad** making it clear that this would **not** be a second dealer. This was a humiliation beyond imagination and soon the low level employees verbally told the most influential persons including the applicants from Ahmedabad, that Cama Motors was being shut down for malpractices etc. Such a propaganda and Mass-communication war was beyond the capacity of a small local player such as Cama Motors which has always been known for integrity and honesty.

With unilateral agreements including non-disclosure and a bank guarantee which could be misused, Cama Motors Pvt. Ltd. had absolutely no recourse but to beg the Chairman of the board for personal intervention. Even the Chairman of the board who had refused to respond for one year again refused to help with a one line letter that “we will be getting back to you”(12<sup>th</sup> march 2009). Now Mercedes Benz while withholding our Bank guarantee and having all cards in their hands started sending messages through their employees that all

supplies would be cut and the new dealer would be used to bring about the unilateral termination of Cama Motors. Cama Motors could not see the destruction of their reputation but feared greatly that if they even spoke the truth Mercedes Benz would encash the Bank Guarantee and file all kinds of criminal charges under any grounds which could be created due to the one sided agreements. The clauses dealing with termination etc. had slowly become toxic to the dealerships during each renewal and the whole company was run like a **fascist mafia organization**. After waiting for weeks and being refused a face to face meeting by the entire senior management while Cama Motors was operationally an outcast, **the hopes of any morally upright person stepping in were dashed** and so Cama Motors under the cruelest and humiliating circumstances submitted its resignation under protest. Legal advice had shown that the MRTPC commission was disbanded at that very time and no legal remedy was advised by the senior most advocates based on the totally one sided agreements which were signed by Cama Motors after initially signing mild agreements and becoming trapped in the network.

The first time the Chairman of the Board offered any response was when the resignation of Cama Motors Pvt. Ltd. was accepted **on his behalf by the MD & CEO of Mercedes Benz India Pvt. Ltd., Dr. Aulbur who was the same person against whom Cama Motors had made allegations of highly criminal behavior. Later charges of forgery were framed against Dr. Aulbur by the next dealership (MILLENIUM MOTORS PUNE) which he and his team dismissed in the same manner as Cama Motors along with two other dealers bringing the total dealerships shut down in thirteen years to thirteen viz. a turnover of 100 %. The entire team including Dr. Aulbur faces charges of forgery for trying to close the accounts of the Pune dealer with forged signatures.**

The entire episode of the sham investigation by the BPO was a disgrace and till the end, the BPO refused to even visit the dealer who wished to complain at this serious level.

A worse chapter in the history of the Cama Motors with Mercedes Benz began to open almost a year after the forced resignation from the network. Within a short period, both the undersigned found extremely serious life threatening gearbox failures in their Mercedes Benz vehicles, **once again**. Having previously seen the response of this world leading giant to simple criticism about quality, the undersigned started to become aware of a very dangerous campaign by Daimler / DaimlerChrysler AG to cover up safety related failures in a **premeditated and conscious manner**. The full dimension of why a quality conscious, honesty driven, family run business such as Cama Motors Pvt. Ltd. was eliminated in such a high handed manner became more obvious. As a result, the undersigned **began detailed analysis of all kinds of documents and data gathered over the years pertaining to a wide range of issues including all allegations of safety failures.**

The results of these investigations is contained in communications made to the German Ambassador, External Affairs Ministry, Service Transport Ministry, Ministry for Heavy Industries, SIAM, Media Institutions and many others. Since the material is voluminous but self-explanatory, we are enclosing the same and offer to back up this material in every way possible. The documents are signed by the highest authorities and show direct premeditated knowledge of covering up of life threatening defects. The documents are self contained and if they are not forged or fabricated it is clear that the entire management responsible for doing this on an international level **should be in prison** at the least. In our opinion the **death sentence** should be handed out to the individual/s who took the decision to alter the software/hardware of the **SBC braking system**, Speed sensors or transmission control units behind the customer's back and we are openly saying this to all the relevant authorities. **No dead person can come back and explain the sudden brake failures or locked gear boxes and the manufacturer has set all the self diagnosis systems to hide the defects when the system is reset.**

