

IN THE COURT OF SPECIAL JUDGE AT GR. BOMBAY  
MCO/MPID/TADA/CBI/ACB/POTA/SEBI/PMLA/SPECIAL CASE NO

PMIA 1050 OF 22

Shivansh patil shetty & ors

Applicant/Accused

Vis.

The State ED Complainant

CERTIFIED COPY OF FOLLOWING DOCUMENTS

complaint copy

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22/9/22  
Asst. Superintendent  
City Civil and Sessions Court  
Gr. Bombay



IN THE COURT OF HON'BLE JUDGE,  
CITY CIVIL COURT AND ADDITIONAL SESSIONS JUDGE,  
GREATER BOMBAY  
(DESIGNATED COURT FOR THE PREVENTION OF MONEY  
LAUNDERING ACT, 2002.

P.M.L.A. SPECIAL CASE NO. OF 2022

Directorate of Enforcement  
Through  
Assistant Director,  
Mumbai Zonal Office-I, Mumbai

..... COMPLAINANT

Versus

1. Shri Shirish Pattanshetty, Age – 44 years,  
S/o Late. Satish V. Pattanshetty  
1801, A-Wing, Titanium Towers,  
Sahakari Nagar, D.N. Nagar,  
Andheri West, Mumbai-400053  
Controller/ Owner of Fakt Marathi Channel being 50% shareholder  
& Others

.....ACCUSED



*Hopes*  
*14/9/22*  
Assistant Registrar  
City Civil and Sessions Court  
Greater Bombay



Assigned to C R No. 16

*Wiced*  
2<sup>nd</sup> Addl. Principal Judge  
This 14 day of Sept, 2022

## THE COMPLAINT IN CASE NO \_\_\_\_\_ OF 2022

ECIR/MBZO - I/41/2020

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CALENDAR OF EVENTS

Sr. No.	Date	Events
1	06.10.2020	FIR bearing No. 843/2020 registered by Kandivali Police Station, Mumbai
2	31.10.2020	Recording of ECIR bearing No. ECIR/MBZO-I/41/2020
3	24.11.2020	Chargesheet filed by Mumbai Police in the matter.
4	11.01.2021	Supplementary chargesheet filed by Mumbai Police in the matter.
5	22.06.2021	2 <sup>nd</sup> Supplementary chargesheet filed by Mumbai Police in the matter.
7	17.03.2021	Provisional Attachment Order no.05/2021 issued.
8	10.09.2021	Confirmation of Provisional Attachment Order no.05/2021 by Ld. AA.



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S/o Late. Satish V. Pattanshetty  
1801, A-Wing, Titanium Towers,  
Sahakari Nagar, D.N. Nagar,  
Andheri West, Mumbai-400053  
Controller/ Owner of Fakt Marathi Channel being 50% shareholder
2. **Shri Manish Singhal**,  
S/o Late Shri Rambabu Singhal,  
1603, Way View Building,  
Opposite Urban Tadka Restaurant,  
Juhu Versova Link Road,  
Andheri (W), Mumbai-400047  
Controller/ Owner of Fakt Marathi Channel being 50% shareholder
3. **M/s Lotus Enterprises**, through Mr. Shirish Pattanshetty  
601, Shri Krishna Towers,  
Fun Republic Lane,  
New Link Road,  
Andheri (W), Mumbai-400053.
4. **Shri Narayan Nandkishore Sharma**, Age – 47 years,



S/o Late. Nandkishore Sharma  
602, Advent Pallazo, Rambaug Lane,  
Behind State Bank of India,  
Malad West, Mumbai  
Controller/Owner of Box Cinemedia Services Pvt. Ltd.

5. **M/s Box Cinemedia Pvt. Ltd.,(Through Shri Narayan Nandkishore Sharma)**  
309, Kalpatru Plaza,  
Off Chincholi Bunder Road, Rambaug Lane,  
Malad West, Mumbai.  
Controlled / Owned by Shri Narayan Nandkishore Sharma.

6. **Shri Vishwajeet Sharma, Aged – 52 years,**  
S/o Shri Om Prakash Sharma  
14/25, 1<sup>st</sup> Floor, Back Side Shakti Nagar,  
Delhi-110007  
Owner/controller of M/s Teleone Consumers Product Pvt. Ltd.  
(Owned/Controlled Mahamovie Channel)

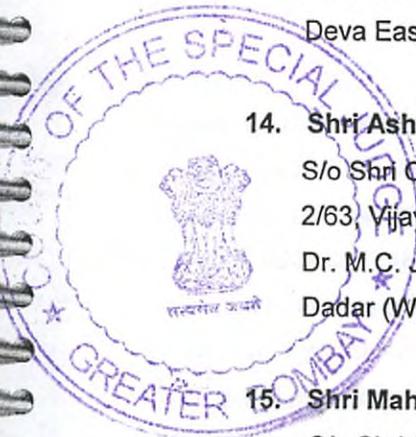
7. **Shri Darshan Singh, Aged-48 Years,**  
S/o Shri Bhale Ram,  
468, 3rd Floor, Shivaji Market,  
Pitam Pura, New Delhi-110034  
Owner/controller of M/s Teleone Consumers Product Pvt. Ltd.  
(Owned/Controlled Mahamovie Channel).

8. **M/s. Teleone Consumers Product Pvt. Ltd.**  
(through Shri Vishwajeet Sharma and Shri Darshan Singh)  
468, 3<sup>rd</sup> Floor, Shivaji Market,  
Pitam Pura, New Delhi-110034  
Controlled / Owned by Shri Vishwajeet Sharma and Shri Darshan Singh.

9. **Shri Bompally Narayan Rao Mistry, Age 46 years,**  
S/o Shri. Narayan Rajaram Mistry  
C/308, Aakar Building, Kalyan Complex,  
Off Yaari Road, Versova,  
Andheri West, Mumbai-400061



10. **Shri Umesh Mishra**, Age – 32 years,  
S/o Shri Chandrakant Mishra  
A-11, Sanmitra Apartment,  
Manvelpada Road, Near SBI Bank,  
Virar East, Palghar- 401305
11. **Shri Vishal Bhandari**, Age-21 years,  
S/o Shri Ved Prakash Bhandari,  
Room No. 06, Kashinath Bhandari Chawl,  
Khandusukur Compound,  
Near BMC Quarters, Chincholi Bunder Road,  
Malad West, Mumbai-400064
12. **Shri Dinesh Kumar Vishwakarma**, age-32 years,  
S/o Shri Pannalal Vishwakarma,  
Room No. 705, Building No. 28C, Adarsh CHS,  
Sangharsh Nagar, Chandivali,  
Andheri (East), Mumbai.
13. **Shri Vikas Burungale**, age-33 years,  
S/o Late. Shri Vishnu Vthoba Burungale,  
Room No. 204, Vishnu Patil Palace,  
Saba Road, Near MSEB Office, Sabegaon,  
Deva East, Thane-400612.
14. **Shri Ashwin Motiwale**, age-37 years,  
S/o Shri Chandrakant Motiwale,  
2/63, Vijay Nagar Building,  
Dr. M.C. Jhavle Marg,  
Dadar (W), Mumbai-400028.
15. **Shri Mahesh Bompalli**, age-32 years,  
S/o Shri Shivram Bompalli,  
5/G/405, Ekta Society,  
Sangharsh Nagar, Chandivali, Farm Road,  
Andheri East, Mumbai-400072
16. **Shri Rajesh Kumar Vishwakarma**, age-32 years,



S/o Shri Krishnanand Vishwakarma,  
Marol Naka, Navpada, Sitaram Chawl,  
Andheri Kurla Road,  
Mumbai- 400059.

.....ACCUSED

**Complaint under Section 45(1), 2nd proviso of PMLA, 2002 against the above named Accused persons for commission of offence of Money Laundering, defined under Section 3 and punishable under Section 4 of the Prevention of Money Laundering Act, 2002.**

**MAY IT PLEASE YOUR HONOUR:-**

The Complainant is the Assistant Director, Directorate of Enforcement, Ministry of Finance, Department of Revenue, Govt. of India, 4<sup>th</sup> Floor, Kaiser-I-Hind, Currimbhoy Road, Ballard Estate, Mumbai – 400 001. The Assistant Director of Enforcement Directorate including the complainant is authorized by the Central Government vide Order dated 11.11.2014 issued from F. No. 6/14/2008-ES to file this complaint for offence punishable under Section 4 of the Prevention of Money Laundering Act, 2002 (here-in-after referred to as "PMLA, 2002").

**2. BRIEF FACTS:-**

**2.1** Facts and circumstances of the case leading to the filing of this Prosecution Complaint is that an FIR No. 843/2020 dated 06.10.2020 was registered by Kandivali Police Station, Mumbai and investigation in case was carried out by Crime Branch, CID, Mumbai Police vide CR No. 143/2020 under sections 409, 420, 465, 468, 120(B), 174, 179, 201, 204, 212 and 34 of Indian Penal Code. The FIR was lodged on the basis of the complaint filed by Shri Nitin Deokar, Deputy General Manager of M/s Hansa Research Group Pvt. Ltd. The complainant named Shri Vishal Ved Bhandari, Relationship Manager of M/s Hansa Research Group Pvt. Ltd as accused. It was alleged in the FIR that Shri Vishal Bhandari was involved in the work of illegally raising Television Rating Point (TRP) of India Today by bribing certain Households to watch India



Today Channel. The copy of the FIR is enclosed herein in Volume I in the Relied Upon Documents.

**It has been interalia stated in the said FIR: -**

(i) That M/s Hansa Research Group Pvt Ltd is Research Company engaged by Broadcast Audience Research Council (BARC) for installation of Barometer and looking after the same. BARC is sole agency in India which looks after TRP ratings for television programs and TV channel under the guidance of Telecom Regulatory Authority of India (TRAI) and Ministry of Information and Broadcasting.

(ii) That for measuring the TRP, BARC installed barometer in specified locations. For Mumbai & Maharashtra, M/s Hansa Research Group Pvt Ltd. was doing the installation and maintenance of barometers on behalf of BARC at specified locations.

(iii) That on 11.06.2020, the audit team of M/s Hansa Research Group Pvt Ltd., visited House No.06, Kashinath Khandu Bhandari Chawl, BMC quarters, Chincholi, N B Road, Malad (w). Mumbai-400097 belonging to Shri Vedprakash Bhandari and found that there was one extra barometer in the said premises. On further enquiry (from the household) it was revealed that Shri Vishal Bhandari S/o of Shri Vedprakash Bhandari is working in M/s Hansa Research Group Pvt Ltd. as a Relationship Manager.

(iv) That on further enquiry from the vigilance team, it was also found that one Shri Vinay Tripathi had called Shri Vishal Bhandari from his Mob.No. 8657179829 and informed that if he (Vishal) can manage minimum 5 houses, where the barometers have been installed to see India Today news channel for minimum 2 hrs. everyday then he as well as the household would get commission. Thereafter Shri Vinay Tripathi met Shri Vishal Bhandari and handed over Rs.1000 as commission for the household members and additionally Rs.5000 commission for Shri Vishal Bhandari.

(v) That Shri Vishal Bhandari misused his official position as Relationship Officer and took money for personal gain. He in furtherance of in common intention, entered into criminal conspiracy to cheat/ attempt to cheat and also to commit the offence of criminal breach of trust in the process gain wrongfully by manipulating Television Rating Points commonly referred to as TRP.



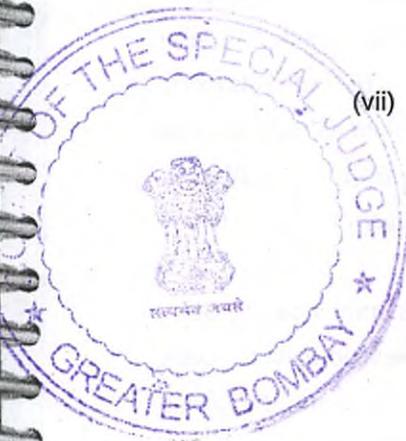
- 2.2** That as Sections 120(B) and 420 of IPC, 1860 are scheduled offences under Part-A, Paragraph 1 of Scheduled offences of PMLA, 2002, an ECIR/MBZO-I/41/2020 dated 31.10.2020 was recorded by the Directorate of Enforcement ('ED') for investigation of money laundering of Proceeds of Crime as defined under Section 3 punishable under Section 4 of PMLA, 2002 against Shri Vishal Bhandari and others.
- 2.3** Investigation by the Crime Branch, CID, Mumbai Police vide CR No. 143/2020 in the said FIR has resulted in the filing of chargesheet on 24.11.2020 against various persons, who were working as Relationship Managers of M/s Hansa Research Group Pvt. Ltd, Agents and certain Channel owners. As per the chargesheet filed, it is alleged that the accused persons have connived and conspired to manipulate the TRPs of certain TV Channels including Fakt Marathi, Box Cinema, Mahamovie, WOW TV, Republic TV and Republic Bharat etc. In this regard, the modus operandi appears to be illegally utilizing the confidential information by Relationship Managers of M/s Hansa Research Group Pvt. Ltd. to identify and pay monthly amounts to Panel Households (wherein Bar-O-Meters of BARC installed) for watching specific channels. The copy of the first Chargesheet along with Certified Translated copy of the same is enclosed herein herein in Volume I in the Relied Upon Documents.

**It has been interalia alleged in the Chargesheet of Mumbai Police:**

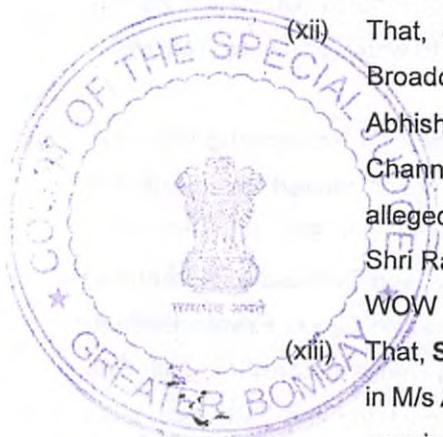
- (i) That, the Relationship Managers of M/s Hansa Research Group Pvt. Ltd. conspired with private persons to illegally boost channel viewership of specific channels. Each Relationship Manager has around 100 Bar-O-Meters for installation and maintenance at the Panel Households (where the Bar-O-Meters are installed). They were allegedly paying Rs. 200-400 per month per household to watch particular Channel namely Fakt Marathi, Box Cinema, Mahamovie, WOW TV and Republic TV or Republic Bharat.
- (ii) That, **Shri Vishal Ved Bhandari**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd., allegedly connived and conspired with the Shri Bompally Rao Mistry to illegally increase the TRP Ratings of Channels like Box Cinema, Fakt Marathi, Mahamovie Channel and Republic T.V. by accepting monetary benefits from Shri Bompally Rao Mistry and other accused persons and have paid money to certain households where the Bar-O-Meters were installed to induce them to watch certain specific Television Channels.



- (iii) That, **Shri Bompalli Rao Mistry**, proprietor of M/s Sanch Media, has allegedly accepted money from Shri Shirish Pattanshetty (owner, Fakt Marathi channel), Shri Narayan Sharma (owner, Box Cinema channel) and other wanted accused connected to Maha Movie Television Channel for increasing their TRP ratings illegally. It is alleged that on the directions of Shri Bompalli Rao Mistry, Shri Vishal Ved Bhandari and Shri Umesh Mishra have bribed and induced the families where Bar-O-Meters were installed for watching specific Television Channels.
- (iv) That, **Shri Shirish Satish Pattanshetty**, Owner of Fakt Marathi Channel, connived and conspired with Shri Bompalli Rao Mistry by paying money to the viewers through Shri Vishal Bhandari, thereby inducing the viewers to watch his channel i.e. Fakt Marathi Channel.
- (v) That, **Shri Narayan Nandkishor Sharma**, Owner of Box Cinema Channel, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through Shri Vishal Bhandari and Shri Dinesh kumar Pannalal Vishwakarma (another Relationship Manager of M/s Hansa Research Group Pvt. Ltd.), thereby inducing the viewers to watch his channel i.e. Box Cinema Channel.
- (vi) That, **Shri Vinay Rajendra Tripathi**, Ex-Senior Relationship Manager of M/s Hansa Research Group Pvt. Ltd. has allegedly paid money to Shri Vishal Bhandari and Shri Dinesh kumar Pannalal Vishwakarma for bribing the Panel Households (where the Bar-O-Meters were installed) in their control to watch particular Television Channels.
- (vii) That, **Shri Umesh Chandrakant Mishra**, Ex-Relationship Manager of M/s Hansa Research Group, has allegedly shared the confidential information pertaining to Bar-O-Meters with Shri Bompally Rao Mistry, thereby has breached the Non-Disclosure Agreement entered by him with M/s Hansa Research Group Private Limited. Further, it is alleged that he has connived and conspired with Shri Bompally Rao Mistry for illegally increasing the TRP ratings of specific Television Channels like Box Cinema, Fakt Marathi, Maha Movie Channel and Republic T.V. channel. Further, it is alleged that Shri Umesh Chandrakant Mishra has from time to time accepted money from Shri Abhishek Kolwade and has paid part of the money received to the Panel Households for watching specific Television channels.



- (viii) That, **Shri Ramji Dudhnath Varma**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd., has connived and conspired with Shri Abhishek Kolwade for illegally increasing the TRP ratings of specific Television Channels like WOW T.V., Republic T.V.
- (ix) That, **Shri Dinesh kumar Pannalal Vishwakarma**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd., has allegedly connived and conspired with Shri Bompally Rao Mistry for illegally increasing the TRP ratings of specific Television Channels like Box Cinema, Fakt Marathi, Maha Movie Channel and Republic T.V. channel. Further, it is alleged that Shri Dinesh kumar Pannalal Vishwakarma has accepted money from Shri Abhishek Kolwade for paying viewers to watch specific Television Channels like WOW T.V., Republic T.V. etc. in order to illegally increase the TRP ratings of these Television Channels.
- (x) That, **Shri Harish Kamlakar Patil**, age 45 years, has received amounts from the bank account of Shri Abhishek Kolwade's firm M/s Max Media and has further made some allegedly suspicious and illegal transactions.
- (xi) That, **Shri Abhishek Kolwade** have allegedly conspired and connived with the Shri Ashish Abhidur Chaudhary to illegally increase the TRP of Television Channel WOW T.V. Further, Shri Abhishek Kolwade has allegedly bribed the Panel Households through Shri Umesh Mishra, Shri Ramji Verma and Shri Dinesh kumar Vishwakarma for watching specific channels.
- (xii) That, **Shri Ashish Abhidur Chaudhary**, partner in M/s Crystal Broadcast Pvt Ltd., allegedly conspired and connived with Shri Abhishek Kolwade to illegally increase the TRP of Television Channel WOW T.V. Further, Shri Ashish Abhidur Chaudhari has allegedly bribed the Panel Households through Shri Umesh Mishra, Shri Ramji Verma and Shri Dineshkumar Vishwakarma for watching WOW TV.
- (xiii) That, **Shri Ghanshyam Dilipkumar Singh**, Assistant Vice President in M/s ARG Outlier Media Pvt. Ltd. (Republic Television), has illegally connived and conspired with Shri Abhishek Kolwade by giving money to Shri Umesh Mishra, Shri Ramji Verma and Shri Dineshkumar Vishwakarma for paying Panel Household for watching Republic channel. Further, Shri Ghanshyam Dilipkumar Singh has allegedly illegally broadcasted Republic Bharat and Republic T.V.



through Dual LCN (Logical Channel Number)/ Promotional LCN (Logical Channel Number).

#### 2.4 Details of supplementary Chargesheet

Subsequently a supplementary chargesheet was filed by Mumbai Police against **Shri Vikas Khanchandani**, CEO of M/s ARG Outlier Media Pvt. Ltd, **Shri Romil Ramgharia**, Ex-CEO of M/s BARC and **Shri Partha Dasgupta**, EX-CEO of M/s BARC. This chargesheet was filed on 11.02.2021. The copy of the Chargesheet along with Certified Translated copy of the same is enclosed herein herein in Volume I in the Relied Upon Documents.

#### Gist of the Supplementary Chargesheet is as follows:-

- (i) Three persons namely **Shri Vikas Khanchandani**, CEO of M/s ARG Outlier Media Pvt. Ltd., **Shri Romil Vinod Kumar Ramgarhia**, Ex-COO of M/s Broadcast Audience Research Council and **Shri Partho Dasgupta**, EX-CEO of M/s Broadcast Audience Research Council have been made accused in the aforementioned supplementary chargesheet filed by Mumbai Police.

The allegation inter-alia in the chargesheet against the accused persons are as under:

- (1) It has been alleged in the chargesheet that **Shri Vikas Shankarlal Khanchandani** is working as Chief Executive Officer at a company named M/s ARG Outlier Media Pvt. Ltd. The said company broadcasts Hind News Channel Republic Bharat and English News Channel Republic TV. Hindi News channel Republic Bharat and English news Channel Republic TV are free to Air channels and the said accused's involvement in this crime of illegally boosting TRP ratings of these channels and thus making them earn Maximum revenue has been established and evidence has been found against him.

Further, the accused is found to be a member of a company's member's Whatsapp Group wherein he was chatting with his seniors for boosting the TRP of the channel through Dual LCN/Promotional LCN.

It is further alleged that his company has broadcasted their Hindi news channel Republic Bharat and English Channel Republic TV on multiple channel numbers using Dual / Promotional LCN through

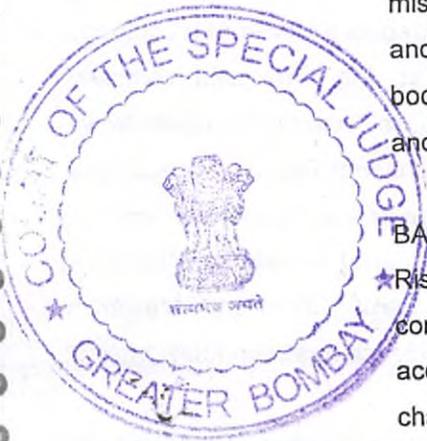


Cable operators and Multi System Operators (MSOs) and violated the rules of Telecom Regulatory Authority of India (TRAI) and have paid money for this work to cable operators /MSOs. It has been alleged that Shri Vikas Khanchandani and other wanted accused of the company M/s ARG Outlier Media Pvt. Ltd. conspired with each other and made the said payment and carried out these financial transactions. Further, in order to boost the TRP rating of Republic Bharat Hindi News channel and Republic TV English News Channel that are run by his company, arrested accused Shri Vikash Khanchandani paid the money to be given as bribe to the viewers in whose houses these Bar-O-Meters were installed to Shri Abhishek Kolawade through him to accused namely Shri Umesh Chandrakant Mishra, Ramji Dudhnath Verma and Shri Dinesh Kumar Vishwakarma all Ex-Relationship Managers of Hansa Research Group Pvt. Ltd.

- (2) It has been alleged in the chargesheet that **Shri Romil Vinod Kumar Ramgarhia** manipulated TRP of some TV channels with the help of Shri Partha Dasgupta and wanted accused of this crime with the intention of helping them earn maximum revenue and it has been established that he conceived this plan and executed it with the help of many accomplices. That; Shri Romil Vinodkumar Ramgharia was working at BARC, he had access to confidential information regarding the viewership of TV channels. Shri Romil Ramgharia misused this information and conspired with Shri Partha Dasgupta and Shri Vikas Khanchandani and other wanted accused and helped boost the TRP rating of Republic TV Channel through illegal means and this has financially benefitted Shri Romil Ramgharia.

Further, it has also been alleged that for his period of work at BARC, BARC had conducted a third party audit by M/s Acquisory Risk Consulting Pvt. The Report of the investigation done by the said company clearly shows how Shri Romil Ramgharia and his other accomplices conspired and manipulated TRP ratings of some TV channels with the help of evidence in the form of emails and messages of various persons of BARC including these accuseds.

It has been further alleged that the WhatsApp conversation between **Shri Romil Ramgarhia** and **Shri Vikas Khanchandani**, CEO of M/s ARG Outlier Media Pvt. Ltd. regarding illegally boosting the TRP of Republic TV channel and its evidence has been found in

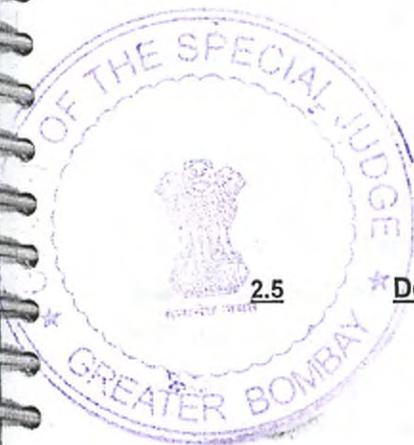


the WhatsApp conversations of Shri Romil Ramgarhia. That; the Shri Romil Ramgharia conspired with Shri Partho Dasgupta and other wanted accused and violated the TRP procedure established by the company with respect to viewership of TV channels; and by deciding the rankings of the TV channels in advance, manipulated the TRP with the intention of benefitting a specific news channel and committed this crime.

It has been further alleged that **Shri Romil Ramgharia** knew that the Republic Bharat Hindi news Channel and Republic TV English news Channel were using Dual LCN to illegally increase their TRP, despite this he helped them boost the TRP rating of their channels using the Dual LCN with the help of confidential information that he had access to regarding the houses in which barometers were installed.

Further, it was further alleged that Mumbai Police have recovered the evidence that while Shri Romil Ramgharia was working at BARC, they have intentionally manipulated the random sampling numbers of TV channels viewership of the news channel named Times Now which was actually leading the charts in viewership in order to show Republic TV as the leading channel for approximately 40 weeks.

- (3) It has been alleged in the chargesheet that **Shri Partha Nirmal Dasgupta** is the mastermind of this crime. He was working as Chief Executive Officer (CEO) in Broadcast Audience Research Council between June 2013 to November 2019. While working in the said company he misused his position and illegally manipulated the TRP of the Republic Bharat Hindi news Channel and Republic TV English News Channel, which are owned by M/s ARG Outlier Media Pvt. Lt, and some other channels illegally and committed the crime of TRP manipulation and Mumbai Police found the evidence supporting this.



**Details of 2<sup>nd</sup> supplementary Chargesheet**

Subsequently a supplementary chargesheet was filed by Mumbai Police against Shri Amit Dave, Business Head (Sales & Marketing) Mahamovie TV Channel, Shri Sanjay Varma, Chief Executive Officer, Mahamovie TV Channel, Ms. Priya Mukharjee, Chief Operating Officer (Distribution) M/s ARG Outlier Media Pvt. Ltd, Shri Arnab Goswami, Managing Director M/s ARG Outlier Media Pvt Ltd, Shri Shiva Sundaram, Chief Financial Officer M/s ARG Outlier Media



Pvt. Ltd, Shri Shivendru Mulherkar, Chief Manager M/s ARG Outlier Media Pvt. Ltd., Shri Ranjit Walter, General Manager of M/s ARG Outlier Media Pvt. Ltd. This chargesheet was filed on 22.06.2021. The copy of the Chargesheet along with Certified Translated copy of the same is enclosed herein herein in Volume I in the Relied Upon Documents.

**Gist of allegations against the persons in the 2<sup>nd</sup> Supplementary Chargesheet:**

(i) **It has been alleged in the chargesheet that Shri Amit Madangopal Dave** is working as the Business Head (Sales & Marketing) of Teleone Consumer Products Pvt. Ltd; that through the said company the telecasting of Mahamovie and Mahapunjab Channels is being carried out. That the Accused through the said company was looking after the sales and marketing of the TV Channels' complete telecasting in India; that Shri Bompally Rao Mistry and Shri Amit Dave and other arrested accused persons have connived and conspired amongst each other by illegally increasing the TRP ratings of those Mahamovie TV Channel in order to generate more revenue for the TV Channel that is being telecast through their company; that Shri Bompalli Rao Mistry has received sums of money from time to time in favour of his company being SANCH Media from the company of Shri Amit Dave which was being run by their company being Mahamovie TV Channel for illegally increasing the TRP Ratings of the said TV Channel.

(ii) **It has been alleged in the chargesheet that Shri Sanjay Sukhdev Varma** is working as the Chief Executive Officer (C.E.O.) of Teleone Consumer Products Pvt. Ltd; that through the said company the telecasting of Mahamovie and Mahapunjab Channels is being carried out; that the Shri Sanjay Varma through the said company was looking after complete day to day working, financial transactions and making decisions, telecasting, administrative of the TV Channels in India; that Shri Sanjay Varma, Shri Amit Dave and other arrested accused persons have connived and



conspired amongst each other by illegally increasing the TRP ratings of those Mahamovie TV Channel in order to generate more revenue for the TV Channel that is being telecast through their company; that Shri Bompalli Rao Mistry has received sums of money from time to time in favour of his company being SANCH Media from the company of Shri Sanjay Varma i.e. M/s Teleone Consumers Product Pvt. Ltd which was being run by their company being Mahamovie TV Channel for illegally increasing the TRP Ratings of the said TV Channel.

(iii) **It has been alleged in the chargesheet that Ms. Priya Sonjib Mukherjee** is working as the Chief Operating Officer (COO) of ARG Outlier Media Pvt. Ltd; that through the said company the telecasting of Republic Bharat – Hindi News Channel and Republic TV English News Channel is being carried out and the said channels are free to air channels; that the Accused through the said company was looking after complete telecasting of the TV Channels in India; that Ms. Priya Sonjib Mukherjee through her company has illegally increased the TRP Ratings through Dual / Promotional LCN of the TV Channels being Republic Bharat Hindi News Channel and Republic TV English News Channel which were telecast through her company namely M/s ARG Outlier Media Pvt. Ltd.

(iv) **It has been alleged in the chargesheet that Shri Arnab Ranjan Goswami** is working as the Managing Director of ARG Outlier Media Pvt. Ltd; that through the said company the telecasting of Republic Bharat – Hindi News Channel and Republic TV English News Channel is being carried out and the said channels are free to air channels. That the Accused is the Daily News Reporter of the said channels which are run through the said company; that he has agreed to the Whatsapp Chat he had with Shri Parth Nirmal Dasgupta, Ex-CEO of BARC; that Panchnama dated 26.12.2020 and 28.12.2020 was drawn up of the Whatsapp Chat of Shri Parth Nirmal Dasgupta and the said Whatsapp Chat between Shri Parth Nirmal Dasgupta and that Shri Arnab Ranjan Goswami



reveals confidential information of BARC being exchanged with regard to how to make profit of Accused No. that Shri Arnab Ranjan Goswami's channel and evidence has been obtained regarding multiple conversations between the two accused; that while his service with BARC, Shri Parth Nirmal Dasgupta from the period between June, 2017 to March, 2018 had illegally decreased the TRP Rating of Times Now Channel thereby increasing the TRP Rating of Shri Arnab Ranjan Goswami's TV Channel, due to which Times Now Channel had incurred a revenue loss of approx. Rs. 431 Crores, this has been recorded in the Statement filed by the officers of Times Now. Hence, it is being revealed from the investigation that due to the collusion and connivance of Shri Parth Nirmal Dasgupta and that Shri Arnab Ranjan Goswami, Times Now Channel has incurred wrongful loss and the company of Shri Arnab Ranjan Goswami has incurred wrongful profit during the said period; that the TV Channel of Shri Arnab Ranjan Goswami's company was telecasted through Dual LCN and in order to take appropriate action the News Broadcasters Association (NBA) from time to time had addressed letters to Telecom Regulatory Authority of India (TRAI); that the copies of the communication / letters have been invited from the NBA; that the TRP Ratings of a TV Channel increases if the broadcasting is done through Dual LCN; that Shri Arnab Ranjan Goswami being the Managing Director of ARG Outlier Media Pvt. Ltd. therefore, upon his consent the Cable Operators and Multi System Operators (MSOs) / Cable Operators through Dual / Promotional LCN have telecast Republic Bharat Hindi News Channel and Republic TV English News Channel on more than one Channel Number. evidence of which has been by recording statements of MSOs / Cable Operators recorded under Section 164 of Criminal Procedure Code; that the said act of broadcasting the TV Channel through Dual LCN amounts to violation of the rules and regulations of Telecom Regulatory Authority of India (TRAI); that it has been revealed that the Whatsapp Group which Shri Arnab Ranjan Goswami was using for the company work, is a member of various Whatsapp



Groups and the conversation with regard to the TV Channels telecast through their company which states regarding illegally increasing the TRP ratings through Dual / Promotional LCN and the evidence of the same has been noted by drawing up Panchnama of the Whatsapp Chat dated 09.12.2020; that through the company of Shri Arnab Ranjan Goswami, Shri Ghanshyam Singh was provided amount to be provided to the people in whose residences Barometers were installed and the said amount was to be provided to the customers to watch Republic Bharat Hindi News Channel and Republic TV English News Channel, Shri Ghanshyam Singh has given the said amount to Shri Abhishek Kolawade and thereafter, the said amount came to be forwarded through Shri Umesh Mishra, Ramji Verma and Shri Dinesh Vishwakarma (Ex-RMs of M/s Hansa Research Group Pvt Ltd.); that Shri Arnab Ranjan Goswami in connivance with Shri Partha Dasgupta has illegally increased the TRP Ratings of the TV Channels broadcast through the company ARG Outlier Media Pvt. Ltd. thereby altering the TRP Ratings by making Republic TV Channel as the Number One Channel; that from the amount obtained by Shri Parth Dasgupta from Shri Arnab Ranjan Goswami, Shri Partha Dasgupta had purchased various expensive items, jewellery and other gold and silver jewellery, the same have been seized from Shri Partha Dasgupta.

- (v) It has been alleged in the chargesheet that Shri Shiva Subramaniam Sundaram is working as the Chief Financial Officer (CFO) of ARG Outlier Media Pvt. Ltd. That through the said company the Accused is looking after financial transactions with regard to the telecasting of TV Channels. That without the sanction of Shri Shiva Subramaniam Sundaram none of the amount goes out of the company's system and he has control over the financial transactions of the company; that Shri Shiva Subramaniam Sundaram has applied for Anticipatory Bail before the Hon'ble Sessions Judge, Sessions Court, Mumbai and the said Application being No. 1585 / 2020 and the same is pending; that through the company of Shri Shiva Subramaniam Sundaram the channels being Republic Bharat Hindi News Channel and



Republic TV English News Channel are being broadcast through MSO's / Cable Operators through Dual LCN; that the financial transactions carried out with MSO's / Cable Operators have been carried out through Shri Shiva Subramaniam Sundaram being the Chief Financial Officer (CFO) and Shri Shiva Subramaniam Sundaram is well aware of the said fact; that it has been revealed Shri Shiva Subramaniam Sundaram and Ms. Priya Mukherji are members of the Whatsapp Group which was formed for the company work and the conversation with regard to the telecast of Republic Bharat Hindi News Channel and Republic TV English News Channel states that the said channels are being telecast through MSO's / DTH Operators, Cable Operators through Dual LCN and the evidence of the same has been noted by drawing up Panchnama of the Whatsapp Chat from the Mobile Phone of Ms. Priya Mukherji dated 09.12.2020; that Shri Shiva Subramaniam Sundaram in order to make profit for the TV Channel – Republic Bharat Hindi News Channel and Republic TV English News Channel being telecast through his company and in order to illegally increase the TRP Rating have used Dual LCN for broadcasting the said TV Channels thereby committing offence in connivance and conspiring with other co-accused.

