

फार्म नं. 1

प्रथम सूचना प्रतिवेदन (धारा 154 द. प्रक्रिया संहिता के अन्तर्गत)
FIRST INFORMATION REPORT (Under Sec. 154 Cr.P.C.)

वि.पु.स्था.सी.-II
S.P.E.C.-II

बुक नं. **922**
Book No.

क्रम सं.
Serial No. **04**

1. जिला : थाना : वर्ष : प्र.सू.प्र.क्र.
District PS: Year FIR No.
New Delhi CBI/ACU(V) 2019 2172019A0005 दिनांक :
Date 19.08.2019

2. (1) विधान : PC Act, 1988 धाराएं : 13(2) r/w13(1)(d)
Act Sections

(2) विधान : IPC धाराएं : 120-B r/w 420
Act Sections

(3) विधान : धाराएं :
Act Sections

(4) अन्य विधान एवं धाराएं :
Other Acts & Sections

3. (क) प्रतीत अपराध : Criminal conspiracy; cheating and Criminal
(a) Suspected Offence misconduct by a public servant

(ख) दिन : दिनांक समय
(b) Day Date Time
During 2004 to 2010

(ग) थाने पर सूचना प्राप्त होने का दिनांक
(c) Information received at PS Date
CBI/ACU-V/New Delhi 19.08.2019

कायमी अपराध : दिनांक समय
Entry No. 03 Date 19.08.2019 Time 1000 hrs.

4. सूचना का प्रकार : लिखित/मौखिक
Type of Information Written/Oral Written

5. घटना का स्थान New Delhi
Place of Occurrence

(क) थाने से दिशा व दूरी :
(a) Direction & Distance from PS

बीट नं. / Beat No.

(ख) पता:
(b) Address

(ग) घटनास्थल अन्य थाना क्षेत्राधिकार में है तो थाना -
(c) In case, outside the limit of this Police Station, then

पुलिस थाना का नाम
Name of PS

NA

जिला
District

6. अभियोगी / सूचनाकर्ता :
Complainant / Informant

NA

(क) नाम
(a) Name

Shri Lalit Phular, DSP, CBI, ACU-V

(ख) पिता / पति का नाम
(b) Father's / Husband's Name

Shri N. B. Phular

(ग) जन्म तिथि
(c) Date of Birth

28.01.1977

(घ) राष्ट्रियता :
(d) Nationality Indian

(ङ) पासपोर्ट नं. जारी दिनांक जारी होने का स्थान
(e) Passport No Date of Issue Place of Issue

(च) व्यवसाय
(f) Profession

(छ) पता -
(g) Address

CBI, AC-II, New Delhi

7. ज्ञात / संदेही / अज्ञात / आरोपी का पूर्ण विवरण :
Details of known / suspected / unknown accused with full particulars
(यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
(Attached separate sheet, if necessary)

- (1) Shri Prannoy Roy, Promoter & Director of M/s NDTV Ltd.
- (2) Smt. Radhika Roy, Promoter & Director of M/s NDTV Ltd.
- (3) Shri Vikramaditya Chandra, CEO & Director of M/s NDTV Ltd.
- (4) M/s NDTV Ltd, Archana Complex, GK-I, New Delhi
- (5) Unknown Public Servants and others.

8. अभियोगी / सूचनाकर्ता द्वारा सूचना दिए जाने में विलंब का कारण :
Reasons for delay in reporting by the complainant / informant

No Delay

9. अपहृत / सम्बद्ध सम्पत्ति का पूर्ण विवरण : (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
Particulars of properties Stolen (Attach separate sheet, if necessary)

10. अपहृत / सम्बद्ध सम्पत्ति का कुल मूल्य : N.A.
Total value of property stolen : N.A.

11. मर्ग / अकाल मृत्यु सूचना क्रमांक :
Inquest Report / U.D. case No. if any : N.A.

