The Magicians of the Finance World Some Stories of Frauds from Indian Financial World

Dr. Himanshu Jain, Professor DMS, Piet

The Satyam Saga- A Big Lie

Story of one of the BIGGEST Corporate fraud of India

Dr. Himanshu Jain, Professor

DMS, PIET









Member of International Advisory Panel of Malaysia's Multimedia Super Corridor Member of Board of **Indian Institute of Foreign Trade (IIFT) Member of National Council of CII** Member of Executive Council of NASSCOM Corporate Citizen of the year award in 2002 Byrraju Ramalinga Raju MBA from Ohio University, USA **CNBC's Asian Business Leader** Owner/President course at Harvard **Dataquest IT Man of the Year in 2000** Ernst & Young Entrepreneur in 1999

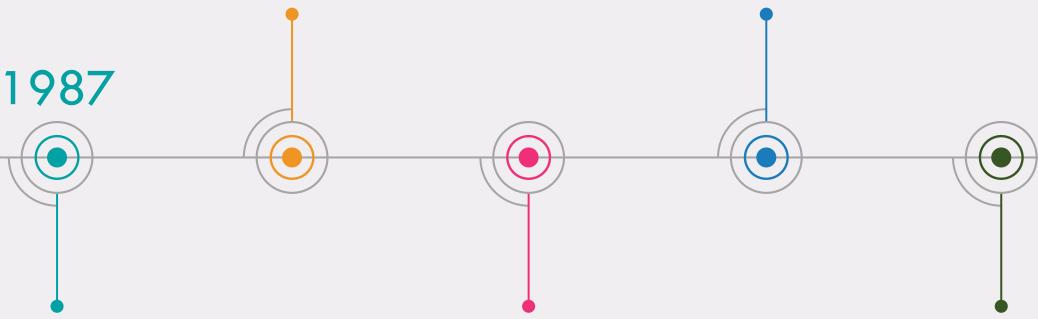
THE RISE OF S A T Y A M







- Declared one of the 100 most Pioneering
- As of 2009 4th fastest growing IT Company in India



Satyam Computers Pvt Ltd was started by two brothers:

- B Ramaliga Raju
- B Suryanarayana Raju

THE BIG BREAK-Allies with Dun and Bradstreet Corp. Ranked 3rd in Corporate Governance Survey by Global Institutional Investors

- First company to be listed on 3 international exchanges: NYSE, DOW, EURONEXT



The Truth Came Out on 07th January, 2009

Confession Letter on January 7, 2009 by B Raju

Raju resigned from his post & wrote in the confession letter: "Every attempt to fill the gap failed".

"It was like riding a tiger, not knowing how to get off without being eaten".



To the Board of Directors

Satyam Computer Services Ltd.

From B. Ramalinga Raju

Chairman, Satyam Computer Services Ltd.

January 7, 2009

Dear Board Members,

It is with deep regret, and tremendous burden that I am carrying on my conscience, that I would like to bring the following facts to your notice:

- 1. The Balance Sheet carries as of September 30, 2008
 - Inflated (non-existent) cash and bank balances of Rs.5,040 crore (as against Rs. 5361 crore reflected in the books)
 - b. An accrued interest of Rs. 376 crore which is non-existent
 - c. An understated liability of Rs. 1,230 crore on account of funds arranged by me
 - d. An over stated debtors position of Rs. 490 crore (as against Rs. 2651 reflected in the books)
- For the September quarter (Q2) we reported a revenue of Rs.2,700 crore and an operating margin of Rs. 649 crore (24% Of revenues) as against the actual revenues of Rs. 2,112 crore and an actual operating margin of Rs. 61 Crore (3% of revenues). This



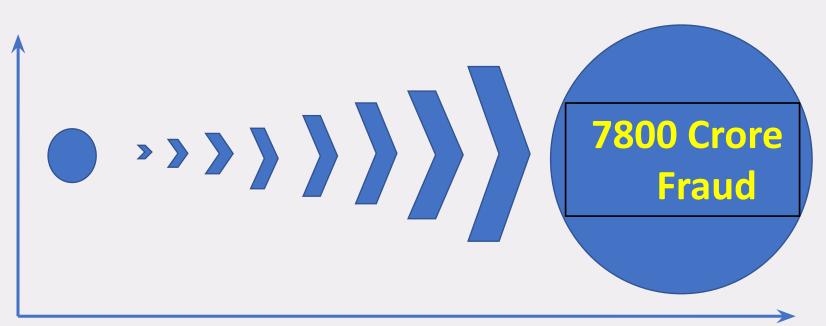


Srinivas Vadlamani (Ex-CFO)

Satyam

revealed during investigation:

- "I was asked specifically to not look into bank statement"
- Started 6-7 years ago
- AUDITOR never pointed out any "deficiencies" during their discussions.
- BANK deposit were handled directly by Raju.
- This marginal gap went on expanding over years.



THE DISASTROUS REVELATION



- The Black day: 7th January, 2009
- Accounting fraud of ₹7136 crores (approximately US\$1.5 billion), including ₹5040 crores (approximately US\$1 billion) of non-existent cash and bank balances.
- From past 7 years accounting books were cooked:
 - -Profits were inflated
 - -Understated liability and overstated debts
 - -Accrued interests
 - -The gaps in the balance sheets are due to the Inflated profits



Satyam Shares

- Biggest single day fall for a stock
- Rs. 178.95/-(Jan 6th) to Rs. 40.25/- (Jan 8th)

77+%

Stock Market

- BSE sensex fell by 749.05 i.e. 7.25%.
- NSE fell by 192.40 points i.e. 6.18%.

Companies Worth

• 11464 Crore



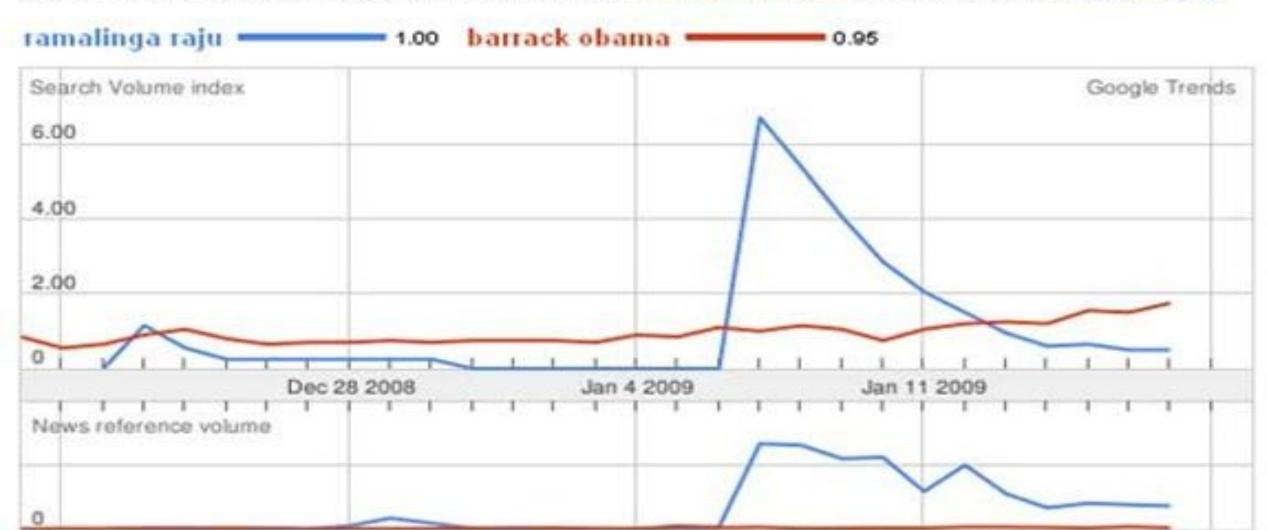
1607 Crore

 \Box All time low of Rs 11.50 on 9th Jan and closed at 23.75 Rs/-. \Box Compared to highest of 524.90 Rs/- on may 29,2008/-.