- (vi) It has been alleged in the chargesheet that Shri Shivendu Malhari Mulherkar is working as the Chief Manager of ARG Outlier Media Pvt. Ltd. That through the said company the Accused is looking after telecasting of TV Channels and works under the guidance and supervision of Ms. Priya Mukherji; that Shri Shivendu Malhari Mulherkar has applied for Anticipatory Bail before the Hon'ble Sessions Judge, Sessions Court, Mumbai and the said Application being No. 1597 / 2020 and the same is pending; that it has been revealed from the course of investigation that the said Shri Shivendu Malhari Mulherkar has personally met Multi System Operators (MSOs) and under the pretext of marketing has promoted the use of Dual LCN for broadcasting the said News Channels of the company and for which he has prepared Invoices and paid the necessary amounts; that Shri Shivendu



Malhari Mulherkar functions under the supervision of Ms. Priya Mukherji and upon her instructions the broadcasting of the TV Channels of the company are done through Dual LCN and the same is being revealed by way of evidence recorded in Panchnama drawn up from the Mobile Whatsapp Chats with Ms. Priya Mukherji dated 09.12.2020; that while carrying out the Panchnama of the Whatsapp Chat of Shri Shivendu Malhari Mulherkar's mobile phone, it is seen that the said Accused has intentionally and purposely deleted the complete Whatsapp Chat data thereby deleting some important technical data as has been revealed during the course of investigation; that Shri Shivendu Malhari Mulherkar has all the information with regard to the financial transactions of how the transactions were carried out for broadcasting the TV Channels of their company on more than one TV Channel through MSO's / Cable Operators through Dual LCN, Shri Shivendu Malhari Mulherkar has complete knowledge of the same.

- (vii) It has been alleged in the chargesheet that Shri Ranjeet Satyaprakash Walter is working as the Manager (Distribution) of ARG Outlier Media Pvt. Ltd. That through the said company the Accused is looking after telecasting of TV Channels and works under the guidance and supervision of Ms Priya Mukherji; that Ranjeet Satyaprakash Walter has applied for Anticipatory Bail before the Hon'ble Sessions Judge, Sessions Court, Mumbai and the said Application being No. 1596 / 2020 and the same is pending; that Ranjeet Satyaprakash Walter has personally met Multi System Operators (MSOs) and under the pretext of marketing has promoted the use of Dual LCN for broadcasting the said News Channels of the company and for which he has prepared Invoices and paid the necessary amounts; that Ranjeet Satyaprakash Walter functions under the supervision of Ms Priya Mukherji and upon her instructions the broadcasting of the TV Channels of the company are done through Dual LCN and the same is being revealed by way of evidence recorded in Panchnama drawn up from the Mobile Whatsapp Chats with Ms. Priya Mukherji dated 09.12.2020; that while carrying



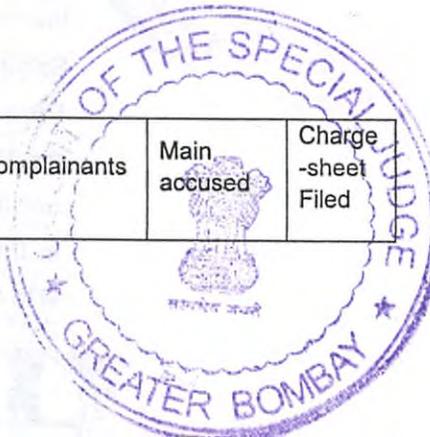
out the Panchnama of the Whatsapp Chat of Shri Shivendu Malhari Mulherkar's mobile phone, it is seen that the said Accused has intentionally and purposely deleted the complete Whatsapp Chat data thereby deleting some important technical data as has been revealed during the course of investigation; that Shri Ranjeet Satyaprakash Walter has all the information with regard to the financial transactions of how the transactions were carried out for broadcasting the TV Channels of their company on more than one TV Channel through MSO's / Cable Operators through Dual LCN, Ranjeet Satyaprakash Walter has complete knowledge of the same.

**2.5A** From the contents of the subject FIR and the above mentioned chargesheets filed by the Mumbai Police, prima facie it appears that the secret and confidential data of BARC of the household addresses, where Bar-O-Meters were installed for recording viewership details on sample basis was compromised through the Relationship Managers and these details of the panel homes were shared with the unscrupulous elements. These panel home owners were bribed in order to manipulate viewership data of certain channels and to increase TRP of these channels.

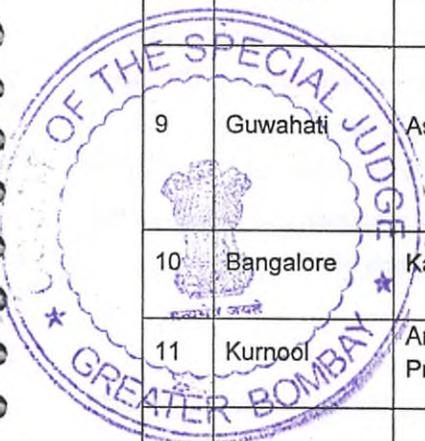
**2.5B** *Futher it appears that TRP manipulation by various T.V. channels is going on for a long time and is not restricted only to Mumbai, rather it is spread across India.*

**2.6** Filing of various FIRs Pan India for manipulating TRP: It may be mentioned that this type of manipulations of households (HHs) viewership is nothing new, there are numerous complaints and FIRs filed by BARC and its associates all across India. These FIRs have been filed in different states by third parties of BARC which undertake the work of installation and maintenance of Bar-O-Meters at the households selected by BARC in different states. The details of the aforementioned FIRs which are within the knowledge of the complainant are as under:

Sr. No.	Locations	State	Date Registered	Complainants	Main accused	Charge-sheet Filed



1	Thiruvananthapuram	Kerala	Oct-16	Kerala Television Federation	Unknown persons	No
2	Kalyan*	Maharashtra	May-17	Hansa Research Group Pvt. Ltd.	Hansa employees/ ex-employees	No
3	Bangalore	Karnataka	Dec-17	Hansa Research Group Pvt. Ltd. through Mahesh R S	Hansa employees/ ex-employees	No
4	Huzurabad	Telangana	Mar-18	GDA Security Pvt. Ltd.	Hansa ex-employees	No
5	Gwalior	Madhya Pradesh	Apr-18	Hansa Research Group Pvt. Ltd.	Hansa employees/ ex-employees	Yes
6	Hyderabad	Telangana	May-18	GDA Security Pvt. Ltd.	Hansa ex-employees	Yes
7	Sangareddy	Telangana	Jul-18	GDA Security Pvt. Ltd.	GDA employee	No
8	Hassan	Telangana	Oct-18	GDA Security Pvt. Ltd.	Hansa ex-employee	No
9	Guwahati	Assam	Nov-18	Hansa Research Group Pvt. Ltd.	Hansa employees/ ex-employees	No
10	Bangalore	Karnataka	Nov-18	GDA Security Pvt. Ltd.	GDA employee	No
11	Kurnool	Andhra Pradesh	Feb-19	Hansa	Unknown persons	No
12	Mumbai	Maharashtra	Oct-20	Hansa Research Group Pvt. Ltd.	Hansa employee	Yes



Details of these FIRs and chargesheets have been called for from the jurisdictional Police stations and will be scrutinized for taking appropriate action

under the provisions of Prevention of Money Laundering Act, 2002. The copies of the said FIRs are enclosed herein herein in Volume I in the Relied Upon Documents.

### **2.7 Additional FIR being investigated by CBI**

One more FIR no. 318/2020 dated 17/10/20 has been registered at Police Station Hazratganj, District Lucknow. The same was transferred to CBI on 20/10/20 thereafter CBI, SC-II, Delhi, filed a fresh FIR no. RC – 0502020SC0013 and case was registered. The copies of the said FIRs are enclosed herein herein in Volume I in the Relied Upon Documents.

The said FIR has been filed by one Mr. Kamal Sharma against unknown persons who have entered into a criminal conspiracy to cheat / attempt to cheat and also to commit the offence of criminal breach of trust, forgery in order to gain wrongfully by manipulating Television Rating Points (TRPs) of Television Channels.

On the basis of rigged TRP, the advertiser is deceived and thereby induced to advertise on these channels, which advertiser would not have advertised, or done but for the false representation made regarding the TRP. The higher the TRP, the greater are the charges for advertisement and greater is the revenue obtained by the concerned Tele Channel.

The same was done by getting the confidential information of households where the Bar-O-meter is installed. The information regarding the place of installation is entrusted to a person who is bound by contract of secrecy not to divulge the same, to any unauthorized persons. The person entrusted with the bar-o-meter/information or dominion over the same committed the offence of criminal breach of trust by dishonestly disposing or using the same in contravention of the agreement. This was done in conspiracy with other accused. Such information was revealed, thereby amounting to breach of the contract and committing the offence of criminal breach of trust.

### **3. Investigation under PMLA, 2002:-**

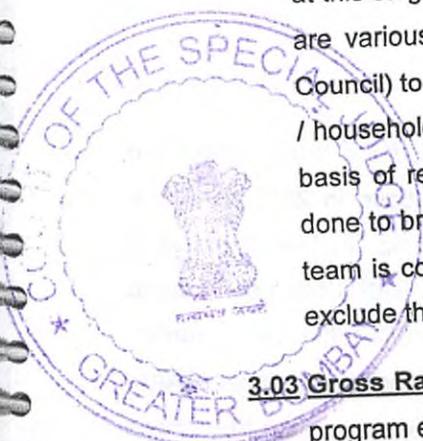
**9.1 Brief Background:** Before proceeding further into the investigation, it would be beneficial to explain some of the terms which are frequently used in entertainment industry. These terms along with the procedure will help in understanding the case.



**3.01 Television Rating Point:** TRP is basically Television Rating Point. It is a tool to evaluate the relative viewership of various channels. It indicates popularity of a TV channel or a programme. TRP enables advertisers and investors to understand mood of the people as well as mass base/viewership pattern of a particular group. Therefore, there is a direct correlation between TRP and advertising revenue of various channels.

**3.02 How to calculate TRP:** People Meters / devices are installed at certain places/households on proportionate base for capturing viewership of various channels of different genres (General Entertainment Channels, News Channels, Hindi Movies Channels, etc.) and languages in selected homes to calculate the TRP. There are around 44,000 meters installed in total at various places in India. These 44,000 households in a way are the representative samples of the 19.7 crore households in India. These gadgets, also called Bar-O-Meters, record data about the channel or programme watched by the family members or selected people. Through this meter, the information of TV channel or programme for every one minute or more (watched at a single time) is sent to and analyzed by the monitoring team of BARC. After analysing the information, the TRP of various channels or programmes is decided based on certain parameters with the help of specialized software exclusively developed for this purpose. This software has gradually evolved over time. The Software system is automated and there is minimal human intervention as 44,000 Bar-O-Meters are mimicking 19.7 crore households, any deviation/infirmity in data at this stage will amplify the discrepancy manifold. Keeping this in mind, there are various method adopted by the BARC (Broadcast Audience Research Council) to remove inconsistencies and to exclude the statistically deviant data / households from the raw data. Further, some of the data is excluded on the basis of recommendation of internal vigilance team of BARC. This is being done to bring out unbiased ratings of various channels. The internal vigilance team is constantly getting complaints/analysis to identify deviant houses and exclude their data accordingly. Outlier is one such method.

**3.03 Gross Rating Points -** GRP is Gross Rating Points, are a measure of ad or program effectiveness. It is defined as the percentage of the target population reached multiplied by the frequency to which they were reached. In the context of advertisement ratings, they are the percentage reached (i.e, Rat%) multiplied by the number of ad spots.



In the context of program ratings, they are the percentage reached (i.e., Rat%) multiplied by the number of 30-minute periods the program aired, or for the channel, within the daypart of interest.

**3.04 Viewership Data Outlier:-** An outlier is defined as: "An observation that does not follow the presumed model for which the statistical procedure is selected" or more simply "An outlier is an observation that lies in an abnormal distance from other values in a random sample from a population". On the basis of the viewership pattern, a mean viewership pattern of households is arrived and the upper limit and lower limit of viewership of the households are identified. On the basis of the said limits, the threshold of viewership is defined and whenever the viewership duration crosses the said threshold, it can be termed as outlier. Reasons for crossing the upper limit may be increase in watching hours. Further, reasons for falling below the lower limit may be decrease in watching hours. The outlier can be for bonafide reason, for example a hit movie being shown on TV, Election counting, Budget daily programme, Republic Day Parade etc. or a mundane reason such as accidentally leaving the TV in on-mode. It may however, occur also due to malafide reasons such as watching due to inducement, landing page etc. As it is, no conclusive inference can be drawn only on the basis of outlier regarding bonafide/ malafide of the viewing. It needs further corroboration from other sources. Therefore, Outlier data may be excluded from the calculation of TRP but no malafide reason/criminality can be attributed to these data solely on this basis. This has to be corroborated with other evidences to prove criminality.

### **3.2 Various agencies involved:**

#### **3.2.1 Broadcast Audience Research Council:-**

BARC was registered as Section 8 Private Limited Company under the Companies Act, 2013 and it commenced its operations in 2015. BARC is registered under Ministry of Information & Broadcasting Guidelines issued in 2014 and provides audience measurement services. BARC has been formed with collaboration of Indian Broadcasting Foundation (IBF), the Indian Society of Advertisers (ISA) and the Advertising Agencies Association of India (AAAI). The Board of Directors (Board) of BARC has due representation from these three industry bodies. The Board comprises of 10 Directors with 2 nominees of ISA, 2 nominees of AAAI, 6 IBF nominees.

BARC has also appointed various committees to oversee various functioning. BARC has a Technical Committee (Tech Comm) whose primary role is to



oversee and guide the research design of the studies that are important part of BARC's ratings systems. As mentioned earlier, the data analysis of raw data captured through Bar-O-Meters is based on algorithm and this committee approves the algorithm. BARC also has Disciplinary Committee to strengthen the transparency and credibility of its measurement system and to probe complaints of any viewership malpractices. Also, there is an Oversight Committee for review of current data validation rules and approval of any changes, additions or deletions of these rules.

It may be pertinent to state here that all current TV rating systems across the world are based on survey sample designs. Survey sample designs are a practical, reliable, and cost-effective method for measuring a population. Many organisations beyond the television audience measurement industry rely on sample survey designs such as the National Sample Survey Organization's (NSSO), India's premier data collection agency under the Ministry of Statistics and Program Implementation, estimation of household expenditures. Thus, the methodology of collecting and publishing audience estimates ratings based on a sample that has been scientifically designed for accuracy, representativeness and quality is widely accepted. BARC India's current sample size of 44,000 homes is structured as per universe of TV owning households and an understating of panel control variables. It is as per BARC representative of the TV universe. Broadcast Audience Research Council (BARC) India is set up to design, commission, supervise and own an accurate, reliable and timely Television Audience Measurement system for India. It currently measures TV Viewing habits of 197 million TV households in India, using 44,000 sample panel homes India wide including 1824 Households in Mumbai. The sample size will increase to 50,000 in the next couple of years, as mandated by the Ministry of Information & Broadcasting (MIB). Guided by the recommendations of the TRAI (Telecom Regulatory Authority of India) and MIB notifications of January 2014, BARC India has been established by the three key stakeholders in Television Audience Measurement - Broadcasters, Advertisers, and Advertising and Media Agencies, via their apex bodies.

M/s Broadcast Audience Research Council (BARC) is the only company in India which keeps a tab on the Television Rating Point (TRP) of Television Channel and the programmes run by them. M/s Broadcast Audience Research Council (BARC) functions under the guidance of Telecom Regulatory Authority of India (TRAI) and Ministry of Information and Broadcasting (MIB). As mentioned earlier, to measure the TRP, BARC installs an instrument called



'Bar-O-Meters' in selected houses. M/s Hansa Research Group Private Limited is the company which installs and maintains the Bar-O-Meters for BARC in Mumbai. The Revenue of BARC is primarily generated from advertising revenue where BARC's share is 0.08% of advertising revenue or Rs. 18 lakhs (whichever is higher) for each channel which subscribe for TRP ratings. The total revenue of BARC was Rs. 319.6 Crore in the Financial Year 2019-20.

### **3.2.2 Meterology Data Private Limited (MDPL or MDL)**

MDPL is the company that deploys and maintains Bar-O-Meters in panel households to collect raw data of TV viewership. MDPL was formed as a new company to integrate services of BARC India through additional infrastructure (manpower and devices) to meet the sample requirement stipulated by the government. Therefore, M/s Hansa Research Group Pvt. Ltd. undertakes the Panel Home Operations for MDPL, which involves the work of Bar-O-Meter (meters installed to measure viewership of the panel home) installation at each of the Panel Homes. It includes installations of Bar-O-Meters in Panel Homes provided by BARC and maintaining these panels. MDPL provides the address of households to M/s Hansa Research Group Pvt. Ltd. where the Bar-O-Meter is to be installed. M/s BARC has appointed Meteorology Data Pvt Ltd. (MDPL) as its data-collecting agency. It is a subsidiary of BARC and has 51 % shareholding in MDPL. MDPL operates at arm's length from BARC's statistical data processing and analysis team and has an independent management team.

### **3.2.3 Hansa Research Group Pvt.Ltd.:-**

M/s Hansa Research Group Pvt. Ltd. is primarily into Market Research for financial institutes viz. Banks, Insurance Companies, FMCGs, Automobile Industries etc. As mentioned in foregoing para, M/s Hansa Research Group Pvt. Ltd. also undertakes Panel Home operations for BARC through M/s Meterology Data Pvt. Limited (MDPL) so that BARC can measure the Television Rating Points (TRP) of various TV Channels and Programs.

M/s Hansa Research Group Pvt. Ltd. has appointed Relationship Managers (RMs) to undertake the work of installation of Bar-O-Meters. Each RM is assigned a particular geography/area which means Bar-O-Meters for all the Panel Homes within that geography/area would be installed/maintained by that RM only. Allocation of geography to each RM is known only to MDPL. MDPL has developed a Software Application, which helps in assigning work to RMs and also monitoring the work undertaken by the concerned RM. Whenever,



Bar-O-Meter is to be installed in new household, the address is provided only to the respective Relationship Managers through the said application. For maintenance also, if a particular Panel Household is to be visited, this work is directly assigned to the RM through the said application. Relationship Manager has an additional duty of keeping a watch on the houses where Barometers are installed to check for malpractices. Thus, the endeavor of MDPL is to keep secrecy of the location of the Panel Households where Bar-o-Meters have been installed.

### 3.2.4 Relative viewership of different genre

There are different genre viz. Devotional/Spiritual, GEC, Infotainment, Kids, Lifestyle, Movies, Music, News and Others for which BARC releases its TRP for the particular channels based on the respective genres. The variation / increase/decrease in viewership of the different genres for the comparison period 2019 to 2020 of Mumbai region is as under:

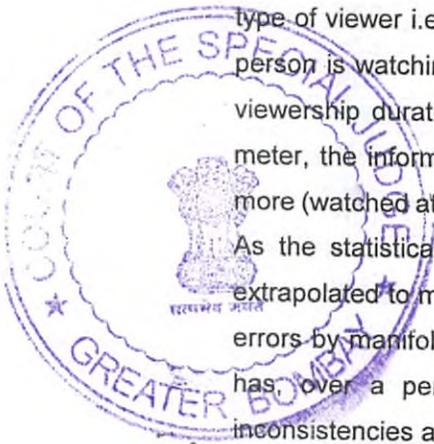
Region: Mumbai, TG: 2+	2019	2020
Genre	Contribution by AMA	Contribution by AMA (Average Minute Audience)
Devotional/Spiritual	0.3%	0.3%
GEC	45.8%	43.6%
Infotainment	0.8%	0.9%
Kids	8.2%	8.0%
Lifestyle	0.1%	0.2%
Movies	23.7%	25.6%
Music	4.9%	3.7%
News	10.4%	14.3%
Others	0.1%	0.0%
Sports	4.8%	2.7%
Teleshopping	0.0%	0.0%
Youth	0.9%	0.7%
ENGLISH News	0.1%	0.1%
HINDI News	6.7%	9.4%
Regional news	3.5%	4.8%
TOTAL	100%	100%

**3.3** It is pertinent to mention that Television Rating Point or Target Rating Point (TRP) is used in marketing and advertising to ascertain the percentage of the target audience reached by a campaign or advertisement through Televisions. Hence, it is a means that indicates the popularity of a programme or a channel. For measurement of the same, one device (Bar-O-Meter) is attached to the TV



set of numerous viewer's house to measure the impression. Using these devices, a special code (Watermark) is telecasted during the programme which records the time and the programme that a viewer watches on a particular day. TRP is calculated using the denominator as the total target audience, and the numerators the total impressions delivered to this audience multiplied by 100. Hence, if viewership data is made to increase by increasing time of watching a particular TV Channel by using, it will affect the TRP positively. ***In view of small sample base of data, even small changes in viewership data will amplify the TRP as explained below.***

**3.4** People meters / devices are installed in certain places or for various channels of different genres and languages in selected homes to calculate the TRP. There are around 44000 meters installed all over India. In this way, 44000 households / installations are surveyed on representative basis in the form of sampling and are the microcosm of India. These gadgets also called Bar-O-Meters, record data about the channel or programme watched by the family members or selected people. Selection of these households (***Here in after know as HHS***) is very important aspect of TRP and these households are selected on the representative basis. All the members of the households are important and represent various segments e.g. Children are important for TRP of Kids Show, Adults for General entertainment and News, Youth for Music, Fashion etc. Therefore, whenever a household starts watching the TV, they have to press a button on the remote provided by BARC, which records the type of viewer i.e. Male1, Female1, Kid1, Kid2 or family etc. If more than one person is watching, then the viewer time is also increased by multiplying the viewership duration by the no. of persons watching the show. Through this meter, the information of TV channel or programme for every one minute or more (watched at a single time) is sent to and analyzed by the monitoring team. As the statistical data is obtained from a small statistical tool & is being extrapolated to mimic a large population, there are chances of magnifying the errors by manifold even if the input data is slightly deviant. Therefore, BARC has, over a period of time, evolved various methods to straighten the inconsistencies and also to take out various obvious deviations at the stage of raw data itself. As it is, statistical data analysis is based on certain assumptions and extrapolation and therefore, the model is prone to / sensitive to changes on the account of assumptions as well as impurity of data. The techniques used to remove these inconsistencies also depend on the assumptions made and the outcome is not independent of the assumptions. After analysing the data, the TRP of the channel or programme is decided based on certain parameters



with the help of specialised software. There are various methods adopted by the BARC to remove inconsistencies and to exclude the statistically deviant data / households from the raw data. Further, some of the data is excluded on the basis of recommendation of internal vigilance team of BARC.

#### 4. Detailed PMLA Investigation:

4.1 During the PMLA investigation, raw data of all the panel households contributing TRP of Mumbai was obtained from BARC. This data was analysed for outliers and abnormal viewing for various households identity of RMs and these households were taken from BARC. Then these HHs were segregated channel wise. Top HHs of the various channels alleged to be manipulating TRP were segregated wherein some of these households were stark in the viewership pattern and in case of some of the channels, limited households were contributing a major portion of the total viewership for the said channels, thus contributing, substantially to the TRP of the said channels.

4.1.1 During the course of investigation, details of working period with M/s Hansa Research Group Pvt. Ltd of RMs/Ex-RMs/SRM namely S/Shri Umesh Mishra, Vikas Burungale, Ashwin Motiwale, Shri Dinesh Vishwakarma, Shri Mahesh Bompalli, Shri Rajesh Vishwakarma, Ramji Dudhnath Verma, Vinay Tripathi and Shri Vishal Bhandari and details of person who later replaced some of the above said persons as RMs/Ex-RMs/SRM was received from M/s Hansa Research Group Pvt. Ltd. The details are as below:

Sr. No	Name	Date of Joining	Last Working Date	Name of RM who managed HH after exit of Ex RM
1	Vishal Bhandari	07-05-2019	19-06-2020	Pramesh Yadav
2	Dinesh Vishwakarma	05-01-2016	13-09-2020	Pramesh Yadav, Naresh Mali & Rajesh Vishwakarma
3	Ramji Dudhnath Verma	05-02-2015	12-11-2015	He worked during setup and early stage of panel formation, the HH's managed by him may be de-installed or replaced as per panel requirement.
4	Umesh Mishra	27-04-2015	30-09-2019	Yogesh Puran Charan ( After exit of Umesh Mishra)Currently by Naresh Mali, Ravi Solanki



5	Vinay Tripathi	24-11-2014	09-05-2016	Not Applicable as he was last working as SRM
6	Mahesh Bompalli	01-02-2019	28-02-2020	Rajesh Vishwakarma
7	Rajesh Kumar Vishwakarma	04-09-2019	NA	He is still working
8	Ashwin Motiwale	22-04-2019	10-10-2020	Sachchidanand Giri
9	Vikas Burungale	12-10-2018	25-10-2019	Rajesh Vishwakarma & Prakash Patil

**4.1.2** The detailed investigation revealed that a substantial percentage of Viewership of channels viz. Maha Movie, Fakt Marathi, and Box Cinema Channel, were coming from just a handful of compromised HHs catered by Relationship Managers namely S/Shri Ashwin Motiwale, Shri Dinesh Vishwakarma, Mahesh Bompalli, Rajesh Vishwakarma and Vishal Bhandari. It is observed from the analysis that 5 Households are contributing total 24.79% of all Mumbai households viewership of Maha Movie Channel, 5 Households are contributing total 11.69% of all Mumbai households viewership of Fakt Marathi Channel and 5 Households are contributing total 25.09% of all Mumbai households viewership of Box Cinema Channel for the period November, 2019 to June, 2020. The details pertaining to the same is tabulated below:

Sr. No.	RM Name	WID	CWE (Chief Wedge Earner) (Name of Panel Households)	Nov'19-June'20 Weekly Average duration in Min	Percentage of viewership for Nov'19-June'20 Weekly Average	Remarks
<b>A. Maha Movie channel</b>						
1	Rajesh Kumar Vishwakarma	10054112	Sunil Padwal	1181	4.21	The said 5 Households are contributing total 24.79% of all Mumbai households viewership of Maha Movie Channel Further, the statements of these households
2	Rajesh Kumar Vishwakarma	10059706	Riyaz Beg	1309	4.67	
3	Rajesh Kumar Vishwakarma	10089597	Iqbal Sayyed	578	2.06	
4	Vishal Bhandari	10025658	Deepak Rawal	1509	5.38	
5	Vishal Bhandari	10026315	Ved Bhandari	2376	8.47	
Total Percentage of viewership contributed					<b>24.79</b>	



were also recorded under section 50 of Prevention of Money Laundering Act, 2002 Wherein they have stated that they have been paid for watching Maha Movie.

**B. Fakt Marathi channel**

1	Rajesh Kumar Vishwakarma	10054112	Sunil Padwal	1624	2.39	The said 5 Households are contributing total 11.69% of all Mumbai households viewership of Fakt Marathi Channel Further, the statements of 4 households out these 5 households were also recorded under section 50 of Prevention of Money Laundering Act, 2002 Wherein they have stated that they have been paid for watching Fakt Marathi. However, summons to Shri Kiran Pawar has been sent but he did
2	Rajesh Kumar Vishwakarma	10054116	Sunita dubal	527	0.78	
3	Rajesh Kumar Vishwakarma	10090671	Kiran Pawar	1149	1.69	
4	Vishal Bhandari	10026315	Ved Bhandari	3678	5.42	
5	Vishal Bhandari	10075092	Gundu Shine	949	1.40	



						not appear before this office for recording his statements.
Total Percentage of viewership contributed					<b>11.69</b>	
<b>C. Box Cinema channel</b>						
2	Mahesh Bomapalli	10045166	RAJKUMAR MISHRA	1849	5.74	The said 5 Households are contributing total 25.09% of all mumbai households viewership of Box Cinema Channel Further, the statements of 2 households out these 5 households were also recorded under section 50 of Prevention of Money Laundering Act, 2002 Wherein they have stated that they have been paid for watching Box Cinema. However, summons to Ankush Gharat and Shri Champalal Salunkhe have been sent but they did not appear before this office for recording their statements.
7	Rajesh Kumar Vishwakarma	10078065	Harivansh Vishwakarma	1099	3.41	
9	Rajesh Kumar Vishwakarma	10080761	Ankush Gharat	1681	5.22	
14	Vishal Bhandari	10026315	Ved Bhandari	1957	6.07	
15	Vishal Bhandari	10029004	Champalal Salunkhe	1495	4.64	
Total Percentage of viewership contributed					<b>25.09</b>	



	Further, as per statement of Sh. Mahesh Bompalli, RM, he has paid to R K Mishra for watching Box Cinema.
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Further, the details pertaining to contributions of Households catered by Relationship Managers towards total viewership of these said channels in the all Mumbai households viewership for the particular channel is tabulated below:

Sr. No.	RM	Maha Movie	Fakt Marathi	Box Cinema
1	Anoop Tiwari	3%	5%	4%
2	Arshad Shaikh	2%	1%	2%
3	Ashwin Motiwale	4%	9%	5%
4	Avnish Tiwari	2%	4%	1%
5	Bipin Pandey	2%	3%	1%
6	Dinesh Vishwakarma	10%	4%	2%
7	Girjesh Choubey	3%	4%	2%
8	Mahendra Prajapati	2%	5%	1%
9	Mahesh Bompalli	2%	5%	11%
10	Mohit Upadhyay	0%	0%	
11	Naresh Mali	3%	5%	2%
12	Omprakash Pandey	1%	2%	3%
13	Pramesh Yadav		0%	
14	Prashant Gujar	0%	0%	0%
15	Pravin Kumar Dubey	0%	0%	
16	Rajesh Kumar Vishwakarma/ Vikas Burungale	32%	10%	32%
17	Sabhajeet Dubey	2%	2%	1%
18	Sachidanand Dubey	0%		0%
19	Sachidanand Giri	1%	2%	0%
20	Suraj Kumar Gupta	0%	0%	
21	Vijay Gupta	3%	8%	1%
22	Vijay Kumar Shah	2%	7%	2%
23	Vishal Bhandari	8%	11%	21%
24	Vishal Jamdare	11%	4%	7%
25	Yogesh Puran Charan/ Umesh Mishra	6%	8%	2%

It is evident from the data provided in the abovementioned table that Households catered by 3 RMs namely Shri Dinesh Vishwakarma, Shri Rajesh Kumar Vishwakarma/ Vikas Burungale and Shri Vishal Bhandari are contributing around 50% of the total viewership duration of all Mumbai households viewership of Maha Movie channel.

Also, Households catered by 05 RMs (accused of TRP Manipulation) namely Shri Ashwin Motiwale, Shri Rajesh Kumar Vishwakarma/ Vikas Burungale, Shri Vishal Bhandari and Shri Umesh Mishra / Shri Yogesh Puran Charan are contributing around 38% of the total viewership duration of all Mumbai households viewership of Fakt Marathi channel.

Also, Households catered by 03 RMs namely Shri Mahesh Bomapalli, Shri Rajesh Kumar Vishwakarma/ Shri Vikas Burungale and Shri Vishal Bhandari (accused of TRP Manipulation) are contributing around 64% of the total viewership duration of all Mumbai households viewership of Box Cinema channel.

On analysis, It is seen that out of 25 Relationship managers servicing in Mumbai region, only a few tainted RMs contributed to majority viewership for Maha Movie, Fakt Marathi and Box Cinema. These RMs have also admitted in their statements that they have manipulated the TRP by bribing the households.