You will see by having the enclosed material analyzed that the behavior of Daimler / Daimler Chrysler AG amounts to nothing less than **premeditated murder**. It is one of the grossest violations of faith placed in a world leading manufacturer. The behavior of the top management of these companies resembles nothing short of a **fascist, dictatorial and evil empire**. Having lost total control of even the quality of simple door handles and rubber pipes, this so called world leader has cunningly used the blind faith of innocent customers to tamper and constantly manipulate the goods produced by them through the dealers in the hope that such a giant crime will remain secret. This company even paid up \$185 million to the US Department Of Justice without a challenge for large scale global corruption to sell their cars and commercial vehicles. The other class action Suits in the USA can be fully justified by the documents held by us with regard to various design failures and defects which are kept hidden from the public. Yet most of these defects and their prior knowledge is being denied in courts around the world in the **greatest example of criminal Perjury**.

In Ahmedabad when a customer, Manish Patel, lost his life in an E class car and none of the three airbags on the driver seat opened the family asked for a report. After refusing the data and report for one year finally some technical data on one single sheet was given in a typed form. The customer's family went to court due to such a farce. **Now it has become clear that the data in the sheet is Forged/fabricated. However the company now refuses to answer and the customer is forced to take action in the criminal courts.** However the forged data was demanded to be put on Cama Motors Letterhead and we are now dragged into this criminal activity. Many such examples exist and can all be brought forward with proof.

Similarly today in Jaipur a young boy, Nirmal Saraf, with a one year old child has lost his life in an S class which also failed to activate any airbags (except one where the seat was vacant). The case is so suspicious that the family wants answers but the very same engineer from

Germany who visited Ahmedabad, **Lothar Shuzzare**, when Manish Patel died, demands that the car should be handed over to Daimler AG control, for a report. His claim is that the technology of Mercedes Benz is analyzable by only their own people. He even mentioned that the police in Europe also has to come to Daimler AG for investigating accidents. **This is the stand of a man who has already submitted a report of airbag performance of our customer's car with fake data!!!!** The truth is that Daimler never releases the full code and knowledge of control unit software so that market ready, Freely available and legal scanning machines can fully read the memories and other devices for analysis. The day they do this all the secrets will be out regarding the horrible software and design faults. Also the monopoly of their dealer workshops would be over. **As dealers we also refused to serve or offer warranty to any customer who had had his vehicle repaired elsewhere since this was the policy.** This was instructed by the company and they still follow this practice (mostly verbally) to monopolize the repairs and information. They also try and prevent any import of parts by independents **using the IPR act as cover.** They have made the Indian Authorities take the stand that if there is a star trademark and any person deals in those goods it violates their IPR rights while this is against customers and repairers fundamental rights.

**Concequently, with muscle power they have created a situation where, if there is a life threatening problem and it has been covered up even by disabling the warning system of the car by the manufacturer himself, the only recourse a customer has is to go back to the same manufacturer and his dealers to seek proof of the violation!!!! This situation flies in the face of all logic but the customer is truly in a trap. There is no regulatory body and no technically competent lab to safeguard the customer. In the name of proprietary technology all proof of failure is hidden and customers are totally at the manufacturer's mercy.**

When we highlighted this paradox through the civil suit filed after such a defect was found in the gearboxes of two of our cars as well as many customer's cars where they nearly died, Cama Motors was **accused of defamation** and bogus unsupportable charges as a counter pressure tactic and an injunction was sought, preventing Cama Motors from sharing any information regarding Mercedes Technology. Now the very reply of Daimler AG in the case of our failed vehicle is pending in court for nearly one year and they are trying to **prevent this matter from progressing in court by denying receipt of court documents for nearly one year** since their defeat is obvious. The suit copies are enclosed for your study which will reveal the true nature of this "global giant".