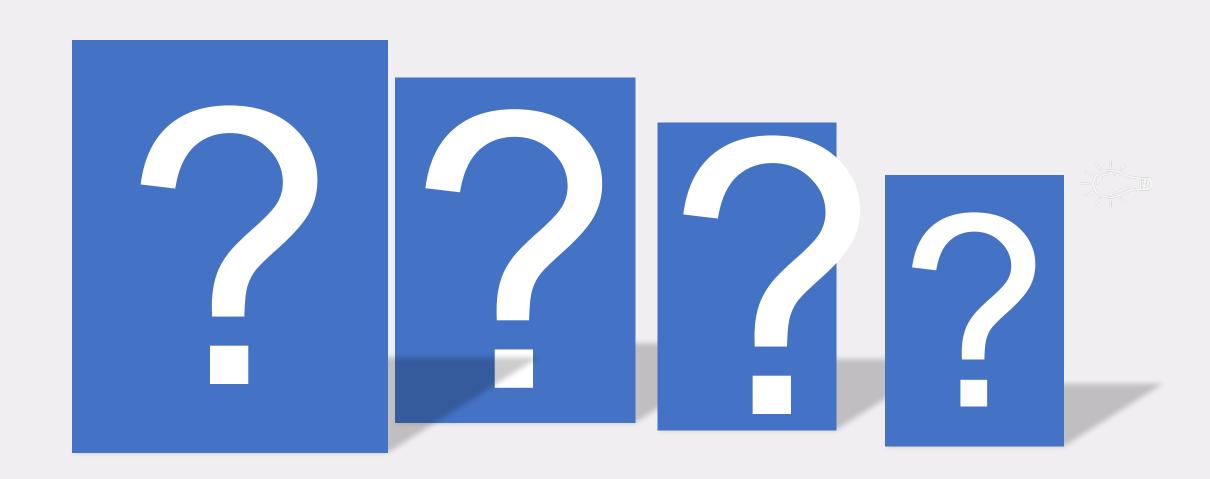
Search Volume Index



Scale is based on the average worldwide traffic of ramalinga raju in the last 30 days. Learn more



WHY DID RAJU CONFESS?



Circumstance of to lead Confession



Required US\$300 million + US\$ 1.2 billion

The deal required borrowing of US\$300 million in addition to US\$ 1.2 billion of cash that Satyam claimed to possess.

Satyam called of this deal, but it raised questions about corporate governance

26th December 2008

Mangalam Srinivasan, an independent director resigned

16th December 2008

The board approved a 51% stake acquisition of MAYTAS INFRA and 100% stake in MAYTAS PROPERTITES.

Stiff resistance

from the investors

23rd December 2008

5

World Bank suspended Satyam for 8 years from doing any business with itself

Circumstance of to lead Confession



DSP Merrill Lynch

DSP Merrill Lynch, terminated its contract with Satyam, which was appointed by Satyam to look for a partner or buyer for the company found serious accounting irregularities

07th January 2009

B. Ramalinga Raju Confessed



Whistleblower

A former senior executive wrote an anonymous email about the finance irregularities to board members

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Confession Letter





Acquisition of Maytas Infra and Maytas Properties

Last attempt to fill the gap.



Top officials were unaware

Only MD & CFO were others.



No personal profits.

Did not sell any shares from 8 years.

HOW DID IT START???







"Numbers tell the story, folks: Once you reward your accounting firm for lying, wonderful things happen!"

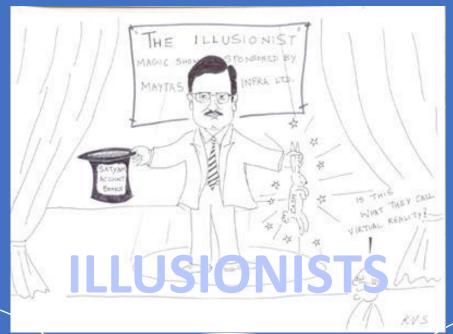
Ramalinga Raju

Satyam Former Chairman



Brother of R. Raju Former Managing director





V. Srinivas

Ex-chief financial officer

S. Gopalkrishnan

PriceWaterhouse Auditor

T Srinivas

PriceWaterhouse Auditor



PROBABLE REASONS



PRESSURE TO MEET EXPECTATION

- Growing competition
- Threat of being overtaken

OVERCONFIDENDCE

On his ability

PERSONAL BENIFITS

Siphoning off funds

Salary of non-existent 13000 employees

"Since about seven years we wanted to show more income in the accounts to avoid others from involving in the company affairs and any possible hostile acquisition".





Methodology of the S C A M





Falsified
Bank
Statements
/ FDRs

Boost Revenue & Profits

Fake Invoices

Super Log-in Created

THE SIZE OF INFLATED FIGURES



The Balance Sheet and Profit and Loss Account as of September 30, 2008 showed:

- Inflated (non-existent) bank and cash balance of Rs. 5040 crore (as against Rs. 5312 crore as shown in the books).
- A non-existent accrued interest of Rs. 376 crore.
- An understated liability of Rs. 1230 crore on account of funds arranged by BR Raju.
- Debtors position of Rs. 490 is overstated (as against Rs. 2,651 reflected in the books).
- Revenue of Rs. 2,7000 crore and an operating margin of Rs. 649 crore (24% of revenues a) as against the actual revenues of Rs. 2,112 crore and an actual operating margin of Rs. 61 crore (3% of revenues).
- Staff overstated by 13,000.

THE SIZE OF INFLATED FIGURES





Items Rs. in Crore	Actual	Reported	Difference
Cash & Bank Balances	321	5361	5040
Accrued Interest on Bank Fixed Deposits	Nil	376.5	376
Understated Liability	1230	None	1230
Overstated Debtors	2161	2651	490
Overstated Debtors	2161	2651	490
Total			7136
Revenues (Q2 FY 2009)	2112	2700	588
Operating Profits	61	649	588

THE LAST ATTEMPT





The MAYTAS Acquisition



- 51% of Maytas infra and 100% Maytas properties: firms owned by the sons of Raju.
- Planned to buy the Maytas to fill the gap in the balance sheet.
- Last attempt Raju made to fill the gap in the balance sheet.
- Major shareholder rebellion
- Acquisition was termed "Poor corporate governance".



Le mur américain

the rescue teams

The board appointed by the Govt.



Deepak Parikh
Chairman HDFC



Kiran Karnik
Former Nasscom Chief



C. Achuthan
Former SEBI member

the rescue teams



A S Murthy New CEO

Satyam shares gained over 44% day after appointment of the new board.

Aftermath of satyam scandal

Anand Mahindra of *Mahindra* took over the company for *Rs. 2890 crore* through a government *mediated auction* and acquired a *51%* stake in the company.

The Tech Mahindra merger was successfully completed on June 25, 2013.



Companies Act, 2013 incorporated new provisions:

- ☐ Disclosure of Promoter's Holding
- ☐ Rotation Of Auditors



CBI filed a charge sheet against *nine* on April 7, 2009.

Apart from 5 illusionists, 4 others are:

-Raju's second brother S. Raju

-2 employees from finance wing

-vice president(Finance)

CBI investigating further...

Other agencies like:

Serious Fraud Investigation Office(SFIO),

Enforce Directorate (ED),

Securities & Exchange Commission (SEC) USA

also investigated the case.