12. प्रथम सूचना विवरण :- (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
First Information contents (Attach separate sheet, if required)

Separate sheets enclosed

Information

A complaint dated 19.08.19 received from Sh. Lalit Phular. Dy. Supdt. of Police, CBI, AC-II, ACU.V, New Delhi is reproduced below:-

To,

Supdt. of Police
AC-II/ACU.V
New Delhi

Sub:- Complaint against Sh. Prannoy Roy, his wife Ms. Radhika Roy, Sh. Vikramaditya Chandra, CEO-whole time Director of M/s NDTV Ltd. & others

Sir,

A Preliminary Enquiry No. PE2172016A0009/ACU.V/New Delhi was registered against unknown officials of Income-Tax Department, Govt. of India, Sh. Prannoy Roy, Smt. Radhika Roy w/o Sh. Prannoy Roy, Sh. Narayan KVL Rao, Sh. Vikramaditya Chandra, CEO-Whole Time Director and other unknown officials of M/s NDTV Ltd.

2. M/s New Delhi Television Ltd. (NDTV) got incorporated on 08.09.1988. Sh. Prannoy Roy, his wife Ms. Radhika Roy and Shri Naryanan KVL Rao (a retired IRS officer) were the whole time Directors and Shri Vikramaditya Chandra was the CEO-cum-whole time Director of the company NDTV Ltd.

3. During the period from May, 2004 to May, 2010, M/s NDTV Ltd. floated around 32 subsidiary firms all over the world, mostly in tax havens viz. Holland, UK, Dubai, Malaysia, Mauritius etc. Majority of these companies had no business transaction and they were meant only for financial transactions to bring funds from abroad. It is alleged that these transactions are sham transactions and aforementioned funds are invested by unknown Public Servants through NDTV Ltd. and later laundered back to India through multiple layers of complex transactions and shell companies. Proceeds of corruption of unknown public servants was invested through NDTV Ltd.

4. M/s NDTV Ltd. incorporated Network PLC (NNPLC) in London on 30.11.2006. M/s NNPLC had received an investment to the tune of USD 20 million through issue of 25,575 convertible preference shares together with 2558 warrants from Fuse Media Holding LP in March, 2007 for 4.5%-5% effective stake. M/s NNPLC raised fresh funds amounting to USD 100 million through M/s Jefferies International by issue of step-up coupon convertible bonds in May, 2007. In this transaction M/s Jefferies International

had received USD 5.5 Million as commission. M/s NNPLC transferred Rs. 193,98,44,325/- to various subsidiary companies of NDTV Group viz. NDTV imagine Ltd., NDTV Life Style Limited, NDTV Emerging Market BV, NDTV Convergence Ltd. & NDTV Labs Limited.

5. NDTV Ltd. incorporated other company in Netherlands on 10.04.08 in the name and style of M/s NDTV International Holding BV for the purpose of raising funds of USD 150 million from M/s NBCU, a subsidiary of General Electric USA. M/s NBCU transferred an amount of USD 150 million from the account of its subsidiary M/s Universal Studios International BV Netherland on 23.05.08. By investing the said amount by NBCU in NDTV International Holdings, M/s NBCU acquired 26% indirect share holding in NNPLC. The said amount was further transferred to subsidiaries of NDTV Ltd. incorporated in Mauritius & London & finally the said amount was received in subsidiaries of M/s NDTV such NDTV Imagine Ltd., NDTV Lifestyle, NDTV Lab, NDTV Convergence, NDTV NGEN and NDTV Studio incorporated in India.

6. The aforementioned investment of USD 100 million against step up convertible bonds were repaid to the respective investors by the NDTV in ratio by making a payment of USD 72.40 million, in November, 2008. Similarly, the investment of 150 million USD by NBCU who had acquired 26% share holding in NNPLC has been settled by buying back the share of NDTV Network International Holding BV, Netherland from NBCU after making the payment of USD 12,472,750 to Universal Studio BV on 26.10.09.

7. It is alleged that M/s NNPLC, London got approval from the FIPB Board in violation of laid down FDI provisions for Foreign Direct Investment (FDI) worth USD 130-160 million. Subsequently, M/s NNPLC London received total FDI worth USD 163.43 million till September, 2009. Further, it invested the said amount in various subsidiaries of NDTV through a web of complex transaction.

