

Date : 27th October 2021

To :

The Hon'ble Lokayukta of Maharashtra,

Justice Shri V.M.Kanade

New Administrative Building, 1st Floor, Madam Cama Road,

Mantralaya, Mumbai – 400 032.

Subject : Complaint No. 4156 dated 31/10/2019 – Status of Hearings.

- a) Request for an early reply to this Plea.
- b) Reliefs sought by me in the matter.
- c) Upa-Lokayukta, Shri Sanjay Bhatia did not take action after all public servants in government authorities were exposed before him in January 2021 with full evidence. It is two years of my complaint before the hon'ble Lokayukta of Maharashtra.

Respected Sir,

1. Firstly, my apologies to you, if there was any misconduct on my part during the last hearing on 20.10.2021. I just asked a simple question and you got annoyed.
 - a) I never knew that you were not briefed of the status after previous three hearings before Hon'ble Lokayukta, Justice Shri M.L.Tahaliyani, Hon'ble Lokayukta, Dr.Shailesh Kumar Sharma and Hon'ble Upa-Lokayukta of Maharashtra, Shri Sanjay Bhatia.
 - b) I thank you for acknowledging my work and duty as a citizen to expose the dangerous drug racket prevailing in the country; Nexus between pharmaceutical companies, doctors, FDA and CDSCO playing with lives of innocent citizens for ill-gotten wealth.
 - c) Compliments from Retired Bombay High Court Judge of seventeen years will be cherished by me for the rest of my life.
 - d) Just Imagine my plight as an aggrieved senior citizen seeking justice in unnatural, untimely and merciless death of my wife, sacrificed as a "Guinea Pig" in a secret drug trial.
 - She was poisoned and left to die.
 - Each and every regulatory authority and law enforcement agency have been compromised.

- NCDRC (National Consumer Disputes Redressal Commission) President, Justice Shri R.K.Agrawal indulged in misconduct to prolong the mental agony of a senior citizen and his daughter.
- The latest was the Lokpal of India.
- I have been mentally tortured for seven long years.
- It seems that there is no humanity left in our nation.
- While corruption is at its peak by responsible persons in power.

e) You said that I have done a commendable job and also said that removal of treating doctor's name from the register of Maharashtra Medical Council for only three months was too less a punishment.

- I said that I have appealed against the Order.
- Appeal is before the National Medical Commission.
- My grounds for permanent deletion of Dr.Mihirgiri Goswami's name and action against Dr.Meghal Goswami, co-owner of Maruti Nursing Home is based on their Appeal to Maharashtra Medical Council after charges were framed against them.

They had the audacity to link, false imaginary diseases on the deceased and that too before the Executive Committee comprising of 10 experienced doctors.

That too, after the same council had already framed charges against them. Dr.Meghal Goswami was the purchaser of Rokfos injection illegally and which caused my wife's death. Hence action has to be taken against her also by National Medical Commission. Both are accused in Police complaint and Complaint before Food and Drugs Administration, Maharashtra, Mumbai.

Prescription for Trial and hushing up of serious adverse drug reactions is before one and all authorities. Orders in Civil Suits are evidence.

Dr.Mihirgiri Goswami and Dr.Meghal Goswami will continue to follow their malpractices and lives of future patients (sent to them as 'Cut Practice') will always be at stake.

f) It goes to prove that you have gone through the Orders in Civil suits and have a fair knowledge of the entire matter.