#### **4.2 Analysis of Raw Data:**

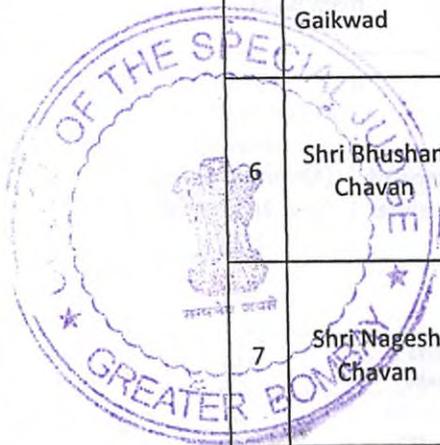
Based on this data, deviant households were identified and these HHs were summoned under Section 50 & their statements were recorded. In total, statements of 32 HHs were recorded who confirmed having received money for watching certain channels. Some of the statements were contrary to the statement given to Mumbai Police in as much that they denied watching Republic TV or Republic Bharat channel. Details of these HHs in tabular format is attached below:-

##### **1. Fakt Marathi Channel (Channel Watched in Lieu of money)**

Sr. No	Household Name	Date of Statement	Relationship Manager giving money to these HHs	As per raw data obtained from BARC



				Name of Channel	Avg. Viewership per week (Minutes) during Nov. 2019 to Jun 2020
1	Shri Sanjay Moreshwar Biraje	25.01.2021	Shri Umesh Mishra	Fakt Marathi	249
				Republic Bharat	0
				Republic TV	0
2	Shri Arun Kondikar Shinde	25.01.2021	Shri Umesh Mishra	Fakt Marathi	123
				Republic Bharat	0
				Republic TV	0
3	Smt. Renuka Bhavke	02.02.2021	Shri Vikas Burungale	Fakt Marathi	425
				Republic Bharat	0
				Republic TV	0
4	Shri Bhavesh Patel	04.02.2021	Not Known	Fakt Marathi	1
				Republic Bharat	220
				Republic TV	0
5	Smt. Rashmi Ravinder Gaikwad	04.02.2021	Shri Rajesh Vishwakarma	Fakt Marathi	25
				Republic Bharat	0
				Republic TV	0
6	Shri Bhushan Chavan	04.02.2021	Not Known	Fakt Marathi	265
				Republic Bharat	1
				Republic TV	1
7	Shri Nagesh Chavan	03.02.2021	Shri Ashwin Motiwale	Fakt Marathi	247
				Republic Bharat	0
				Republic TV	0
8	Shri Mangesh Waghmare	03.02.2021	Not Known	Fakt Marathi	9
				Republic Bharat	21
				Republic TV	0



9	Smt. Sankeeta Mohan Chavan	03.02.2021	Not Known	Fakt Marathi	331
				Republic Bharat	5
				Republic TV	0
10	Shri Sujit Gudu Shinde	04.02.2021	Mr. Vishal	Fakt Marathi	949
				Republic Bharat	0
				Republic TV	0
11	Shri Vinod Vaman Sawant	04.02.2021	Mr. Vishal	Fakt Marathi	632
				Republic Bharat	0
				Republic TV	0
12	Shri Hanuman Devidas Paul	04.02.2021	Shri Ashwin Motiwale	Fakt Marathi	158
				Republic Bharat	0
				Republic TV	0
13	Shri Ved Prakash Bhandari (Father of Shri Vishal Bhandari)	02.03.2021	Mr. Vishal	Fakt Marathi	2656
				Republic Bharat	3
				Republic TV	0

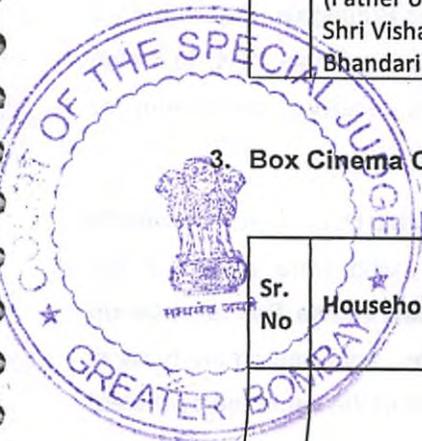
2. Maha Movie (Channel Watched in Lieu of money)

Sr. No	Household Name	Date of Statement	Relationship Manager giving money to these HHS	As per raw data obtained from BARC	
				Name of Channel	Avg. Viewership per week (Minutes) during Nov. 2019 to Jun 2020
1	Shri Gyanchandra Chaupal	02.02.2021	Shri Vikas	Maha Movie	354
				Republic Bharat	99
				Republic TV	1
2		02.02.2021		Maha Movie	328

	Shri Sunil Padwal		Shri Vikas Burungale	Republic Bharat	0
				Republic TV	0
3	Smt. Sunita Vinesh Dubbal	04.02.2021	Shri Vikas Burungale	Maha Movie	115
				Republic Bharat	0
				Republic TV	0
4	Shri Deepak Rawal	03.02.2021	Not remember the name	Maha Movie	419
				Republic Bharat	0
				Republic TV	0
5	Shri Riyaz Baig	10.02.2021	Not remember the name	Maha Movie	1309
				Republic Bharat	115
				Republic TV	0
6	Shri Iqbal Sayaid	10.02.2021	Shri Vikash Burungale	Maha Movie	578
				Republic Bharat	18
				Republic TV	0
7	Shri Ved Prakash Bhandari (Father of Shri Vishal Bhandari)	02.03.2021	Mr. Vishal	Maha Movie	660
				Republic Bharat	3
				Republic TV	0

### 3. Box Cinema Channel (Channel Watched in Lieu of money)

Sr. No	Household Name	Date of Statement	Relationship Manager giving money to these HHs	As per raw data obtained from BARC	
				Name of Channel	Avg. Viewership per week (Minutes) during Nov. 2019 to Jun 2020
1	Smt. Sunita Vishwakarma	02.02.2021	Shri Rajesh Vishwakarma	Box Cinema	1099
				Republic Bharat	5
				Republic TV	0



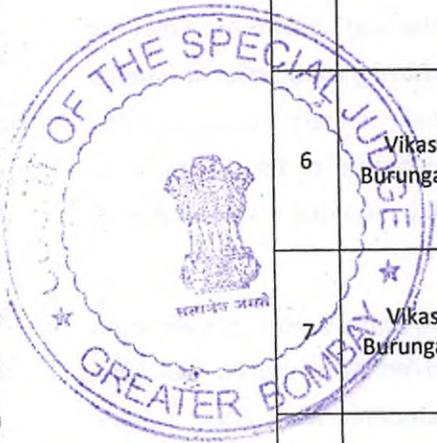
2	Smt. Sheela Prajapati	28.01.2021	Not remember the name	Box Cinema	459
				Republic Bharat	26
				Republic TV	0
3	Shri Aslam Qureshi	03.02.2021	Shri Ashwin Motiwale	Box Cinema	458
				Republic Bharat	0
				Republic TV	0
4	Shri Deepak Rawal	03.02.2021	Not remember the name	Box Cinema	709
				Republic Bharat	0
				Republic TV	0
5	Shri Mangesh Waghmare	03.02.2021	Not remember the name	Box Cinema	142
				Republic Bharat	21
				Republic TV	0
6	Shri Ved Prakash Bhandari (Father of Shri Vishal Bhandari)	02.03.2021	Mr. Vishal	Box Cinema	1957
				Republic Bharat	3
				Republic TV	0
7	Shri Adarsh Shukla	02.03.2021	Vishal Bhandari	Box Cinema	63
				Republic Bharat	45
				Republic TV	0

From analysis of data & from the statements of Panel Households, it was found that in addition to the RMs chargesheeted by Mumbai Police (Umesh Mishra, Dinesh Vishakarma, Vishal Bhandari, Ramji Verma), there were 4 more RMs namely Mahesh Bompally, Ashwin Motiwale, Vikas Burungale, Rajesh Kumar Vishwakarma, who were taking money and inducing Panel HHS, to watch particular channel. Here also these RMs denied receiving gratification for inducing HHS to watch Republic channel.

4.3. During the course of Investigation, Average Viewership Data of the Households for the period, November 2019 to June, 2020, who were named in the statements of the Ex-Relationship Managers of M/s Hansa Research Group Pvt. Ltd recorded under section 50 of PMLA, were analysed on the basis of the viewership data provided by BARC. The details of the same are as under:

Sr. No.	RM Name	Channel watched by Households as per RM's Statement U/s	CWE(Household name with Household ID)	Channel Name	Viewership total mins during (Week4 4'19 to	Avg. Viewership per week during

		50 of PMLA, 2002			Week26 '2020	the durati on (in Minut es)
1	Vikas Burungale	Maha Movie	Amiyo Dhara (10077135)	Maha Movie	27495	763.75
				Republic Bharat	15256	423.78
				Republic TV	28	0.78
2	Vikas Burungale	Maha Movie Box Cinema	Ankush Gharat (10080761)	Maha Movie	0	0
				Box Cinema	57141	1587.2 5
				Republic TV	0	0
				Republic Bharat	0	0
3	Vikas Burungale	Maha Movie Box Cinema	Datta koli (10080775)	Maha Movie	0	0
				Box Cinema	5475	152.08
				Republic Bharat	106	2.94
				Republic TV	0	0
4	Vikas Burungale	Maha Movie	GANESH PATIL (10076565)	Maha Movie	19245	534.58
				Republic TV	0	0
				Republic Bharat	0	0
5	Ashwin Motiwale	Box Cinema	Jayshree Jain (10005004)	Box Cinema	6083	168.97
				Republic Bharat	0	0
				Republic TV	1	0.03
6	Vikas Burungale	Maha Movie Box Cinema	Kamlakar Khandekar 10080773	Box Cinema	20760	576.67
				Maha Movie	0	0
				Republic TV	0	0
				Republic Bharat	18	0.5
7	Vikas Burungale	Maha Movie Fakt Marathi	Ketan Chavan 10090502	Fakt Marathi	448	12.44
				Maha Movie	959	26.64
				Republic Bharat	0	0
				Republic TV	3	0.08
8	Vikas Burungale	Maha Movie Fakt Marathi	Kiran Pawar 10090671	Fakt Marathi	25277	702.14
				Maha Movie	11275	313.19
				Republic TV	0	0
				Republic Bharat	31	0.86
9	Vikas Burungale	Maha Movie Box Cinema	Mantu Gupta 10075091	Maha Movie	0	0
				Box Cinema	33415	928.19
				Republic Bharat	15215	422.64



				Republic TV	36	1
10	Vikas Burungale	Maha Movie Box Cinema	Nirmal Das 10035771	Maha Movie	4359	121.08
				Box Cinema	0	0
				Republic Bharat	98	2.72
				Republic TV	0	0
11	Vikas Burungale	Fakt Marathi	Prashant Uparkar 10086219	Fakt Marathi	7146	198.50
				Republic Bharat	0	0
				Republic TV	178	4.94
12	Vikas Burungale	Maha Movie Box Cinema	Ramchandra Gharat 10080784	Box Cinema	31119	864.42
				Maha Movie	0	0
				Republic TV	0	0
				Republic Bharat	3	0.083
13	Vikas Burungale	Box Cinema	Ramnik Bhagat 10080746	Box Cinema	40150	1115.28
				Republic TV	0	0
				Republic Bharat	20	0.56
14	Ashwin Motiwale	Fakt Marathi	Sachin Parab 10028172	Fakt Marathi	8226	228.5
				Republic Bharat	0	0
				Republic TV	0	0
15	Vikas Burungale	Box Cinema	Sonu Singh 10077042	Box Cinema	33677	935.47
				Republic Bharat	393	10.92
				Republic TV	0	0
16	Mahesh Bompelli	Box Cinema	Yogesh Pawar 10092769	Box Cinema	995	27.64
				Republic TV	0	0
				Republic Bharat	4	0.11

It is seen from the above table that the above said households either not watched Republic TV or Republic Bharat or not having substantial viewership of these channels. However, as per data, the channels watched by the households are in consonance with the statements of the Relationship Managers of M/s Hansa Research Group Pvt. Ltd recorded under section 50 of PMLA, 2002.

During the course of investigation, ED has come across certain leads indicating that certain Households were watching News nation and India Today Channels in lieu of receiving cash amounts from RMs. Further investigation in this regard is under progress.

**4.3.1** During the course of PMLA investigations, searched under Section 17 of Prevention of Money Laundering Act, 2002 were conducted at the following premises/persons on 19.01.2021 & 01.02.2021

**Search on 01.02.2021:**

S. No.	Name	Concern	Address	Date of Search
1	Shri Shirish Pattanshetty	50% Owner of Fakt Marathi	1801, A-Wing, Titanium Towers, Sahakari Nagar, D.N. Nagar, Andheri West, Mumbai-400053	19.01.2021
2	Lotus Enterprises	Fakt Marathi Channel	601, Shri Krishna Towers, Fun Republic Lane, New Link Road, Andheri (W), Mumbai-400053	19.01.2021
3	Shri Narayan Nandkishore Sharma	Owner of Box Cinema	602, Advent Pallazo, Rambaug Lane, Behind State Bank of India, Malad West, Mumbai	19.01.2021
4	Trishul Advertising Agency		309, Kalpatru Plaza, Malad West Rambaug Lane Off Chincholi Bunder Road, Mumbai	19.01.2021
5	Enter 10 Television Private Ltd (owner Shri Manish Singhal)	Sh. Manish Singhal is 50% partner of Fakt Marathi	141, Saket Nagar, Near Manishpur Auto Stand Indore, Madhya Pradesh-452001	19.01.2021
6	Enter 10 Television Pvt. Ltd (owner Shri Manish Singhal)	Sh. Manish Singhal is 50% partner of Fakt Marathi	308-309, Raheja Plaza, CTS 400053, 844-15B, Veera Desai Road, Ambivali, Andheri (W) Mumbai-400102	19.01.2021
7	Teleone Consumers Product Pvt. Ltd. (Maha	Owner Mr. Vishwajit Sharma	468, 3 <sup>rd</sup> Floor, Shivaji Market, Pitam Pura New Delhi-110034	19.01.2021



	Movie Channel)			
8	Rajesh Kumar Vishwakarma	Relationship Manager of M/s Hansa Research Group Pvt. Ltd.	Navapada, Sitaram Chawl, A.K. Road, Marol Naka, Near Lalit Hotel, Andheri East, Mumbai-400059	19.01.2021
9	Shri Vishwajeet Sharma	Maha Movie Channel	14/25, 1 <sup>st</sup> Floor Shakti Nagar, Delhi-110007	19.01.2021

Various incriminating documents, digital evidences were seized during the course of searches across Mumbai, Delhi and Madhya Pradesh. The evidences were scrutinized during the course of investigation.

**4.3.2** PMLA investigation has unearthed various present and past Relations Managers (RMs) of M/s Hansa Research Group Pvt. Ltd., who were actively involved in the manipulations. There were three distinct streams through which manipulations in TRP were carried out in Mumbai.

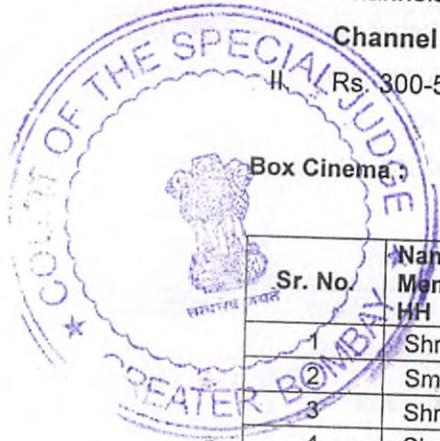
Details are being discussed below:

**Through Bompally Rao Mistry**

I. Channels Involved: **Box Cinema, Fakt Marathi and Mahamovie Channel**

II. Rs. 300-500 per month Paid to the following Households:

Sr. No.	Name of the Member of Panel HH	RM/Person Involved	Channel Watched
1	Shri Aslam Qureshi	Sh. Ashwin Motiwale	Box Cinema
2	Smt. Jayshree Jain	Sh. Ashwin Motiwale	Box Cinema
3	Shri Neelam Rawal	Sh. Ashwin Motiwale	Box Cinema
4	Shri Yogesh Pawar	Sh. Mahesh Bompalli	Box Cinema
5	Smt. Sheela	Sh. Mahesh Bompalli	Box Cinema
6	Shri Akash Yadav	Sh. Mahesh Bompalli	Box Cinema
7	Shri Kalpesh Nanavati	Sh. Mahesh Bompalli	Box Cinema
8	Smt. Varsh Boradia	Sh. Mahesh Bompalli	Box Cinema
9	Shri Nirmal Das	Sh. Vikas Burungale	Box Cinema
10	Shri Sandeep Guched	Sh. Vikas Burungale	Box Cinema



11	Shri Kamlakar Khandekar	Sh. Vikas Burungale	Box Cinema
12	Shri Ramchandra Gharat	Sh. Vikas Burungale	Box Cinema
13	Shri Prathmesh Gharat	Sh. Vikas Burungale	Box Cinema
14	Shri Datta Koli	Sh. Vikas Burungale	Box Cinema
15	Shri Mantu Gupta	Sh. Vikas Burungale	Box Cinema
16	Smt. Neelu Gupta	Sh. Vikas Burungale	Box Cinema
17	Smt. Reema Singh	Sh. Vikas Burungale	Box Cinema
18	Shri Sailendra Rai	Sh. Vikas Burungale	Box Cinema
19	Smt. Sunita Vishwakarma	Shri Rajesh Vishwakarma	Box Cinema
20	Smt. Sheela Prajapati	Not known	Box Cinema
21	Shri Deepak Rawal	Not known	Box Cinema
22	Shri Mangesh Waghmare	Not known	Box Cinema
23	Pandey Bholanath	Sh. Shri Vishal Bhandari	Box Cinema
24	Adarsh Shukla	Vishal Bhandari	Box Cinema

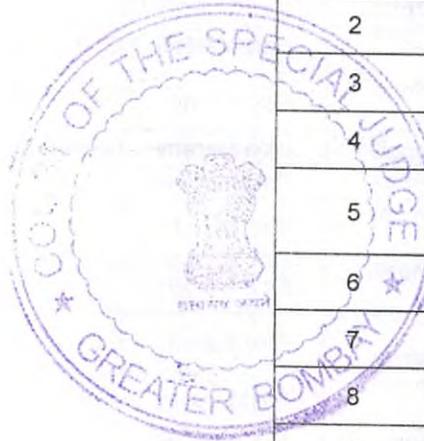
## Fakt Marathi :

Sr. No.	Name of the Member of Panel HH	RM/Person Involved	Channel Watched
1	Shri Sangeeta Chavan	Sh. Ashwin Motiwale	Fakt Marathi
2	Shri Sachin Parab	Sh. Ashwin Motiwale	Fakt Marathi
3	Shri Dinesh Desai	Sh. Ashwin Motiwale	Fakt Marathi
4	Shri Vilash Pawar	Sh. Mahesh Bompalli	Fakt Marathi
5	Shri Ingawale	Sh. Mahesh Bompalli	Fakt Marathi
6	Shri Tanmay Gulekar	Sh. Mahesh Bompalli	Fakt Marathi
7	Shri Purshottam Khandare	Sh. Mahesh Bompalli	Fakt Marathi
8	Smt. Sharda Pawar	Sh. Vikas Burungale	Fakt Marathi
9	Smt. Sunita Thorat	Sh. Vikas Burungale	Fakt Marathi
10	Smt. Kiran Pawar	Sh. Vikas Burungale	Fakt Marathi
11	Shri Ramchander Chavan	Sh. Vikas Burungale	Fakt Marathi
12	Smt. Renuka Bhawke	Sh. Vikas Burungale	Fakt Marathi
13	Shri Ketan Chavan	Sh. Vikas Burungale	Fakt Marathi
14	Smt. Sunita Dubal	Sh. Vikas Burungale	Fakt Marathi
15	Shri Sunil Padwal	Sh. Vikas Burungale	Fakt Marathi
16	Shri Prashant Uparkar	Sh. Vikas Burungale	Fakt Marathi
17	Shri Rakesh Paurekar	Sh. Vikas Burungale	Fakt Marathi

18	Shri Amiyo Dhara	Sh. Vikas Burungale	Fakt Marathi
19	Shri Arun Kondikar Shinde	Shri Umesh Mishra	Fakt Marathi
20	Shri Sanjay Moreshwar Biraje	Shri Umesh Mishra	Fakt Marathi
21	Shri Bhavesh Patel		Fakt Marathi
22	Smt. Rashmi Ravinder Gaikwad	Shri Rajesh Vishwakarma	Fakt Marathi
23	Shri Bhushan Chavan	Not known	Fakt Marathi
24	Smt. Sankeeta Mohan Chavan	Not known	Fakt Marathi
25	Shri Sujit Gudu Shinde	Vishal Bhandari	Fakt Marathi
26	Shri Vinod Vaman Sawant	Vishal Bhandari	Fakt Marathi
27	Shri Hanuman Devidas Paul	Shri Ashwin Motiwale	Fakt Marathi
28	Babu Jadhav	Sh. Umesh Mishra	Fakt Marathi
29	Hiraman Bhokse	Sh. Shri Vishal Bhandari	Fakt Marathi

**Maha Movie :**

Sr. No.	Name of the Member of Panel HH	RM/Person Involved	Channel Watched
1	Satyanarayan Rokkala	Sh. Shri Vishal Bhandari	Maha Movie
2	Smt. Sharda Pawar	Sh. Vikas Burungale	Maha Movie
3	Smt. Sunita Thorat	Sh. Vikas Burungale	Maha Movie
4	Smt. Kiran Pawar	Sh. Vikas Burungale	Maha Movie
5	Shri Ramchander Chavan	Sh. Vikas Burungale	Maha Movie
6	Smt. Renuka Bhavke	Sh. Vikas Burungale	Maha Movie
7	Shri Ketan Chavan	Sh. Vikas Burungale	Maha Movie
8	Smt. Sunita Dubal	Sh. Vikas Burungale	Maha Movie
9	Shri Sunil Padwal	Sh. Vikas Burungale	Maha Movie
10	Shri Nirmal Das	Sh. Vikas Burungale	Maha Movie
11	Shri Sandeep Guched	Sh. Vikas Burungale	Maha Movie
12	Shri Kamlakar Khandekar	Sh. Vikas Burungale	Maha Movie
13	Shri Ramchandra Gharat	Sh. Vikas Burungale	Maha Movie
14	Shri Prathmesh Gharat	Sh. Vikas Burungale	Maha Movie

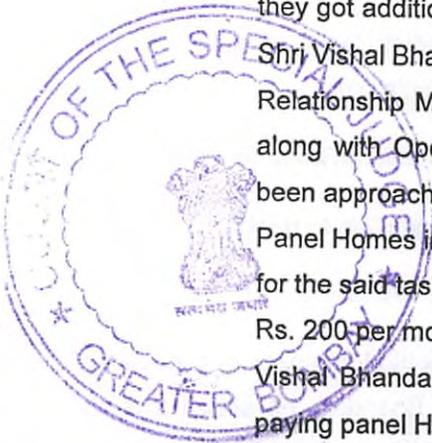


15	Shri Datta Koli	Sh. Vikas Burungale	Maha Movie
16	Shri Mantu Gupta	Sh. Vikas Burungale	Maha Movie
17	Smt. Neelu Gupta	Sh. Vikas Burungale	Maha Movie
18	Shri Gyanchandra Chaupal	Sh. Vikas Burungale	Maha Movie
19	Shri Amiyo Dhara	Sh. Vikas Burungale	Maha Movie
20	Sushil Mishra	Umesh Mishra	Maha Movie
21	Rakesh Gohil	Umesh Mishra	Maha Movie
22	Shri Deepak Rawal	Not known	Maha Movie
23	Shri Riyaz Baig	Not known	Maha Movie
24	Shri Iqbal Sayaid	Shri Vikash Burungale	Maha Movie

Money paid to RM - Rs 10000-15000

**5. During the course of investigation various statements were taken**

**5.1** During the PMLA investigation, statement of the Complainant of this case **Shri Nitin Deokar**, Deputy General Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under Section 50 (2)&(3) of PMLA, 2002 on 25.11.2020 wherein, he interalia stated that during their routine audit activity they visited one Panel Household belonging to one Shri Ved Bhandari on 11.06.2020; they found an extra Bar-o-Meter lying at their residence, other than the one installed at their home; on being enquired with Panel Member Shri Ved Bhandari on how they got additional Bar-O-Meter, it was informed that Shri Ved Bhandari's son Shri Vishal Bhandari was working with M/s Hansa Research Group Pvt. Ltd. as Relationship Manager; that during the interrogation by BARC vigilance team along with Operations Manager, Shri Vishal Bhandari admitted that he has been approached telephonically by a person named Shri Vinay to convince 05 Panel Homes in Mumbai to watch India Today Channel daily for two hours and for the said task Shri Vishal Bhandari was paid Rs. 5000 as a commission and Rs. 200 per month were distributed to each Panel Household; that as per Shri Vishal Bhandari's confession before BARC team, he has done this work of paying panel Households for watching India Today channel for the period from November, 2019 till May, 2020; that Shri Vishal Bhandari also confessed distributing the money to certain other Panel Households; that Shri Vishal Bhandari also provided the details of Panel household where the money was distributed.



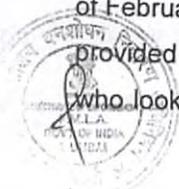
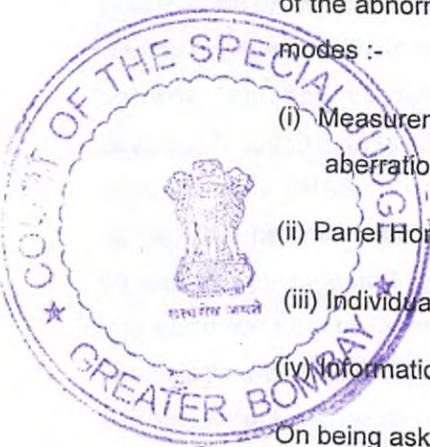
**5.2** Statement of **Shri Abhijeet Mehendale**, Assistant Vice President (Vigilance) of M/s Broadcast Audience Research Council, was recorded under Section 50 (2)&(3) of PMLA, 2002 on 01.12.2020 wherein, he confirmed the statement made by Mr. Nitin Deokar vis a vis wrong doings of Vishal Ved Bhandari and Vinay Tripathi.

**5.3** Statement of **Shri Sameer Sadruddin Gilani**, Assistant Vice President (Vigilance) of M/s Broadcast Audience Research Council, was recorded under Section 50 (2)&(3) of PMLA, 2002 on 26.11.2020 wherein he interalia stated, that his role as AVP Vigilance BARC was to conduct Household visits assigned to him for purpose of field investigation to identify if there was any tampering of viewership of the Household; that BARC's Measurement Science and Business Analytics team monitors the viewership of the channels which are measured by BARC and on observing abnormality in the viewership of the channel, they highlight the cases to the BARC vigilance team for field investigation.

**5.4** Statement of **Shri Dharamveer Mahecha**, Head-Vigilance and Investigations of M/s Broadcast Audience Research Council, was recorded under Section 50 (2)&(3) of PMLA, 2002 on 02.12.2020 wherein he interalia stated that his job responsibilities were to assign and supervise the Panel home investigations for any malpractice with respect to the influencing TV Channel viewership and to share list of malafide Panel Homes with M/s MDPL for de-installation of Bar-O-Meters from the household panel; that BARC receives the complaint in respect of the abnormal trend in viewership of specific TV Channels through following modes :-

- (i) Measurement Science and Business Analytics team (if they see any aberration or abnormal change in the viewership data),
- (ii) Panel Homes reports to RM of M/s Hansa Research Group Pvt. Ltd,
- (iii) Individuals or agencies / companies which complain to BARC,
- (iv) Information received on Vigilance email ID of BARC.

On being asked about his directions to Shri Abhijeet Mehendale for conducting investigation of Household Panel of Shri Ved Bhandari, he stated that on 25.02.2020, the Market Analytics Team of BARC informed the Vigilance Team about the abnormal viewership growth during Middle of January, 2020 to Middle of February, 2020 of India Today Channel in Mumbai; that the information was provided by Shri Arijeet Banerjee, Manager of Market Analytics Team of BARC, who looks after the Viewership Trend of English News genre; that the BARC

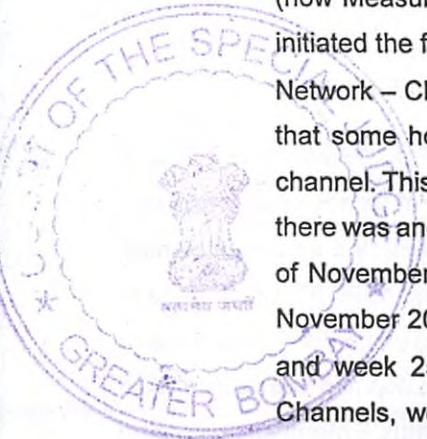


vigilance undertook field investigation for the same; that as per process, the channel was again re-investigated after 13 weeks and therefore, top 25 household panel were selected wherein the higher viewership with respect of India Today Channel was observed and the above mentioned panel homes information was provided to Shri Abhijeet Mehendale for conducting panel home investigation; that during the course of above investigation, Shri Abhijeet Mehendale found that one of the panel homes had an additional meter lying in the house; the house belongs to Mr. Vishal Bhandari, who was working as Relationship Manager with Hansa and that Shri Vishal Bhandari was questioned by Mr. Abhishek Sarkar from M/s Hansa Research Pvt Ltd and Mr. Abhijeet Mehendale, AVP BARC India, about the presence of another meter in his house. Shri Vishal Bhandari stated that he had been approached by unknown person and paid money to induce panel homes to watch India Today channel.

**5.5** Statement of Shri Dharamveer Mahecha (Retired Lt. Col.), Head-Vigilance and Investigations of M/s BARC was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 26.02.2021 wherein he inter-alia stated that In April, 2016, he joined BARC as Head-Vigilance and Investigation.

On being asked about the details of vigilance inputs given by vigilance team during the period 2016-2018 in respect of any channel wherein he inter alia stated that based on the inputs received from Data Science Team of BARC (now Measurement Science and Business Analytics Team) , Vigilance Team initiated the field investigation against Bennett Coleman and Company (Times Network – Channel Name Times Now Channel). Field investigation confirmed that some homes were allegedly approached by the channel to watch their channel. This investigation was undertaken in July 2017. After the investigation, there was another investigation based on inputs from data science in the month of November 2017, where the allegedly influenced was re-confirmed. During November 2017, based on the spike in viewership data in week 14 to week 17 and week 25-26, 2017 while indexing the channel to other English News Channels, week 34 to 39, 2017 in Mumbai, week 31 to 39, 2017 in Madhya Pradesh/Chhattisgarh, week 30 to 40, 2017 in UP/Uttarakhand as well as abnormal viewership of some individual homes and inputs from field investigation, a show cause notice dated 21.11.2017 was issued to Times

Network. On 11.11.2017, Times Network issued their first response denying their involvement. On 28.11.2017, representatives from the channel visited BARC



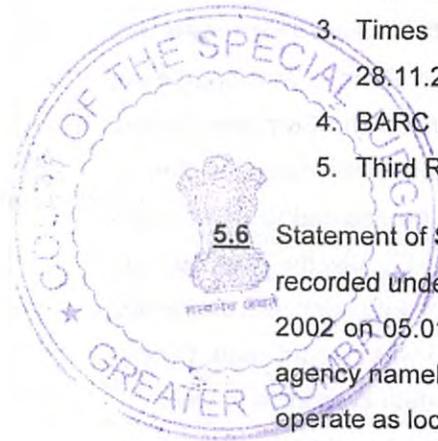
office, where they were shown the Times Now data Analysis (raw data) reflecting spike in the viewership in week 15 to week 16 and week 25-26, 2017 while indexing the channel to other English News Channels, Week 34 to 39, 2017 in Mumbai, week 31 to 39, 2017 in Madhya Pradesh/Chhattisgarh, week 30 to 40, 2017 in UP/Uttarakhand. The channel representatives were also shown videos of three panel homes, where the household alleged that certain individual approached them and asked them to watch Times Now. He further stated that Shri Romil Ramgarhia, then COO of BARC was aware of the above vigilance proceedings on Times Now.

On 29.11.2017, Times Network sent their second response asking BARC to share the data analysis and the videos which were shown to them on 28.11.2017. On 07.12.2017, BARC shared the requisite data with Times Network. On 13.12.2017, Times Network issued their response stating that they were not involved in the panel tampering and requested BARC to treat the matter as closed and to withdraw the show cause notice.

He further stated that they are also trying to identify and extract the three videos that were shown to Times Now. The following documents were submitted by Shri Dharamveer Mahecha:

1. Show Cause Notice issued to Times Now dt 21.11.2017 First Response from Times Now dt 27.11.2017
2. Second Response from Times Now dt. 29.11.2017
3. Times Now Analysis (raw data) which was shown to Times Now on 28.11.2017
4. BARC response to Times Now, dt 7.12.2017
5. Third Response from Times Now, dt 13.12.2017

**5.6** Statement of Shri Shirish Pattanshetty, Owner of Fakt Marathi Channel, was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 05.01.2020 wherein he inter-alia stated he started an advertisement agency namely M/s Naveen Advertisement in the year 1996-97, which used to operate as local cable advertisement agency; that a new company M/s Naveen Advertisement Pvt. Ltd. was formed in 2011 for teleshopping business; that in 2015, he started a partnership firm namely M/s Lotus Enterprises with Shri Manish Singhal; that in this firm they used to buy content for telecasting the same on the channel Fakt Marathi and Dangal Kannada; that he himself handles the distribution of the channel Fakt Marathi.

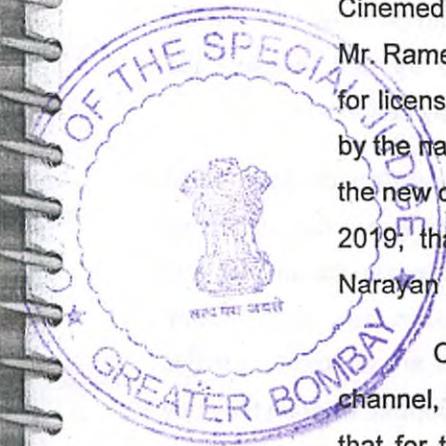


On being asked about his relationship with Shri Bompalli Rao Narayan Mistri he stated that he was introduced to Shri Bompalli by Shri Narayan Sharma, owner of Box Cinema Channel, in November 2019 stating that Mr Bompalli does marketing, promotions and distribution for channels; that he hired Shri Bompalli for promotion and marketing of one show and a film in December 2019 in Marathi speaking areas in Mumbai; that for the said purpose he paid Mr Bompalli Rs 1.25 lakhs in December, 2019- January, 2020; that the said amount was paid in cash and there was no written agreement for this arrangement.

**5.7** Statement of **Shri Narayan Nandkishore Sharma**, Owner of Box Cinema Channel, was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 04.01.2020 and further statement on 07.01.2021 wherein he inter-alia stated that in 1997, he started his advertisement agency i.e. M/s Trishul Advertising Agency, wherein he is the sole proprietor and the said entity is currently active; that in M/s Trishul Advertising Agency, they provide services of placing advertisements on cable networks, hoardings and railway platforms; that his firm M/s Trishul Advertising agency has received commission approximately Rs. 55 to 60 lakhs per annum against the commission from the advertisements received from clients and approaching the TV channel for telecasting the same.

On being asked about Box Cinema channel, he stated that M/s Box Cinemedia Services Pvt. Ltd. was established in March, 2016 by himself and Mr. Ramesh Jassani; that in March, 2016; that in around April, 2017, he applied for license in Ministry of Information and Broadcasting to start a new channel by the name of Multiplex Movies which was later changed to Box Cinema; that the new channel Box Cinema, which is in Movie genre, was started in January, 2019; that currently, Directors in the said company were himself i.e. Mr. Narayan Sharma, Mr. Pawan Sharma and Mr. Ajay Sharma.

On being asked regarding distribution work for the Box Cinema channel, he stated that he handles the distribution of his channel Box Cinema; that for the distribution purpose work is done regarding assigning the said Channel to particular MSOs / DTH networks; that he himself handled the dealings with these MSOs / DTH networks, wherein the channel needed to be placed; that agreements were signed with various MSOs / DTH networks for placing the channel on these platforms; that in distribution, they also approach various local cable networks as well, so that reach could be maximized, which is further beneficial in getting more advertisements and thus generating more

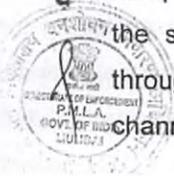
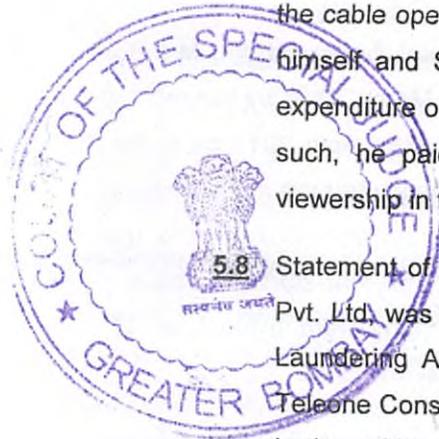


revenue; that for the said task he has also delegated work regarding distribution to freelancers namely Shri Bompally Rao Narayan Mistry (Mumbai and rest of Maharashtra), Shri Ashok Sachhani (Gujrat), Shri Direndra Tiwari (Madhya Pradesh) and Shri Kishore Jain (Rajasthan); that the role of these persons was mainly for placing, promoting and monitoring the channel i.e. Box Channel; that various kinds of incentives including gifts etc. are given to local cable operators to increasing the reach of the channel.

On being asked regarding payment made to Shri Bompally Rao Narayan Mistry, Shri Ashok Sachhani, Shri Direndra Tiwari and Shri Kishore Jain he stated that he used to pay Rs. 2 lakhs per month to Shri Bompally Rao Narayan Mistry mainly for placing, promoting and monitoring the channel i.e. Box Channel and Shri Bompally was paid for the period from July, 2019 till September 2020 that Shri Ashok Sachhani was paid approx. Rs. 4 lakh per annum for his services regarding placing, promoting and monitoring the channel i.e. Box Channel; that Shri Direndra Tiwari was paid around Rs. 15,000 per month for the said work for his channel; that Shri Kishore Jain was paid around Rs. 2.5 lakhs to 3 lakhs per annum for his services; that with regard to Shri Ashok Sachhani, Shri Direndra Tiwari and Shri Kishore Jain, arrangements of gifts to be given to local cable operators was also done by him. On being specifically asked regarding huge payments made to Shri Bomapally Rao Mistry, he stated that Shri Bomapally Rao Narayan Mistry used to give gifts to the cable operators for placing the channel Box Cinema at the right genre by himself and Shri Bompally Rao Narayan Mistry used to manage the said expenditure out of the money i.e. Rs. 2 lakhs per month given by him; that as such, he paid more amounts to Mr. Bomapally to try and increase the viewership in the region so that TRP of the channel may be increased.