Ironically, *Satyam* means "*truth*" in Sanskrit, but Raju's admission-accompanied by his resignation-shows the company had been feeding investors, shareholders, clients and employees a steady diet of *asatyam* (or *untruth*), at least regarding its financial performance

- Wharton School of the University of Pennsylvania



PricewaterhouseCoopers (PwC)in 2020

Type Members have different legal structures; both UK and US firms are actually limited liability partnerships

Industry Professional services

Founded 1998 (PricewaterhouseCoopers), 1849 (Price Waterhouse),

1854 (Coopers & Lybrand)

Headquarters London, England, UK

Services Assurance, Advisory, Tax Advisory, Tax Controversy, Strategy Consulting

Data & Analytics, Management Consulting, Financial Advisory,

Actuarial, Legal

Revenue US\$43.0 billion (2020)

Employees 2,76,000 (2019)

Lessons Learnt



Better to exit at the first signs of trouble

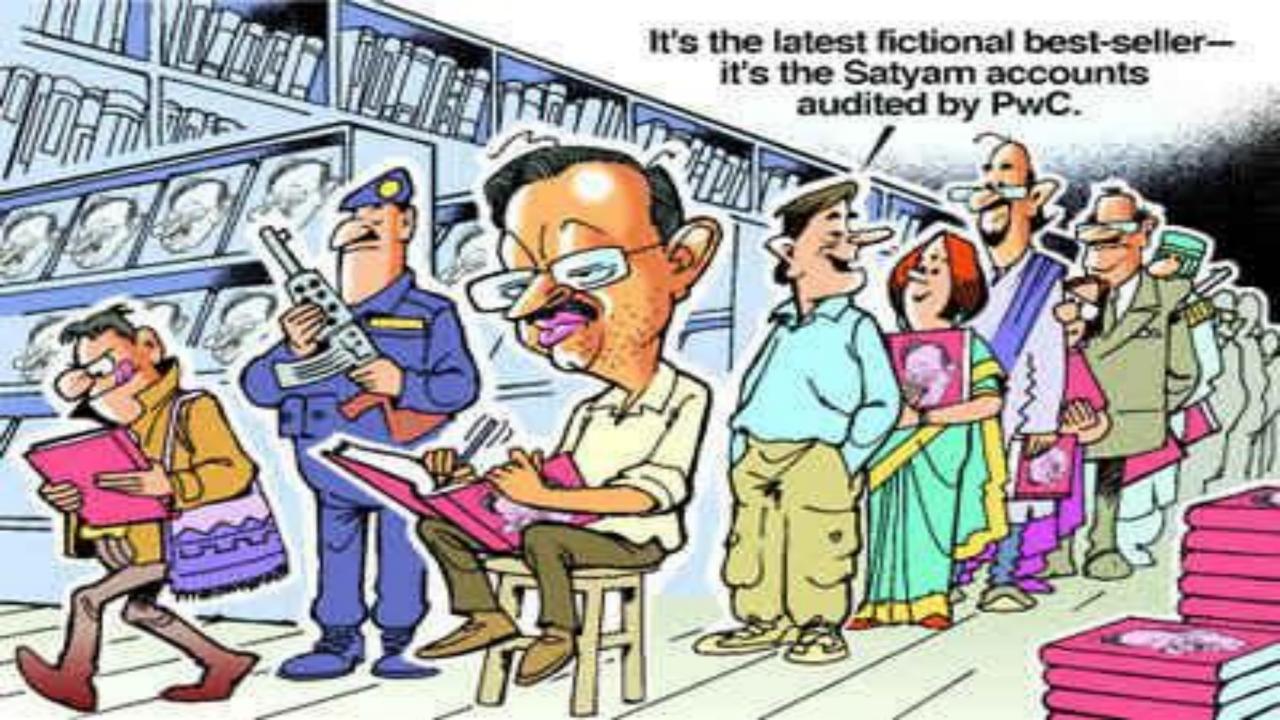
If things seem too good to be true, it's time to turn suspicious

Be alerted when institutional investors reduce their holding

Pay attention to the actions of the founders and directors of the company

Don't concentrate on any company stock especially if you are an employee

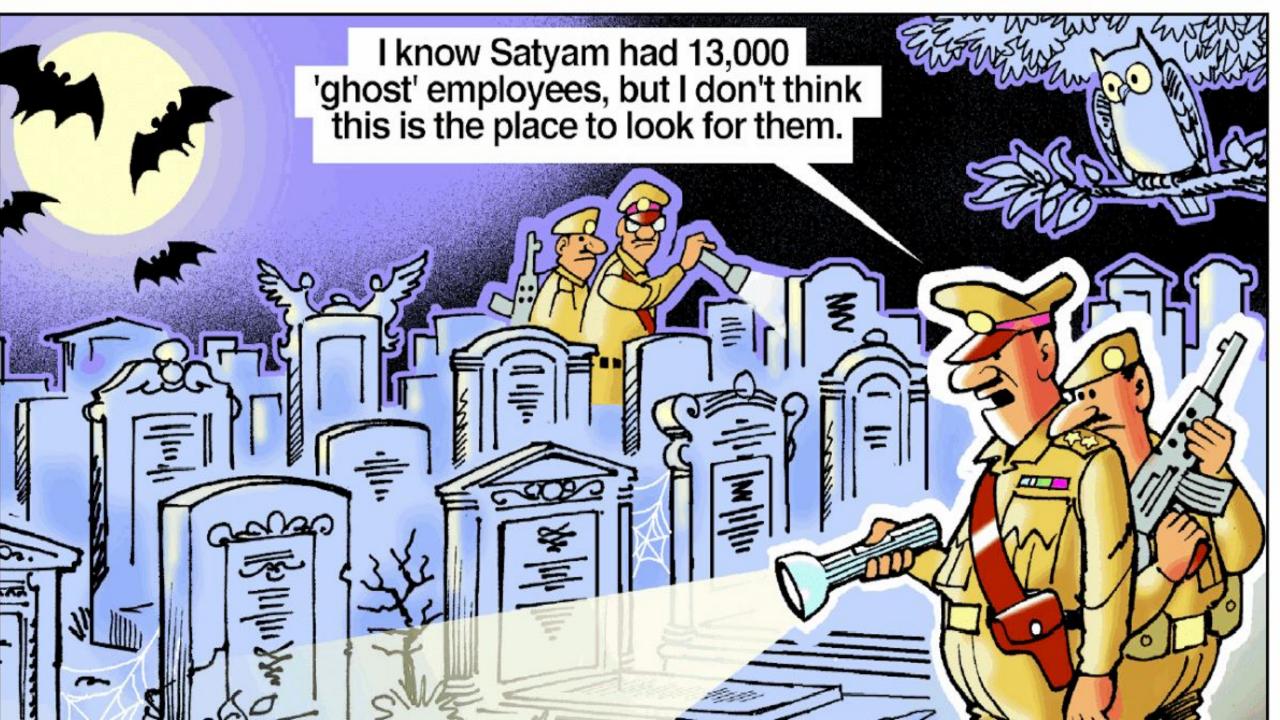
& of course, learn to say "NO" when you should





HIS 20 YEARS' EXPERIENCE AS A COOK WILL SURELY HELP US MAKE HUGE PROFITS!





Other famous accounting scandal...