2. I am sorry for being unaware of the fact, that you were the newly appointed Hon'ble Lokayukta of Maharashtra.
 - a) After the last hearing on 30.12.2020, all the authorities viz Dean and Expert Committee Panel Head, Dr.Abdul Hannan were exposed for destruction of evidence, tampering of evidence and colluding with criminal offenders.
 - b) Order by Maharashtra Medical Council dismissed all attempts to create false medical theories by inviting Medical Council Registrar for the hearing. Medical Council complaint was for Professional Misconduct and had nothing to do with criminality in death of my wife. There was no need to invite him clandestinely. My video was blocked and only audio was on.
 - c) Since FDA Maharashtra official was the only party called for this hearing on 20.10.2021, I presumed that Joint Investigation Report was to be heard along with foul play in complaint before the 15th Court, Mazgaon, Mumbai filed by the Drug Inspector working under FDA Maharashtra Commissioner.
3. Joint Investigation Report by FDA Maharashtra, CDSCO (WZ), Mumbai and Professor and Expert from Lokmanya Tilak Municipal Medical College and General Hospital, Mumbai was sent to the Complainant by Medical Education and Drugs Department, Mantralaya, Government of Maharashtra on 16/02/2021 after the last hearing held on 30.12.2020 and after the Removal Order by Maharashtra Medical Council dated 29.01.2021.
 - a) This investigation was not organised by the Health Ministry or any other Department of the Central Government.
 - b) This investigation was a conspiracy hatched and a fraud committed by Drugs Controller General (India) under CDSCO (HQ) on the citizens of the country and has exposed the dangerous network between Criminal pharmaceutical companies, unethical doctors, FDA and CDSCO playing with lives of innocent citizens of the country.
 - c) This has been explained in a separate document sent herewith on Joint Investigation Report; My response to 19 Summarised Observations and 4 Remarks of the investigation team. Besides, I have exposed several other matters prevalent in the country which needs to be redressed at the level of Members of Legislative Assembly and Members of Parliament.
4. As per your advice, I am sending you reliefs sought by me in the matter separately along with this letter.

5. At the outset, this was an open and shut homicide case dragged by each and every regulatory and law enforcing agency both at the Centre as well as in the States of Maharashtra and Goa.
 - Money power of an unscrupulous pharmaceutical company, Cipla Limited is on open display before the world.
6. The following documents needs to be looked into by the Hon'ble Lokayukta of Maharashtra to understand the gravity of offences committed in the matter :
 - a) Writ Petition before the Hon'ble Supreme Court of India.
 - b) Order by Executive Committee of Maharashtra Medical Council, explained in my writ petition.
 - c) Order by Maharashtra State Commission (Consumer Court) explained in my writ petition.
 - d) Joint Investigation Report of FDA Maharashtra, CDSCO WZ and Professor and expert from Lokmanya Tilak Medical College and Government Hospital sent to the complainant by Medical Education and Drugs Department after the last hearing before the Hon'ble Lokayukta of Maharashtra.
7. Writ petition copies have been sent to all respondents at State level. However, reference of writ petition before Supreme Court, is purely for the sake of convenience as matters are the same before the Hon'ble Lokayukta also.

Written Statements by the State Level Respondents had to be given to the Hon'ble Lokayukta after their exposure for destroying Expert Committee Report, tampering with charges framed by Medical Council and colluding with criminal offenders. None of them complied which proves their guilt.

8. Police Complaint with Navghar Police, Mulund East, Mumbai :
 - a) Complaint was dated 10th April 2017. Inspector, Shri Kale from Navghar police station called me on my mobile and told me to come and give my statement to effect an arrest warrant. My statement was recorded on 12th May 2017. However, on 23rd May, 2017, I was informed that my complaint was not registered.
 - b) In the meantime, my RTI Appeal was heard by the DCP-Zone VII, Shri Sachin Patil who ordered an enquiry and asked the officers to send the complaint to Directorate of Health Services, Mantralaya, Government of Maharashtra.