5.8

Statement of Shri Vishwajeet, Director of M/s Teleone Consumers Product Pvt. Ltd, was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 18.02.2021, wherein he interalia stated that M/s Teleone Consumers Product Pvt. Ltd. was incorporated in the year 2008; that in the said company himself and Shri Darshan Singh are directors; that this company was incorporated for the purpose of Tele Shopping, wherein they buy the slot in different Channels for telecasting Tele shopping programmes through this company; that M/s Teleone Consumers Pvt. Ltd runs 3 televisions channel namely Maha Movie, Maha Punjabi and Sharnam Channels.

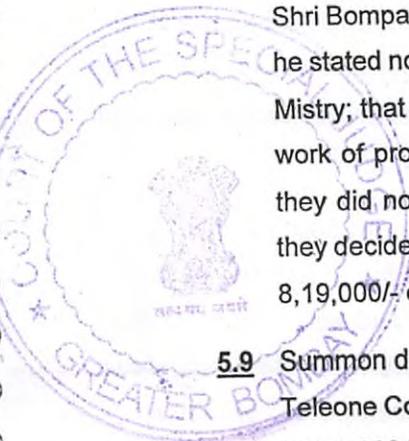


On being asked about distribution work for the channel Maha Movie, he stated that Shri Sanjay Verma, Chief Executive Officer of Maha Movie Channel looks after the distribution work of Maha Movie and Maha Punjabi Channels.

On being asked about his business relation with Shri Bompalli Narayan Rao Mistry he stated that he knew Shri Bompally Rao Mistry by the name of Shri Sanjay Rao; that Shri Amit Dave who was marketing head of M/s DV Media & Entertainment Pvt. Ltd introduced him with Shri Bompalli Rao Mistry for channel promotion and branding In Hindi Speaking Market (HSM) for enhancing the reach of the channel among the viewers; that therefore they engaged Shri Bompalli Rao Mistry for Maha Movie channel's promotion and branding; that Shri Bompalli Rao Mistry had sent a proposal for branding and promotion vide his email raosanjaym@gmail.com dated 06.07.2019 to Shri Amit Dave's email id [amitdave@teleone.in](mailto:amitdave@teleone.in). under which he stated that he will promote Maha Movie channel for 3 months and positive result with respect to viewership enhancement would be seen; that due to the proposal, he agreed upon the same after negotiation with Shri Bompally Rao Mistry for taking his services for Rs. 14 lakh plus taxes per month; that as per the proposal, first payment of Rs. 8,19,000/- was made on 24.09.2019 to M/s Sanch Media and further two more payments of Rs. 8,19,000/-each were also made to M/s Sanch Media.

On being asked about any physical evidence against the work done by Shri Bompally Rao Mistry against which abovesaid payments have been made, he stated no such physical evidence had been submitted by Shri Bompally Rao Mistry; that Shri Bompalli stated to Shri Amit Dave that he had not initiated the work of promotion and branding of the channel and he will do it shortly; that they did not receive the satisfactory result from Shri Bompalli; that therefore they decided to stop taking Shri Bompalli's services after his 3<sup>rd</sup> payment of Rs. 8,19,000/- on 03.12.2019.

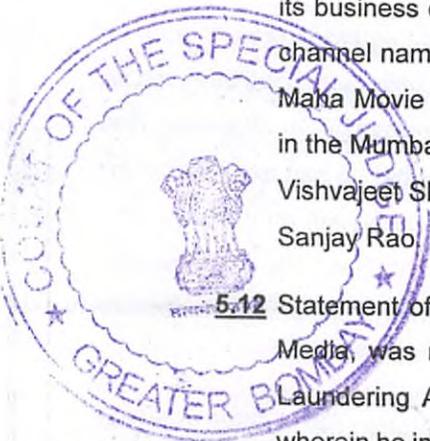
**5.9** Summon dated 20.02.2021 was issued to Shri Darshan Singh, Director of M/s Teleone Consumers Product Pvt. Ltd. In reply to the same, copy of email dated 08.03.2021 from Shri Darshan Singh was submitted by his CA Shri Sudarshan Dev, who was authorized vide the said mail by Sh. Darshan Singh to submit the reply on his behalf. Vide the said reply, it was submitted by Shri Darshan Singh that he was residing in USA with his family and was unable to visit India personally. Further, summon dated 12.03.2021 was again issued to Shri Darshan Singh by email, however, he has failed to present himself before the Directorate. As such, statement of Shri Darshan Singh could not be recorded.



**5.10** Statement of **Shri Amit Dave**, Business Head of M/s DV Media Pvt. Ltd was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 19.07.2021, wherein he interalia stated that DV Media is Media wing of Teleone consumers product Pvt ltd and looks after two movie channels Maha Movie in Hindi and Maha Punjabi in Punjabi; that Sh. Sanjay Rao (Bompalli Rao Mistry) contacted him for brand and ground promotions for the channel maha movie; that afterwards Sh. Sanjay Rao met both the directors and finalized ground promotions activities for which he had send a proposal in the month of July 2019 through mail and was finalized at 14 lacs per month; that they received invoices for 2 months for the same and made payments against these 2 invoices in 3 instalments; that they did not pay him half of his second invoice due to his inability to execute the deal as he had not furnished any documentary proof of ground promotions activities such as photographs and videos and press coverage. Regarding allegation of TRP manipulation against him in the Mumbai Police Chargesheet, he stated that Shri Darshan Singh and Shri Vishvajeet Sharma consented for the work of ground promotions through Shri Sanjay Rao.

**5.11** Statement of **Shri Sanjay Varma**, Ex-CEO of M/s DV Media Pvt. Ltd was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 19.07.2021, wherein he interalia stated that he joined M/s Teleone Cosumers Product Pvt. Ltd in the year 2007 wherein the company was running its business of teleshopping; that in the year 2014, the company launched its channel named Maha Movie; that he had been appointed as channel head of Maha Movie Channel. Regarding allegation of TRP manipulation against him in the Mumbai Police Chargesheet, he stated that Shri Darshan singh and Shri Vishvajeet Sharma consented for the work of ground promotions through Shri Sanjay Rao

**5.12** Statement of **Shri Bompally Rao Narayan Mistry**, Proprietor of M/s Sanch Media, was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 18.12.2020, 23.12.2020 and again on 19.02.2021 wherein he interalia stated that he is the proprietor of the firm M/s Sanch Media wherein he provides distribution and Channel monitoring consultancy to broadcasters for their TV channels; that he also provides consultancy for setting up new channels and to get satellite licenses; that in the year 2018, for Channel monitoring consultancy for Box Cinema, he met with Shri Narayan Sharma whoq was the owner of the channel; that the deal for the said consultancy was fixed for Rs. 2 lakh per month; that he received the said



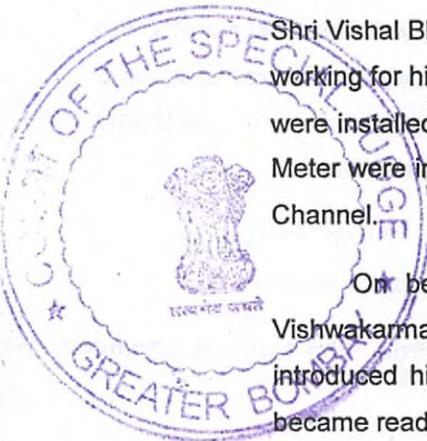
payment in bank account of the company M/s Sanch Media; that in the year 2019, for Channel monitoring consultancy for Fakt Marathi Channel, he met with Shri Shirish Pattanshetty owner of Fakt Marathi Channel through Shri Narayan Sharma; that the deal for the said consultancy was fixed for Rs. 2 lakh per month; that the said payment was made to him in cash; that In the year 2019, for Channel monitoring consultancy for Mahamovie TV Channel, he met with Shri Vishwajeet, owner of Maha Movie channel, through Shri Narayan Sharma; that the deal for the said consultancy was fixed for Rs. 7 lakh per month; that he received the said payment in the bank account of his firm M/s Sanch Media.

On being asked he further stated that his main work was channel monitoring of the said channels but alongwith that he has been asked for making an arrangement for raising the TRP of their channels i.e. Fakt Marathi, Box Cinema and Mahamovie TV Channel; that Shri Vishal Bhandari, Shri Umesh Mishra and Shri Dinesh Vishwakarma were working for him as they were known to the household where the Bar-O-Meters were installed; that he told them to convince Household panels where Bar-O-Meter were installed to watch Fakt Marathi, Box Cinema and Mahamovie TV Channels.

On being asked he further confirmed that his main duty was channel monitoring of the aforementioned channels but alongwith that they have been asked for making an arrangements for raising the TRP of their channels; that Shri Vishal Bhandari, Shri Umesh Mishra and Shri Dinesh Vishwakarma were working for him as they were known to the household where the Bar-O-Meters were installed; that he told them to convince Household panels where Bar-O-Meter were installed to watch Fakt Marathi, Box Cinema and Mahamovie TV Channel.

On being asked he further stated that he met with Shri Dinesh Vishwakarma in Vile Parle with acquaintance and Dinesh Vishwakarma introduced him with Shri Umesh Mishra and Shri Vishal Bhandari and they became ready to work for him.

On being asked about the amount of payment made, he stated that he had paid Rs. 20000 per month to each to Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma. He further informed that the details of period and payment made to Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma for which households were convinced to watch specific channels were as under:



(a) Umesh Mishra was paid for Fakt Marathi Channel for 4 months for the period November, 2019-February, 2020.

(b) Shri Vishal Bhandari was paid for Fakt Marathi for 4 months during October, 2019-February, 2020, Box Cinema for 8-10 months for August, 2019-September, 2020, Mahamovie for 1 month i.e. October, 2019.

(c) Shri Dinesh Vishwakarma was paid for Fakt Marathi Channel for 4 month for the period November, 2019 - February, 2020.

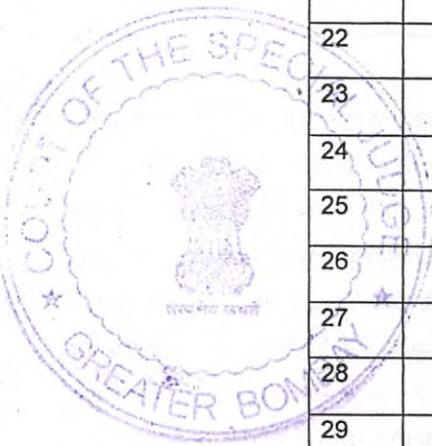
He further stated that he used to receive payments from Shri Shirish Pattanshetty, owner of Fakt Marathi channel, in cash in lieu of distribution and Channel Monitoring Consultancy services as well as regarding payments to Panel households for watching Fakt Marathi channel; that his firm M/s Sanch Media received payments from M/s Trishul Advertising Agency for Box Cinema in lieu of distribution and Channel Monitoring Consultancy services as well as regarding payments to Panel households for watching the said channel; that regarding Maha Movie channel, payments were received into the Bank account of M/s Sanch Media from the account of M/s Teleone Consumers Product Pvt. Ltd. (owner of Maha Movie); that he did not pay Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma for their services from the bank account of himself or his firm M/s Sanch Media; that all the payments had been made to Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma in cash.; that he used to pay to Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma amounts of Rs. 20000 each per month for payments to be made to Panel households for watching Fakt Marathi, Box Cinema and Mahamovie as per period mentioned above; that identification of and payments to be done to these households was decided by Shri Umesh Mishra, Shri Vishal Bhandari and Shri Dinesh Vishwakarma.

Regarding payment received from Shri Shirish Pattanshetty, Shri Narayan Sharma and Shri Vishwajeet, he gave following details:

The following payments were received from Shri Narayan Sharma owner of Box Cinema Channel.

S.No.	Date of Payments	Amount in Rs.
1	18 July 2019	100000
2	21 August 2019	136000
3	20 September 2019	200000

4	22 October 2019	200000
5	26 November 2019	200000
6	05 December 2019	34000
7	16 December 2019	34000
8	24 December 2019	100000
9	26 December 2019	100000
10	11 February 2020	34000
11	21 March 2020	194000
12	03 April 2020	50000
13	24 April 2020	100000
14	29 April 2020	100000
15	19 May 2020	50000
16	23 May 2020	80000
17	02 June 2020	80000
18	10 June 2020	50000
19	25 June 2020	50000
20	01 July 2020	80000
21	04 July 2020	80000
22	29 July 2020	100000
23	01 August 2020	50000
24	21 August 2020	100000
25	23 August 2020	100000
26	08 September 2020	50000
27	15 September 2020	50000
28	23 September 2020	100000
29	24 September 2020	100000
30	28 September 2020	50000
	Total	27,52,000



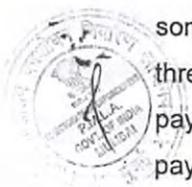
The following payments were received in the account of M/s Sanch Media from Shri Vishwajeet owner of Mahamovie Channel.

S.No.	Date of Payment	Amount in Rs.
1	24 September 2019	819000
2	11 November 2019	819000
3	03 December 2019	819000
	Total	24,57,000

The following payments were received in cash from Shri Shirish Pattanshetty, owner of Fakt Marathi Channel.

S.No.	DATE	AMOUNT
1	10 November 2019	50000
2	15 November 2019	100000
3	30 November 2019	50000
4	12 December 2019	75000
5	25 December 2019	50000
6	08 January 2020	100000
7	28 January 2020	75000
8	10 February 2020	75000
9	26 February 2020	100000
	Total	675000

In his statement dated 19.02.2021, on being asked whether he had approached any one else for convincing and paying panel households for watching specific channels, he stated that he has approached Shri Mahesh Bompalli, Shri Ashwin Motiwale and Shri Vikas Burungale, Ex-Relationship Managers, M/s Hansa Research Group Pvt. Ltd. and asked them to convince some panel Households under them to watch Box Cinema and Fakt Marathi channels for two to three Hours daily; that he also asked Shri Vikas Burungale to convince some panel Households under him to watch Maha Movie channel for two to three Hours daily; that these 03 persons agreed for the same; that he used to pay each of them Rs. 10,000 per month per channel in cash for making further payments to panel households for watching Box Cinema, Maha Movie and Fakt Marathi channels and their own commission for the said task; that he has paid these three persons for the following period for watching the specific channels:-



- (a) Shri Mahesh Bompalli –
- (i) July, 2019 to February, 2020 (Box Cinema channel);
  - (ii) Around November, 2019 to May, 2020 (Fakt Marathi channel)
- (b) Shri Ashwin Motiwale:-
- (i) February, 2020 to September, 2020 (Box Cinema channel);
  - (ii) February, 2020 to July, 2020 (Fakt Marathi channel);
- (c) Shri Vikas Burungale:-
- (i) January, 2020 to September, 2020 (Box Cinema channel);
  - (ii) January, 2020 to July, 2020 (Fakt Marathi channel);
  - (iii) November, 2019 to December, 2019 Maha Movie channel.

**5.13 Statement of Shri Abhishek Bhajandas Kolwade, Proprietor of M/s Max Media, recorded under Section 50 (2)&(3) of PMLA,2002 on 17.12.2020, 18.12.2020, 29.12.2020 and 16.02.2021 wherein he interalia stated that, he is proprietor of the firm M/s Max Media which he started in 2016; that he used to give distribution and mapping consultancy to broadcasters for their TV channels and also give consultancy for getting advertisements on channel from advertisers; that he also give consultancy services to M/s Crystal Broadcast Pvt. Ltd. for distribution and mapping services for News Nation channel since 2017 and for few other channels i.e. WOW T.V., Travel XP and Group, Rajya Sabha TV. Regarding Crystal Broadcast Pvt. Ltd., he stated that M/s Crystal Broadcast Pvt. Ltd. is into the business of distribution of Television channels. Television Channel distribution means placing a particular News Channel on a particular MSOs/DTH networks; that Mr. Jay Kotak and Smt. Sharmishta Chaudhary are the Directors in the said company; that the business of the said entity is mainly handled by Shri Ashish Chaudhary and Mr. Harish Kotak; that M/s Crystal Broadcast Pvt. Ltd had distribution contracts with channels such as News Nation, WOW T.V., Travel XP and Group, Rajya Sabha TV in the last 5 years.**

On being asked about his relationship with M/s Crystal Broadcast Pvt. Ltd. he stated that through his firm M/s Max Media, he used to provide consultancy services to M/s Crystal Broadcast Pvt. Ltd. for distribution and mapping services for News Nation channel since 2017 and for WOW TV for the period from April, 2019 till February, 2020; that for the distribution and mapping services provided to M/s Crystal Broadcast Pvt. Ltd. by his firm M/s Max Media, he was paid Rs. 2.5 lakh per month since 2017 till July, 2020; that said payments were made into the bank account of M/s Max Media from bank account of M/s Crystal Broadcast Pvt. Ltd.

Further, he stated that it had been mentioned in the chargesheet that amounts of Rs. 11,72,000 were seized from his house and Rs. 2,00,000 were seized from the office of Shri Ashish Chaudhary; that it has been alleged that he had received these amounts from one Shri Ghanshyam Singh for manipulation of TRP of Republic TV channels. On being asked about the source of these amounts allegedly seized from his house and Shri Ashish Chaudhary's office, he stated that he had an amount of Rs. 1,72,000 kept at his house, which were his earnings from sale of Onions, garlic, Jaggery, peanuts and other items during the Covid-19 lockdown period and Since these sales were mainly cash based and therefore, he had kept the amounts collected from these sales at his house. He completely denied the fact that Rs. 11,72,000 were seized from his house and stated that he had kept only Rs. 1,72,000 in cash at his house and that he did not had any idea as from where these additional Rs. 10 lakhs were shown as seizure from his house since he had only Rs. 1.72 lakh kept at his house. Further, on being asked about seizure of Rs. 2 lakhs from Shri Ashish Chaudhary's office, he stated that in the chargesheet these amounts were attributed by Shri Ashish Chaudhary in his statement as money received by Shri Abhishek Kolawade from Shri Ghanshyam Singh and that the said amount was kept by Shri Abhishek Kolawade in his office. He completely denied the said allegations and stated that he had not kept any amounts in the office premise of Shri Ashish Chaudhary. Further with regard to allegations that he had received these allegedly seized amounts from Shri Ghanshyam Singh, he stated that he did not knew Shri Ghanshyam Singh and had never heard of him or had met him.

On being asked about his relationship with Shri Ghanshyam Dilipkumar Singh he stated that he did not know about Shri Ghanshyam Dilipkumar Singh; that he had never met or talked to him or had heard about him before November, 2020.

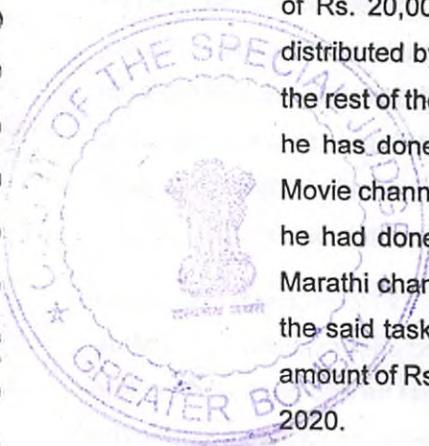
**5.14 Statement of Shri Harish Kamlakar Patil, Director, M/s Capslock Digital Solutions Pvt. Ltd.,** was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 31.05.2021. On being enquired about allegations of Mumbai Police in their chargesheet that he had done suspicious transaction with Shri Abhishek Kolawade, he stated that he had transferred an amount of Rs. 22,000 to Shri Abhishek Kolawade, which was commission amount for some work done by Shri Abhishek Kolawade and that other then the said transaction, he did not had any other transaction with Shri Abhishek Kolawade:

**5.15** Statement of **Shri Umesh Chandrakant Mishra**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd., was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 18.12.2020 and again on 03.02.2021 wherein he inter alia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager for the period from October, 2014 till September, 2019; On being asked about his job in Max Media, he stated that after leaving the job in M/s Hansa Research Group Pvt. Ltd in September, 2019, one of his friend named Shri Ramji Verma, who was Ex-Relationship Manager in M/s Hansa Research Group Pvt. Ltd., introduced him to Shri Abhishek Kolavade, owner of M/s Max Media; that Shri Abhishek Kolavade offered him a field job in his firm M/s Max Media; that he was assigned task of mapping services for certain channels including News Nation, WOW TV, Sangeet Marathi etc. by Mr. Abhishek Kolwade; that his job was to visit and find out households wherein whether these above said channels are active or not on Multi System Operators (MSOs) / DTH networks in Vasai and Virar area;

He further stated that Mr. Dinesh Kumar Pannalal Vishwakarma, also an Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd, introduced him to one Mr. Bompally Rao Narayan Mistry who offered him to convince some of the Panel Households where Bar-O-Meters of BARC were installed to watch Fakt Marathi and Maha Movie Channels for one Hour daily against the payment of Rs. 20,000 per month in cash, out of which around Rs. 5000 had been distributed by him among the households (Rs. 400-Rs. 500 each) in cash and the rest of the amount was his commission and expenses for the said task; that he has done this work of paying the Panel Households for watching Maha Movie channel for two months between October, 2019 to December, 2019; that he had done this work of paying the Panel Households for watching Fakht Marathi channel for the period from March, 2020 to September, 2020; that for the said task regarding Fakht Marathi Channel, Mr. Bompally Mistry paid him amount of Rs. 20,000 per month for the period from March, 2020 to September, 2020.

He provided the details of the panel household which he approached and paid for watching certain channels viz. Maha Movie and Fakht Marathi, as per instructions of Mr. Vinay Rajendra Tripathi, Mr. Bompally Rao Narayan Mistry and Mr. Abhishek Koliwade.

Later, it was reliably learnt from the public domain that Shri Umesh Chandrakant Mishra had filed an intervention application before the Hon'ble



High Court of Bombay w.r.t the facts of his statement recorded before Enforcement Directorate

Meanwhile, it was learnt that Shri Umesh Mishra has filed an application dated 27.01.2021 in Hon'ble High Court of Bombay stating that Enforcement Directorate's official has recorded his statement dated 18.12.2020 under force, duress and threat. Therefore, Shri Umesh Chandrakant Mishra was again summoned on 01.02.2021 and his statement was recorded on 03.02.2021, during the course of his statement, Shri Umesh Chandrakant was shown his statement dated 18.12.2020 and specifically asked to state which part of the statement given by him is not correct as per your statement 18.12.2020 wherein he inter alia stated that whatever stated by him, in his earlier statement dated 18.12.2020, had been given voluntarily. On being asked regarding the said application dated 27.01.2021, he stated that he had given his statement dated 18.12.2020 voluntarily before ED without any pressure or threat.

**5.16** Statement of **Shri Vishal Bhandari**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 24.12.2020 wherein he inter alia stated that he was introduced to Shri Dinesh Vishwakarma by Shri Bompally Rao Mistry and Mr. Dinesh in turn introduced him to M/s Hansa Research Group Pvt. Ltd regarding job; that in August, 2019, Shri Bompally Rao Mistry asked him to convince 20 Panel Homes for watching Box Cinema, Fakt Marathi and Mahamovie at different intervals of time; that for the abovesaid work Shri Bompally offered him Rs. 20000 per month for each channel; that he accepted the said offer and has worked for Shri Bompalli for the following period against which payment of the same has been done in cash; that the period for which he had approached and paid Panel households for watching specific channels is as following: - (i) Fakt Marathi for 4 months during October, 2019-February, 2020, (ii) Box Cinema for 8-10 months for August, 2019-September, 2020, and (iii) Maha movie for 1 month i.e. October, 2019.

**5.17** Statement of **Shri Dinesh Kumar Vishwakarma**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 15.02.2021 wherein he inter alia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager during the period January, 2016-September, 2020

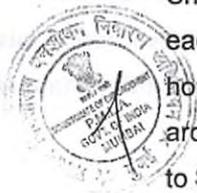
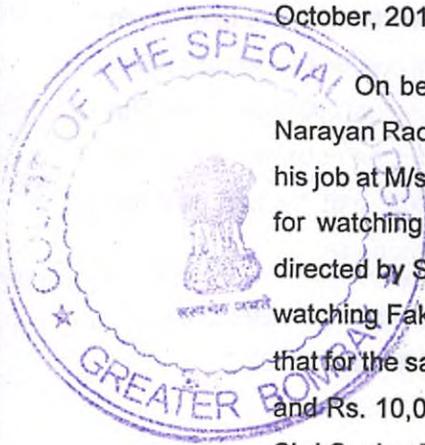
On being asked about his relationship with Shri Bompalli Narayan Rao Mistry he stated that he was introduced to Shri Bompalli Narayan Rao Mistry by Shri Mahesh Bompalli in October, 2019; that Shri Mahesh told him that Shri

Bompalli Narayan Rao Mistry would provide him some work for some extra income; that as such, he met Shri Bompalli Narayan Rao Mistry with Shri Mahesh Bompalli; that Shri Bompalli Narayan Rao Mistry used to give me work regarding ground promotion of channels; that for the said work, Shri Bompalli Narayan Rao Mistry used to pay him Rs. 7000-8000 per month in cash; that Shri Bompalli has paid him the said amounts for the period November, 2019 till March, 2020; that he was working with M/s Hansa Research Group Pvt. Ltd at that time when he was doing work of promotions of channels given to him by Shri Bompalli Narayan Rao Mistry.

On being asked he further stated that he knew Shri Vinay Tripathi since 2016 as he was also Relationship Manager at M/s Hansa Research Group Pvt. Ltd. at that time; that in December, 2019, Shri Vinay Tripathi approached him and told him that he would provide me work for earning some extra income; that Shri Vinay Tripathi used to give him work regarding surveys for various commodities for which he was paid Rs. 7000-8000 per month in his account from the bank account of Shri Vinay Tripathi; that Shri Vinay has paid him the said amounts for the period December, 2019 till April, 2020.

**5.18** Statement of **Shri Vikas Vishnu Burungale**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 08.02.2021 wherein he interalia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager during the period October, 2018 - October, 2019.

On being asked he stated that he has been directed by Shri Bompalli Narayan Rao Mistry @ Shri Sanjay Rao Bompalli in October, 2019, after he left his job at M/s Hansa Research Group Pvt. Ltd., to convince some Panel Homes for watching Maha Movie for two to three Hours daily; that further he was directed by Shri Bompalli in January, 2020 to convince some Panel Homes for watching Fakt Marathi and Box Cinema Channels for two to three Hours daily; that for the said task he had been given Rs. 15,000 per month (for Maha Movie) and Rs. 10,000 per month per channel (for Fakt Marathi and Box Cinema) by Shri Sanjay Rao Bompally in cash; that out of the said amounts received from Shri Bompalli, some amounts had been distributed among the households for each channel in cash, rest amount he kept with himself; that he had paid the households for the following periods for the said 3 channels:- (i) Maha Movie - around November, 2019 and December, 2019, (ii) Fakt Marathi - January, 2020 to September, 2020, and (iii) Box Cinema - January, 2020 to September, 2020. He further stated the details of 18 households wherein he has paid for watching



Maha Movie channel, details of 11 households wherein he has paid for watching Fakt Marathi channel and details of 10 households wherein he has paid for watching Box Cinema channel.

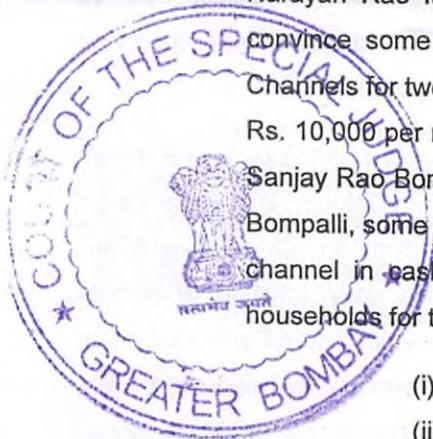
On being asked he further stated that Shri Rajesh Vishwakarma, Relationship Manager at M/s Hansa Research Group Pvt. Ltd. was a junior to him and was replacing him for his households in Navi Mumbai, Kharghar and Panvel as such he used to take Shri Rajesh Vishwakarma with him to few households regarding training for maintenance of Bar-O-Meters; that he has asked Shri Rajesh Vishwakarma to arrange some houses for watching Box Cinema Channel; that Shri Rajesh Vishwakarma arranged 1-2 houses wherein he paid these households Rs. 500 per month for watching Box Cinema channel for the period from January, 2020 to September, 2020; that he has submitted the details of such households wherein he has made payments for watching Box cinema channel.

**5.19** Statement of **Shri Mahesh Shivram Bompalli**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 05.02.2021 wherein he interalia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager during the period from February, 2019 till March, 2020;

On being asked he stated that he has been directed by Shri Bompalli Narayan Rao Mistry @ Shri Sanjay Rao Bompalli in September, 2019 to convince some Panel Homes for watching Fakt Marathi and Box Cinema Channels for two to three Hours daily; that for the said task he had been given Rs. 10,000 per month per channel (for Fakt Marathi and Box Cinema) by Shri Sanjay Rao Bompalli in cash; that out of the said amounts received from Shri Bompalli, some amounts had been distributed among the households for each channel in cash, rest amount he kept with himself; that he had paid the households for the following periods for the said 2 channels:-

- (i) Fakt Marathi - September, 2019 to March, 2020, and
- (ii) Box Cinema - September, 2019 to March, 2020.

He further stated the details of 04 households wherein he has paid for watching Fakt Marathi channel and details of 05 households wherein he has paid for watching Box Cinema channel. Further, he has stated that during his maintenance visits to panel Households, he used to turn on Box Cinema and



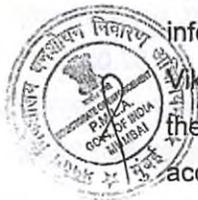
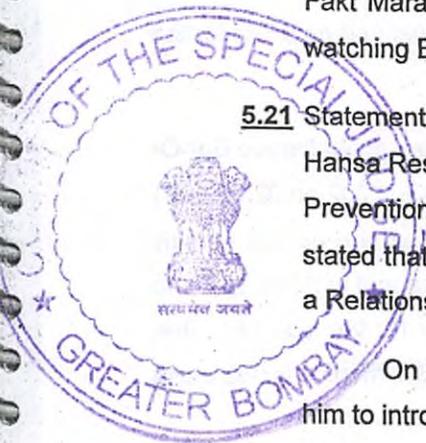
Fakt Marathi channels for some time in some households, as per directions of Shri Sanjay Bompalli.

**5.20** Statement of **Shri Ashwin Motiwale**, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 05.02.2021 wherein he interalia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager during the period from April, 2019 till October, 2020; that as Relationship Manager his role was to install Bar-O-Meters at the Panel Households and monitoring the same; that he used to look after the installation and maintenance of the Bar-O-Meters of around 80 Households.

On being asked he stated that he has been directed by Shri Bompalli Narayan Rao Mistry @ Shri Sanjay Rao Bompalli in February, 2020 to convince some Panel Homes for watching Fakt Marathi and Box Cinema Channels for two to three Hours daily; that for the said task he had been given Rs. 10,000 per month per channel (for Fakt Marathi and Box Cinema) by Shri Sanjay Rao Bompalli in cash; that out of the said amounts received from Shri Bompalli, some amounts had been distributed among the households for each channel in cash, rest amount he kept with himself; that he had paid the households for the following periods for the said 2 channels:- (i) Fakt Marathi - February, 2020 to September, 2020, and (ii) Box Cinema - February, 2020 to September, 2020. He further stated the details of 04 households wherein he has paid for watching Fakt Marathi channel and details of 03 households wherein he has paid for watching Box Cinema channel.

**5.21** Statement of **Shri Rajesh Kumar Vishwakarma**, Relationship Manager of M/s Hansa Research Group Pvt. Ltd., was recorded under Section 50(2)&(3) of the Prevention of Money Laundering Act, 2002 on 02.02.2021 wherein he interalia stated that he had been working with M/s Hansa Research Group Pvt. Ltd. as a Relationship Manager from September, 2019 till date;.

On being asked he further stated that Shri Vikas Burungale used to tell him to introduce if any household was interested for taking money for watching channels; that one day somewhere around October or November, 2019, he informed Shri Vikas Burungale that one household is known to him ; that Shri Vikas Burungale visited with him at the said household and Shri Vikas offered the household Rs. 500 for watching Box Cinema 2 hours daily which they accepted. On being asked he further stated that he has been directed by Shri Mahesh Bompalli to turn on Box Cinema channel in few Panel Households



during his maintenance visits to Panel Households; that for the said work Shri Mahesh Bompally had given him Rs. 5000 per month for 3-4 months during December, 2019 to March, 2020.

**5.22** Apart from the above, statements of several households were also recorded under Section 50(2)&(3) of PMLA, 2002 wherein they interalia accepted that they have been paid for watching certain channels.

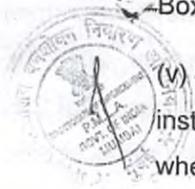
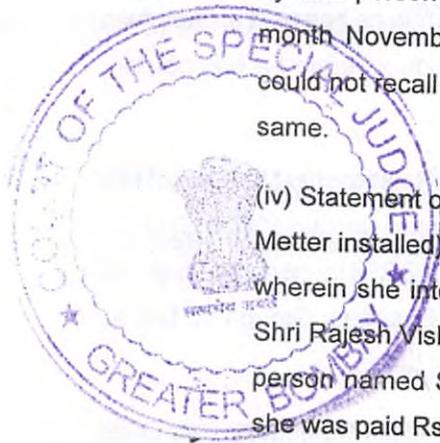
(i) Statement of **Shri Sanjay Moreshwar Biraje**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 25.01.2021 wherein he stated that he has been approached by Shri Umesh Mishra in 2018 to watch 02 channels namely News nation and Fakt Marathi; that he was paid by Shri Umesh Mishra Rs. 600 per month for watching the said 02 channels i.e. News Nation and Fakt Marathi Channel; that he has been paid the said amount for watching the said two channels till July, 2020.

(ii) Statement of **Shri Arun Kondikar Shinde**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 25.01.2021 wherein he stated that he has been paid by Shri Umesh Mishra for watching News Nation and Fakt Marathi Channel.

(iii) Statement of **Shri Gyanchandra Chaupal**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.02.2021 wherein he interalia stated that he has been paid Rs. 500 in cash by one person namely Shri Vikas for watching Maha Movie channel in the month November-December, 2020; that one other person whose name he could not recall asked him to watch News Nation channel and paid him for the same.

(iv) Statement of **Smt. Sunita Vishwakarma**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.02.2021 wherein she interalia stated that she has been asked by one person namely Shri Rajesh Vishwakarma for watching Box Cinema channel in 2019; that one person named Shri Vikash Burungale used to pay her for the said task; that she was paid Rs. 500 per month in cash for a period of 6-7 months for watching Box Cinema channel.

(v) Statement of **Smt. Renuka Bhavke**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.02.2021 wherein she interalia stated that she has been asked by one person namely Shri Vikas Burungale for watching Fakt Marathi channel in September, 2019;



that she was paid Rs. 500 per month in cash by Shri Vikas for a period of around 5-6 months (September, 2019-February, 2020) for watching Fakt Marathi channel.