BAD BOY BILLIONAIRES

INDIA



The Kingfisher Airlines

The Smell of Abnormality







The Sahara Scam





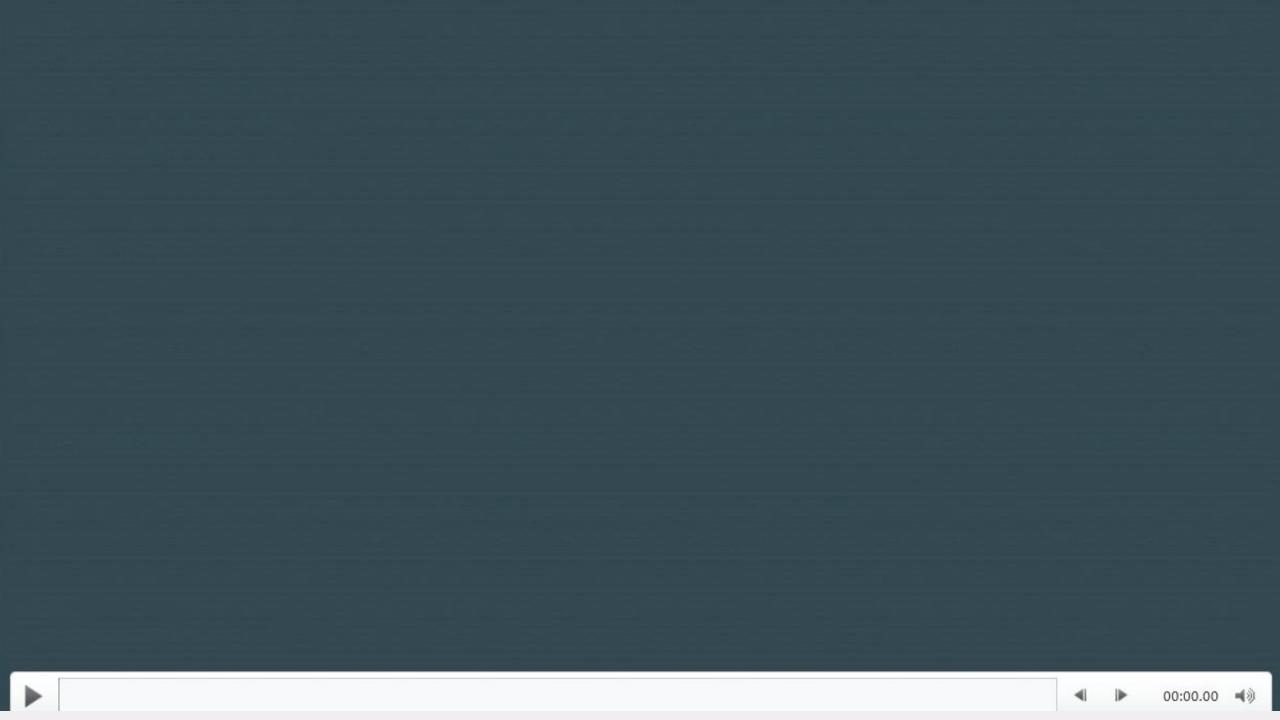


The Nirav Modi Scam



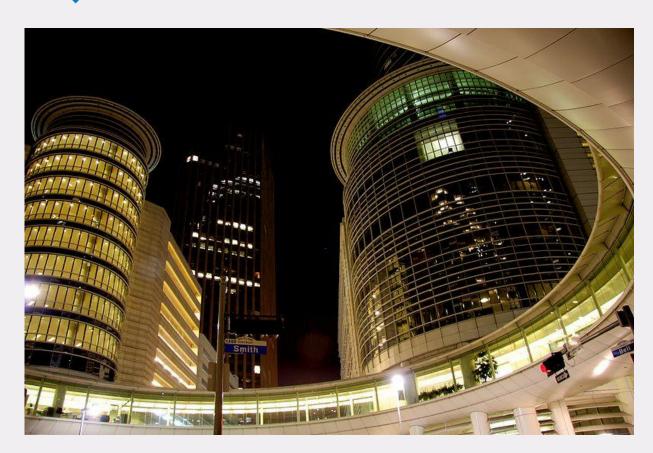


The Enron Bankruptcy in 2001



ENRON ®

The Enron



- Used to be 7th largest Corporation in USA.
- Energy giant Enron with revenues of nearly \$101 billion in the year 2000.
- Employed approximately 22,000 people.
- "America's Most Innovative Company" for six consecutive years, thereby proving that Fortune magazine.

1400 Smith Street (formerly Enron Complex)
Houston, Texas, United States
(now occupied by Chevron Corporation)

ENRON ON

The Enron Bankruptcy in 2001

- shareholders lost \$74 billion in the four years leading up to its bankruptcy, and its employees lost billions in pension benefits.
- The collapse of Enron, which held more than \$60 billion in assets, involved one of the biggest bankruptcy filings in the history of the United States
- Arthur Andersen accounting firm,
- resulted in the Sarbanes-Oxley act- "Public Company Accounting Reform and Investor Protection Act"/ "Corporate and Auditing Accountability, Responsibility, and Transparency Act".
- Mark to Market Accounting Methods



Former Enron employees sitting with their belongings after layoffs by the bankrupt energy-trading company

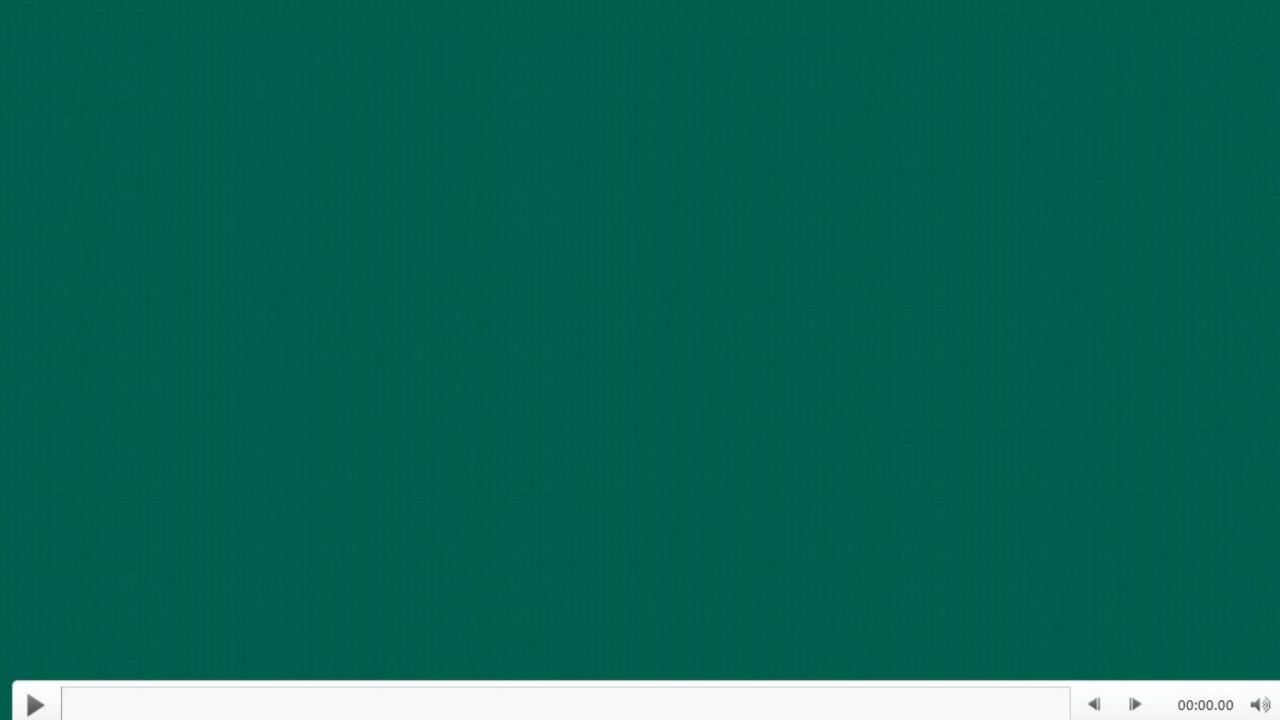


Discussed earlier



LEHMAN BROTHERS

The Collapse of Lehman Brothers 2008



Lehman Brothers Scandal (2008)

LEHMAN BROTHERS

Lehman Brothers was a global financial services firm based out of New York City, New York. It was one of the largest *investment banks* in the *United States*. During the *2008 financial crisis*, it was discovered that the company had *hidden over \$50 billion in loans*. These loans had been *disguised as sales using accounting loopholes*.

According to an *SEC investigation*, the company had *sold toxic assets to banks* in the *Cayman Islands* on a short-term basis. It was understood that Lehman Brothers would *buy back these assets*. This gave the impression that the company had *\$50 billion more in cash and \$50 billion less in toxic assets*. In the aftermath of the scandal, Lehman Brothers went *bankrupt*.