- c) I told the writer that I will not sign in haste and that I will send the entire complaint along with evidence documents in English.
- d) I sent an email dated 12/12/2017 not to send my complaint themselves as I need time to complete my complaint.
- e) Still, they sent the matter to Public Health Department. Navghar Police sent the matter to Directorate of Health Services, Arogya Bhavan, Mantralaya, Government of Maharashtra vide letter dated 25th December 2017 (Letter no. 8470/17).
- f) I submitted my detailed complaint in English along with date-wise complete evidence on 9th January 2018 (Reference Inward No.369, section 3) to the Directorate of Health Services.
- g) Subsequent correspondence was with Directorate of Health Services (D.H.S.), Directorate of Medical Education and Research (D.M.E.R.) and Dean of Sir J.J.Group of Hospitals coming under D.M.E.R.
Correspondence includes false, evasive and misleading replies to RTI queries by Office of Dean, Sir J.J.Group of Hospitals, Mumbai.
- h) Complaint sent to D.H.S. was re-directed after seven months by Directorate of Health Services via Navghar Police, Mulund, Mumbai to Dean of Sir J.J.Group of Hospitals.
Reason given; that matter falls under section 304A of Indian Penal Code.
- i) Reply to RTI query vide letter dated 02/08/2018 by Dr.Gauri Rathod of Directorate of Health Services referred the matter to Navghar Police.
- j) Appointment of 'Expert Committee' (panel of three doctors) was on 29th August 2018 to adjudicate criminality involved in death of my wife. This was ordered on 'Tatkal Basis' and within a week.
As per Dean, Dr.Ranjit Mankeshwar, during hearing with the Hon'ble Lokayukta, Dr.Shailesh Kumar Sharma, appointment of expert committee was by the erstwhile 'Acting Dean', Dr.Tayde .
- k) Letter dated 07.09.2018 was from Inspector Shri Vikas Bhujbal of Navghar Police that information will be given to the Complainant after receipt of details from the Dean of Sir J.J.Group of Hospitals.
- l) Reply to RTI Query of Complainant regarding expert committee report;
 - The report cannot be given to the complainant as it was confidential.

- That they have no authority to give details to Police Station for framing charges against the accused and register an FIR.

m) Navghar Police complaint status; Reply to RTI query states that complaint was 'Pending for Expert Opinion'.

n) Subsequently, the matter was taken up by the Hon'ble Lokayukta of Maharashtra and has been explained in the following paragraphs.

9. Complaint before the Hon'ble Lokayukta of Maharashtra (Online) dated 31.10.2019. Submitted were :

- Online complaint.
- Consumer Court Order dt. 21/02/2019.
- Cipla sub-standard drug Rokfos Expose (Based on facts)
- Questionnaire to Cipla (Based on facts)
- Corruption in FDA (Proof).

10. Hearing on 12th March 2020.

- The Hon'ble Lokayukta Justice M.L.Tahaliyani presided over the hearing conducted with the Complainant and Dr.Gauri Rathod of Directorate of Health Services, Govt. of Maharashtra.
- The Lokayukta questioned Dr.Gauri Rathod regarding delay in submitting their report and that the police complaint was of 10th April 2017.
- Complainant showed reply to RTI Query that the report cannot be given. Justice Tahaliyani immediately understood that there was FOUL PLAY involved and told me; How can the report not be given to the Complainant?
- The Hon'ble Lokayukta told me to get the report from the Dean, else he will summon the Dean himself.
- The Hon'ble Lokayukta fixed the next hearing for 24th March 2020. He told the staff that FDA Maharashtra Commissioner be summoned. However, the hearing was cancelled due to the impending lockdown.
- The Dean's office told me to get the report from the PIO. On giving my written request addressed to the Dean, the staff and PIO told me, that report was not ready as they wanted information from police station.

- g) Even after Lokayukta asking for the report, the Dean's office wrote to Navghar police station only six months later, in October 2020 that they required X-Ray and MRI films.
- h) I gave an undertaking that both the films must be with Maruti Nursing Home. MRI film was shown to Dr.Satyen Mehta who was supposed to perform the surgery and the film must be with Dr.Satyen Mehta.