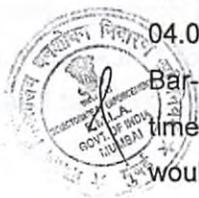
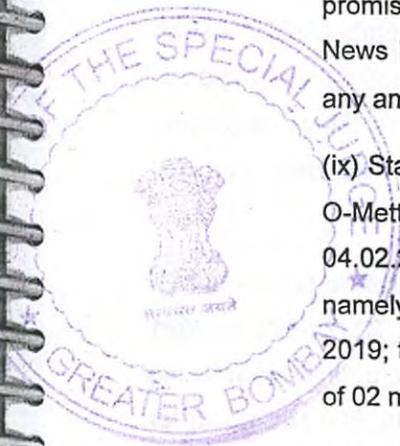
(vi) Statement of **Shri Sunil Padwal**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.02.2021 wherein he interalia stated that he has been asked by one person namely Shri Vikas Burungale for watching Maha Movie channel in November, 2019; that he was paid Rs. 500 per month in cash by Shri Vikas for a period of 02 months (November -December, 2019) for watching Maha Movie channel.

(vii) Statement of **Smt. Sheela Prajapati**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 28.01.2021 wherein she interalia stated that she has been asked by one person for watching Box Cinema channel in December, 2019; that she was paid Rs. 500 per month in cash the said person for a period of 02 months for watching Box Cinema channel; that she did not remembered the name of the person who had asked her and paid her for watching Box Cinema channel.

(viii) Statement of **Shri Bhavesh Patel**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein he stated that he has been approached by one person in late 2019 to watch 02 channels namely News nation and Fakt Marathi; that he was promised payment of Rs. 500 per month for watching the said 02 channels i.e. News Nation and Fakt Marathi Channel; that however he has not been paid any amount.

(ix) Statement of **Smt. Sunita Vinesh Dubbal**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein she interalia stated that she has been asked by one person namely Shri Vikas Burungale for watching Maha Movie channel in October, 2019; that she was paid Rs. 500 per month in cash by Shri Vikas for a period of 02 months (November -December, 2019) for watching Maha Movie channel.

(x) Statement of **Smt. Rashmi Ravinder Gaiwad**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein she interalia stated that Shri Rajesh Vishwakarma installed Bar-O-Meter at their house around 1.5 years ago: that she has been told at the time of installation that they have to watch Fakt Marathi channel for which they would receive amounts in their Bank account.



(xi) Statement of **Shri Bhushan Chavan**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein he stated that he has been approached by one person to watch 01 channel namely Fakt Marathi; that he was promised payment of Rs. 500 per month for watching the said channel i.e. Fakt Marathi Channel; that however he has not been paid any amount.

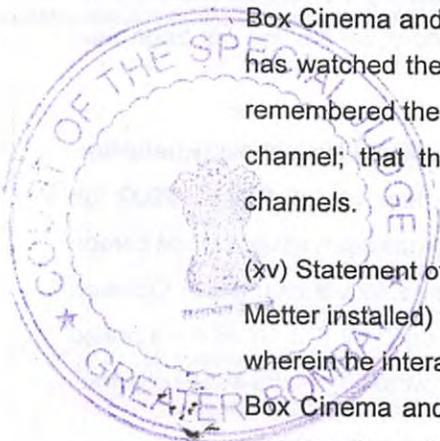
(xii) Statement of **Shri Aslam Qureshi**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein he interalia stated that Shri Ashwin Motiwale installed Bar-O-Meter at their house around 2 years ago; that some person asked his wife to watch Box Cinema channel and told that they would receive payment for watching the said channel.

(xiii) Statement of **Smt. Sangeeta Nagesh Chavan**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein she stated that Shri Ashwin Motiwale installed Bar-O-Meter at their house in 2019; that she has been asked by Shri Ashwin to watch 01 channel namely Fakt Marathi; that she was promised payment for watching the said channel i.e. Fakt Marathi Channel, however she has not been paid any amount.

(xiv) Statement of **Shri Deepak Rawal**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein he interalia stated that he has been asked by one person for watching Box Cinema and Maha Movie channel in November-December, 2019; that he has watched the said 02 channels for a period of 02 months; that he did not remembered the name of the person who had asked for watching Box Cinema channel; that they have not received any payment for watching the said channels.

(xv) Statement of **Shri Mangesh Waghmare**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein he interalia stated that he has been asked by one person for watching Box Cinema and Fakt Marathi; that he was promised Rs. 500 per month for watching the said channels; that he did not took the offer.

(xvi) Statement of **Smt. Sankeeta Mohan Chavan**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein she interalia stated that Shri Sachin has installed Bar-O-Meter at their house in 2017; that she has been asked by one person for



watching Fakt Marathi; that she was promised Rs. 500 per month for watching the said channel; that they were not paid anything for the same.

(xvii) Statement of **Shri Sujit Gudu Shinde**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein he interalia stated that one person namely Mr. Vishal has asked them in November, 2019 to watch Fakt Marathi channel; that he was promised Rs. 300 per month for watching the said channel; that he received the payments for watching Fakt Marathi channel for 2-3 months.

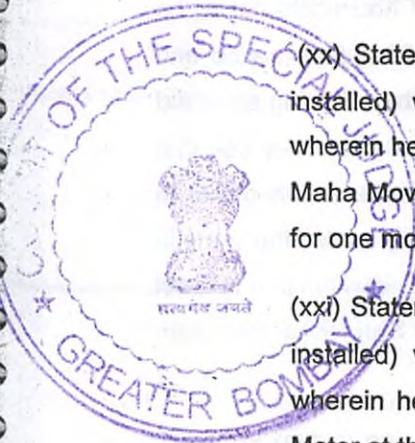
(xviii) Statement of **Shri Vinod Vaman Sawant**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein he interalia stated that one person namely Mr. Vishal has asked them in November, 2019 to watch Fakt Marathi channel; that he was promised Rs. 500 per month for watching the said channel; that he rejected the said offer.

(xix) Statement of **Shri Hanuman Devidas Paul**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 04.02.2021 wherein he interalia stated that Shri Ashwin Motiwale installed meter at their house in February, 2020; that Ashwin offered them to pay Rs. 300 per month in cash for watching Fakt Marathi channel for one hour daily; that they accepted the offer of Mr. Ashwin; that they were paid Rs. 300 per month in cash for watching Fakt Marathi channel one month only.

(xx) Statement of **Shri Riyaz Baig**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 10.02.2021 wherein he interalia stated that he has been asked by one person for watching Maha Movie channel; that he received Rs. 500 for watching the said channel for one month i.e. November, 2019.

(xxi) Statement of **Shri Iqbal Sayaid**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 10.02.2021 wherein he interalia stated that Shri Vikash Burungale has installed Bar-O-Meter at their house in August, 2019; that he has been offered to watch Maha Movie channel; that he received Rs. 500 for watching the said channel for one month i.e. November, 2019.

(xxii) Statement of **Shri Adarsh Shukla**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.03.2021



wherein he interalia stated that he has been paid by Shri Vishal Bhandari for watching Box Cinema channel for the period from July 2019 to Nov. 2019.

(xxiii) Statement of **Shri Ved Bhandari**, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 02.03.2021 wherein he interalia stated that his son, Shri Vishal Bhandari, had the knowledge regarding watching channels for payments.

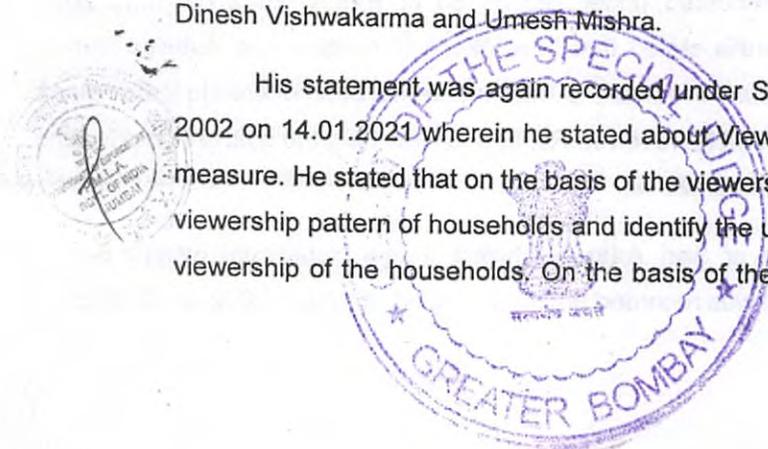
Shri Vishal Bhandari in his statement dated 02.03.2021 has interalia stated that Shri Bompally Rao Mistry asked him to convince Panel Homes for watching Box Cinema, Fakt Marathi and Mahamovie, as such he also used to watch the said channels at his own household as well since Bar-O-Meter was installed at their house as well.

**5.23** Statement of **Shri Pulak Banerjee**, Vice President of M/s Broadcast Audience Research Council, was recorded under Section 50 (2)&(3) of PMLA, 2002 on 05.01.2021 wherein apart from giving his duties and responsibilities in BARC, he interalia stated that Tampering of panel households is reported by

1. Measurement Science and Business Analytics team (if they see any aberration or abnormal change in the viewership data),
2. Panel households
3. TV Channels which complain to BARC.

After analyzing the trend of viewership, The Measurement Science and Business Analytics team tender the details to Vigilance Department of BARC. On being asked regarding abnormality in viewership of household panel, he stated that BARC check the viewership data for a defined time period and identify the households with spike in viewership basis the following specified methodology; that on the basis of the statistical analysis when they see that any household is crossing the threshold of viewership, which looks outlier to their regular viewing duration basis the statistics, then they bucket the same in spike viewership. Further he confirmed abnormalities in viewership in respect of Box Cinema, Maha Movie and Fakt Marathi dealt by Shri Vishal Bhandari, Dinesh Vishwakarma and Umesh Mishra.

His statement was again recorded under Section 50 (2)&(3) of PMLA, 2002 on 14.01.2021 wherein he stated about Viewership data and process to measure. He stated that on the basis of the viewership pattern, they arrive at a viewership pattern of households and identify the upper limit and lower limit of viewership of the households. On the basis of the said limits they define the



threshold of viewership whenever the viewership duration crosses that it can be termed as outlier. Reasons for crossing the upper limit may be increase in watching hours. Further, reasons for crossing the lower limit may be decrease in watching hours. On being shown abnormality in viewership Data he confirmed the same.

**5.24** Statement of **Shri Sam Baman Balsara**, Chairman of **M/s. Madison Communications Pvt. Ltd.**, was recorded under Section 50 (2) & (3) of the Prevention of Money Laundering Act, 2002 on 09.02.2021 wherein he inter-alia stated that Madison Communication Pvt. Ltd. is working in the field of media planning and buying through electronic media, print media, radio, digital media, hoardings etc. Various companies/ brands approach their company for releasing their advertising in media. They examine the client's product and its market, do a SWOT analysis, and based on their media knowledge and expertise recommend a media plan to the client. After the client approves the plan, they negotiate with media owners best possible rate for the media activity, get client's approval on the rates and schedule and release the activity. That Madison has released the client's advertisements on Box Cinema, Fakt Marathi, Maha Movie, News Nation, Republic TV, Republic Bharat, WOW TV, AajTak and India Today channels. On being asked "what would have happened if you would have come across for any channels that the GRPs of the said channel is rigged where you have placed the advertisements of the clients on the said channel", he inter-alia stated that generally, they do not take into account allegation of rigging of media research data, since competitors always make allegations. However, if proven beyond doubt or if the AAAI (Advertising Agencies Association of India) and ISA (Indian Society of Advertisers) take a view that such a channel's data may not be accurate, they will not include it in the plan recommendation. If the client insists on taking it, they would include it in the plan. However, if they have proof that a channel's ratings are rigged, and not genuine and even if our Association (AAAI) has not taken a decision, They would not recommend inclusion of the channel in a media plan.

**5.25** Statement of **Shri Prashanth Kumar Madhusudhan Nair**, Chief Executive Officer M/s Groupm, having office at 7<sup>th</sup> Floor, A-wing, The ORB, JW Marriott Sahar, Andheri (E), Mumbai-400052, age 45 years, residing at Flat NoE-2005 (Mob. No. 9820165247) recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 15.03.2021 wherein he inter-alia stated that he is CEO for Groupm South Asia and he has been in this role since June 2019.



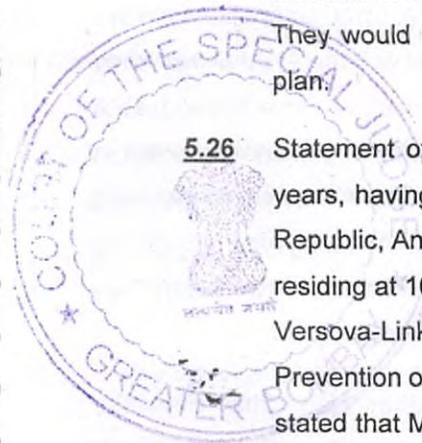
On being asked about the details of M/s Groupm, he inter alia stated that M/s Groupm is part of M/s WPP (Wire and plastic products, parent company). Their services include media planning and media buying. They consult their clients in the areas of marketing and advertising.

On being asked about on what basis the channels receive advertisements, he inter alia stated that media plan is basis the brief they receive from their clients. Basis the brief that would include details like Target Audience, markets to target, the goals are aligned with the client. For the media plan creation, they use the TV ratings and details like reach, GRPs, channels share. Media prices also are used to help them in the media plan creation. Basis these details they optimize the plan to arrive at a media plan (channels) that would help them to reach the aligned goals.

On being asked how does the advertisement cost decided, he inter alia stated that performance of the channels, channel shares, ranking of the channels in the given genre are used in the negotiation of the channel prices along with investment volume to arrive at the cost.

On being asked "what would have happened if you would have come across for any channels that the GRPs of the said channel is rigged where you have placed the advertisements of the clients on the said channel", he inter alia stated that their business model, would not entitle them to/ make them privy to this kind of information. That; they merely subscribe to BARC and follow the ratings/ rates that are substantiated therein. In case they are appraised of such a situation and it is proven that channel ratings are rigged, for future plans, They would alert their clients and not recommend the channel in the media plan.

**5.26** Statement of **Shri Manish Singhal**, Partner in M/s Lotus Enterprises, age years, having office at 601, Shri Krishna Tower, Off link Road, Opposite Fun Republic, Andheri West, Mumbai Bank of India, Malad (W), Mumbai – 400064, residing at 1603, Way View Building, Opposite Urban Tadka Restaruant, Juhu Versova-Link Road, Andheri West, Mumbai recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 04.03.2021 wherein he inter alia stated that M/s Lotus Enterprises runs Fakt Marathi Channel. For running the channel we bought / leased movies and shows to telecast on the channel on various MSO and DTH Platforms. In the said company, They both i.e. Shri Shirish Pattanshetty and himself had invested 50% each investment of Rs. 6 Crores. The investment for establishing M/s Lotus Enterprises brought by



himself, his company M/s Manas Labs Pvt. Ltd. wherein himself and Shri Deepak Singhal (his Brother) are the Directors of the company, Shri Shirish Pattanshetty and his company named M/s Naveen Advertisement Pvt. Ltd. are having 25% each shareholdings in the company.

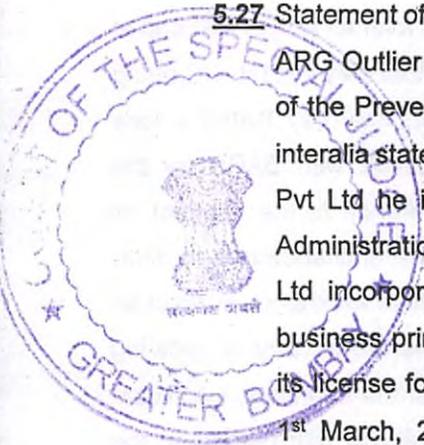
On being asked about he stated that he is a sleeping partner wherein Shri Shirish Pattanshetty is the active partner in M/s Lotus Enterprises. All the activities for running the channel are looked after by Shri Shirish Pattanshetty.

On being asked about to provide the details of M/s Lotus Enterprises and its business, he inter alia stated that it is a partnership firm wherein he and Shirish Pattanshetty are equal partners. Shri Shirish Pattanshetty is an working partner wherein he is sleeping partner. All the work and activity of the firm is looked after by Shri Shirish Pattanshetty. In the firm, they invested Rs. 6 Crores each to start the company in a span of 03 months. In this firm, first they used to buy content for telecasting the same on channel Fakt Marathi and Dungal Kannada (Launched on 30 September, 2020). However, Shri Shirish Pattanshetty is aware of the distribution of these channels on various MSO and DTH Platforms. The source of revenue was advertisement. All the shows telecasted in the channel were created by Shri Shirish Pattanshetty.

On being asked, he stated that Shri Shirish Pattanshetty is the only one who look after the distribution work of the channels under M/s Enter10 Television Pvt. Ltd and the channels under M/s Lotus Enterprises for all over India.

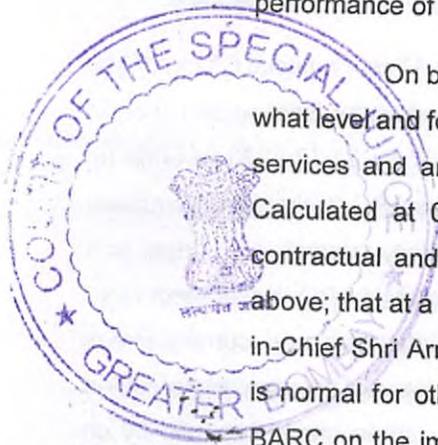
**5.27** Statement of **Shri Sivasubramanian Sundaram**, Chief Financial Officer of M/s ARG Outlier Media Network Pvt. Lt. was recorded under Section 50 (2) & (3) of the Prevention of Money Laundering Act, 2002 on 31.12.2020 wherein he interalia stated that as Chief Finance Officer of M/s ARG Outlier Media Network Pvt Ltd he is responsible for the finance function, oversee HR, Legal and Administration of the company. He also stated that M/s ARG Outlier Media Pvt. Ltd incorporated in August, 2016 for conducting news and current affairs business primarily in the television and digital space. The company obtained its license for broadcasting English News by the trade name Republic TV on 1<sup>st</sup> March, 2017 and started airing the channel from 6<sup>th</sup> May, 2017. The company expanded to Hindi News space and obtained the license from the Ministry of information and broadcasting in December, 2018 and started airing the channel by the trade name Republic TV Bharat from 2<sup>nd</sup> February, 2019.

On being asked about the details of viewership of specific programme which helped Republic Bharat and Republic TV for increasing



advertisement income and how does TRP change your income, he inter alia stated that Republic channels run on the philosophy of breaking news, hard news and debates. Television News attracts maximum viewership on a regular day during the evening time bands of 7 pm to 11 pm. The channels usually have their best anchors and presenters manager these time bands. Their popularity builds audience which will be reflected in the weekly TRP. For Republic TV the popular time band is 9 pm to 11 pm. With the show called the debate and for Republic Bharat it is 7 pm to 11 pm. In addition to this, there are special news days some of which is planned like elections, special events etc. and some other days due to the current affairs on the day like terrorist attack, any social unrest etc. In these days the viewership is high as the audience is expected to be following the event more closely. Therefore, building viewership is a function of the pull generated by the lead anchor and the weightage of the news and its treatment by the channel. Our research team also tracks the content Vs viewership based on time band-wise BARC data to ascertain which programme worked in our favour and on case to case bases interact with BARC Team to improve our understanding. The impact of TRP on their earning rates is not direct as news channels do not operate on cost per rating point (CPRP) basis. CPRP is a practice in the case of GEC and Sports genre which attracts mass viewership. In the case of news channel, especially English, the Media planners base their decision on the impact of the channel and consistency of improving TRP ratings over 13-15 weeks would usually help us improve our rates but this is the matter of negotiations and relative performance of other channels within the genre.

On being asked with whom ARG officials interact with BARC and at what level and for what purpose, he inter alia stated that they avail BARC rating services and are a subscriber for the same. That; they pay BARC a fees Calculated at 0.8% of their revenue; that he interact with BARC for the contractual and financial specific matters with reference to the contract as above; that at a business level their CEO Shri Vikas Khanchandani and Editor-in-Chief Shri Arnab Goswami and their COO Ms. Priya Mukherjee interact as is normal for other channels; that these interactions are by way of updating BARC on the improvements made to the content of the channels, significant distribution improvements and for airing their grievances with respect to the rating data provided to them and the anomalies there in as identified by them; that; this is common and to the best of his knowledge is a practice for all channels; that the EX-CEO of BARC Mr. Partho Dasgupta and the current CEO Mr. Sunil Lulla are known to him as colleagues in Times Group when he

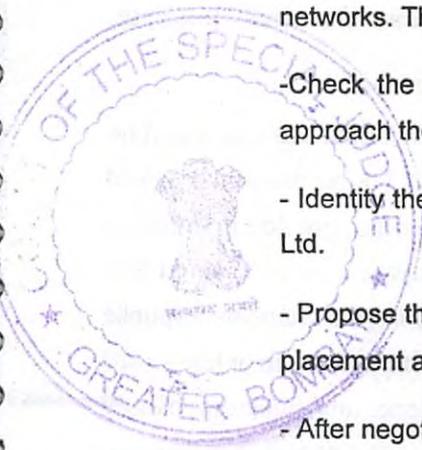


and they worked there; that Shri Arnab Goswami knows them in the same way as both of them were part of Times Group; that Shri Vikas Khanchandani also knows both of them having interacted with them in his long career in Television News media; that he is also aware that Shri Romil Ramgharia, the EX-COO of BARC was known to their CEO Shri Vikas Khanchandani well before he joined Republic.

On being asked about any interaction with the Hansa Group Company, he inter alia stated that he had learnt that Hansa Group comprises of Hansa vision, RK Swamy BBDO and Hansa Research. Hansa Vision and RK Swamy were advertising agencies and as with other agencies, they issue release orders to ARG for playing advertisements for their clients. Hansa Vision had given them a release order in 2018-2019 for over Rs. 1 Crores on behalf of M/s ISUZU Motors and the same was paid in installments; that there has been no commercial dealing with Hansa Research with ARG or its group companies.

**5.28** Statement of **Shri Ghanshyam Singh**, Assistant Vice President, M/s ARG Outlier Media Pvt. Ltd., aged 44 years was recorded under Section 50 (2)&(3) of the Prevention of Money Laundering Act, 2002 on 01.01.2021 wherein he inter alia stated that as Assistant Vice President of M/s ARG Outlier Media Network Pvt Ltd he is responsible for distribution of news channels Republic TV and Republic Bharat for western region which includes Maharashtra, Goa, Gujrat, Madhya Pradesh and Chhattisgarh and Daman and Diu. Channel distribution means placing these channels in News genre in MSOs/DTH networks. The process is as follows

- Check the list of Headends (MSOs/ DTH Networks) as per TRAI list and approach these MSOs/ DTH Networks.
- Identify the channel placement required as per M/s ARG Outlier Media Pvt. Ltd.
- Propose the placement position and negotiate with MSO/ DTH regarding the placement at our desired position.
- After negotiation agreement is signed with MSOs/ DTH Networks.
- MSOs/ DTH Networks switch on the channel as per the deal.
- After receiving invoice from MSOs/ DTH Networks, we submit it to finance department for processing.

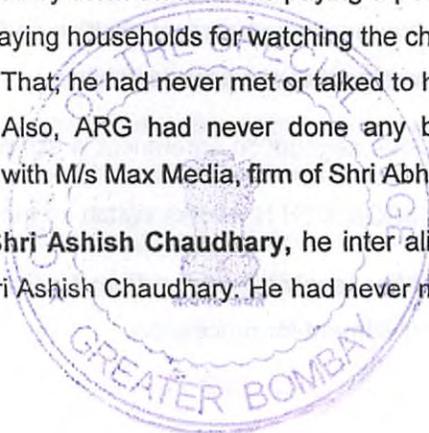


All the agreements with MSOs/DTH Networks are signed by Sri Mohit Dhamne (Executive Vice President- Finance and Company Secretary) as he the signing authority from ARG. He himself and his team also visit regularly to these MSO / DTH for courtesy visit, to check their channels are running fine and for their news genre channel mapping. That; they also have appointed M/S RW Promotions for weekly mapping and for ground updates any changes in mapping. Generally they receive complaints from the viewers through telephonically or by email in their dedicated contact platform that they are not able to find their channel at specific MSOs. In response to the same, they approach the concerned MSO as why their Channel is not telecasted on their network.

On being asked about the details of Dual LCN and Promo LCN, he inter alia stated that as per TRAI guidelines, every channel should run in a particular genre declared by the company. If same channel runs in other genre too along with its original genre, then its dual LCN. That; if in any LCN, any promotional videos regarding any channel are running, then it's called Promotional LCN where promos of the channel runs. In this, it's the promos of the channel that are run on other LCN and not the complete channel itself. They did promo LCN for these two channels i.e. Republic TV and Republic Bharat. That; for this, they paid to MSOs in respect of invoices raised for marketing and promotion invoices. that; there is also a concept of landing channels, wherein, when a viewer turns on the television and set top box, the first channel that comes on the screen is the landing channel. For some channel to be landing channel, agreement is signed by the channel with MSOs/DTH Networks. For Republic TV and Republic Bharat, they had this arrangement of landing channel on a few MSOs/DTH networks i.e. ABS Media, Mumbai, Metrocast, Sholapur, Digiana, Indore etc.

On being asked about **Shri Abhishek Kolawade**, he inter alia stated that he does not know about Shri Abhishek Kolawade. He had never met him or talked to him. He came to know about him only after he was arrested by Mumbai Crime Branch and accused by them that he was paying a person named Shri Abhishek Kolawade for paying households for watching the channels Republic TV and Republic Bharat. That; he had never met or talked to him or had heard about him before that. Also, ARG had never done any business or any transaction of any nature with M/s Max Media, firm of Shri Abhishek Kolawade.

On being asked about **Shri Ashish Chaudhary**, he inter alia stated that he does not know about Shri Ashish Chaudhary. He had never met him or talked



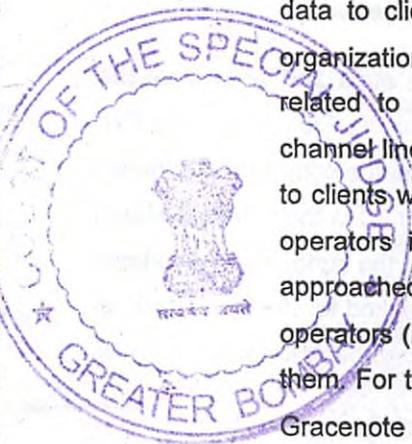
to him. He came to know about him only after he was arrested by Mumbai Crime Branch and he was told by them that he was in contact with Shri Ashish Chaudhary of M/s Crystal Broadcast Pvt. Ltd., which he denied since He had not met Shri Ashish Chaudhary. Also, ARG had never done any business or any transaction of any nature with M/s Crystal Broadcast Pvt. Ltd., firm of Shri Ashish Chaudhary.

On being asked about Shri Bompally Rao Narayan Mistry, he inter alia stated that he did not know about Shri Bompally Rao Narayan Mistry. He had never met him or talked to him.

On being asked about any of the persons viz. Shri Vishal Ved Bhandari, Vinay Tripathi, Ramji Verma, Umesh Mishra or Dinesh Kumar Vishwakarma, he inter alia stated that he does not know about any of these persons. He had never met any of them nor have talked to anyone.

**5.29** Statement of **Shri Mahendra Kumar Upadhyay**, Chief Information Officer, Broadcast Audience Research Council (BARC) was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 14.01.2021 wherein he explained the process of viewership data extraction.

**5.30** Statement of **Shri Joydip Kapadia**, Retired Senior Executive Vice President, M/s Gracenote recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 01.03.2021 wherein he inter alia stated that his work responsibility at Gracenote was to capture process and deliver channel line-up data to clients as per the business developed by the sales team of the organization; that M/s Gracenote is involved in the business of metadata related to video content available on different platforms viz. aggregating channel line ups, schedules and show synopses and curate them and deliver to clients which mainly consists of cable operators, DTH operators and IPTV operators in the region of Asia Pacific and Middle east; that BARC had approached Gracenote to provide them with channel line up data for all operators (MSOs) on an all India basis. Gracenote was providing this data to them. For the said service, there was service agreement between BARC and Gracenote against which a fee around Rs. 200000 per month used to be paid by BARC to Gracenote; that Channel lineup data is the Logical Channel Number of each channel provided by the operators as what channel is being broadcasted on which number of the MSOs; that BARC can evaluate availability / non-availability of the channel, change of LCN of channels and if the channel is available on Dual LCN.



On being asked, he stated that he (Joydip Kapadia) used to usually talk to the official of BARC for all operations and data related purposes; that in BARC, there was one guy namely Shri Nilotpal with whom he used to talk with regard to the queries of BARC.

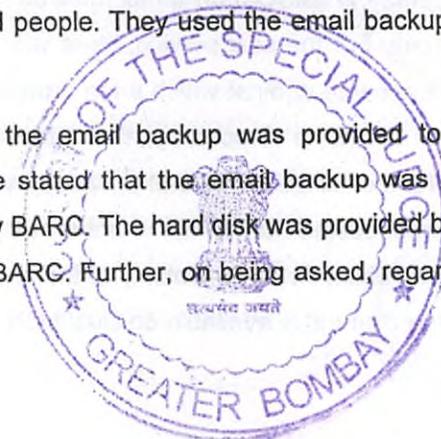
On being asked to state what information have been asked by BARC from M/s Gracenote, he inter alia stated that during the period 2017-2018 there were few instances where Nilotpal from BARC had given them LCN numbers and asked them to check the channel placed on the said LCN; that in many cases where such a query was raised they found that channel was normally an English news channel which included Times Now.

**5.31 Statement of Shri Dinesh K Pillai, Ex-Founder and Managing Director, M/s Acquisory Risk Consulting Pvt. Ltd** was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 02.03.2021.

On being asked about the relation of Acquisory Risk Consulting Pvt. Ltd with Broadcast Audience Research Council, he stated that BARC was to investigate any violation of code of business ethics and/or any changes to TRP ratings. The BARC had assigned them for conducting audit with respect to violation of code of business ethics and / or any changes to TRP ratings. Accordingly, Acquisory Risk Consulting Pvt. Ltd was given an assignment to audit and verify whether is there any substance or evidence of code of conduct/ethic violations and any malpractices. He was provided with the names of certain employees and Ex-employees of BARC, namely, Mr. Romil Ramgarhia, Mr. Venkat Sujit Samarat, Mr. Rushab Mehta, Ms. Pekham Basu, Ms. Manashi Kumar and Mr. Partho Das Gupta, as personnel who could change the data.

On being asked about the commencement of the audit and what were the documents and evidence relied upon by M/s Acquisory Risk Consulting Pvt. Ltd, he stated that BARC was to provide the laptop/desktop for the forensic analysis along with the email backup. The audit started in the month of March 2020, however due to lock down, they could not get the laptops and desktops. In June 2020, during the unlock of lockdown, they asked for the email back up of the above-mentioned people. They used the email backup for the forensic analysis.

On being asked how the email backup was provided to Acquisory Risk Consulting Pvt. Ltd, he stated that the email backup was downloaded and copied to a hard disk by BARC. The hard disk was provided by Acquisory Risk Consulting Pvt. Ltd to BARC. Further, on being asked regarding the forensic



expert certification provided by BARC with respect to the email dump taken during the audit, he stated that no such certification was provided.

On being asked to provide the copy of the email dump provided by BARC to M/s Acquisory Risk Consulting Pvt. Ltd, he stated that due to confidential and secrecy issue, he had deleted the information provided by BARC and BARC is aware of the same.

On being asked regarding the findings of the audit by Acquisory Risk Consulting Pvt. Ltd, he inter-alia stated that based on the data provided by BARC, analysis was made and the forensic audit report was prepared and submitted to BARC on 24th July 2020.

On being shown the forensic audit report provided by BARC wherein it has been observed multiple times Re runs for Times Now were done as mentioned in inference drawn by him from the annexures of Romil Ramgharia and Rushab Mehta and asked to explain the details of observation pertaining to that, he inter alia stated that he understood from the mail communications that the re-runs were done on adhoc basis as per instruction of the audit subject.

On being shown the inputs/documents relied upon in vigilance proceedings conducted against Times Now during 2017 and asked whether the said inputs related to vigilance proceeding was shared with him during the forensic audit, he stated that he was not shared with any specific inputs to vigilance proceedings against Times Now for the audit period.

On being asked if the inputs of the vigilance proceedings against Times Now were presented to him at the time of the audit then whether the audit findings would be different from the one submitted to BARC, he inter alia stated that he was not shared with any specific inputs to vigilance proceedings against Times Now for the audit period and it might be looked into separately.

**5.32** Statement of **Shri Partha Dasgupta**, Ex- CEO, BARC, was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 04.03.2021. He stated that Mr. Romil Ramgarhia and Mr Rushabh were involved in daily operations.

**5.33** Statement of **Shri Romil Ramgarhia**, Ex- Chief Operating Officer, Broadcast Audience Research Council, was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 07.03.2021. The brief of the statement has been mentioned in the table below in Para 6.2.



**5.34 Statement of Shri Rushabh Mehta, Ex- Head of Partnership (West) Broadcast Audience Research Council, was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 07.03.2021. The brief of the statement has been mentioned in the table below in Para 6.2.**

**5.35 Statement of Shri Mubin Khan, Ex- Executive Vice President, Broadcast Audience Research Council, was recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 06.01.2021.**

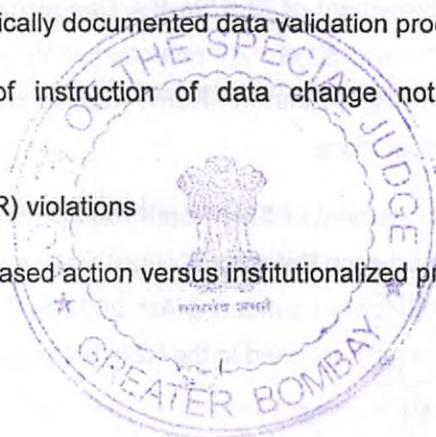
**5.36 Statement of Shri Sunil Lulla, Chief Executive Officer, Broadcast Audience Research Council (BARC), age 60 years, residing at No. 202. Daiselea, 17/A, Mount Pleasant Road, Mumbai 400 006 recorded under Section 50 of the Prevention of Money Laundering Act, 2002 on 05.03.2021.**

On being asked about the SOP for identifying outliers and checks and balances at BARC regarding the process, he inter alia stated that in more recent times, the process and policies for outliers have been rigorously documented and approved by relevant committees. In the early years there was no available documentation of processes for weekly validation. Since 2020, BARC has initiated a more rigorous of documenting and statistical learning of the data so that any change may be recorded.