Auditing Firm: Ernst & Young



Ernst & Young in 2020

Industry Professional services

Founded 1989; 32 years ago (through merger of Ernst &

Whinney and Arthur Young & Co.; oldest component from 1849)

Headquarters London, England, UK

Services Assurance

Tax Advisory

Digital Strategy

Consulting

Financial Advisory

Legal

Revenue US\$37.2 billion (2020)

Number of employees 298,965 (2020)



What is the Company

Waste Management, Inc. is an *American* waste management, comprehensive waste, and environmental services company in *North America*. Founded in 1968, the company is headquartered in the First City Tower in Houston, Texas.

How Scam was done:

- 1. Depreciation expenses on garbage trucks were avoided by
 - inflated salvage values extended useful lives
- 2. Expenses were note recorded for
- Decreases in the value of landfills cost of unsuccessful landfill development projects
- 3. Reserves were manipulated so that excess reserves could be used to avoid recording unrelated operating expenses
- 4. Varity of expenses were improperly capitalized

Ind AS 1: Presentation of Financial Statements (AS 1: Disclosure of Accounting Policies)

Ind AS 16 :Property, Plant and Equipment (AS 6 : Depreciation Accounting) Ind AS 16 :Property, Plant and Equipment (AS 10: Accounting for Fixed Assets) Ind AS 16 :Property, Plant and Equipment (AS 10: Accounting for Fixed Assets)

Standard Practice:

Financial statements should disclose all "material" items, i.e. items the knowledge of which might influence the decisions of the user of the financial statements

Company Practice: The netting tactic allowed them to eliminate almost \$500 million in operating expenses from the financial statements, by "offsetting them against unrelated one-time gains on the sale or exchange of assets."

Standard Practice: The method of depreciation is applied consistently to provide comparability of the results of the operations of the enterprise from period to period

Company Practice: The company significantly decreased the depreciation expenses on their garbage trucks, by extending useful lives and changing salvage values

Standard Practice: Due to the nature of landfills, GAAP also requires that a company compare a landfill's cost to its anticipated salvage value, with the difference depreciated over the estimated useful life of the landfill

Company Practice: The Company did not account for the decrease in value of their landfills, even though these landfills were constantly being filled with waste. Standard Practice: Only expenditure that increases the future benefits from the existing asset beyond its previously assessed standard of performance is included in the gross book value

Company Practice: The Company also improperly capitalized certain expenses that should not have been capitalized. For eg, they did not expense the costs of abandoned landfill development projects, that were unsuccessful.

Accounting Standards Violation





Role of Auditors

Auditors- Arthur Anderson LLP

Aware of the improper practices

Issued unqualified audit reports

Prepared proposed adjusting journal entries (PAJEs) for misstatements to correct the improper accounting practices

The Auditors earned additional fees through "special work" which were shown in the financial statements of the company under the following heads:

Accounting work -- \$7.5 million
Non-Audit consulting fees -- \$17.8 million



How Did The Scandal Become Public?

A new CEO hired in 1997 ordered a review of the company's accounting practices, which led to the discovery in 1998 of an overstatement of \$1.7 billion in earnings between the years 1992 to 1997. It was the largest restatement known at that point in history.

Year Ending	Originally Reported (In Thousands)	As Restated (In Thousands)	% Overstated
31-Dec-92	\$850,306	\$739,686	14.90%
31-Dec-93	\$452,776	\$288,707	56.80%
31-Dec-94	\$784,381	\$627,508	25.00%
31-Dec-95	\$603,899	\$340,097	77.60%
31-Dec-96	\$192,085	\$(39,307)	100+%

Effects of Fraud

Shareholders lost more than \$6 billion when stock prices dropped by more than 33%

Waste Management was bought and merged with a smaller company, USA Waste Services Inc. in 1998

Waste Management had to pay \$457 million in a class action suit to shareholders

Arthur Anderson was fined \$7 million

In 2005, the fraud accounting lawsuit against the former executives was settled for \$31 million

The men were banned from serving as officers and directors of a public company

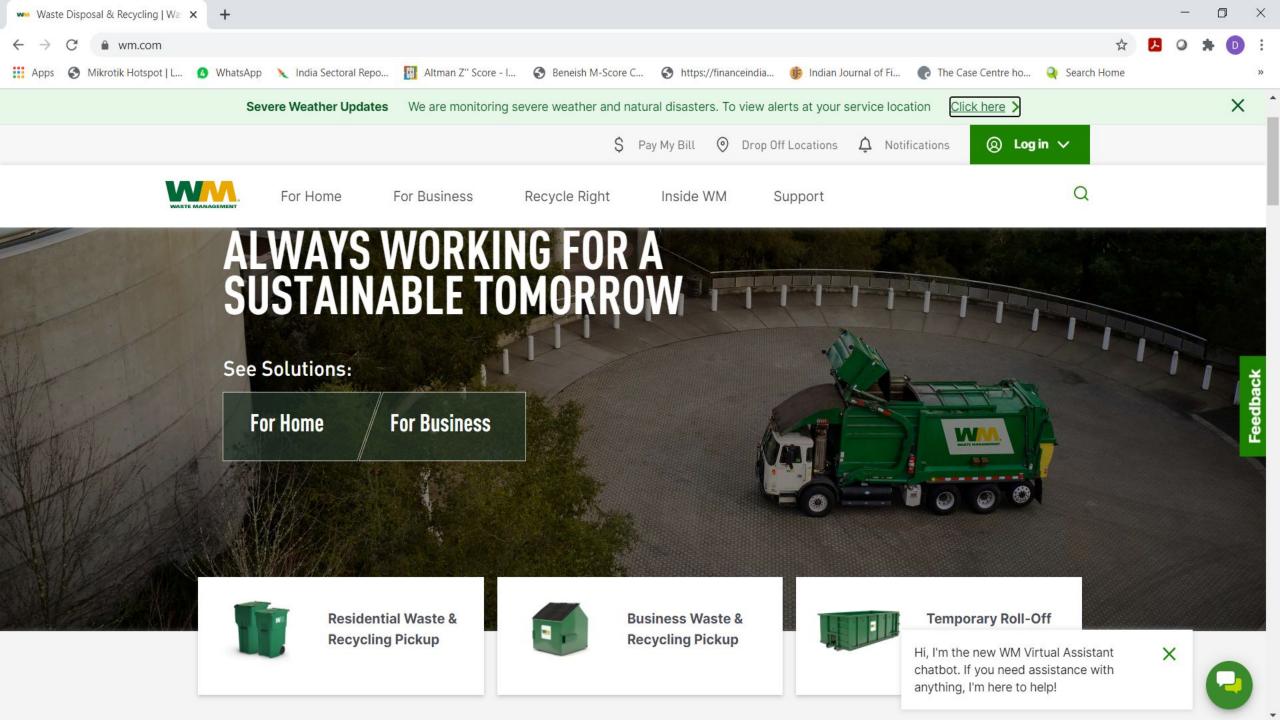
Waste Management Inc – At Present...

Although, Waste Management, Inc., with the help of auditor, Arthur Andersen, was investigated, charged with a suit, and required to restate their financial statements, the company was able to continue operations. Today, the company is still serving their clients and the public with waste services such as recycling and disposals. Although they suffered consequences due to their five-year period of fraudulent reporting, the company was lucky enough to recover from their losses and charges filed against them.

The Company is currently operating in North America

- The Largest Solid Waste Provider in North America.
- The leading Provider of Integrated Environmental Solutions in the country.
- The Largest Recycler of the state.
- Owns Largest Truck Fleet in the North American Industry.
- Provide employment to more than 50000 people.
- Has a customer base of more than 20 million people.