8. M/s NDTV Ltd. through its promoters viz. Sh. Prannoy Roy and Mrs. Radhika Roy, Sh. KVL Naryanan Rao (since expired), Sh. Vikramaditya Chandra had entered into criminal conspiracy with unknown public servants with the object of bringing tainted money of unknown public servants through a web of complex transactions through the FDI route. The aforesaid acts of omission & commission on the part of Sh. Prannoy Roy, Smt. Radhika Roy, Sh. Vikramaditya Chandra & Sh. KVL Naryanan Rao and unknown public servants & others prima facie disclose commission of cognizable offences under Indian Criminal Laws.

It is, therefore, requested that a Regular Case may be registered against M/s NDTV Ltd., Sh. Prannoy Roy, Smt. Radhika Roy, Sh. Vikramaditya Chandra and unknown public servants & others u/s 120 B r/w 420 IPC and Sec. 13(2) r/w 13(1) (d) of P.C. Act, 1988.

Submitted please.

Yours faithfully,

Sd/-
(Lalit Phular)
Dy. Supdt. of Police
CBI/AC-II/ACU.V
New Delhi

The above facts prima-facie discloses the commission of offences punishable u/s 120-B IPC r/w 420 IPC and Sec 13(2) r/w 13 (1) (d) of PC Act, 1988. Hence a Regular Case is registered against M/s NDTV Ltd., Shri Prannoy Roy, Smt. Radhika Roy, Shri Vikramaditya Chandra and unknown public servants and others. The investigation of this case is entrusted to Shri Yasir Arfat, Inspector of Police, CBI, AC-II, New Delhi.

(Kiran S)
Supdt of Police
CBI/ACU-V/AC-II/New Delhi
KIRAN S.
SP ACU-V/AC-II

Endst No. 5696 2172019A0005/ACU-V/AC-II/CBI/New Delhi dated 19.08.2019
5703

13. कार्यवाही जो की गई : चूँकि उपरोक्त विवरण क्रमांक 2 में उल्लिखित धारा(ओं) के अंतर्गत घटने वाले अपराध को उद्घाटित करता है

Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2

- (1) मामला पंजीकृत किया गया एवं जांच प्रारंभ हुआ अथवा
Registered the case and took up the investigation or

Yes

- (2) निर्देशित (जांच अधिकारी का नाम)
Directed (Name of IO)

रैंक
Rank

नं.
No.

जांच हेतु लिया गया
Took up for investigation

Shri Yasir Arfat

Inspector of Police /CBI/AC-II/New Delhi.

- (3) कारण से जांच के नामंजूर
Refused investigation due to

अथवा
or

N.A.

- (4) पुलिस थाना को स्थानांतरित किया गया
Transferred to PS

जिला
District

क्षेत्राधिकार के आधार पर
on point of jurisdiction

N.A.

अभियोगी / सूचनाकर्ता को प्र.सू. पत्र पढ़ाकर / पढ़कर सुनाया गया, जिन्होंने सही-सही अभिलिखित होना स्वीकार किया। इसकी एक प्रति अभियोगी / सूचनाकर्ता को निःशुल्क प्रदान की गई।

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

पढ़ कर सुनाया व सही स्वीकृत होना पाया।
R.O.A.C.

14. अभियोगी / सूचनाकर्ता के हस्ताक्षर
Signature/Thumb impression
of the complainant/informant

थाना अधिकारी के हस्ताक्षर
Signature of Officer in-charge
Police Station

नाम / Name

(पद) / Rank

No.
KIRAN S.

SUPDT. OF POLICE
CBI/ACU-V/NEW DELHI
KIRAN S.
SP ACU-V/AC-II

15. न्यायालय को भेजने का दिनांक एवं समय
Date and time of despatch to the court

(प्रभारी अधिकारी के हस्ताक्षर तारीख सहित)
Signature of recording Officer with date