On being asked about the mandate and details of Forensic Audit done by BARC and findings of the same, he inter alia stated that when he joined the BARC in 2019, a number of members from various stakeholders group including past employees reached out to him to suggest there might have been code of conduct violations. The industry expected that BARC would conduct an audit to check on these claims. In order to get data based evidence BARC initiated a digital forensic audit in March 2020 via Acquisory Risk Consulting P Ltd. Given the country soon went into lock down due to Covid 19, the process was delayed and completed in July 2020.

The key findings indicated that broadly the following:

- a. An absence of historically documented data validation processes
- b. Written indication of instruction of data change not support by documented SOP
- c. Code of Conduct (HR) violations
- d. Possible individual based action versus institutionalized processes



On being asked regarding the expertise of M/s. Acquisory Risk Consulting P Ltd, he inter alia stated that the CEO of Acquisory Risk Consulting and his core team has number of years of experience in conducting forensic audit. BARC needed to access of wide range of digital information across the years across individuals. The CEO Mr. Dinesh Pillai is known to BARC and to him by prior experience.

On being asked regarding the documents and evidences provided to M/s. Acquisory Risk Consulting P Ltd for conducting the said audit, he inter alia stated that BARC provided the emails and related attachments of specific individuals employed by BARC and past employee was copied from BARC system to the hard disk of M/s. Acquisory Risk Consulting P Ltd.

On being asked whether BARC had provided any raw data of viewership for the channels mentioned in the Forensic Audit Report, he stated that no such raw data of viewership in respect of the channels mentioned in the forensic audit report were provided to M/s. Acquisory Risk Consulting P Ltd.

On being shown the Forensic Audit provided by BARC, wherein it has been observed that multiple re-runs were done for Times Now as mentioned in inference drawn by M/s. Acquisory Risk Consulting P Ltd from the Annexures of Partho Das Gupta, Romil Ramgarhia and Rushab Mehta and asked to explain the details of the observations pertaining to that, he inter alia stated that many of the changes in the data from the time collected to the time released showed or demonstrated that there was no standardized process for outlier treatment. There was absence of written SOP and process for addressing landing pages and/or dual LCN.

On being asked whether the vigilance proceedings of Times Now was considered in the Forensic Report, he inter alia stated that the Vigilance Proceedings of Times Now was not considered in the forensic audit report, as he was not informed of the vigilance proceedings, hence the same was not considered.

5.37 Letter dated 16.02.2021 was sent to Shri Pankaj Krishna, Founder of M/s Chrome Data Analytics & Media, New Delhi vide which certain details with respect to inputs on Landing page and Dual LCN for the channels shared with BARC were requested.



In response to the above, M/s Chrome Data Analytics vide their email dated 20.02.2021 & 26.02.2021 had shared the landing page inputs report for week

21, 2017 and Week 38, 2017 which were shared by Chrome to BARC were provided.

Further, Chrome has also shared the report for Week, 24, 2017 in respect of using Dual LCN by certain channels which was shared by Chrome to BARC has also been provided to this office.

Scrutiny of the inputs have been done and it has observed that in Week 21, 2017 neither Times Now nor Republic was on Landing Page of any network. The channels mentioned in the report were either from General Entertainment Genre (GEC) or Tele shopping channels.

It has also been observed that suddenly, in Week 38, 2017, Times Now was on landing page at 26 locations of different cities at different network. However, Republic TV was at 10 locations of different cities at different networks.

Further, the details of Dual LCN shared by Chrome to BARC in Week, 24, 2017 has also been seen and the following details of using Dual LCN by the following channels have been found:

Aaj Tak- 00; ABP News-01; India News-01; India TV-01; News X-02; Republic TV-02; Times Now- 01; Zee Hindustan-01; Zee News-01; Lok Sabha TV-01.

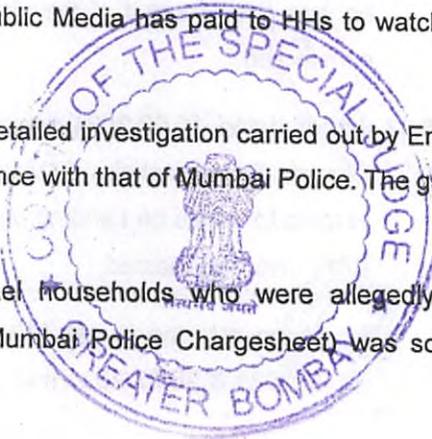
- 6. Findings regarding Role of Republic TV / ARG Outlier Media allegedly in bribing the HHS:-** It is seen that there was a wider conspiracy to rig the TRP & cause undue benefits to these channels in the form of revenue earnings, which are based on TRP. Thereafter, the revenue earnings of these channels for this period is Proceeds of Crime. The amounts received as advertisement even after the rigged view ship stopped well also constitute POC as the advertisement revenue is also based on the past TRP which were rigged.

Mumbai Police in their charge sheet have also made Mr. Ghanshyam Singh, an **employee of Republic** an accused in the TRP Case. They have also stated in the charge sheet that Republic Media has paid to HHS to watch Republic **News / Republic Bharat**.

However, the findings of the detailed investigation carried out by Enforcement Directorate are not in consonance with that of Mumbai Police. The grounds are as follows: -

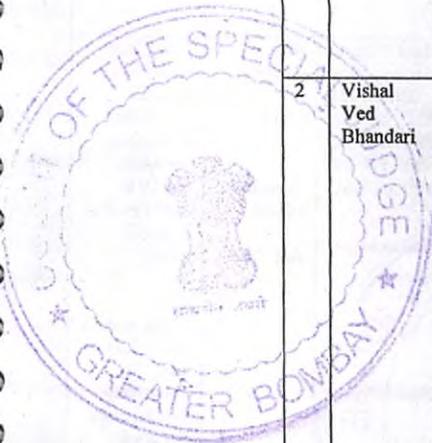


1. Raw data for the panel households who were allegedly watching Republic TV (as per Mumbai Police Chargesheet) was sought from



BARC. Analysis of viewership pattern of those households clearly showed that these HHs were watching channels other than Republic, as shown below:-

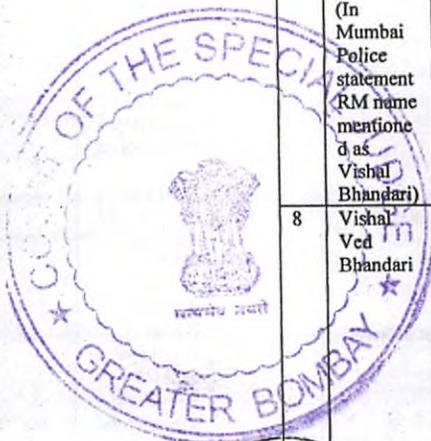
S. No	Name of RM allegedly paying the households	Name of Household where Bar-O-Meter installed	Channel allegedly watched as per Mumbai Police chargesheet and / or statement before Mumbai Police	Statement of the Households recorded under section 50 of PMLA, 2002.	Trend of Households viewership as per data provided by BARC	Remarks(As per statement of BARC official) & raw data submitted by BARC
1	Vishal Ved Bhandari	Ved Bhandari	Box Cinema, Fakt Marathi, Mahamovie, India Today, Republic TV or Bharat	Statement of Shri Vishal Bhandari, Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd. was recorded under section 50 of PMLA, 2002 on 23.12.2020 wherein he stated that he himself received the money from Shri Bompally Rao Mistry for arranging around 20 households for watching Box Cinema, Fakt Marathi, Mahamovie. Out of the said households, his own home was one of them for which he received the money from Shri Bompally Rao Mistry and Shri Vinay Tripathi.	India Today Mahamovie, Fakt Marathi,	1. India Today: Nov'19 to June'20 viewership - 828 minutes per week; Jan'19 to Nov'19 - No viewership.  2. Mahamovie: Nov'19 to June'20 viewership - 660 minutes per week; Jan'19 to Nov'19 - 262 min per week.  3. Fakt Marathi: : Nov'19 to June'20 viewership - 2656 minutes per week; Jan'19 to Nov'19 - No viewership.
2	Vishal Ved Bhandari	Neeta Sangoi (Household name Sanjay Sangoi)	Denied about receiving any money from Shri Vishal Bhandari for watching any specific Channel.	Statement of Smt. Neeta Sangoi was recorded under Section 50 of PMLA, 2002 on 10.01.2021 wherein She stated that nobody approached her for watching any specific channel.	India Today Box Cinema, Mahamovie, News Nation,	1. India Today: Nov'19 to June'20 viewership - 27 minutes per week; Jan'19 to Nov'19 - No viewership.  2. Mahamovie: Nov'19 to June'20 viewership - 4 minutes per week; Jan'19 to Nov'19 - No viewership.  3. Box Cinema:



						Nov'19 to June'20 viewership - 7 minutes per week; Jan'19 to Nov'19 - 56 mins per week.  4. News Nation : : Nov'19 to June'20 viewership - 6 minutes per week; Jan'19 to Nov'19 - 1 mins per week.
3	Vishal Ved Bhandari	Tejal Solanky (Household Ramesh Solanky)	Denied allegation for watching India Today stating that they do not have India Today in Airtel Dish Package.	Statement of Smt. Tejal Solanky was recorded under Section 50 of PMLA, 2002 on 02/03/2021 wherein she stated that nobody approached her for watching any specific channel	Aaj Tak  News Nation	1.Aaj Tak: Nov'19 to June'20 viewership - 35 minutes per week; Jan'19 to Nov'19 - 4 min per week.  2. News nation: Nov'19 to June'20 viewership - 29 minutes per week; Jan'19 to Nov'19 - 2 min per week.
4	Vishal Ved Bhandari	Binny S. Kanabar	They informed Shri vishal Bhandari did not tell them to watch any specific channel.	Statement of Smt. Binny S. Kanabar was recorded under Section 50 of PMLA, 2002 on 02/03/2021 wherein she stated that nobody approached her for watching any specific channel	No Spike in viewership observed by BARC	No Spike in viewership observed by BARC.
5	Vishal Ved Bhandari	Adarsh Shukla (Household Sanjay Shukla)	No statement in Chargesheet.	Statement of Shri Adarsh Shukla was recorded under Section 50 of PMLA, 2002 on 02/03/2021 wherein he stated that he was paid by Mr. Vishal Bhandari for watching Box Cinema for the period from July 2019 to Nov. 2019.	Box Cinema,  Mahamovie  Republic Bharat  Aaj Tak	1.Aaj Tak: Nov'19 to June'20 viewership - 15 minutes per week; Jan'19 to Nov'19 - 44 mins per week.  2. Mahamovie: Nov'19 to June'20 viewership - 216 minutes per week; Jan'19 to Nov'19 - 92 mins per week.



						3. Box Cinema: Nov'19 to June'20 viewership - 151 minutes per week; Jan'19 to Nov'19 - 154 mins per week.
						4. Republic Bharat : : Nov'19 to June'20 viewership - 109 minutes per week; Jan'19 to Nov'19 - 259 mins per week.
6	Vishal Ved Bhandari	Kishore Parekh	No mentioning of any receiving of money for watching any specific channel	Summons were issued, however Mr. Kishore Parekh is yet to comply.	News Nation Republic Bharat.	1. Republic Bharat: Nov'19 to June'20 viewership - 6 minutes per week; Jan'19 to Nov'19 - no viewership.  2. News nation: Nov'19 to June'20 viewership - 28 minutes per week; Jan'19 to Nov'19 - no viewership.
7	Dinesh Vishwakarma (In Mumbai Police statement RM name mentioned as Vishal Bhandari)	Rasik Sangoi	No mentioning of paying to household by Vishal Bhandari for watching any specific channel.	Summons were issued, however Mr. Rasik Sangoi is yet to comply.	No Spike in viewership observed by BARC.	No Spike in viewership observed by BARC.
8	Vishal Ved Bhandari	Chandresh Vora	Alleged Vishal Bhandari and Dinesh Vishwakarma offered them money to watch Republic News Channel.	Statement of Shri Chandresh Vora, Households (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 10.01.2021 wherein he stated that Shri Vishal Bhandari approached them to watch a News Channel, for which Shri Vishal Bhandari told them a number where the News channel was placed. However, Shri Chandresh Vora stated that was unable to recall the channel number or channel name. Shri Vishal Bhandari approached them 1 year ago. Further, Shri Chandresh Vohra stated that although they were approached	Republic Bharat News Nation	1. News nation: Nov'19 to June'20 viewership - 1 minutes per week; Jan'19 to Nov'19 - 3 minutes per week.  2. Republic Bharat: Nov'19 to June'20 viewership -



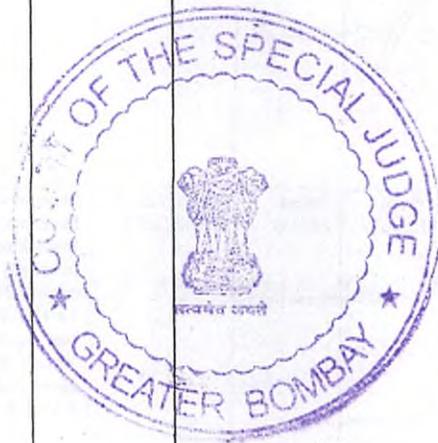
				for watching a particular channel, they have not watched any channel for payment.		2 minutes per week; Jan'19 to Nov'19 – no viewership.
9	Umesh Mishra	Babu Jadhav	Umesh Mishra told him to watch Republic Hindi News against which he paid him Rs. 500. However, as per Raw Data, he was not watching Republic, therefore his statement is contrary to the facts of the case	Summons were issued, however Mr. Babu Jadhav is yet to comply.	Fakt Marathi  India Today	1. India Today: Nov'19 to June'20 viewership - 20 minutes per week; Jan'19 to Nov'19 – no viewership.  2 Fakt Marathi: Nov'19 to June'20 viewership - 462 minutes per week; Jan'19 to Nov'19 – 41 minutes per week.
10	Umesh Mishra	Sanjay Teli	Umesh Mishra told to watch News Nation and Republic TV against which he paid me Rs. 500 per month	Statement of Shri Sanjay Teli, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 13.01.2021 wherein he stated that he has been paid by Shri Umesh Mishra for watching News Nation.	Aaj Tak  Box cinema  Mahamovie  News Nation	1. Aaj Tak: Nov'19 to June'20 viewership - 25 minutes per week; Jan'19 to Nov'19 – 37 mins per week.  2. Mahamovie: Nov'19 to June'20 viewership - 63 minutes per week; Jan'19 to Nov'19 – 1 min per week.  3. Box Cinema: Nov'19 to June'20 viewership – 9 minutes per week; Jan'19 to Nov'19 – 10 mins per week.  4. News Nation : : Nov'19 to June'20 viewership - 186 minutes per week; Jan'19 to Nov'19 – 188 mins per week.



11	Umesh Mishra	Arun Kondikar Shinde	Fakt Marathi Republic News	Statement of Shri Arun Kondikar Shinde, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 25.01.2021 wherein he stated that he has been paid by Shri Umesh Mishra for watching News Nation and Fakt Marathi Channel.	Fakt Marathi,	1. Fakt Marathi: Nov'19 to June'20 viewership - 123 minutes per week; Jan'19 to Nov'19 - 5 mins per week.
12	Umesh Mishra	Rakesh Gohil	Fakt Marathi Republic News	Summons were issued, however Mr. Rakesh is yet to comply.	AajTak Fakt Marathi Mahamovie News Nation	1. Aaj Tak: Nov'19 to June'20 viewership - 83 minutes per week; Jan'19 to Nov'19 - 3 mins per week. 2. Mahamovie: Nov'19 to June'20 viewership - 67 minutes per week; Jan'19 to Nov'19 - no viewership. 3. Fakt Marathi: Nov'19 to June'20 viewership - 718 minutes per week; Jan'19 to Nov'19 - 2 mins per week. 4. News Nation : : Nov'19 to June'20 viewership - 126 minutes per week; Jan'19 to Nov'19 - no viewership.
13	Umesh Mishra	Rajesh Shukla	News Nation Republic TV	Statement of Shri Rajesh Rudramani Shukla, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 13.01.2021 wherein he stated that he has been paid by Shri Umesh Mishra for watching News Nation and India Today Channel	India Today	1. India Today: Nov'19 to June'20 viewership - 66 minutes per week; Jan'19 to Nov'19 - 8 mins per week.
14	Umesh Mishra	Ramchandra Vishwakarma	Republic Bharat News Nation	Statement of Shri Ramchandra Vishwakarma, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 03.02.2021 wherein he stated that he has	Republic Bharat Box Cinema	1. Aaj Tak: Nov'19 to June'20 viewership - 3 minutes per week;

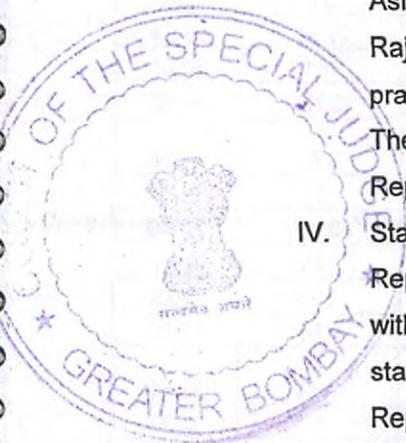


				been paid by Shri Umesh Mishra for watching News Nation Channel.	Mahamovie Aaj Tak	Jan'19 to Nov'19 – no viewership.  2. Mahamovie: Nov'19 to June'20 viewership - 14 minutes per week; Jan'19 to Nov'19 – 1 mins per week.  3. Box Cinema: Nov'19 to June'20 viewership – 6 minutes per week; Jan'19 to Nov'19 – 1 mins per week.  4. Republic Bharat: Nov'19 to June'20 viewership - 6 minutes per week; Jan'19 to Nov'19 – 7 mins per week.
15	Umesh Mishra	Shri Sanjay Moreshwar Biraje	Republic TV (English) News Nation Fakt Marathi	Statement of Shri Sanjay Moreshwar Biraje, Panel Household (where Bar-O-Metter installed) was recorded under section 50 of PMLA, 2002 on 25.01.2021 wherein he stated that he has been paid by Shri Umesh Mishra for watching News Nation and Fakt Marathi Channel.	Aaj Tak Fakt Marathi News Nation Republic Bharat India Today	1. Aaj Tak: Nov'19 to June'20 viewership - 7 minutes per week; Jan'19 to Nov'19 – 21 minutes per week.  2. Fakt Marathi: Nov'19 to June'20 viewership - 289 minutes per week; Jan'19 to Nov'19 – 10 mins per week.  3. India Today: Nov'19 to June'20 viewership – 305 minutes per week; Jan'19 to Nov'19 – 05 mins per week.



						<p>4. Republic Bharat: Nov'19 to June'20 viewership - 3 minutes per week; Jan'19 to Nov'19 -3 mins per week.</p> <p>5. News Nation: Nov'19 to June'20 viewership - 340 minutes per week; Jan'19 to Nov'19 -252 mins per week.</p>
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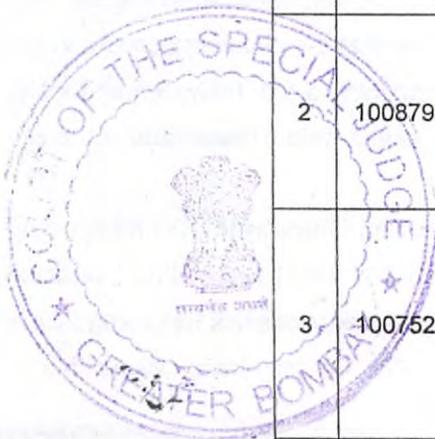
- II. Statement of the persons of these households was taken under section 50 of PMLA. *Statement under section 50 of PMLA is different from statement recorded u/s 161 of CrPc in as much as it is admissible in Court of Law and deemed to have been recorded before judicial authority. These HHs denied having taken money for watching Republic TV or Republic Bharat. Their statement corroborates with the raw data which was maintained independently by BARC. (The brief of the statements is attached in table above.)*
- III. Statement of RMs, namely Mr. Umesh Mishra, Mr. Vishal Bhandari, Mr. Ashwin Motiwale, Mr. Vikas Burungule, Mr. Mahesh Bomapally, Mr. Rajesh Vishwakarma who have stated that they have indulged into the practice of paying households for watching a few television channels. They have stated that they had never paid Households to watch Republic TV/ Republic Bharat.
- IV. Statement of Abhishek Kolawade & Shri Ghanshyam Singh regarding Republic was taken and they stated that they have neither interacted with each other nor have known each other. Abhishek has categorically stated that he has not paid the RMs for increasing viewership of Republic T.V.
- V. No financial/fund trail so far to connect payment of monies by Republic of these persons. Allegation of Mumbai Police is that an amount of Rs 13 lakh in cash was found at the house/ Locker of Mr. Abhishek Kolawade, which allegedly is the money received by him from Republic TV, however no corroboration of the same was found during the



investigation and statements of Mr. Abhsihek Kolwade, Mr. Ghanshyam and the trail of money from bank accounts.

- VI. Further, customer wise Raw Viewership Data from Broadcast Audience Research Council has been collected during the course of investigation so far. The same has been analyzed in respect of Households suspected to be receiving monies for watching one or more of the particular channels namely Maha Movie and Fakt Marathi daily. These households were alleged by Mumbai Police to have watched News Nation, Maha Movie, Fakt Marathi and Republic TV in lieu of illegal gratification in form of cash.
- VII. In addition to the Households mentioned in Table at Para 6.1, Mr. Umesh Mishra in his statement has taken names of certain other households were influenced and which were paid to watch specific channels as shown below:

Sr. No.	WID (Household ID)	CWE Name (Household Name)	Channel Name	Viewership total mins during (Week44'19 to Week26'20 20)	Avg. Viewership per week during the duration (Minutes)
1	10073078	Rajesh Shukla	News Nation	18704	519.56
			India Today	2314	64.28
			Republic Bharat	3675	102.08
			Republic TV	31	0.86
2	10087943	Sushil Mishra	News Nation	2291	63.64
			Maha Movie	361	10.03
			India Today	587	16.31
			Republic Bharat	669	18.58
3	10075293	Saifuna Nazir Shaikh	Republic TV	0	0.00
			News Nation	817	22.69
			Fakt Marathi	148	4.11
			Maha Movie	120	3.33
4	10086161	Ketan Mistry	India Today	624	17.33
			Republic Bharat	709	19.69
			Republic TV	0	0.00
			News Nation	533	14.81
			Fakt Marathi	166	4.61
			Maha Movie	0	0.00
			India Today	1603	44.53
			Republic Bharat	588	16.33



Thus, from the above, there is no evidence to indicate the role of Republic in bribing the HHs/RMS.

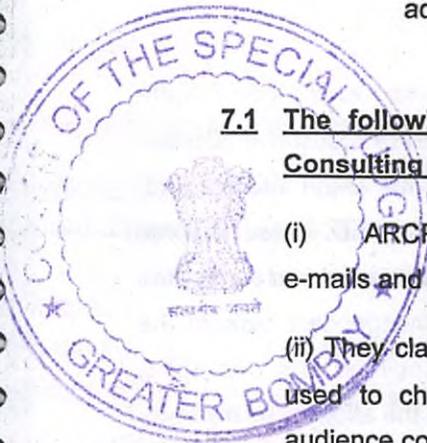
**7. Brief of the Forensic Internal Audit conducted on the instructions of BARC**

During the course of investigation Internal Forensic Audit Report was provided by BARC on 29.12.2020. The report was prepared by M/s Acquisory Risk Consulting Pvt. Ltd (ARCPL) on the following issues:

- (i) BARC Board and Management received several complaints about various alleged malpractices about the weekly ratings and internal processes. ARCPL was approached to conduct a thorough assessment to identify any specific instances or elements which may not have been captured fully or missed in the internal checks and balances.
- (ii) Along with this broad level brief, BARC also shared a list of individuals who could have potentially violated the internal processes and Code of Conduct.
- (iii) BARC management also shared a whistle-blower allegation about the ratings manipulated in the English News Genre in 2017 as an additional input.

**7.1 The following observations were made out by M/s Acquisory Risk Consulting Pvt. Ltd. (ARCPL):**

- (i) ARCPL conducted the investigations using forensic analysis of data and e-mails and also took inputs from ex-employees.
- (ii) They claimed to have unearthed evidence of and the methods that were used to change the viewership ratings. Outliers, metarule, and channel audience control [CAC] were used to change the expected level ratings. They had seen evidence of multiple re-runs to get the desired outcome. The CAC, Outliers were removed or added back to change the ratings. Channels were put under CAC under the excuse that these channels are infiltrated. The manipulation was evidenced in 2017, 2018, and 2019 across English News Genre and Telugu News Genre. Evidence indicated favoritism shown to few channels. In some cases, they suspect that the ratings were pre-decided.



(iii) They had claimed to have seen process manipulation wherein some channels were added in Alpha Club, included channels in the middle of the week, or report the channels' rating before the pre-decided cooling period after watermarking.

(iv) The rating finalization was done by Business Teams [Partnerships], a clear violation of neutrality. There is evidence that shows the conflict of interest due to this.

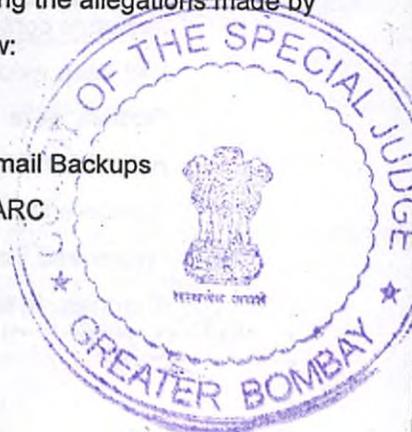
(v) Evidence also shows the intent to change the high viewing panel homes to curtail the ratings.

(vi) The evidence showed manipulation of ratings and violation of the code of ethics in 2016 to 19. The following people were involved:

- Mr. Romil Ramgarhia (RR) – COO
  - Mr. Venkat Sujit Samrat (VSS) - Head Of Products / South
  - Rushabh Mehta (RM) - Head of West
  - ParthoDasgupta (PDG) - Ex CEO, evidence (data and verbal) implicates in all incidents
- (vii) To conclude, the investigation and the analysis of data showed several instances of changing the viewership ratings. They had observed multiple pieces of evidence pointing to the violation of various Confidential internal processes along with this. This indicated collusion amongst senior management personnel resulting in rampant violation of Business Ethics, Code of Conduct, and abysmal governance.

**7.2** *Preliminary investigation revealed a lacuna in the forensic audit report that the findings of forensic audit report was not confronted with the accused employees and their explanation for this conclusion drawn was not taken into account. Therefore an opportunity was afforded to these persons by ED. These persons, namely Romil Ramgharia & Rushabh Mehta were summoned and confronted with the Audit findings. Further, for sake of taking independent view of the expert from the audit field, this Directorate has appointed M/s Chokshi & Chokshi LLP as an independent auditor for reviewing the allegations made by M/s ARCPL based on the material mentioned below:*

- Shri Partha Dasgupta- emails backups
- Shri Romil Ramgharia- iMessage Backup, email Backups
- Standard Operating Procedure Manual of BARC



- Consolidated table for TRP ratings for Republic TV and Times Now for the period Wk, 24, 2017 to Wk,11, 2018.
- Copy of Report-Digital Forensic Services prepared by ARCPL on behalf of BARC.
- Copies of Vigilance Inputs gathered by BARC against Times Now and SCN issued to Times Now.
- Statements recorded under section 50 of PMLA, 2002 in the matter:
  - Statement of Shri Romil Ramgharia.
  - Statement of Shri Rushabh Mehta.
  - Statement of Shri Sunil Lulla
  - Statement of Shri Dinesh K. Pillai of M/s ARCPL
  - Statements of Shri Pulak Banerjee, VP-Data Science of BARC.
  - Statement of Shri Joydip Kapadia of M/s Gracenote.
  - Reply of Shri Pankaj Krishna of M/s Chrome Data.
  - Statement of Shri Dharamveer Mahecha, Vigilance Head of BARC.
  - Protocol for panel Households visit by BARC employees:

*In view of rules of natural justice, these accusations made in audit report of M/s ARCPL vis a vis response of Romil Ramgharia and Rushabh Mehta (stated in the audit report) and review of allegations of M/s ARCPL by Chokshi & Chokshi LLP have been reproduced below, which is self explanatory:*



S.No.	Audit Objections	Reply of Romil Ramgarhia (RR) in his statement dated 07.03.2021	Reply of Rushab Mehta (RM) in his statement dated 07.03.2021	As per Chokshi & Chokshi analysis of Allegations made by ARCPL
1	<p>Forensic based on Annexure-1 to 15 of RR and Annexure-1 to 13 of RM</p> <p><b>For Week 24-2017-English News Genre Rating Changes</b></p> <p>Referring to mail conversation between ROMIL and Rushab Mehta, regarding English News Genre rating. Rushab writes to Romil as follows:</p> <ul style="list-style-type: none"> <li>• Please find below number on English news. As required, Times Now numbers were changed, while Republic is kept the same.</li> <li>• Key updates</li> </ul> <p>Times Now in Chennai is unchanged</p> <p>Times Now is number 1 in 10L+and Megacities</p> <p>Republic is number 1 at all India Level</p> <p>This mail and the table indicate a re-run to change the channels's ratings in English News</p>	<p>There were outliers identified for Times Now which were being removed and post which a regular rerun happens. And hence the numbers of Times Now were changed. And since these two channels were the top channels at that time, Rushab has only specifically mentioned about Republic in the said mail. While there were other channels also where data was unchanged. The outliers were analyzed for content changes, distribution changes and on ground input on malpractices – or changes which were not explainable by either. In the annexures and mails shown to me which was for year 2017, to the best of my knowledge, the number of changes in Times Now were on the basis of outliers on account of vigilance inputs and also on the basis of unexplainable variance in ratings. The final data was approved by the CEO before the market release.</p>	<p>He was only following the Metarule led CAC/PAC process as laid down by Mr. BillMckenna. The above statement has been taken out of context, since controls were to be applied on Times Now on the basis of instructions citing vigilance inputs, as such, after applying the CAC on Times Now, numbers would logically change. The same has been mentioned by me in my above mail, wherein after applying controls on Times Now due to vigilance inputs for the said channel, the numbers would change. Further, with reference to Republic, since there was no vigilance input for the said channel, the numbers were kept same for the said channel.</p> <p>That; CACs were applied on all the suspicious channels based on vigilance inputs. There were inputs about suspicious behavior of Times Now from vigilance updates. Accordingly, controls were applied on Times Now at State x Town Class x Day x Universe. Content and distribution updates were also factored in, however, in case of tampering</p>	<p><u>Week, 24-2017</u></p> <p>The analysis of emails of BARC officials, SOP of BARC, Statements of BARC officials taken by ED and iMessage conversations of BARC officials, does not <i>inter alia</i> refer to 'alteration of ranking of Times Now to below that of Republic TV' based on the samples verified by us.</p> <p>Based on the above and to the best of our knowledge and belief, there is <u>no indication of any intended modification of rankings, that resulted in manipulation.</u></p>





Genre. We have observed the following post re-run:

- There is a significant decrease in the impression and universe of Times Now in India, India Rural, 10L+, Megacities, Kolkata, and Delhi. Mumbai Hyderabad & Bangalore.
- Republic TV is becoming No. 1 in India, India Rural, Mumbai, Hyderabad, and Bangalore.

This indicates that the re-run was done to support a specific channel.

#### Week 27-2017-English News Genre Rating Changes

Refer to two mail dated 11<sup>th</sup> July 2017 12.02 AM & 12.25 PM from Rushab Mehta to Mr. Partho Dasgupta with Romil and Pekham Basu in cc with the ratings of English News Genre. Mail mentions that the ratings are revised.

The impressions of Times Now had been decreased drastically across the universe and 24 PM AB. The impressions of Republic TV remained unchanged.



instances, vigilance inputs were considered final. Also, once CACs were applied on a channel, they can be removed only over 8-10 weeks period marginally so that there is no sudden spike. Times Now was under CAC control till very end of my tenure in Market Analytics. Also the same prevailed after I moved out of Market analytics.

Since CACs were applied only on 2+ universe, on many occasions, after re-run, controls got reflected only on 2+ but not on 22+ M AB.

That; The same process was followed even in case of all other channels which were under CAC from very beginning. On multiple occasions, I was told that India TV is doing tampering in UP and Delhi and was asked to put controls as well, as a result, it came down to lower rank from being no.1. Similar was the case with multiple other channels in Assamese/NE genres, Kannada news genre and other genre as well.

In this regard, he stated that, even in this case Metarule led CAC/PAC process was

#### Week 27,2017 to Week 32, 2017

The analysis of emails of BARC officials, SOP of BARC, Statements of BARC officials taken by ED and iMessage conversations of BARC officials, does not *inter alia* refer to 'alteration of ranking of Times Now to below that of Republic TV' based on the samples verified by us.



**Week 28-2017-English News Genre Ratings Changes**

Refer to two mail dated 17<sup>th</sup> July 2017 3.35 PM and 18<sup>th</sup> July 2017 12.15 PM from Rushabh Mehta to Mr. Partho Dasgupta with Romil and Pekham Basu in CC with the ratings of English News Genre. In the mail dated 17<sup>th</sup> July, Rushabh wrote:

- Dear Partho,  
Please find below table update on English news channels for week 28. Times Now will be changed  
The impressions of Times Now had been decreased drastically across the universe and 22+ M AB. The impressions of Republic TV remained unchanged.

**Week 29 - 2017 - English News Genre Rating Changes**

Refer to two mail dated 24<sup>th</sup> July 2017 5.16 PM and 25<sup>th</sup> July 2017 9.19 PM from Rushabh Mehta to Mr. Partho Dasgupta with Romil and Pekham Basu in cc with the ratings of English News Genre. In the mail dated 25<sup>th</sup> July, Rushabh wrote:



duly followed. Again, the above statement has been taken out of context, since controls were to be applied on Times Now on the basis of vigilance inputs. There was rule that we had to apply controls in such a way that channel having suspicious activities should be put under controls else malpractice will continue forever.

That; from the table in the annexure, it can be clearly observed that a channel, Times Now which used to garner only about 1779 impressions/000 at an all India 2+ level on 4 weeks avg 14-18'2017 before Republic was launched, so when suddenly it started garnering 9,711 impressions'000 (about 5 times increase) in few weeks post the launch of the competitor, it appeared suspicious. Therefore, the said data was used as an additional proof apart from vigilance updates that Times Now was involved in viewership malpractices. Accordingly, runs were made for the said channel.

That; With respect to mention of CNN News18 in the above statement, it was reported that CNN News18 was

Based on the above and to the best of our knowledge and belief, there is no indication of any intended modification of rankings, that resulted in manipulation.



• Dear Partho, Please find below table on English News genre as per the final numbers.

The impressions of Times Now had been decreased drastically across the universe and 22+ M AB. The impressions of Republic TV remained unchanged except for a minor reduction at all India level.

**Week 30 – 2017 – English News Genre Rating Changes**

Refer to two mail by Rushabh. One mail is dated 31st July 2017 2.12 PM to Mr. Partho Dasgupta with Romil and Pekham Basu in cc and the second one is dated 1st August 2017 10.18 AM to Romil. Rushabh wrote to RR as follows:

• Please find below update on revised numbers.