Arthur Andersen today



- Nancy Temple (in the firm's legal department) & David Duncan (lead partner for the Enron account)
- Because the U.S. Securities and Exchange Commission (SEC) will not accept audits from convicted felons, the firm agreed to surrender its CPA licenses and its right to practice before the SEC on August 31, 2002—effectively putting the firm out of business.
- It had already started winding down its American operations after the indictment, and many of its accountants joined other firms. The firm sold most of its American operations to KPMG, Deloitte & Touche, Ernst & Young and Grant Thornton LLP. The damage to Andersen's reputation also destroyed the firm's international practices. Most of its international business were taken over by the local firms of the other major international accounting firms.
- On May 31, 2005, in Arthur Andersen LLP v. United States, the Supreme Court of the United States unanimously reversed Andersen's conviction because of serious errors in the trial judge's jury instructions.
- theoretically left Andersen free to resume operations. However, CNN reported that by then, Andersen was "nearly defunct," with about 200 employees remaining from a high of 28,000 in 2002.
- if Andersen had escaped the Enron scandal unscathed, it would have likely been brought down by the massive accounting fraud at WorldCom. The WorldCom fraud came to light just days after Andersen was convicted of wrongdoing at Enron.

Arthur Andersen today



Many partners formed new companies or were acquired by other consulting firms. Examples include:

- 60% of the total Andersen practices globally merged into Ernst & Young, with some going to Deloitte (notably UK, Spain and Portugal).
- Accuracy which was founded in 2004 by a team of seven former partners and is headquartered in Paris.
- Andersen Tax LLC which acquired the rights and changed their name from WTAS in 2014.
- <u>BearingPoint</u>, formerly the US consulting unit spun off by KPMG, which purchased Andersen business consulting practices in France and Spain
- Huron Consulting Group
- West Monroe Partners which was founded in 2002 by four former consultants, and is based in Chicago.
- <u>KPMG</u> which absorbed the Computer Forensics division based in Cypress, CA and the Boise, Kansas City, Philadelphia, Portland, Salt Lake City and Seattle offices, among others
- Navigant Consulting which absorbed eleven partners in Chicago and Washington D.C.
- <u>Perot Systems</u> which absorbed six partners
- **Protiviti** hired approximately 800 former workers
- SMART Business Advisory and Consulting which absorbed some of the Philadelphia office
- *jcba Limited* which was founded by a partner from the aviation practice[21][22]
- Grant Thornton International which absorbed the North Carolina, South Carolina, Albuquerque, and Tulsa offices.
- True Partners Consulting



NSEL Scam- 2013
A case of **bad book-keeping**

What Happened:

In NSEL, the contracts were made on paper but the underlying commodities did not exist.

Size of the Scam: Rs. 5500-5600 Crore

Auditors:

Mr. Jalan and Mr. Kabra of SV Ghatalia & Associates (SVGA), a firm affiliated to *Ernst & Young*

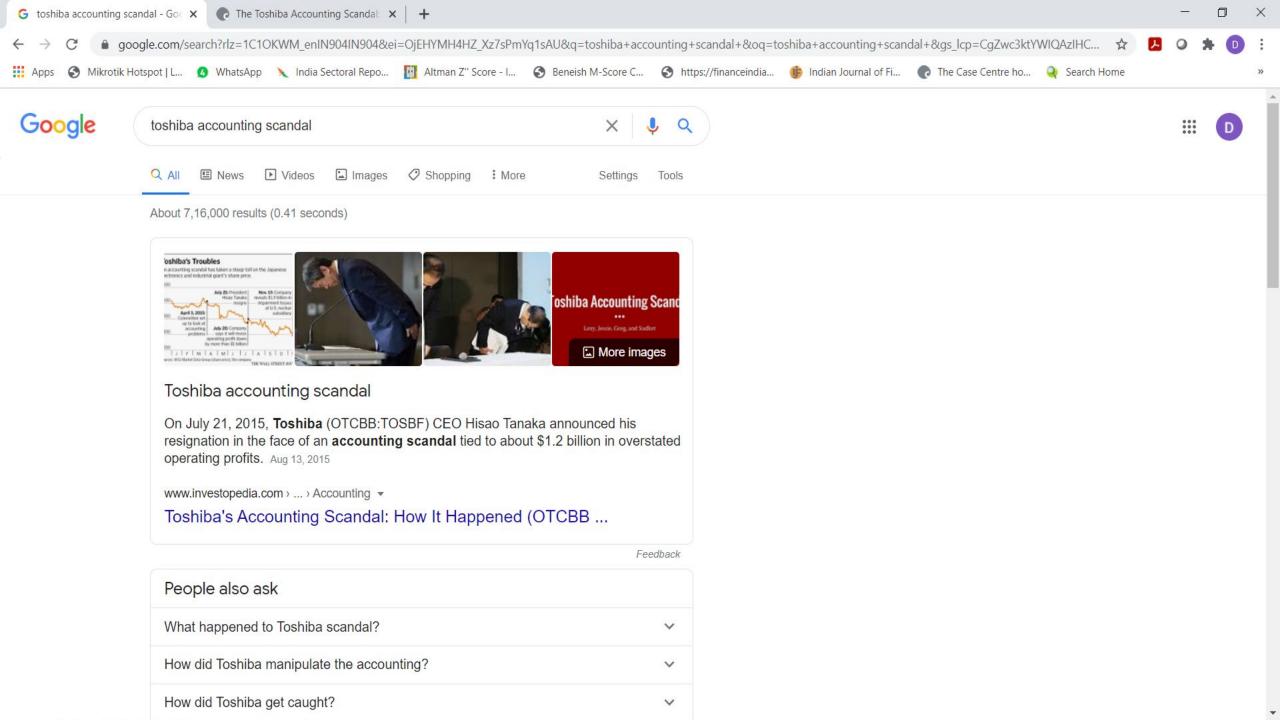


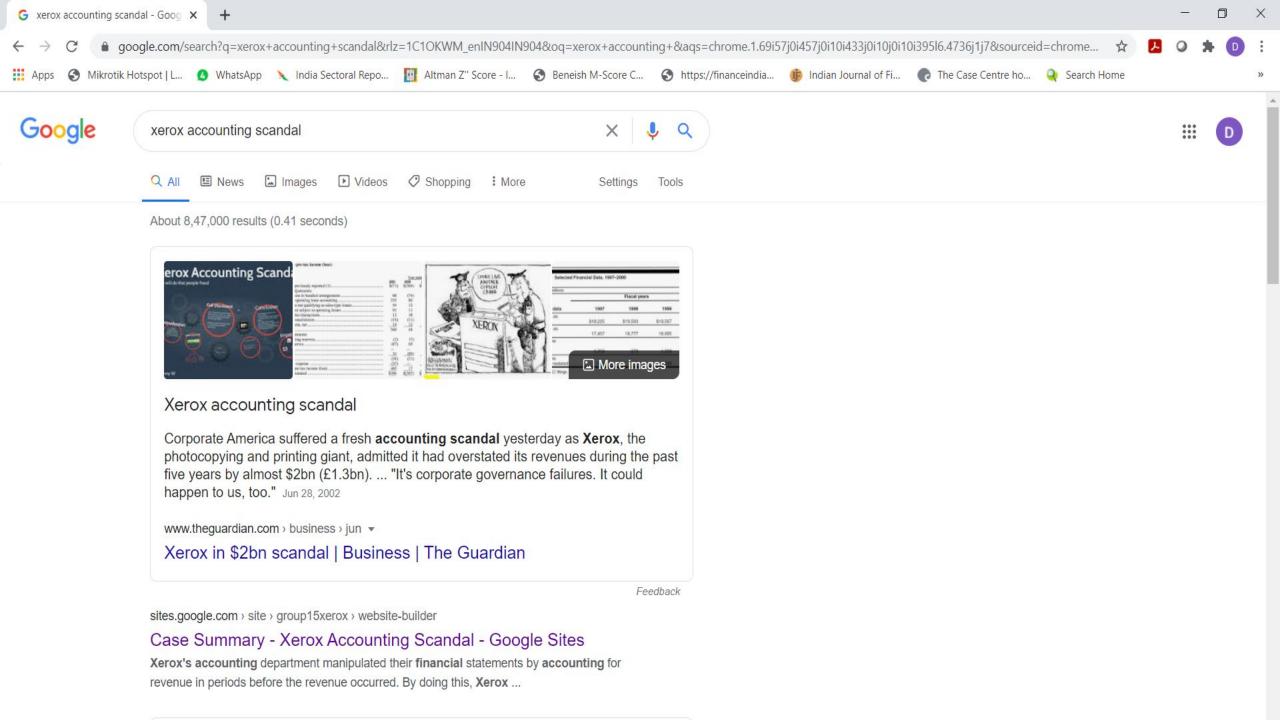
Infrastructure Leasing & Financial Services (IL&FS)

IL&FS, India's leading infrastructure finance company, defaulted on payment to lenders, triggering panic in the market. The dues stand at more than Rs. 91, 000 crore.