11. Hearing on 24th November 2020.

- a) The Hon'ble Lokayukta, Dr.Shailesh Kumar Sharma summoned the Dean of Sir J.J.Group of Hospitals, Dr.Ranjit Mankeshwar.
- b) Present was Dr.Abdul Hannan, Chairman of 'Expert Committee' (Panel of three doctors formed to adjudicate criminality in death of my wife).
- c) Dr.Abdul Hannan submitted that the report was not ready as they had not received information from the hospital viz X-Ray and MRI scan films.
- d) Complainant submitted that the report has been submitted. That I have reply to my RTI query.
- e) The Lokayukta told me to fax the reply received to my RTI.
- f) I sent copy of RTI reply to Office of Lokayukta.

12. I sent my letter dated 26th November to Dean of Sir J.J.Group of Hospitals on the following :

- a) Reply to RTI query on Expert Committee Report.
- b) That at the hearing on 24/11/2020, Dr.Abdul Hannan said that they have not prepared the report in the absence of X-ray and MRI films.
- c) That D.H.S. officials as well as doctors at Sir J.J.Group of Hospitals have deliberately indulged in undue delay in filing the FIR against the accused.
- d) That reply to my RTI query dated 15/06/2020 has not been responded by the PIO.
- e) Written statements are required by Dr.Abdul Hannan, Dr.Amit Supe and Dr.Dattatray Bhoir as to why they back-tracked on the report.

- f) After 5th of September 2018, when the report was supposed to be submitted, I had personally given further evidence in the form of submissions before Maharashtra Medical Council by the treating doctor. This was on 14th September 2018. Treating doctor had submitted that the drug did not suit the complainant's wife and he immediately discontinued it. This was a bizarre defence. IV Rokfos was administered in 15 minutes. Adverse reactions started next day i.e. twenty hours later.
- g) They did not tell me that they required X-ray and MRI films.
- h) Subsequent correspondence with D.H.S. and Dean of Sir J.J.Group of Hospitals were on the following dates :
31/10/2018, 08/12/2018, 13/05/2019, 04/10/2019.
- i) For two years they did not tell me that they required the films.
- j) That this was abetment to crimes against humanity.
- k) That, Navghar police are waiting for Expert Opinion since three years.
- l) All the doctors had to give their explanation in writing why the X-ray and MRI films were so relevant to ADRs of injection Rokfos.
- m) After three years i.e. in October 2020 they have asked for films from the police station.

13. Vide letter dated 19th December 2020, I re-iterated all concerns as explained above to the following:

- a) Director, Health Services, Public Health Department, Government of Maharashtra.
- b) Director, Directorate of Medical Education and Research, Government of Maharashtra.
- c) Dean, Sir J.J.Group of Hospitals.
- d) Hon'ble Lokayukta of Maharashtra.
- e) None of my requests were submitted by any of the above-mentioned parties during the next hearing which explains foul play in delaying filing of FIR in a homicide case.

14. **Hearing on 30th December 2020.** This hearing was conducted by the Hon'ble Upa-Lokayukta, Shri Sanjay Bhatia with the following parties :

- a) Shri Saurabh Vijay, Principal Secretary, Govt of Maharashtra, Department of Medical Education and Drugs, Mantralaya, Mumbai.
- b) Dr.Sadhana Tayde, Director, Directorate of Health Services, Mumbai
- c) Shri Ranjit Mankeshwar, In-charge, Sir J.J.Group of Hospitals.

Dr.Abdul Hannan, Head of Expert Committee, Sir J.J.Group of Hospitals.

- d) Shri Sanjay Deshmukh, Registrar of Maharashtra Medical Council invited clandestinely as he had no reason to be there after framing of charges against Maruti Nursing Home doctors for medical negligence and professional misconduct.
- e) Complainant, Shri Umeshchandra Barkur.
- f) Dr.Abdul Hannan went straight to drug Rokfos and told that there were other drugs given. To which the complainant replied that both treating doctor as well as Cipla have admitted to the serious adverse drug reactions.
- g) Shri Sanjay Bhatia asked whether he has considered this in his report to Police Station. Dr.Abdul Hannan replied in the affirmative.
- h) The meeting ended abruptly. I got a message that Shri Sanjay Bhatia has left the meeting.
- i) Minutes of the meeting sent to me by the office of the lokayukta and signed by the Upa-lokayukta has several submissions by the parties which I was not aware of.
- j) I have asked for information from the PIO of Office of the Lokayukta/Upa-lokayukta vide RTI Query dated 03rd February 2021 which is explained in the subsequent paragraph.

