



13th January 2011

To,
Ms Karin Stoll
Trade Commissioner (Commercial Matters)
Embassy of Republic of Germany
6/50 G, Shanti Path, Chankya Puri
New Delhi-110 021

Dear Madam,

We wish to bring to your kind attention, a serious default on the part of the Mercedes Benz India in regard to major life threatening failures on the vehicles manufactured and marketed by them not only in India but worldwide.

We are giving below the history of the problems faced by us on to such vehicles own by us and which are today lying useless and unutilized and which are causing us not only tremendous financial loss but also mental and emotional torture, in view of the extremely negative attitude of MBIL.

We sincerely hope that in the interest of better protection and relationship between the two countries the matter will be thoroughly investigate and suitably dealt with.

- 1- We own one Mercedes Benz CLS car purchased in August 2007 and one S Class purchased in Jul 2006.
- 2- Both the cars developed very peculiar problems starting from March 2010 which were of a life threatening nature.
 - (a) While accelerating or driving at speed, the gearboxes of the cars became locked in a certain gear or developed a total slippage of the torque converter, thus loosing power when needed, and thereby would cause serious situation which could imperil the life of the driver.
 - (b) Having reported this failure repeatedly to MBIL no action was taken by them to identify the correct problem or to find means of rectifying the same with any form of guarantee as to future performance. **We insisted on a third party to be present which was totally denied by them in writing.**
- 3- We continued to complaint but absolutely no attention was paid to our report even when we are able to point out from their circulars and letters that world over thousands of similarly defective gearboxes were operating and endangering human lives.
- 4- Looking to the large number of such faults we had recommended that in view of the seriousness of the problem a company recall should be made so that



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other vehicle owners could be saved from the possible life threatening situation.

- 5- Similar cases from amongst vehicles sold by us were also pointed out and brought to their attention but the company somehow chose to completely ignore the entire issue and on the contrary threatened us with law suits etc... which when we asked for justification of, they have not had the courage to even respond.
- 6- All such information in this regard with similar complaints is available for anyone to see even on the World Wide Web and most details have been shared by us openly to which we have received no response to date.
- 7- We had asked for an independent inspection of these vehicles so that the correct diagnosis could be arrived at and a permanent solution could be found.
- 8- After a long period of time we informed the dealer that we would like a signed copy of the diagnosis reports for which we went to their workshop. Unfortunately without reason an engineer was rushed to Ahmedabad by Mercedes India to inspect our cars against our wishes and with that excuse and using a Bluetooth connection the engineer detained our cars till late in the night with the intention to secretly change the faulty parts. We were treated very shabbily and had to forcefully remove our cars.
- 9- More seriously however we have to report that it is our confirmed belief that the software controlling the gearbox shift mechanism was to a sizable extent tampered with and even though the problem was identified we were informed that the cars were roadworthy and the problems were described as "imaginary".
- 10- What is definitely a HIGHLY CRIMINAL act is the fact that after seeing a set of fault codes stored in both our cars which indicate a serious failure of the gearbox (matching our complaints), we were told that since no dashboard warning was shown during the trial therefore NO DEFECT EXISTS. We were able to prove that Daimler has created such a setting in its control unit software that when this known and common failure starts occurring, the car's warning system remains off and allows the driver a false sense of security. On driving this type of vehicle repeatedly the driver's chances of death increase and we believe Daimler AG MBIPL and their dealer are responsible for intentionally endangering our lives and those of many others in order to cover up their extremely poor quality engineering.



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Not being satisfied with a very cavalier attitude, we started to put our technical findings on paper with copies to all concerned as well as the auto centric press.

- 11-Subsequent to the suspected manipulation of the gearbox software we have suffered immensely by not being able to use the vehicles and they are lying idle at great cost and inconvenience.
- 12-The test reports taken from the scanner were also not supplied to us as a way to hide the seriousness of the defects. We have imported the necessary equipment from an authorized supplier in the UK and only then were we able to show live failures of various sensors with the dashboard warning system disabled, which have been uploaded to the following link on YOUTUBE http://www.youtube.com/results?search_query=mercsgoneberserks&aq=f
- 13-From own our scanner report taken out by us (we have been dealers for Mercedes Benz in Gujarat and Rajasthan for over 12 years and therefore fully equipped and technically qualified), constant reports of mal -function have been arrived at and photographic and videograph reports have been submitted to MBIL which also remain ignored with no response from their side.
- 14-There are world wide reports of this form of serious mal-functioning open for everybody's knowledge on the world wide web and yet the only response from MBIL is to threaten us with legal action for declaring this issue to the Indian Automobile press etc....

It is also a fact that their own company circulars continue to encourage their dealers to replace parts, alter software programmes without the knowledge of owners / buyers merely in an attempt to cover up serious engineering mal-functions and to avoid major recall, unlike the largest Automobile manufacturer in the world (TOYOTA) who have voluntarily rectified such engineering shortcoming by worldwide action.

It is a disgrace for German pride in engineering that Daimler tracks the extreme failures of vital components like Wheel Speed Sensors and issues secret information for their replacement; yet when we complain of the same symptoms, even our correspondence is unanswered. We were shocked to find the information on wheel speed sensor failure and many other components along with modified replacement parts being issued without an open recall.

It is our request that MBIL should not only rectify the problems with our cars but take immediate action to prevent any car owner from suffering from this life threatening situation. We demand answers to all technical queries which have remained unanswered to date so that we can proceed with the necessary action as



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per the law. By not answering us MBIPL and Daimler AG are trying to avoid all responsibility for their failure.

With regards,

Yours faithfully,
For Cama Motors Pvt. Ltd.,

A handwritten signature in blue ink, appearing to read 'Jehangir R J Cama'.

Jehangir R J Cama
Chairman

Encls- Letters

Cc to:

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