Deloitte Haskins & Sells was statutory auditor of IL&FS till FY2017, of IFIN from FY2016 to 2018. **EY** affiliate SRBC & Co was statutory auditor of IL&FS for FY17-18 and for ITNL from FY2016-2018. **KPMG** affiliates BSR & Associates was statutory auditor for IFIN from FY2016-2018. BSR also audited accounts of ITNL from FY2016-2018.

the auditors *understated bad loans* and did not point out the *inadequate provisioning* made against such loans, *violating norms* set by Reserve Bank of India (RBI).

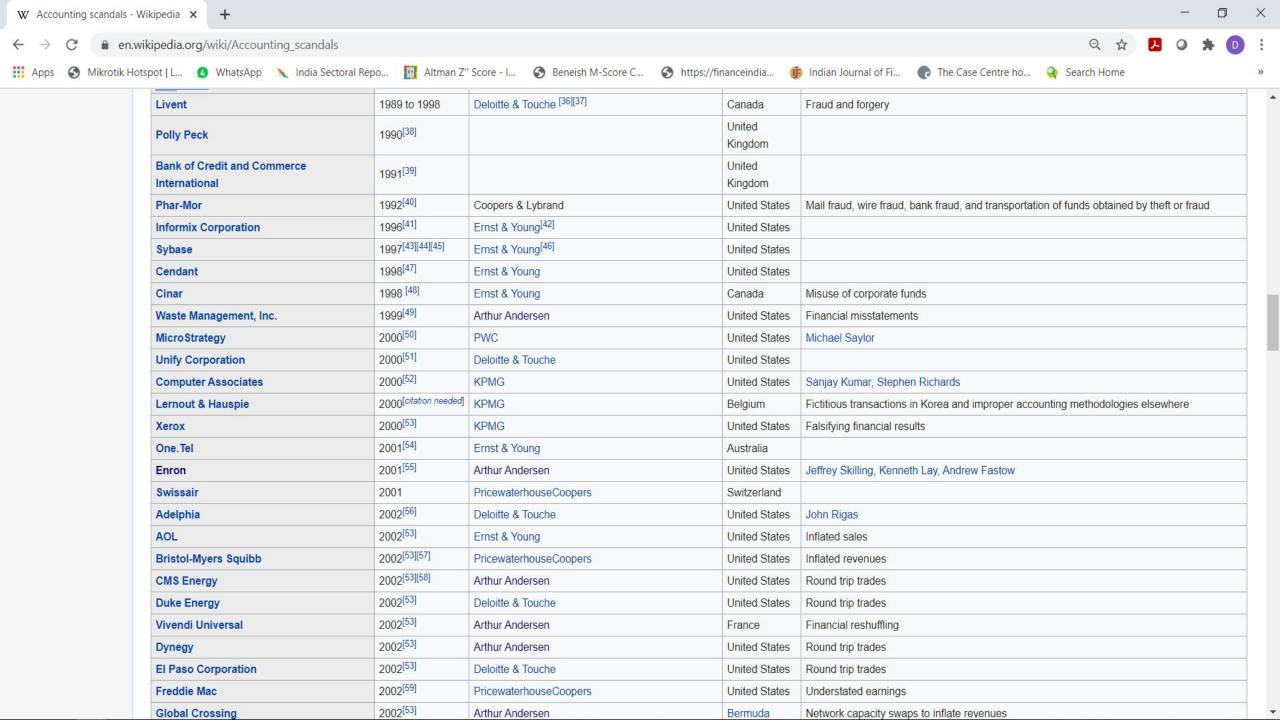


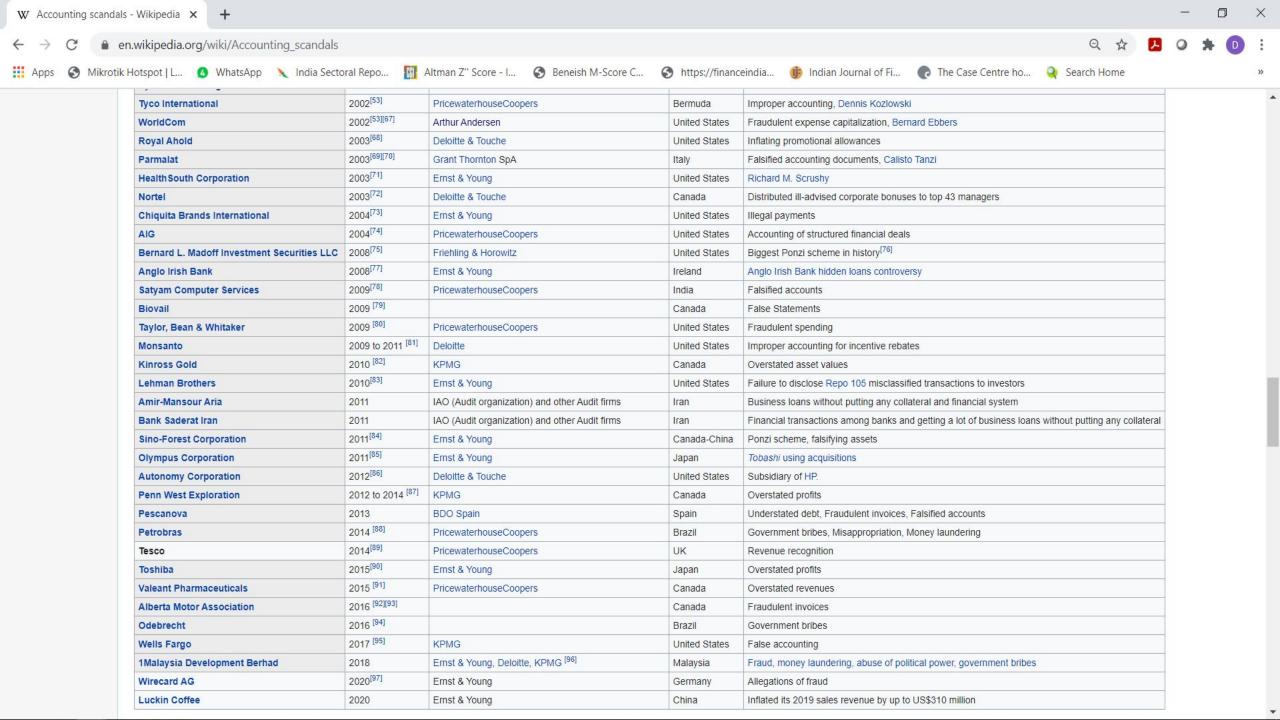




List of biggest accounting scandals [edit]