• English News: Republic TV is number 1 across India only by 2 impressions in the core IG-of 22+ M AB

Like the previous weeks, this week also Republic TV became No. 1 as Times Now rating was decreased.

involved in suspicious activities in Delhi and Assam/NE markets and controls were to be applied. Also, CNN News18's sister channel News18 India was already under controls right from beginning of Metarules (Wk8'17) because of suspicion on the basis of vigilance input, controls were to be applied on CNN News18 as well because of vigilance inputs. Even during manual validation which was carried out by Mr. Rajnish Rathore till week7'2017, CNN News18 and News18 India, were put under control as these channels were reported to be involved in malpractice from quite some time. Therefore, controls were applied even during the manual validation as well. As such, as mentioned in my statement in the above-mentioned question, controls were put on CNN News18 due to their involvement in malpractices as per vigilance input.

On being asked With reference to the above report, it is observed that in one of your emails regarding ratings for week 27 of 2017, you have written "Please find below update on English news channels for week 27. Times





**Week 31 – 2017 – English News Genre Rating Changes**

Refer to two mail dated 7th August 2017 3.37 PM and 8th August 2017 1.29 PM from Rushabh Mehta to Mr. Partho Dasgupta with Romil and Pekham Basu in cc with the ratings of English News Genre. In the mail dated 25th July, Rushabh wrote:

- Dear Partho, Please find below revised numbers of English news genre for week 31.

The impressions of Times Now had been decreased drastically across the universe and 22+ M AB. This resulted in Republic TV rating going above that of Times Now.

**Week 32 – 2017 – English News Genre Rating Changes**

Refer to two mail dated 14th August 2017 7.27 PM and 16th August 2017 11.28 AM from Rushabh Mehta to Mr. Partho Dasgupta with Romil and Pekham Basu in cc with the ratings of English News Genre. The impressions of Times Now had been decreased drastically across the universe and 22+ M AB. This



Now, CNN News18 will be changed". Explain the statement, he inter alia stated that in this case Metarule led CAC/PAC process was duly followed. Again, the above statement has been taken out of context, since controls were to be applied on Times Now on the basis of vigilance inputs.

That; from the table in the annexure, it can be clearly observed that a channel, Times Now which used to garner only about 1779 impressions'000 at an all India 2+ level on 4 weeks avg 14-18'2017 before Republic was launched, so when suddenly it started garnering 9,711 impressions'000 (about 5 times increase) in few weeks post the launch of the competitor, it appeared suspicious. Therefore, the said data was used as an additional proof apart from vigilance updates that Times Now was involved in viewership malpractices. Accordingly, re-runs were made for the said channel.

That; with reference to the above mentioned forensic report, I also have read the other annexures from week 28 onwards till week 32. In this regard, I



<p>2</p>	<p>resulted in Republic TV rating going above that of Times Now.</p> <p><b>Week 33 – 2017 – English News Genre Rating Changes</b></p> <p>Refer two mail dated 20th August 2017 5:05 AM from Pekham Basu to Romil with cc to Rushabh Mehta. Pekham writes as follows:</p> <ul style="list-style-type: none"> <li>English News has some ranking issues. I have put Times Now under control on all days barring Tuesday – this should bring it below Republic TV. Let's see after re-run.</li> </ul> <p>Team will find reasons for Republic TV decline. This is pointing that the senior management wanted Republic TV to be</p>	<p>Times now was put under outlier controls since past few weeks on the basis of primarily the vigilance and landing inputs. In the particular week this chat is about there was again spike which was not explainable. Since these were the top two channels in the English news genre hence the comment by Pekham that after putting controls the ranking of Times Now will come below Republic which the scenario in earlier weeks also.</p> <p>Further since Republic was no 1 channel in past weeks and hence performance of Republic was constantly analysed. This</p>	<p>state that I was asked to compare the genre performance of English news channels prior to Republic launch by looking at wk14-18 average. Accordingly, controls were applied on Times Now in all the weeks because of its involvement in viewership malpractices based on vigilance inputs. Further, there was a sudden spike in impressions garnered by Times Now (around 5 times) in matter of weeks, which was clearly suspicious.</p>	<p><b>Week 33 – 2017</b></p> <p>Based on analysis of emails of BARC officials (Ms. Pekham Basu), a possibility of manipulation of the rankings could be present, (as per Definitions in section VI.A). However, no evidence to confirm this was found in emails of BARC officials, statements of BARC officials taken by ED and iMessage conversations of BARC</p>
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<p>number 1, and the team was working to achieve this objective.</p>	<p>does not indicate that I had specifically asked to look into the Republic TV decline. But on the basis of the trends in complaints from channels, this was a regular practice by the team. If we take the outlier data of all channels we will realize on how many other channels ratings were also considered as outliers.</p>	<p>officials. Hence, such possibility could not be concluded as "manipulation".</p>
<p>3</p>	<p>Week 27 of 2016</p> <p>Vijay Subramanian released the data: Week 27_Demo &amp; Statement Round -2 on 13th July 2017 [Wednesday] evening To Nitin and Srin, asking them to do the needful post the approval by Romil. On 14th July [Thursday] morning, Nitin wrote to Vijay Subramanian that the final round for WK27 is not confirmed yet and might require another conversion. Vijay Subramanian replied that the delay is because of an instruction given to him to make some changes to the data and release the revised data: Week 27_Demo &amp; Statement Round - 3 for the needful post the approval by Romil. This mail was marked to a broad audience. Within minutes, Romil replied to the above mail approving Week 27_Demo &amp; Statement Round</p>	<p>Week 27 of 2016</p> <p>Based on an analysis of the emails of Mr. Vijay Subramanian (BARC official), a possibility of manipulation (as per Definitions in section VI.A) of the rankings could be present. However, this cannot be directly attributable to any specific channel and no evidence to confirm the same was found in the emails of BARC officials, statements of BARC officials taken by ED and iMessage</p>
<p>NA</p>	<p>This is a usual business conversation again being read out of context. It specifically states in my email to Vijay not to change the data and use the old data only. Re-runs was a normal practice at BARC. It was clarified by me that the instruction to change was on the basis of an anomaly observed by the Vijay only. However the data was later not changed. There used to be a weekly meeting every week before the data release between the market analytics, measurement science, sales, myself and CEO. In this meeting sales team used to ask questions to the analytics team on the basis of their understanding of clients and changes in ratings. If certain changes are not explained or analysed well, the market analytics team</p>	<p>NA</p>







<p>4</p>	<p>• Any market led treatment to data is only going to make it difficult for your research team to justify as in the case of News X, in our effort to control News X we might have led the down weighting of Delhi as a market for English News. (Annexure-18)</p> <p>We have observed instances indicating the manipulation of Metarules and changing Panel Homes to change the rating</p> <p><u>Suspicion – Manipulation of Metarules</u></p> <p>In the Message chat between Romil and Partho dated 30th Dec 2016, there is an indication about the non-achievement of the objectives given to Bill. Romil says</p> <p>• "It is frustrating – he has become Mubin 2 –" Romil also writes to introduce Pekham and Rushabh into this activity and also writes: • "Don't think we should edit the statements – we can manage by changing the logic" Bill also suggested that Research must approve the statements. Looks like Romil and PD wanted some specific outcome from the work done by Bill and that was not coming out. Brings in Pekham</p>	<p>NA</p>	<p>The discussion was from a perspective to not edit the statements which is a sound research principle but to manage the outlier policy through thresholds and rules (which is what is referred as "logic" here). It was being discussed to rope in Yogesh (Chief technology officer of BARC) so that he can drive the automation which was always a challenge given the complexity and data size. This was being recommended to do and hence three persons were being roped to work on this to have different and robust view. The desired results as mentioned in the message from CEO is more to appreciate that outlier policy logic is not working well. Bill was a consultant with BARC who has been associated with few measurement firms outside India. The comment on "desired results" is from a perspective that the</p>	<p>Data was analysed, however no apparent manipulation was established from the same.</p>
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	<p>and Rushabh with possible instructions to change the logic to get the desired ratings. (Annexure-27)</p>	<p>outlier policy and thresholds are not working well and hence need to rework on the same through some automation. Also this was a constant struggle for BARC from 2016 onwards to define the outlier policy and stick to it. Hence we kept on improving the same and reworking on the principles.</p>	
<p>5</p>	<p><u>Whistleblower Allegations</u></p> <p>BARC had shared a whistle-blower allegation claiming the manipulation in the ratings of English News Genre in 40 weeks of 2017, favouring a particular channel. (Annexure-38)</p>	<p>This is also similar to the comments in Annexure 1 to 15 and essentially lists down the same outlier issues. Here one can also see that outliers for both Republic and Times Now have been edited however the extent of time now outliers are higher primarily due to landing page (reach outliers) and vigilance inputs. Even post edit of Times Now outliers, BARC used to receive complaints from the market on this data. Also I do not understand why only selected period of week 24'2017 to week11'2018 is being demonstrated. We should see this for all weeks from 2017 to 2020 and across all channels to check the outlier removal process.</p>	<p>NA</p>





<p>6</p>	<p><b>3rd July 2018 Outlier Manipulation &amp; Controls</b></p> <p>Refer to the email thread dated 3rd July 2018 10.18 PM. The email conversation is between Rushabh Mehta, Pekham, Suma and Romil and it implies of a mechanism to manage the ratings using controls and outlier values. Rushabh Mehta writes to Suma: • Outlier identification is MA's prerogative. I am only executing it for now. As far as this week is concerned, since the gap between the Republic TV and Times Now is about only 3 impressions, based on past experience, one entry might suffice. Outliers and control is definitely used to favour specific channels.</p> <p>(Annexure-15)</p>	<p>NA</p>	<p>he inter alia stated that in case of Times Now, since there were reports of malpractices as per vigilance inputs, controls were applied on the said channel. Further, Times Now channel was continuously present CAC file as per vigilance inputs, controls on Times Now were not reduced.</p> <p>Since Times Now was under suspicion, it was put under controls. Therefore, in this case, even when 10 outlier entries were given for Republic and only 1 for Times Now, Times Now was put under control and re-runs were done due to its suspicion of involvement in malpractices.</p>	<p><b>Week-27, 2018</b></p> <p>Based on an analysis of the emails of BARC officials (Mr. Rushabh Mehta), a possibility of manipulation of the rankings could be present, (as per Definitions in section VI.A). However, no evidence to confirm the same was found in the emails of BARC officials, statements of BARC officials taken by ED and iMessage conversations of BARC officials. Hence, such possibility could not be concluded as "manipulation".</p>
<p>7</p>	<p>3rd July 2018 Managing English News Genre</p> <p>Refer to the mail dated 3rd July 2018 10.18 PM gives an impression that the objective of the team at BARC was to ensure that a specific</p>	<p>NA</p>	<p>Further on being asked about RM annexure 16, I state that after re-run since numbers of Times Now did not change, although it was reported for suspicious activities. Since channel having suspicious activities was to be put under</p>	<p><b>Week-27, 2018</b></p> <p>Based on an analysis of the emails of BARC officials (Mr. Rushabh Mehta), a possibility of manipulation</p>





channel comes as number 1 in English News Genre. During a re-run after inputting the Outliers, the specific channel became number 2. Rushabh Mehta Writes to Romil: • Please find below email from MA News team. Before re-run, Republic TV was ahead of Times Now. MA News team had shared 10 entries as outliers for Republic TV and only 1 entry for Times Now (as shown below). As a result, after the re-run, Republic has gone to 2nd position while Times Now became no.1. They have now written an email (appended below) saying because of ranking change after re-run, English news will not be part of pre-read. • But Sir...re-run has not led to ranking change, it is improper identification of outliers at their end has led to the ranking change. If they give 1 entry of Times Now vs 10 entries of Republic, then Republic will decline more only na. In such a situation it becomes very difficult to manage rankings of English news.

Summary of Audit Firm:

Summary Based on the analysis of the data from the instances above, we can infer that Rushabh Mehta was directly and indirectly involved in changing the ratings of various channels. Rushabh Mehta had the senior

control in its genre, therefore, in such instances English news genre was told not to be included in the pre-read PPTs.

of the rankings could be present, (as per Definitions in section VI.A). However, no evidence to confirm the same was found in the emails of BARC officials, statements of BARC officials taken by ED and iMessage conversations of BARC officials. Hence, such possibility could not be concluded as "manipulation".



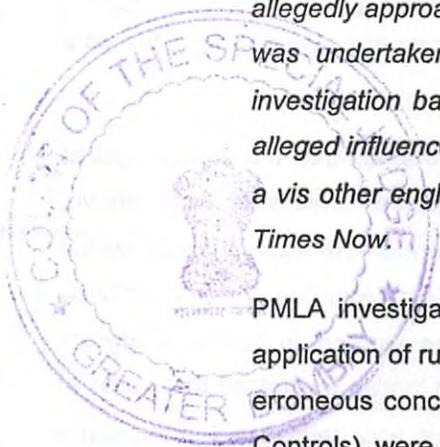
	<p>management comprising of Mr. Partho Dasgupta [Ex CEO] and Mr. Romil Ramgarhia updated about these activities. The evidence collected is reasonably good to decide further course of action.</p>			
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### 7.3 **Conclusions of the examination of forensic audit report:-**

From the above discussion and table, it becomes apparent that the allegations made in the report are superficial and based on the analysis of limited aspects. Various **other** aspects such as response of the **Key Management Persons**, video recording regarding allurement to three Households & show cause to Times Now, software developed by BARC to counter the TRP due to Landing Page, Vigilance Complaints, impact from surveying companies such as M/s Chrome were not taken into account while preparing the report. The auditors were also not aware about various mechanisms (duly approved) adopted by BARC to streamline the system and to iron out irregularities. Further, letter from BARC to MIB which categorically states that there are *no* irregularities by Republic TV after the audit report and no action taken by BARC post audit report, clearly indicates that BARC has itself not taken cognizance of this report. Therefore, it is difficult to place reliance on this report in this criminal investigation. *In this regard, statement of Lt. Col. (Rtd.) Dharamveer Mahacha, Head-Vigilance and investigations of BARC recorded u/s 50 of PMLA is important. He interalia stated that on the basis of inputs received from Data Science Team, they had initiated field investigation against Benett Coleman & Co. (Times Now) & field investigation confirmed that some homes were allegedly approached by the channel to watch their channel. This investigation was undertaken in July 2017. After the investigation there was another investigation based on inputs from Data Services in Nov. 2017, where the alleged influence was reconfirmed. Further, analysis of data of Times Now vis a vis other english news channel showed unusual spike in the viewership of Times Now.*

PMLA investigation also revealed that M/s ARCPL failed to appreciate the application of rules and subsequent changes made by BARC and came to the erroneous conclusion that these metarules, outlier, CAC (Channel Audience Controls) were used to get desired / predecided outcome. They failed to recognize that TRP is based on statistical model & projections and there are certain inherent assumptions for that. Application of these rules and consequent changes in the output data is the desired to result to cull out data inconsistencies etc and cannot be termed as manipulation. Source of the executive decisions based on the business exigencies have also been pointed out in the audit report to be taken to favour certain channels. The incidences of HH tampering were very commonly observed phenomena as can be seen from the various FIRs filed by BARC in various cities across India. It is also a fact

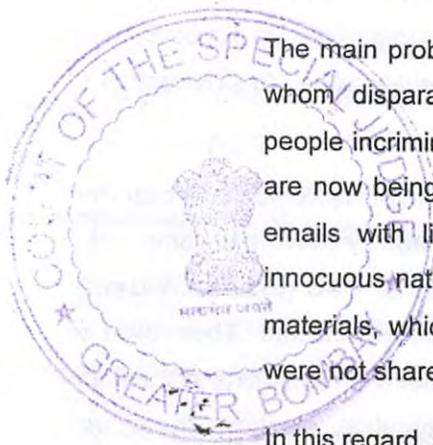


that landing page affects the viewership and now BARC has come up with an elaborate logic to eliminate the effects of landing page. This shows the impact of landing page on TRP. The automated system of eliminating the effects of landing pages on rating has been launched in Sept. 2020 and hence manual intervention was required in 2017. It also has to be understood that merely curtailing / eliminating data doesn't become a criminal offence if done for a bonafide/justifiable reason. The raw data for 2017 was sought from BARC to evaluate and analyse the effects of landing page on rating, however BARC was unable to provide the same. In absence of such data, it is now physically not possible to verify the effects of landing page on TRP. However the fact remains that there are video recordings of certain households indulging in malpractices with respect to Times Now. A Show Cause was also issued to Times Now in this regard. This indicates certain irregularities vis a vis Times Now, which needs to be properly investigated.

In this regard, statement of Mr. Joydeep Kapadia of Gracenote agency assumes importance, he stated that Gracenote was providing metadata, Channel Line up data to BARC, for which they were getting paid by BARC. They provide the data pertaining to channel line up, that includes the channel LCN number. He indicated that on multiple occasions he communicated with one Mr. Nilotpal from BARC for identification of channel placed on LCN and also information regarding dual LCN & landing page. These inputs and vigilance inputs were the apparent reason for amendment/editing of the data and lowering of TRP of Times Now.

The main problem of the audit report lies in the fact that the person against whom disparaging remarks were made/adverse conclusion were drawn, people incriminated were not asked to comment on the various emails, which are now being presented as 'incriminating' plan regarding of some of these emails with little background of how things worked in BARC, suggests innocuous nature of some of these emails. It is also suspected that some of materials, which would have been important in ascertaining fact in this issue were not shared with the auditors.

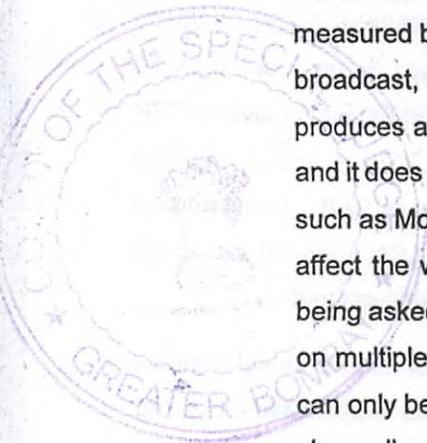
In this regard, statement of Dinesh K. Pillay was taken, wherein he stated that, he finalized the Audit report on the basis of data given by BARC, although the standard operating procedure regarding analysis of data including the nuances of data analysis like Outliers, Metadata etc. were not taken into consideration while preparing the Audit report. Also, the mandate was to look into irregularities done by few individuals who had access of Raw data, however,



the report only relied on the email communication and never examined the raw data ( the same was not shared as well, as the mandate was limited). Also, w.r.t the discussion on Times Now, they were not informed about the vigilance inputs and the showcause notices and replies received from Times now. Thus, the audit report had a limited mandate and the report was submitted without looking into all the aspects of the matter.

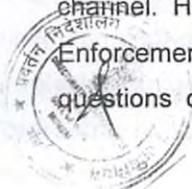
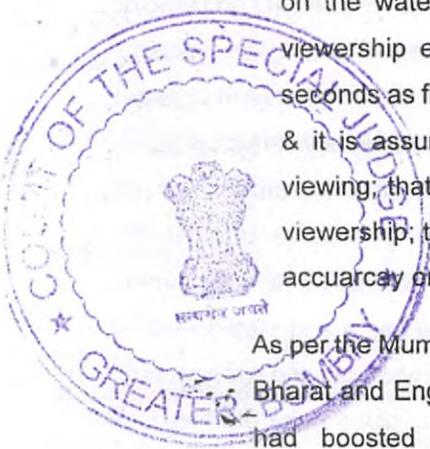
In this regard, BARC has issued two showcause notices dt. 21.11.2017 and a further letter dated 07.12.2017. Times Now has replied to the above show cause notices vide letter dated. 27.11.2017 and 29.11.2017. From the plain reading of these showcause notices and replies therein, it is apparent that there were three video clips of panel households wherein the panel households were supposedly indicating malpractices in viewing Times Now. There was further raw data analysis which showed abnormal increasing average time spend in watching Times Now vis-à-vis other English News Channels. The time period of these alleged maleficence on part of Times Now coincides with the period taken in BARC audit report. In this regard, it may also be added here that viewership of English News Channel is very limited and even few compromised Households can increase TRP manifolds.

**7.4** Statement of **Shri Pulak Banerjee**, Vice President of M/s Broadcast Audience Research Council has been recorded on 14.07.2021 wherein he inter-alia stated that Watermark is an unique inaudible code assigned for each channel measured by BARC and the Bar-O-Meter picks up the channel ID and time of broadcast, through which the viewership is captured; that each encoder produces a unique watermark; that the watermark is same for each channel and it does not depend on the placement of the channel in any category/ genre such as Movie, News, Music etc.; that the positioning of the channel does not affect the watermark and it remains the same for a particular channel. On being asked whether viewership is possible for multiple LCNs for one channel on multiple LCNs at the same time, he denied the same and stated that TV can only be tuned to one channel at a time and hence only one watermarked channel's viewership data can be captured at any given point of time. One Bar-O-Meter is connected to only one TV; that training of usage of Bar-O-Meter remote is provided to the household members where bar-o-meter is installed through Meterology Data Pvt. Ltd. Each member is assigned with a unique number on the bar-o-meter remote to capture their natural individual TV viewership. On being asked whether the watermark of multiple LCNs can be measured simultaneously for one people-meter box, he stated that Multiple



watermark can not be measured simultaneously as TV can only be tuned to one channel at a time. On being asked whether a people meter box pick up only one watermark channel at one time, he replied in affirmative. On being asked if a channel is on multiple LCNs with distinct watermark, does the viewership of that channel also doubles, he stated that one channel can have only one watermark and hence no double counting of viewership is possible; that when a dual LCN is placed in a different genre's EPG, that channel's content is a mismatch for the audience's expectations; that this will often prompt the audience to move on from the channel to another channel in the EPG; that in these cases if the viewer moves on within 30 seconds, the viewership is not captured by BARC; that in the rare cases where viewers find the content engaging and continues to watch the channel both reach and Average time spent will increase as will the audience estimate as this is engaged viewing; that Genre packages and EPG (electronic programming guide) positions are done at MSO level and it is out of BARC purview; that TRP is calculated on reach and time spent of the viewers based on the channel watermark and not on the placement of the channel. On being asked whether there was any hard data to prove viewership can be manipulated by using multiple LCN, he stated that BARC Bar-O-Meter only detects one watermark at a time. On being asked whether BARC was aware about the problem of dual LCN, he stated that Dual LCN is governed by TRAI Act and its regulations and he further explained BARC's view on Dual LCN that Each channel carry a unique watermark and viewing is therefore attributed based on the watermark received; that in order to be credited in the audience viewership estimates, viewing of the channel needs to be more than 30 seconds as first 30 seconds are not counted in viewership for calculating TRP & it is assumed that a person watching beyond 30 seconds is engaged viewing; that Dual LCN is not a means of infiltration of BARC panel home's viewership; that as such, BARC can state that Dual LCN does not impact the accuracy or precision of BARC's audience viewership estimates.

As per the Mumbai Police chargesheet the TRP of Hindi News channel Republic Bharat and English News channel Republic TV of ARG Outlier Media Pvt. Ltd. had boosted illegally by using Dual/Promotional LCN. Mumbai Police chargesheet states that it has been found during the investigation that if a TV channel is broadcast on dual channel there is an increase in the TRP of the that channel. However, during the course of investigation by the Directorate of Enforcement, Shri Pulak Banerjee, Vice President BARC were asked detailed questions on the matter of Dual/Promotional LCN to further establish what

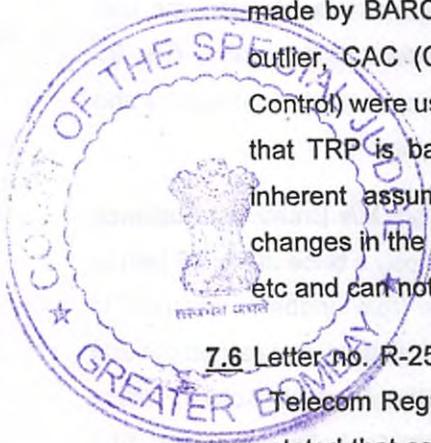


impact, if at all, they have on viewership ratings. As per the statements of BARC official, every broadcast channel has a unique 'watermark' which is taken into account as a singular marker of the channel. Also if a channel is placed on two/multiple LCNs, the watermarks would be the same, thus capturing only on viewing at a time. One Bar-O-Meter can only record one watermark at a time. One Bar-O-Meter can only pick up one watermark at a time. It is thus found in this investigation that if a channel is on Dual LCNs, the viewership of that channel can not double. As stated by BARC official in order to be credited in the audience viewership estimates, viewing of the channel needs to be more than 30 seconds as first 30 seconds are not counted in viewership for calculating TRP & it is assumed that a person watching beyond 30 seconds is engaged viewing. Dual LCN is not a means of infiltration of BARC panel home's viewership. As such, BARC is of the view that Dual LCN does not impact the accuracy or precision of BARC's audience viewership estimates.

**7.5** Mumbai Police in its chargesheet dated 22.06.2021 has alleged loss of revenue of Rs. 431 Cr. to Times Now on basis of forensic audit report prepared by M/s Acquisory Research Company Pvt Ltd. ED investigation as detailed in Para 7.3 and 7.4 shows that M/s Acquisory Research Company Pvt. Ltd is based on limited evidences and lacking of crucial information viz. Show Cause Notice issued by BARC based on vigilance inputs to Times Now, data from M/s Chrome and M/s Gracenote. While conducting Forensic Audit, M/s ARCPL failed to appreciate the application of rules relating to TRP data and subsequent changes made by BARC and came to the erroneous conclusion that these metarules, outlier, CAC (Channel Audience Controls) and PAC (Programme Audience Control) were used to get desired / predecided outcome. They failed to recognize that TRP is based on statistical model & projections and there are certain inherent assumptions for that. Application of these rules and consequent changes in the output data is the desire to result to call out data inconsistencies etc and can not be termed as manipulation.

**7.6** Letter no. R-25/71(2)/2021-B & CS dated 23.03.2021 has been received from Telecom Regulatory Authority of India (TRAI) wherein TRAI has categorically stated that complaints relating to Dual LCN are examined in TRAI and action as per the provision of Interconnection regulations and TRAI Act is taken accordingly. They further stated that violations of TRAI regulations are dealt as per the provisions of TRAI Act, as amended from time to time.

Furthermore, on observations of the details of Dual LCN shared by Chrome to BARC in Week, 24, 2017, it clearly apparent that the usage of Dual LCN is



quite widespread phenomenon, being utilized by multiple channels. In this regard the details of channels using Dual LCN as per M/s Chrome data for week, 24, 2017 is as under:

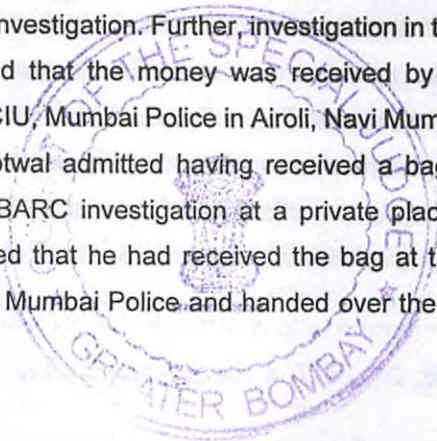
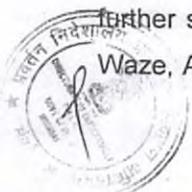
*Aaj Tak- 00; ABP News-01; India News-01; India TV-01; News X-02; Republic TV-02; Times Now- 01; Zee Hindustan-01; Zee News-01; Lok Sabha TV-01.*

Further, the violations under TRAI Act do not come under the schedule offences of Prevention of Money Laundering Act, 2002. However, communication have been sent to BARC and Ministry of Information and Broadcasting for seeking the list of MSOs. It will be further ascertained from MSOs regarding running of Dual LCNs of various channels.

Further, BARC has also reported that they had received several complaints regarding certain Households that they are being paid money for watching Times Now channel and it is learnt that BARC vigilance team recorded videos of these Households stating that they are being paid for watching Times Now Channel. Further, BARC was requested to provide the said video through mails, however, the same has not been provided yet. Further investigation in this regard is under progress.

7.7 During the investigation, on the basis of specific intelligence input searches on the premises of two entities in Delhi was conducted under PMLA, 2002. The searches and the statements of concerned persons of these entities revealed that they had received an amount of around of Rs. 30 lakhs from M/s BARC through circuitous route. Stated purpose of receipt of this amount was civil renovation work of M/s BARC office in Mumbai, however the money (Rs. 25 lakhs) was returned in cash to BARC after deduction of usual commissions and GST/Taxes etc.

Further a complaint dated 24.03.2021 received from M/s Broadcast Audience Research Council (BARC), that they were forced to pay a bribe of Rs. 25 lakh to Shri Sachin Waze, API, Mumbai Police to escape from undue harassment in TRP Case investigation. Further, investigation in this regard was carried out and it was found that the money was received by Shri Santosh Kotwal, Police Inspector, CIU, Mumbai Police in Airoli, Navi Mumbai. On being confronted, Shri Santosh Kotwal admitted having received a bag allegedly containing papers relating to BARC investigation at a private place in Airoli, Navi Mumbai and further stated that he had received the bag at the instructions of Shri Sachin Waze, API, Mumbai Police and handed over the same to Shri Sachin Waze in



his cabin. BARC officials handing over the bag has averred that the bag contained cash of Rs. 25 lakh. Further, it is highly improbable that papers relating to investigations will not be received in office but in a private place outside the jurisdiction of Mumbai Police.

With reference to abovesaid findings, statements of following individuals were recorded Section 50(2) & (3) of PMLA, 2002 :- 1. Statement dated 24.03.2021 of **Shri Dharamveer Mahecha**, Head-Vigilance and Investigations of M/s Broadcast Audience Research Council; 2. Statement dated 25.03.2021 of **Shri Sameer Saddrudin Gilani**, Assistant Vice President of BARC; 3. Statement dated 25.03.2021 of **Shri Varun Krishan**, Senior Vice President – Finance of BARC; 4. Statement dated 25.03.2021 of **Shri B. Shivaraman**, Financial Controller of BARC; and Statement dated 07.06.2021 of **Shri Santosh Baban Kotwal**, Police Inspector, Mumbai Police.

Thus, it appears that illegal gratifications has been received by the investigators of the Mumbai Police. As the matter was of serious nature, the same was referred to CBI on 01.07.2021. The outcome of CBI investigation on the above said input is awaited for further action at this end.

## **8. Financial Investigation:-**

### **8.1 How the advertising revenue is affected by TRP**

Selection of a particular channel for placing advertisement by an entity is a non linear and complex decision. It depends on various factors such target audience group, prime time – non prime time, area (metro/non metro/rural etc.), requirement, GRP/TRP, type of product. Each brand has its own target audience defined by gender, age and socio economic class. Once target audience is decided, market to advertise is selected. This is based on town class. TV planners typically break the TV channels in genres like General Entertainment Channels (GEC), Movie Channels, News Channels, Kids Channels, Infotainment, sports, Regional Language Channels etc. They also break the channel timings into Prime Time and now Prime Time.

The advertisement cost however depends on TRP. The advertisers select a particular channel in the desired genre on the basis of TRP. Thus, if there are manipulations in the TRP, the advertisers will naturally not select that particular channel for advertisement.



### **8.2 Financial Trail**

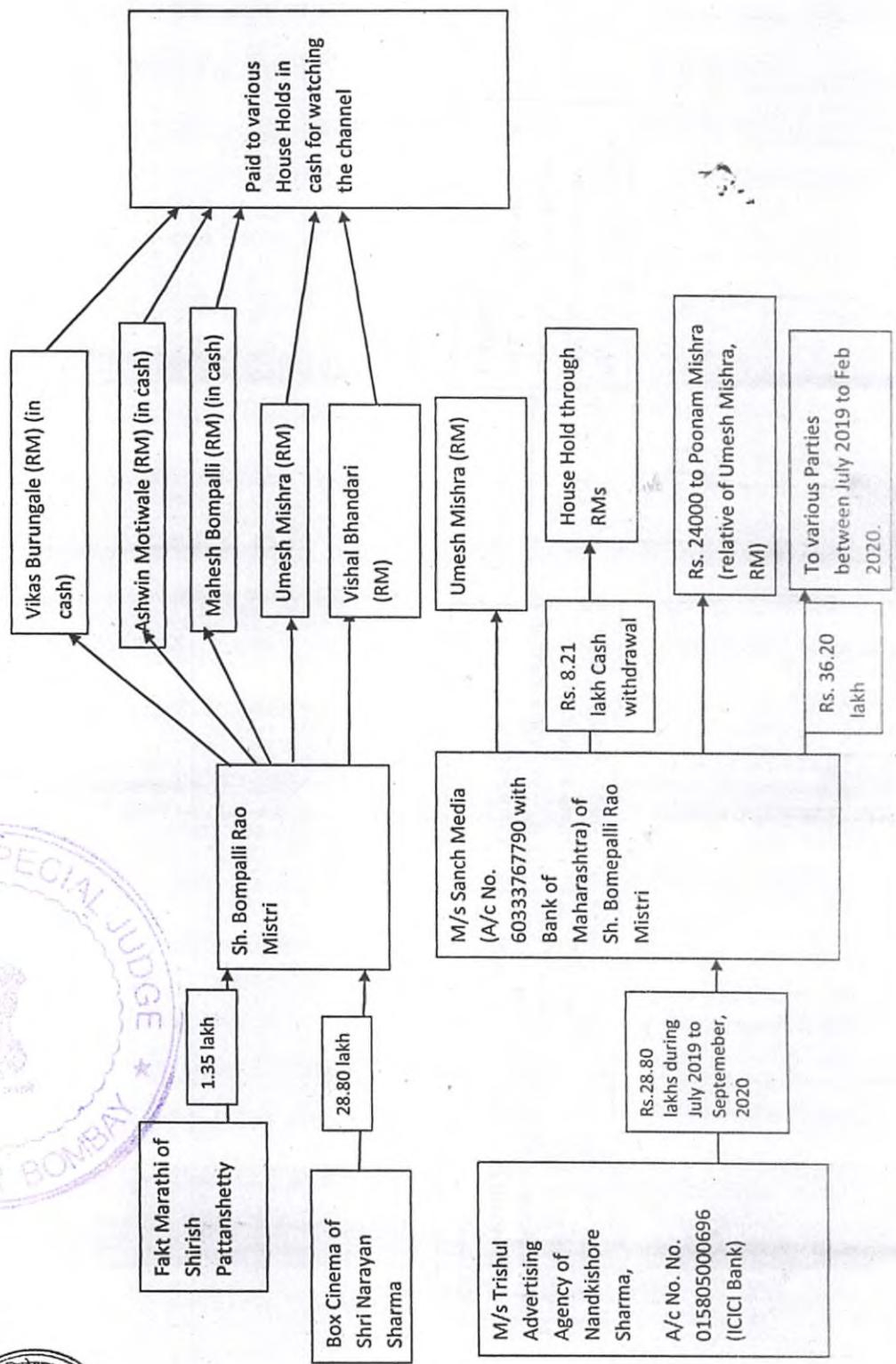
**8.2.1** Scrutiny of the Bank Account of M/s Teleone Consumers Product Pvt. Ltd. (for Maha Movie Channel) bearing No. 629805022558 maintained with ICICI Bank, it appears that during 2019-20, Rs.24.57 lakh was transferred to Bank Account No. 60333767790 maintained with Bank of Maharashtra of M/s Sanch Media, a company of Shri Bompalli Rao Mistry and from the Bank Account of Sanch Media amounts were further transferred to Shri Umesh Mishra and others for payment to panel household bearers. During the course of statement under section 50 (2) & (3) of PMLA, 2002, they have also accepted the same.

