

12 February 2021

BMI Publications Private Limited,  
B-402, Ansal Chamber-I,  
Bhikaji Cama Place,  
New Delhi – 110066.  
Phone No: +91 41025585.

***By E-mail***

**Attn:** Mr. Niraj Sharma, Founder and Editor in Chief: [Niraj@BestMediaInfo.com](mailto:Niraj@BestMediaInfo.com) and Ms. Kakoli Thakur, News Editor: [Kakoli@BestMediaInfo.com](mailto:Kakoli@BestMediaInfo.com)

Dear Sir/Ma'am,

**Re: Notice to cease and desist from attempting to report fake, unsubstantiated, false and unverified news against Republic TV/Republic Media Network**

We represent Mr. Arnab Goswami and ARG Outlier Media Private Limited ("our clients"). Under instructions from our clients, we state as follows:

1. Our clients' new channels, Republic TV and Republic Bharat are leading news channels in India and abroad and are the most viewed news channels in the English and Hindi genre respectively. Our client, Mr. Goswami is the Editor-in-chief of the Republic Media Network. Led by Mr. Goswami, Republic Media Network presently operates two channels namely Republic TV in English and Republic Bharat in Hindi, and a digital platform - Republic World. He is also the Managing Director of ARG Outlier Media Private Limited. The news network which was founded by Mr. Goswami, beams to over 250 million viewers across the country in English and Hindi. The network also has viewers across the globe including in the UK, the Middle East, the North Africa Region, Canada, Singapore and Australia.
2. Mr. Goswami is among one of the most prestigious names in the news industry and has over 20 years of experience. Prior to launching Republic TV in May 2017, he launched Bennett, Coleman and Company Limited's Times Now, a 24x7 English news channel, in 2006. Within a year of launching Times Now, Mr. Goswami led his news team to the number 1 viewership position in the English news genre. He is an award-winning news anchor who has also won the Ramnath Goenka Award for Excellence in Journalism (TV) in 2008. Mr. Goswami has an impeccable reputation and has been on the Board of Directors of Asianet Media Private Limited.
3. Mr. Goswami commands immense respect and goodwill in the media fraternity, and is the current President of the governing board of the News Broadcasters Federation (NBF), which is India's largest association of over 78 news channels from every region of the country.
4. Mr. Goswami has been at the forefront of crucial public campaigns, including the 2G Scam, the Coalgate Scam, the Anna Movement, the Commonwealth Games Scam, the Muzaffarpur Shelter Home Case, the Lalitgate Scandal and the Kargil for Profit scam, amongst others.

5. Mr. Goswami has an impeccable record as a journalist with more and has launched and editorially led English news channel TIMES NOW in the year 2006. Under his leadership, then India's Number 1 English news channel had been the most watched channel in the genre for more than 10 years uninterrupted. In 2017, Mr. Goswami launched Republic Media Network with the launch of English news channel Republic TV in May 2017-- which has been the most watched channel in the genre since its week of launch. In the year 2019, Mr. Goswami launched the Hindi news channel of the Network, Republic Bharat, which toppled legacy players in the ratings in the genre to become the most watched Hindi news channel in 2020. Mr. Goswami has built his organisation with professionalism and is known for his reputed journalistic endeavours which are synonymous with a high degree of credibility across the country and the world.
6. Mr. Goswami is highly respected not just in the field of journalism but also academia. He has been a Visiting Fellow at the International Studies Department at Sidney Sussex College, Cambridge University. He has also written a book titled "Combating Terrorism: The Legal Challenge". Mr. Goswami got his Masters in Social Anthropology from St Antony's College, Oxford University in 1994. He received the Felix Scholarship for having been an outstanding student from India to pursue graduate studies in any subject at the University of Oxford.
7. The present notice is being issued in the facts and circumstances below:

***Background***

8. We are issuing this letter in view of your proposed defamatory, falsified, motivated, concocted publication where, in effect, you are attempting to put forward a malicious, false pre-determined premise and conclusion, unsupported by verified facts. Your falsified narrative (that has been presented as a fact) claims that since the alleged TRP controversy broke out, there has been a one-sided deluge of advertisers who have withdrawn from the Republic Media Network (your proposed story as per your query mentions that 80 advertisers have quit since October 2020, and out of which 30 have quit after the WhatsApp leaks broke out in January 2021).
9. It is apparent that rather than conduct a proper enquiry into facts or present verifiable facts, you have begun with a malicious conclusion which you wish to propagate against our clients. From this malicious conclusion which is based on utter falsities, you are working backwards to desperately fit your baseless assertions into this prism. It is apparent that the proposed article is aimed at making false, fabricated and misleading claims and falsely presenting a distorted picture meant to colour and prejudice the minds of the public with regard to our clients.
10. The false insinuations in your proposed article, directly or through innuendo, includes but are not limited to painting a false picture and incorrect conclusion that 80 advertisers have withdrawn from the Republic Media Network owing to the alleged TRP Scam controversy and that 30 of such advertisers have "pulled out" after the purported "WhatsApp Leaks" and thereby attempting to engineer a false public image that advertisers are somehow dissuaded from entering into commercial relationships with our clients because of the alleged TRP controversy and the alleged "WhatsApp chats". This would be patently false, incorrect in fact and utterly misleading in intent for the following reasons:
  - Your claim of the number of advertisers, who you suggest have withdrawn from the Republic Media Network, is totally incorrect. It is totally incorrect to suggest that 80



advertisers have left our clients since October 2020, or that 30 advertisers have left since January 2021. Your intent to use hollow and false insinuations to create a public perception against our clients has been laid bare by the fact that your query has prescribed a falsehood as its conclusion. The very premise is bereft of verifiable facts and thereby the intent is wholly to mislead the public at large through a campaign of canards.

- You are either deliberately ignoring the fact or have deliberately not chosen to mention the fact that various new advertisers have in fact entered into commercial relationships with our clients after October 2020. This fact destroys the entire premise of your proposed article.
  - A basic search of industry reports would show that even today, i.e., post the fake TRP controversy and the leak of the alleged 'WhatsApp chats', our clients' reputation is high up and at par with the top players in the industry in terms of advertising revenue and numbers. The fact that you, nevertheless, propose to publish the misleading article, shows your mala fide intent in spinning a false narrative against our clients and that you don't want to see the correct and actual facts and thereby want to consciously and deliberately mislead the public and its audience.
  - You are falsely trying to portray a cause-and-effect relationship between the fake TRP controversy and ordinary course of business, and forcibly trying to indicate a link where, in fact, none exist.
    - o The narrative being quoted in your query about 80 advertisers "pulling out" of Republic and specifically 30 advertisers after the purported 'WhatsApp leaks' is wholly false.
    - o There is no link or correlation as being presumed in your article. There is no verifiable material to show that advertisers, as wrongly claimed you, have left because of the TRP controversy or because of the alleged WhatsApp chats.
    - o Furthermore, the world economy as a whole has suffered because of Covid-19 and there cannot be any doubt about the fact that Covid-19 has affected our clients, and the advertising industry is also no exception. It is however totally malicious and misleading for you to try to link normal economics with the TRP controversy, in addition to completely fabricating the facts on your very premise.
11. **The proposed news report is part of a mala fide, vicious, vexatious and deliberate campaign *inter alia* to tarnish the reputation of our client. Our clients believe that you are acting either at the dictates of, or in collusion with competitors of our clients, who it is well known, are at loggerheads with our clients.**
12. **It is no secret that major players who advertise on your platform and pay you money, are in competition with our clients in the genre of broadcast news. Your website and also newsletters connected with you, show the clear links between you and other persons who are in competition in the news space with our clients. We are instructed to state that your**