Company \$	Year ◆	Audit Firm	Country +	Notes
Fred Stern & Company	1925	Touche, Niven & Co.	United States	
Hatry Group	1929		United Kingdom	
Royal Mail Steam Packet Company	1931		United Kingdom	
Interstate Hosiery Mills	1937	Homes and Davis	United States	
McKesson & Robbins, Inc.	1938	Price, Waterhouse & Co.	United States	
Yale Express System	1965 ^[19]	Peat, Marwick, Mitchell & Co.	United States	Overstated net worth and failed to indicate net operating loss
Atlantic Acceptance Corporation	1965 ^[20]	Wagman, Fruitman & Lando	Canada	CPA conflicts of interest
Continental Vending Machine Corp.	1969 ^[21]	Lybrand, Ross Brothers, & Montgomery	United States	CPA partners convicted and fined
National Student Marketing Corporation	1970 ^[22]	Peat, Marwick, Mitchell & Co.	United States	Overstatement of earnings
Four Seasons Nursing Centers of America	1970 ^[23]	Arthur Andersen	United States	Overstatement of earnings; CPA partners indicted
Equity Funding	1973 ^[24]	Wolfson Weiner; Ratoff & Lapin	United States	Created fictitious insurance policies
Fund of Funds – Investors Overseas Services	1973 ^[25]	Arthur Andersen	Canada	Mutual fund that inflated value of assets
Lockheed Corporation	1976 ^[26]		United States	
Nugan Hand Bank	1980 ^[27]		Australia	
O.P.M. Leasing Services	1981[28]	Fox & Company	United States	Created fictitious leases
ZZZZ Best	1986 ^[29]		United States	Ponzi scheme run by Barry Minkow
Northguard Acceptance Ltd.	1980 to 1982 [30]	Ernst & Young	Canada	
ESM Government Securities	1986 ^[31]	Alexander Grant & Company	United States	Bribery of CPA partner.
Bankers Trust	1988 ^[32]	Arthur Young & Co	United States	Hid an \$80 million mis-pricing of derivatives contributing to profits by cutting bonuses.
Barlow Clowes	1988 ^[33]		United Kingdom	Gilts management service. £110 million missing
Crazy Eddie	1989 ^[34]		United States	
MiniScribe	1989 ^[35]		United States	





Role of ICAI

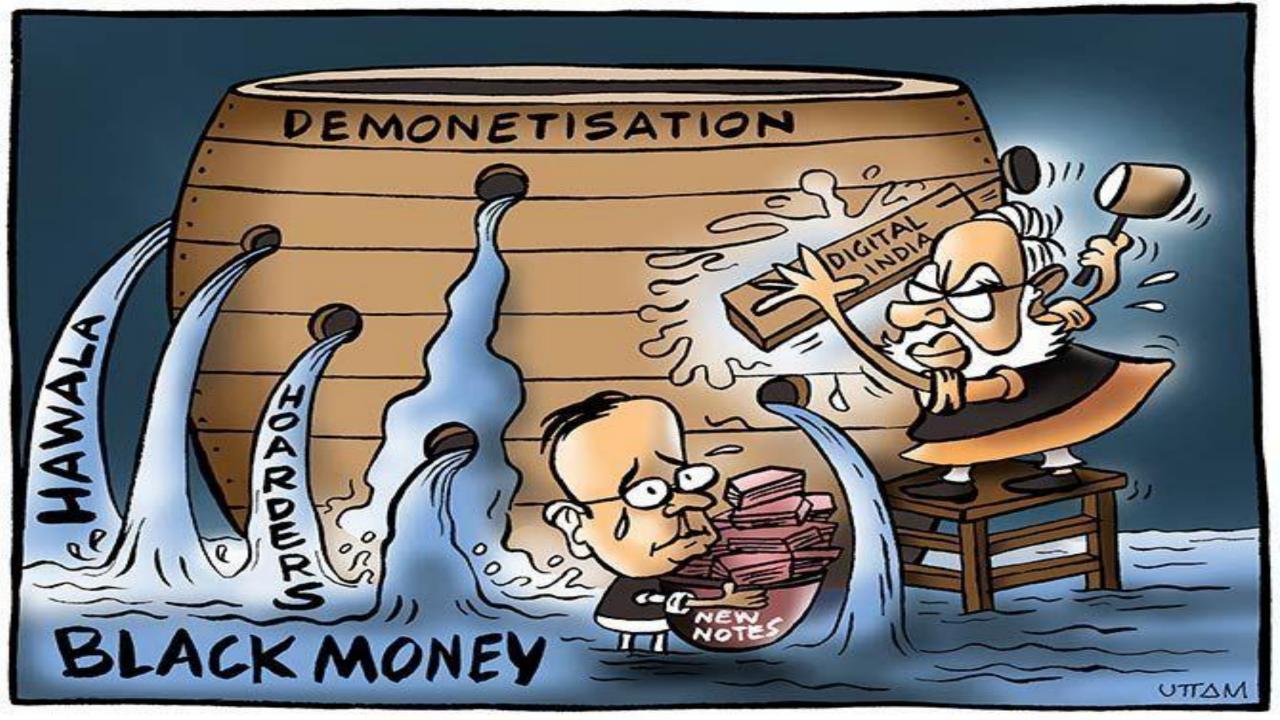


The Institute of Chartered Accountants of India

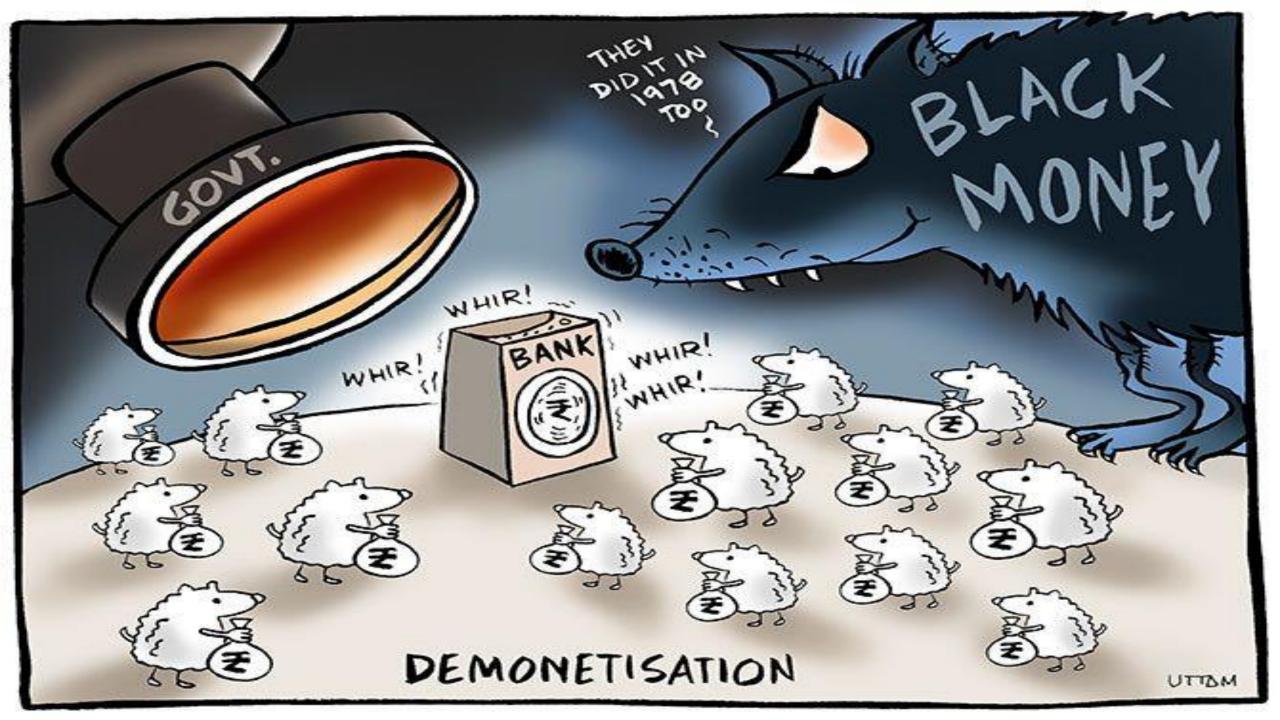
(Set up by an Act of Parliament)

Actions taken against the CAs by ICAI











- सांवलावन
- छाईयां
- झरियां
- कील मुंहासे





Let's Discuss