**8.2.2** Scrutiny of the Bank Account bearing No. 015805000696 maintained with ICICI Bank of Trishul Advertising Agency, a company owned by Shri Narayan Nandkishore Sharma, it appears that during 2019-2020, Rs.28.80 lakhs was transferred to Bank Account No. 60333767790 maintained with Bank of Maharashtra of M/s Sanch Media, a company of Shri Bomepalli Rao Mistry and from the Bank Account of Sanch Media amounts were further transferred to Umesh Mishra and others for payment to panel household bearers. During the course of statement under Section 50 (2)&(3) of PMLA, 2002 h accepted that said payments were made to panel household bearers for watching Fakt Marathi, Box Cinema and Maha Movie TV Channel and thus to increase TRP.

**8.2.3** Further, as per statement dated 18.12.2020 of Shri Bompally Rao Narayan Mistry recorded u/s 50 of PMLA, 2002, Shri Bompally Rao Narayan Mistry has received payment amounting to Rs. 6.75 Lakhs in cash from Shri Shirish Pattanshetty owner of Fakt Marathi Channel. The said amounts received by Shri Bompally Rao Narayan Mistry from Shri Shirish Pattanshetty were further paid to Shri Umesh Mishra and others for payment to panel household bearers During the course of statement under Section 50 (2)&(3) of PMLA, 2002 he accepted that said payments were made to panel household bearers for watching Fakt Marathi Channel and thus to increase TRP.

**8.3** The schematic representation of the movement of money is attached herewith:



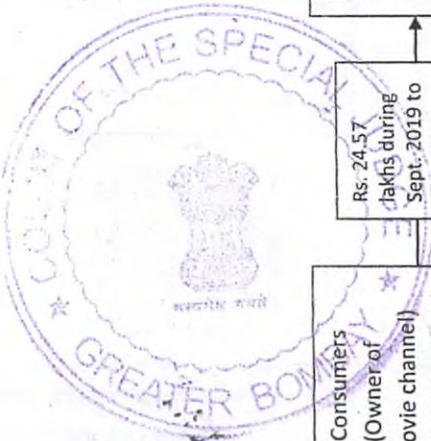


Payments made to various RMs, their relatives and other house hold bearers including parties mentioned in above trail

Sh. Bomepalli Rao Mistri  
Bank Account No.  
60333767790 in Bank of  
Maharashtra

Rs. 24.57  
Lakhs during  
Sept. 2019 to  
Dec. 2019

Teleone Consumers  
Ovt. Ltd (Owner of  
Maha Movie channel)  
No. 629805022558 with  
ICICI Bank



**8.3.1** The mode and manner of the payments to the households was layered and routed through various intermediaries to obliterate the trail of money flow and to make it difficult to link the channel owners with the bribe money.

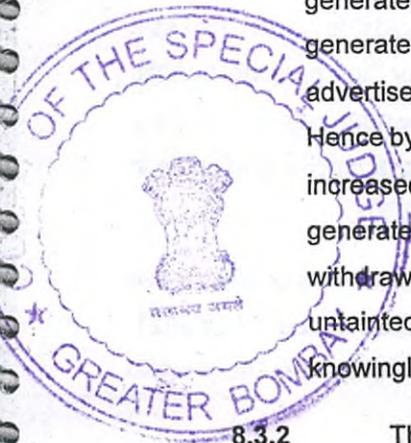
PMLA investigation has revealed that majority of viewership of these channels was coming from compromised HHs. This is just an indication of how murky the things were. Therefore, the advertisement revenue during the period of criminal manipulation of TRP of the channels are nothing but Proceeds of Crime in terms of Section 2 (1)(u) of PMLA, 2002. Details of Proceeds of Crime (PoC) are as under:-

Sr. No.	Name of Channel	Period of Manipulation	Revenue during the period & in subsequent period (INR in crore)
1.	Fakt Marathi	November 2019 to September 2020	29.66
2.	Maha Movies	November 2019 to September 2020	15.03
3.	Box TV	November 2019 to September 2020	2.08

Therefore, in view of the above it is absolutely clear that the entire revenue generated by the aforesaid four channels, during the tabulated period, were generated by increasing TRP, consequently attracted more clients for advertisement which in turn increased the revenue for the respective channels. Hence by committing scheduled offences, the revenue of the four channels was increased during the period mentioned in above table. The revenue thus generated were spent for buying properties, official expenses and cash withdrawal and hence put in financial stream in order to project the same as untaunted. During the entire process the companies are the beneficiaries being knowingly assisted by Relationship managers.

**8.3.2**

That due to market competition and availability of several Entertainment and News channels, the owners of aforesaid three channels decided to manipulate the panel household bearers in order to raise their TRP. By committing Scheduled offences and violating norms of Agreement executed between BARC and HRGPL, the certain Relationship Managers who were having good relations with their clients, were given the task to allure and make the panel house hold bearers ready for watching the aforesaid four channels.



The said Relationship Managers selected those Panel House Hold bearers who were not educated and who were not in a capacity to understand the motive behind this. In lieu, the panel house hold bearers were paid very small amount in comparison to the hike in revenue of the said four channels. The said panel house hold bearers during the course of statement also agreed the same.

From the aforementioned Data and the statement of the person recorded above under Section 50 (2) & (3) of PMLA, 2002 it is absolutely clear that that the Relationship Managers of M/s Hansa Research Group Pvt. Ltd. in connivance with the agents / owners of Channels and by committing scheduled offences allured the Panel Household bearers and bribed them time to time in lieu of watching Box Cinema, Fakt Marathi, Maha Movie in order to increase its TRP and generated revenue many fold.

Thus, the said amount received by Fakt Marathi channel (29.66 Cr), Mahamovie channel (15.03 Cr) and Box Cinema (2.08 Cr) is Proceeds of Crime (PoC) in terms of Section 2 (1)(u) of PMLA, 2002 which was acquired illegally on the basis manipulation of the TRPs rating by conniving with the relationship managers ( RMs) and bribing the households to raise the TRP, which in turn helped in getting the revenue, which otherwise would not have been possible. Furthermore, it also appears that Sh. Bompally, prop. Of M/s Sanch Media, received monies from the channel owners to manipulate the TRPs. These monies were further utilized by Sh. Bompally and the Ex-RMs/RMs of Hansa Research to give commission of the panel households to watch the said channels in order to manipulate the TRPs as well as for their personal benefit. Therefore, the monies received from the channel owners was used in the commission of the scheduled offences and therefore, are *proceeds of crime* in terms of Explanation to Section 2 (1)(v) of the PMLA, 2002.

According, provisional attachment of Rs. 32.56 crore was done for these channels vide Provisional Attachment Order No.05/2021 dated 17.03.2021. The said PAO was confirmed by Ld. Adjudicating Authority vide Order dated 10.09.2021.

#### 9. ROLE PLAYED BY THE ACCUSED.

It has clearly emerged from the facts that **Shri Narayan Nandkishore Sharma**, is the director and controller of the M/s Box Cinemedia Services Pvt. Ltd which owns a channel named Box Cinema. Shri Narayan Nandkishore Sharma,



connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through Shri Vishal Bhandari, Mahesh Bomapally, Ashwin Motiwale, Vikas Burungale and Shri Dinesh kumar Pannalal Vishwakarma (All Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Box Cinema Channel for generating advertisement revenue. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office expenditure made for running his proprietorship firm, utilizing the revenue generated for his personal use and he again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. Shri Narayan Nandkishore Sharma having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

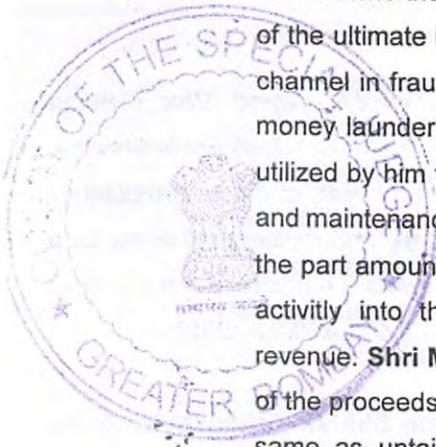
**9.2** M/s. Box Cinemedia Services Pvt. Ltd. which owned Box Cinema Channel., was the entity fully controlled by Shri Narayan Nandkishore Sharma, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

**9.3** It has clearly emerged from the facts that **Shri Shirish Pattanshetty**, is the director and controller of the M/s Lotus Enterprises (having 50% Shareholdings) which owns a channel named Fakt Marathi. Shri Shirish Pattanshetty, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through Shri Vishal Bhandari, Mahesh Bomapally, Ashwin Motiwale, Vikas Burungale, Umesh Mishra and Shri Dinesh kumar Pannalal Vishwakarma (All Ex- Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Box Cinema Channel for generating



advertisement revenue. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. **Shri Shirish Pattanshetty** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

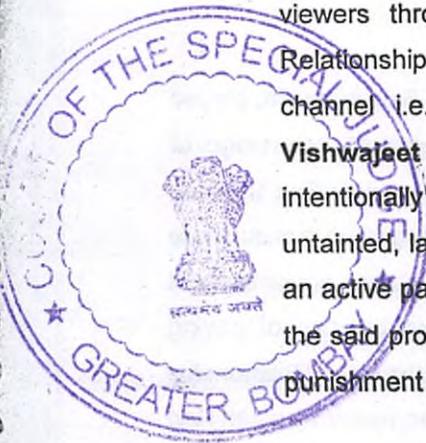
**9.4** It has clearly emerged from the facts that **Shri Manish Singhal**, is the director and shareholder, alongwith Shri Shirish Pattanshetty, of M/s Lotus Enterprises (having 50% Shareholdings) which owns a channel named Fakt Marathi. Shri Manish Singhal was equal partner in the said entity i.e. M/s Lotus Enterprises, which owns the channel Marathi, as such, Shri Manish Singhal was also one of the ultimate beneficiary of the advertisement revenue garnered by the said channel in fraudulent manner. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been utilized by him through various ways such as expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. **Shri Manish Singhal** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.



**9.5** **M/s. Lotus Enterprises which owned Fakt Marathi Channel.**, was the entity fully controlled by **Shri Shirish Pattanshetty**, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

**9.6** It has clearly emerged from the facts that **Shri Vishwajeet**, is the director and controller of the M/s Teleone Consumers Product Pvt. Ltd. (having 50% Shareholdings) which owns a channel named Maha Movie. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. Shri Vishwajeet, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through S/Shri Vishal Bhandari and Vikas Burungale (All Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Maha Movie for generating advertisement revenue.. **Shri Vishwajeet** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.7** It has clearly emerged from the facts that **Shri Darshan Singh**, is the director and controller of the M/s Teleone Consumers Product Pvt. Ltd. (having 50% Shareholdings) which owns a channel named Maha Movie. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property



involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. Shri Darshan Singh, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through S/Shri Vishal Bhandari and Vikas Burungale (All Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Maha Movie for generating advertisement revenue.. **Shri Darshan Singh**, having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.8 M/s Teleone Consumers Product Pvt. Ltd. which owns Maha Movie Channel**, was the entity fully controlled by **Shri Vishwajeet**, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

**9.9 Shri Bompally Narayan Rao Mistry**, proprietor of M/s Sanch Media, played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channel namely Box Cinema, Fakt Marathi and Maha Movie. He also assisted S/Shri Narayan Nandkishore Sharma, Shirish Pattanshetty and Vishwajeet for raising their advertisement revenue by of manipulating the TRP of the channels by way of paying Households (Where Bar-O-Meters were installed) through Relationship Managers of M/s Hansa Research Group Pvt. Ltd. Shri Bompally Narayan Rao Mistry was in complete knowledge of and assisted S/Shri Narayan Nandkishore Sharma, Shirish Pattanshetty and Vishwajeet for generating more advertising revenue in the guise of Channel monitoring work and ground promotion activities. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.



**9.10 Shri Umesh Chandrakant Mishra, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Shri Umesh Chandrakant Mishra** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.11 Shri Vishal Bhandari, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema, Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Vishal Bhandari** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.12 Shri Dinesh Vishwakarma, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households (Where Bar-O-Meters were installed) for paying them to



watch the aforementioned channels for certain hours for for raising the advertisement revenue of the channels by TRP manipulation. **Vishal Bhandari** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.13 Shri Vikas Burungale, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema, Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Vikas Burungale** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.14 Shri Ashwin Motiwale, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Ashwin Motiwale** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.



**9.15 Shri Mahesh Bompalli, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Mahesh Bompalli** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**9.16 Shri Rajesh Kumar Vishwakarma, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channel namely Box Cinema. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Shri Rajesh Kumar Vishwakarma** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

## **10. Conclusion of Investigation Under PMLA: -**

**10.1** PMLA Investigation revealed that there was a wider conspiracy between the channel owners, agents and RMs to influence/the induce panel household to watch certain channels for monetary gains. The malaise seems to be long running and deeper as indicated by the various FIRs lodged by BARC in various states at different time periods. The modus operandi of this scam is dependent on the small statistical data of merely 1800 households in Mumbai



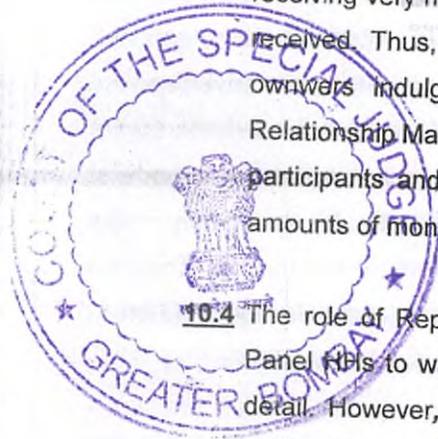
& 45,000 HH, all over India to recreate viewing pattern of 197 million households, this gave a huge incentive to manipulate data by manipulating few households. This way, disproportionate amount of revenue through advertisements and also increase in valuation of shares of the company was achieved at a very nominal expense. It is very difficult to pinpoint as to when these manipulations started, but various channel owners gamed this system and manipulated the system for a considerable period of time.

**10.2** Channel owners such as Maha Movies, Box Cinema, Fakt Marathi, and others have entered in criminal conspiracy with Mr. Bompalli Mistry in the garb of cable reach and survey. The survey for ascertaining reach of particular channels (Maha Movies, Fakt Marathi etc) appeared to be a ruse for increasing TRP through unfair means. Mr. Bompalli Mistry was in turn hand in gloves with the various relationship managers (present and past) of Hansa. These RMs were low paid persons and therefore most vulnerable in the chain and were paid for extracting the data about HHs, and also for influencing their view ship pattern. The viewership pattern was also easy to influence due to the economic constitution of these households. These households were falling under the category of lower income group.

**10.3** If we analyze the proportion of profit through advertisement and the payments made to these HHs, we can very clearly see that these households were receiving very meagre amounts for very huge amounts of advertising revenue received. Thus, the real beneficiaries of the manipulation were the channel owners indulging in these malpractices. The intermediaries and the Relationship Managers (RMs) of M/s Hansa Research Group Pvt. Ltd. are also participants and co-conspirators of this scam and recipients of substantial amounts of monies for their illegal activities.

**10.4** The role of Republic TV (ARG Outlier Media Group) in bribing/influencing Panel HHs to watch Republic TV/ Republic Bharat has been investigated in detail. However, it became evident that the investigation done by Mumbai Police is at variance with the investigation done by the Directorate in this matter. The grounds for the same are as follows: -

- i. Raw data for the panel households who were allegedly watching Republic TV (as per Mumbai Police Chargesheet) was sought from BARC. Analysis of viewership pattern of those households clearly showed that these HHs were watching channels other than Republic Channels.



- ii. Panel HHs denied having taken money for watching Republic TV or Republic Bharat. Their statement corroborates with the raw data which was maintained independently by BARC.
- iii. In their statements, RMs who have stated that they have indulged into the practice of paying households for watching a few television channels, have denied to have paid Households to watch Republic TV/ Republic Bharat.
- iv. No financial/fund trail so far to connect payment of monies by Republic of any of these persons.

As such, the role of Republic TV (ARG Outlier Media Group) in bribing/influencing Panel HHs to watch Republic TV/ Republic Bharat has been investigated in detail. However, no such evidence is forthcoming either by the statement or by digital data evidence.

Mumbai Police has relied on forensic audit report by M/s Acquisory Risk Consulting Pvt. Ltd (ARCPL). The major contentions in the said report included the TRP calculation methodology was tinkered with and controls were used to favour specific channels.

**10.5 The Forensic Audit report of M/s Chokshi & Chokshi LLP concluded that :-**

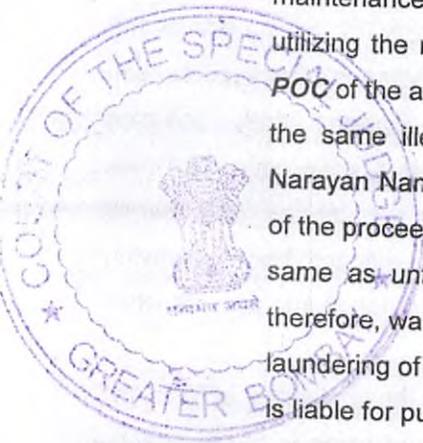
- (i) The allegations made in the report of M/s ARCPL are superficial and based on the analysis of limited aspects. Various *other* aspects such as response of the *Key Management Persons*, video recording regarding allurement to three Households & show cause to Times Now, software developed by BARC to counter the TRP due to Landing Page, Vigilance Complaints, impact from surveying companies such as M/s Chrome were not taken into account while preparing the report.
- (ii) Further, M/s ARCPL failed to appreciate the application of rules and subsequent changes made by BARC and came to the erroneous conclusion that these metarules, outlier, CAC (Channel Audience Controls) were used to get desired / pre-decided outcome and also they failed to recognize that TRP is based on statistical model & projections and there are certain inherent assumptions for that.



**11: CHARGES UNDER PMLA, 2002 :-**

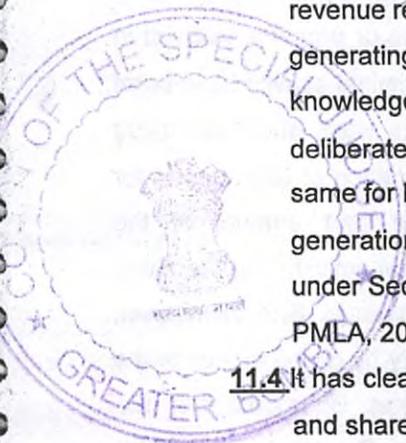
**11.1** It has clearly emerged from the facts that **Shri Narayan Nandkishore Sharma**, the director and controller of the M/s Box Cinemedia Services Pvt. Ltd which owns a channel named Box Cinema, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through Shri Vishal Bhandari, Mahesh Bomapally, Ashwin Motiwale, Vikas Burungale and Shri Dinesh Kumar Pannalal Vishwakarma (All Ex- Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Box Cinema Channel **to enhance TRP for generating Advertisement Revenue**. He paid Rs. 27,52,000 to Shri Bompally Rao Mistry through his bank account of his proprietorship firm M/s Trishul Advertising Agency **in the bank** account of M/s Sanch Media **(of Shri Bompally Rao Mistry)** for increasing the TRP of channel by way of paying households through Relationship Managers of M/s Hansa Research Group Pvt. Ltd for watching his channel for certain hours. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for **earning advertisement revenue through illegal means. The Proceeds of Crime** or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office expenditure made for running his proprietorship firm, utilizing the revenue generated for his personal use and introducing part **of POC** of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. Shri Narayan Nandkishore Sharma having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as **untainted**, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.2** M/s. Box Cinemedia Services Pvt. Ltd. which owned Box Cinema Channel., was the entity fully controlled by Shri Narayan Nandkishore Sharma, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity **of Money Laundering** as defined under Section 3 of the PMLA, 2002.



**11.3** It has clearly emerged from the facts that **Shri Shirish Pattanshetty**, is the director and controller of the M/s Lotus Enterprises (having 50% Shareholdings) which owns a channel named Fakt Marathi. Shri Shirish Pattanshetty, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through Shri Vishal Bhandari, Mahesh Bomapally, Ashwin Motiwale, Vikas Burungale, Umesh Mishra and Shri Dinesh kumar Pannalal Vishwakarma (All Ex- Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Box Cinema Channel for generating advertisement revenue. He paid Rs. 6,75,000 to Shri Bompally Rao Mistry in cash for increasing the TRP of channel Fakt Marathi by way of paying households through Relationship Managers of M/s Hansa Research Group Pvt. Ltd for watching his channel for certain hours He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. **Shri Shirish Pattanshetty** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.4** It has clearly emerged from the facts that **Shri Manish Singhal**, is the director and shareholder, alongwith Shri Shirish Pattanshetty, of M/s Lotus Enterprises (having 50% Shareholdings) which owns a channel named Fakt Marathi. Shri Manish Singhal was equal partner in the said entity i.e. M/s Lotus Enterprises, which owns the channel Marathi, as such, Shri Manish Singhal was also one of the ultimate beneficiary of the advertisement revenue garnered by the said channel in fraudulent manner. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been utilized by him through various ways such as expenses by way of operational



and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. **Shri Manish Singhal** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.5 M/s. Lotus Enterprises which owned Fakt Marathi Channel.**, was the entity fully controlled by **Shri Shirish Pattanshetty and Shri Manish Singhal**, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

**11.6** It has clearly emerged from the facts that **Shri Vishwajeet**, the director and controller of the M/s Teleone Consumers Product Pvt. Ltd. (having 50% Shareholdings) which owns a channel named Maha Movie was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The Proceeds of Crime or property involved in Money Laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operation and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. **Shri Vishwajeet**, connived and conspired with **Shri Bompalli Rao Mistry** by giving money to the viewers through S/**Shri Vishal Bhandari** and **Vikas Burungale** (All Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Maha Movie for generating advertisement revenue. **Shri Vishwajeet** having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of



the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.7** It has clearly emerged from the facts that **Shri Darshan Singh**, is the director and controller of the M/s Teleone Consumers Product Pvt. Ltd. (having 50% Shareholdings) which owns a channel named Maha Movie. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused for accumulating more advertisement revenue. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various ways such as buying property, expenses by way of operational and maintenance of office made for running his company and again introducing the part amount of the advertisement revenue received from the said criminal activity into the same illegal activity for generating more advertisement revenue. Shri Darshan Singh, connived and conspired with Shri Bompalli Rao Mistry by giving money to the viewers through S/Shri Vishal Bhandari and Vikas Burungale (All Ex-Relationship Manager of M/s Hansa Research Group Pvt. Ltd.) to watch his channel i.e. Maha Movie for generating advertisement revenue. **Shri Darshan Singh**, having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of MLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.8** M/s Teleone Consumers Product Pvt. Ltd. which Maha Movie Channel, was the entity fully controlled by Shri Vishwajeet, which was used as a vehicle to launder the Proceeds of Crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

**11.9** Shri Bompally Narayan Rao Mistry proprietor of M/s Sanch Media, played an important role in Money Laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channel namely Box Cinema, Fakt Marathi and Maha Movie. He also assisted S/Shri Narayan Nandkishore

Sharma, Shirish Pattanshetty and Vishwajeet for raising their advertisement revenue by manipulating the TRP of the channels by way of paying Households (Where Bar-O-Meters were installed) through Relationship Managers of M/s Hansa Research Group Pvt. Ltd. Shri Bompally Narayan Rao Mistry was in complete knowledge of and assisted S/Shri Narayan Nandkishore Sharma, Shirish Pattanshetty and Vishwajeet for illegally generating more advertising revenue **for their channels** in the guise of Channel monitoring work and ground promotion activities. **He also made illegal gains in the process** Thus, he assisted the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.10 Shri Umesh Chandrakant Mishra, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in Money Laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Shri Umesh Chandrakant Mishra** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. **He also earned illegal gratification in the process.** Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.11 Shri Vishal Bhandari, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in **Money Laundering**. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema, Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Vishal Bhandari** was in complete knowledge of and assisted Channel owner / controller indirectly for generating

more advertising revenue in the guise of distribution work for the channel. He **also earned illegal gratification in the process**. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.12 Shri Dinesh Vishwakarma, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in Money Laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households (Where Bar-O-Meters were installed) for paying them to watch the aforementioned channels for certain hours for for raising the advertisement revenue of the channels by TRP manipulation. **Vishal Bhandari** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. **He also made illegal gratification in the process**. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.13 Shri Vikas Burungale, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in Money Laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema, Maha Movie and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Vikas Burungale** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. **He also received illegal gratification in the process** Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.



**11.14 Shri Ashwin Motiwale, Ex-Relationship Manager of Hansa Research Group Pvt. Ltd** played an important role in Money Laundering. He had a

complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Ashwin Motiwale** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. **He also received illegal gratification for the same.** Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.15 Shri Mahesh Bompalli, Ex-Relationship Manager of Hansa Research**

**Group Pvt. Ltd** played an important role in Money Laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channels namely Box Cinema and Fakht Marathi. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Mahesh Bompalli** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. **He also made illegal money in the process** Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**11.16 Shri Rajesh Kumar Vishwakarma, Ex-Relationship Manager of Hansa**

**Research Group Pvt. Ltd** played an important role in money laundering. He had a complete knowledge of manipulation of work of TRP in respect of the Channel namely Box Cinema. He also knowingly assisted the owner/controller of the said channels by breaching the Non Disclosure Agreement made with M/s Hansa Research Group Pvt. Ltd through disclosing the confidential information of the Households for paying them to watch the aforementioned channels for certain hours for TRP manipulation for raising the advertisement

revenue of the channels by paying the Households (Where Bar-O-Meters were installed). **Shri Rajesh Kumar Vishwakarma** was in complete knowledge of and assisted Channel owner / controller indirectly for generating more advertising revenue in the guise of distribution work for the channel. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

**12. Jurisdiction of the Court:**

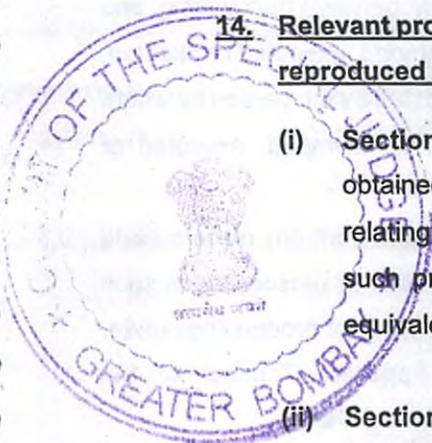
It is submitted that the scheduled offence was committed at Mumbai and FIR No. 843/2020 dated 06.10.2020 was registered by Kandivali Police Station, Mumbai and investigation in case was carried out by Crime Branch, CID, Mumbai Police vide CR No. 143/2020 and the Complainant's office is situated at Mumbai. The Hon'ble court is notified as a Special Court u/s 43(1) of the Act to try the offences of Money Laundering and the cause of action for the offence of Money Laundering arose within the jurisdiction of the Hon'ble Court.

13. Complainant craves leave of the Hon'ble Court to rely upon the list of witnesses and relied upon documents as per Annexure – C and Annexure – D respectively enclosed with this complaint. Since further investigation is pending, the Complainant craves leave of the Hon'ble Court to permit to file supplementary Complaint.

**14. Relevant provisions of the Prevention of Money Laundering Act, 2002, are reproduced below:**

(i) **Section 2(1)(u) "proceeds of crime"**— means any property derived or obtained, directly or indirectly, by any person as a result of criminal activity relating to a scheduled offence or the value of any such property or where such property is taken or held outside the country, then the property equivalent in value held within the country or abroad;

(ii) **Section 3 — Offence of Money-Laundering** —Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming it as untainted property shall be guilty of offence of money laundering.



(iii) **Section 4 — Punishment for Money-Laundering**—Whoever commits the offence of money-laundering shall be punishable with rigorous imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine, Provided that where the proceeds of crime involved in money-laundering relates to any offence specified under paragraph 2 of Part A of the Schedule, the provisions of this section shall have effect as if for the words “which may extend to seven years”, the words “which may extend to ten years” had been substituted.”

(iv) **Section 22 - Presumption as to records or property in certain cases.—**

(1) Where any records or property are or is found in the possession or control of any person in the course of a survey or a search, it shall be presumed that—

(i) such records or property belong or belongs to such person;

(ii) the contents of such records are true; and

(iii) the signature and every other part of such records which purport to be in the handwriting of any particular person or which may reasonably be assumed to have been signed by, or to be in the handwriting of, any particular person, are in that person’s handwriting, and in the case of a record, stamped, executed or attested, that it was executed or attested by the person by whom it purports to have been so stamped, executed or attested.

(2) Where any records have been received from any place outside India, duly authenticated by such authority or person and in such manner as may be prescribed, in the course of proceedings under this Act, the Special Court, the Appellate Tribunal or the Adjudicating Authority, as the case may be, shall—

(a) presume, that the signature and every other part of such record, which purports to be in the handwriting of any particular person or which the court may reasonably assume to have been signed by, or to be in the handwriting of, any particular person, is in that person’s handwriting; and in the case of a record executed or attested, that it was executed or attested



by the person by whom it purports to have been so executed or attested;

(b) admit the document in evidence, notwithstanding that it is not duly stamped, if such document is otherwise admissible in evidence.

(v) **Section 23 Presumption in inter-connected transactions.**—Where money-laundering involves two or more inter-connected transactions and one or more such transactions is or are proved to be involved in money-laundering, then for the purposes of adjudication or confiscation under section 8, it shall unless otherwise proved to the satisfaction of the Adjudicating Authority, be presumed that the remaining transactions form part of such inter-connected transactions.

(v) **Section 24. Burden of Proof.**—In any proceeding relating to proceeds of crime under this Act,–

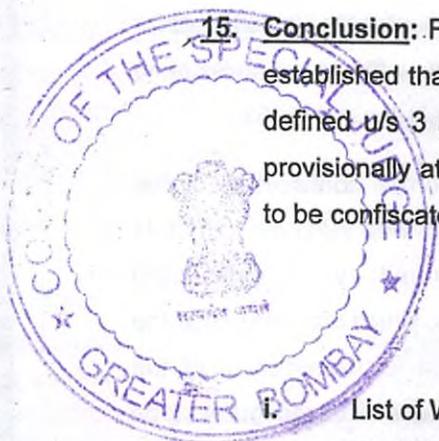
(a) in the case of a person charged with the offence of money-laundering under section 3, the Authority or Court shall, unless the contrary is proved, presume that such proceeds of crime are involved in money laundering; and

(b) in the case of any other person the Authority or Court, may presume that such proceeds of crime are involved in money-laundering.

**15. Conclusion:** From the investigation and the evidences gathered, it is clearly established that the accused committed the offence of Money Laundering as defined u/s 3 and are liable to be prosecuted and punished u/s 4 and the provisionally attached properties involved in the Money Laundering are liable to be confiscated in terms of Section 8(5) of the PMLA, 2002.

#### ANNEXURE

- i. List of Witnesses to be examined is enclosed as Annexure – C.
- ii. The list of Relied Upon Documents along with the copies of the same are enclosed with this complaint as Annexure-D.
- iii. Complainant craves leave to refer and rely on the documents as per list of documents, marked as Annexure-D attached to this complaint and also submits to add more documents with due permission of this Honourable Court.
- iv. Complainant craves leave to refer and rely on the list of prosecution



witnesses and any other witness, who may be examined at the time of trial as annexed and marked as Annexure-C attached to this complaint and also submit to add more witnesses with due permission of this Honourable Court.

### Prayer

In view of the facts and circumstances of the case, the complainant hereby humbly prays to this Honourable Court:

- i) To take cognizance of the offence of the money laundering as defined under section 3 and punishable under section 4 of the Prevention of Money Laundering Act, 2002 and issue process against the accused person(s) in accordance with law and try the aforesaid accused persons as per law;
- ii) To permit filing of any further supplementary complaints, if, during the course of investigation, any new facts / evidences emerge in respect of any other persons or the respondents named above, in the offence of Money Laundering; This complaint is without prejudice to our right to file a further complaint based on additional evidence that may cause to our knowledge against all persons including persons not named in the present complaint.

However, as far as present accused named in the complaint are concerned, the Prosecution Complaint is complete without prejudice to our rights to file supplementary Prosecution Complaint. It is also submitted that the complaint and material submitted is sufficient for the Hon'ble Court to take cognizance for the offence commissioned under Section 4 of Prevention of Money Laundering Act, 2002

The Hon'ble Court be further pleased to order confiscation of the movable and immovable properties attached vide PAO No. 05/2021 dated 17.03.2021 and subsequently confirmed by Ld. Adjudicating Authority, as detailed in foregoing paragraphs, which are involved in the Money Laundering or which has been used for commission of the offence of Money Laundering while holding the accused guilty upon conclusion of trial in this case in terms of Sub-Section 5 of Section 8 of the Prevention of Money Laundering Act, 2002;

To direct the accused to deposit their passports before the Hon'ble Court till final disposal of the case and not to leave the country without prior



permission of this Hon'ble Court;

- iii) To pass any other order deemed just and proper, in the facts and circumstances of this case as narrated above and placed before this Honourable Court, in the interest of justice.

It is humbly prayed accordingly,

Solemnly affirmed at Mumbai, on this <sup>26<sup>th</sup></sup> Day of September, 2022.



(Pawan Kumar)  
ASSISTANT DIRECTOR  
DIRECTORATE OF ENFORCEMENT  
MUMBAI ZONAL OFFICE-I, MUMBAI  
(The complainant)

Certified True Copy  
Dated this 26 day of SEP 2022  
26/09/2022  
For Registrar,  
City Sessions Cou-  
Gr. Bombay

पवन कुमार / PAWAN KUMAR  
सहायक निदेशक / ASSISTANT DIRECTOR  
प्रवर्तन निदेशालय / DIRECTORATE OF ENFORCEMENT  
(वि.मु.प्र.अ. व.शो.वि.अ.) / FEMA / PMLA  
भारत सरकार / GOVT. OF INDIA  
मुंबई / MUMBAI

VERIFICATION

I, Pawan Kumar, Assistant Director of Directorate of Enforcement, Mumbai Zonal Office-I, Government of India, Ministry of Finance, Department of Revenue, Mumbai, having its office at 4<sup>th</sup> Floor, "Kaiser-I-Hind", Currimbhoy Road, Ballard Estate, Mumbai-400001, do hereby state that whatever stated is true and correct to the best of my knowledge derived from record.

Mumbai,

On this 26<sup>th</sup> day of September, 2022

(Pawan Kumar)

Assistant Director  
पवन कुमार / PAWAN KUMAR  
सहायक निदेशक / ASSISTANT DIRECTOR  
प्रवर्तन निदेशालय / DIRECTORATE OF ENFORCEMENT  
(वि.मु.प्र.अ. व.शो.वि.अ.) / FEMA / PMLA  
भारत सरकार / GOVT. OF INDIA  
मुंबई / MUMBAI

Panel Counsel for the Applicant



Sp. P.P for ED  
8/9/2022

check by R.N. RAK