**In the mean time for more than a year we have given the German Government (through the embassy in Delhi) enough of a chance to respond yet they have refused to answer since obviously there is no answer favorable to Mercedes Benz, A German Icon. We have made it clear that we have video and audio evidence which we can have certified**

**unconditionally by any agency and we will take polygraph tests and demand that the management should also undergo polygraph tests if they have the courage.**

Being without much choice in the matter of our career as car dealers, which was mercilessly brought to an end by the ambush tactics of Mercedes Benz and Daimler we have begun the process of claiming damages for the forced **destruction of our company and heritage** in the civil court system by filing a suit for damages on the 21<sup>st</sup> of December 2011. The suit highlights all details of the relationship between the dealership and manufacturer and is also enclosed for the commission's study.

Our special request to the Commission is that a deep and transparent investigation involving knowledgeable experts and representatives of a wide range of interests including American and Japanese car makers and watchdog organizations should be set-up and criminal charges should be brought against this **evil group. Please do not treat this as purely a civil/financial matter but as a crime against human values and human rights.**

**We have preserved a large amount of data and instructions which is why we face bogus charges of defamation and would like to formally place before the commission our own experience and support the commission on technical details which no outsider would be able to do. In the mean time if the material forwarded to the German Ambassador for response(2a), is analyzed, we are certain basic criminal charges can be framed immediately.**

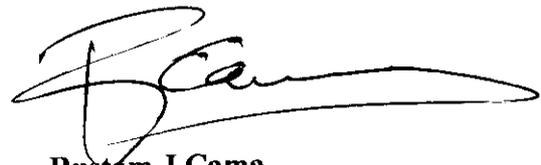
**Attention is also due to the media and particularly the Auto specific media and the editors of such magazines. While the Add budgets of Mercedes Benz have gone up by a factor of ten, these media persons have refused to carry out any investigation and have helped the manufacturer by stonewalling Cama Motors and refusing any response. In this manner all forms of checks and balances have been defeated by this company. The favors given to auto media need investigation.**

The material needed cannot be sent by mail therefore it is being dispatched by speed post at the earliest. We request the acknowledgment of this letter which we hope for the moment answers the questions raised in your notice and gives the commission a glimpse into what we believe to be **one of the deepest rooted, long running and despicable moral and legal collapse of any corporation operating in the free democratic world without accountability or transparency.**

We remain at your service in the hope that this Evil practice of secret "service Measures" can be stopped and a fair disclosure of this practice is made before all who have suffered since 1998 and all past tampering is revealed to the concerned persons along with the true risk of

these manufacturing defects with suitable compensation and that in the future India is better positioned to deal with such violations.

With Best regards  
For, Cama Motors Pvt. Ltd.

  
Jehangir R J Cama  
Chairman  
Rustom J Cama  
Executive Director

Enclosures are following by post to the following address:

To,  
Mr. A. K. Singhal  
Assistant Director General  
Office of Director General  
Competition Commission of India  
The Hindustan Times House,  
18-20, Kasturba Gandhi Marg,  
New Delhi - 110007

Enclosures :

1. Series of correspondence regarding harassment of Cama Motors and final departure of Cama Motors under pressure.
2. a) Correspondence with German ambassador including Mercedes Benz documents pertaining to the **highly illegal activity of "SERVICE MEASURES" PROOVING LONG TERM CRIMINAL ACTIVITY** b) Letters to the Indo German Chamber, Ministries of govt. of India, Auto bodies and Media along with Mercedes Benz documents relating to the practice of "**SECRET SERVICE MEASURES**".
3. Suit filled by cama hotels for life threatening defect in S class.
4. Counter Blast suit for injuncion against cama motors and damages.
5. Damages suit filled by Cama Motors due to forcing of resignation by monopolistic and unfair practices.
6. RTI applications on ministry of heavy industries and surface transport ministry along with their unsatisfactory response from heavy industries ministry.