**proposed article, by defaming our clients, is *mala fide* and intended to further either your own corporate / commercial interests, or the corporate and commercial interests of others at whose dictates or in collusion with whom you may be acting. Since your advertisers are fierce competitors of our clients, any loss or damage to our clients, would lead to corresponding gain to you and your advertisers, who are our competitors.**

13. You have made your intent of a concocted narrative that does not exist in fact with a deliberate and conscious attempt to defame our clients, attack their reputation and impact the commercial operations of the Republic Media Network. The aim and underlying effect of the proposed article is to give the reader/audience a false and fabricated impression that our clients are losing advertisers because of the TRP controversy.
14. If you publish the subject report, you would have deliberately defamed our clients through a campaign of falsehoods through the said publication. It appears that as part of a motivated plot, despite being cognizant of the full facts, you have chosen to cloak reality and propose to use propaganda pieces aimed at harming the goodwill, the reputation, and the truth with respect to Republic Media Network.
15. In the event you publish the proposed piece, it would amount to a malicious attempt by you and part of a severely prejudicial campaign engineered and implemented *inter alia* by you against our clients and aimed at attempting to destroy their reputation as well as the reputation of the Republic Media Network. Through your proposed erroneous, fallacious, misleading, concocted, defamatory report, you, it is apparent intend to spin a deeply false narrative of prejudice against our clients in complete breach of facts, ethics, morality, integrity and journalistic duties. The malicious intent is to further your own corporate/commercial interests by defaming our clients.
16. **It appears that the proposed article is intended to further your own commercial and corporate interests through fabricated narratives and sensationalism at the cost of our clients' reputation. Your actions are aimed to discredit a senior journalist, run-down a legitimate and established media house and ensure unfair and undue personal gains in the process.**

From the above-mentioned facts readily available in the public domain, it becomes apparent that the “news” proposed to be perpetuated by you about our clients is not just defamatory but bereft of facts, scurrilous and fails to meet any criteria of due diligence by an apparent news media organization. Your allegations against our clients are based on selective, malicious, and is a motivated falsehood, despite the true and holistic facts being available in the public domain. The sole intent of your proposed “news” report’s falsified claims against our clients is to prejudice the mind of the public.

**Therefore, in light of the above, we call upon you to immediately:**

- **Cease and desist from reporting** such misleading, fake, unsubstantiated, false and unverified news in the print and digital media, and other social media platforms.
- **Cease and desist** from publishing and issuing any unverified, false, defamatory content against our clients which have no corroboration in facts or evidence.
- **Cease and desist** from selective publication, directly or through innuendo.

- **Cease and desist** from publishing content, which is unverified in nature, prejudicing the public mind in a sub-judice matter.
- **Cease and desist** from any using any conversations/content/information which are not verified and/or officially brought and confirmed on record.
- **Cease and desist** from furthering falsehoods using any information/contents/ which are unverified in nature.
- **Cease and desist** from publishing, in any form, the proposed report that is rooted in pre-scripted fiction and is bereft of fact.
- **Cease and desist** from using the garb of news reportage to further what seems like a corporate interest driven narrative.

**Should the above not be complied with, our clients will take the strongest legal action against you.**

Despite this notice, if you proceed to publish the proposed article or any article relating to our clients with unverified facts and misleading contents, **you shall render yourselves jointly and severally liable to face appropriate civil as well as criminal proceedings under the relevant provisions of law at your risk as to cost and consequences.**

**You are put to notice** that any financial loss or otherwise which would be caused to our clients as a result of your misleading publication, in the event you decide to go ahead with the proposed report, it would be solely to your risk and account, jointly and severally, and our clients reserve their rights to pursue their rights and remedies, as available in law, to the fullest against you.

The present notice is limited to the issues herein and the contents hereof are illustrative rather than exhaustive of any points available to our clients in relation to the above matter, either at law or in equity. All of our clients' rights are expressly reserved in this regard.

Sincerely,

**PHOENIX LEGAL**