15. **Scheduled Hearing on 16/03/2021** – WhatsApp message received by complainant on January 28, 2021.

Minutes of the meeting - hearing conducted on 30.12.2020 :

- a) Report of Deputy Secretary, Department of Vocational Education and Medicines dated 29/12/2020, copy of report dated 19/12/2020 submitted by Maharashtra Vaidyakiya Parishad, Mumbai to the government, report dated 21/12/2020 submitted by Superintendent, Sir J.J.Group of Hospitals, Mumbai to the Senior Inspector of Police, Navghar Police Station, Mumbai.

(None of these reports were sent to the complainant).

- b) At the hearing on 30.12.2020, Shri Ranjit Mankeshwar, In-charge, Sir J.J.Group of Hospitals, Mumbai said that it had not received the required documents from the private hospital in the case. However, based on the available documents, a four-member committee has prepared his report and he has submitted the report to the Senior Inspector of Police, Navghar Police Station.

It has been submitted to him for further action on 21/12/2020 and he has submitted a copy to the office of the Lokayukta.

- c) At the time of the hearing, the complainant had approached the superintendent, Sir J.J.Group of Hospitals that the opinion given by the 4 member committee in their case was not correct. The complainant said that in his opinion, Cipla has tried to avoid the adverse effects of the company's drugs on his wife. The chairman of the committee appointed at the group hospital level was asked whether the committee had given its opinion considering the statement submitted to it by the complainant in this regard. To which he replied that the committee has given its opinion after considering all the statements and documents submitted to it by the complainant. It has been submitted for further action on 21/12/2020 and he has submitted a copy to this office.
- d) Mr.Saurabh Vijay, Principal Secretary, Department of Medical Education and Drugs said during the hearing that a committee has been constituted at the level of Maharashtra Medical Council, Mumbai to look into the matter.
- e) A committee has been constituted at the level of Government of India to make arrangements for sending the relevant documents to this office as well as the complainant.

- f) Mr.Sanjay Deshmukh, Manager, Maharashtra Medical Council, Mumbai said at the hearing that at his office level, the matter will be heard in January 2021 and a decision is expected by the end of January 2021.

In connection with the discussion held at the hearing, Shri Sanjay Deshmukh, Manager Maharashtra Medical Council, Mumbai should be informed that he should submit the decision of the hearing to be held at the level of his office in this office along with the available documents should be kept at the hearing conducted by the Secretary, Government of Maharashtra, Department of Medical Education and Drugs, Mantralaya, Mumbai, Sir J.J. Group of Hospitals, Mumbai, The Manager, Maharashtra Medical Council, Mumbai as well as the complainant should be informed to be present.

Sd/- Sanjay Bhatia

(Upa-Lokayukta)

The following are my submissions regarding the **hearing held on 30/12/2020** :

- At the outset, I would like to state that during the hearing, my video was blocked but the audio was clear.
- I was not informed and not aware that Mr.Sanjay Deshmukh, Registrar, Maharashtra Medical Council, Mumbai will also be present at the hearing. At whose instance was Mr.Sanjay Deshmukh present at the hearing?
- At the hearing, Shri Ranjit Mankeshwar, In-charge, Sir J.J.Group of Hospitals, Mumbai said that it had not received the required documents from the private hospital in the case.
- The next interaction was by the Chairman of the committee appointed at the group hospital level, Dr.Abdul Hannan. He started straightaway on drug Rokfos. That there were other drugs given like Augmentin and methotrexate.
- I argued that ADRs of injection Rokfos have been admitted by the treating doctor as well as by Cipla Limited. Cipla has officially reported the serious ADRs to FDA Goa, DCGI and PVPI five years after law caught up with them.

- The hon'ble Upa-Lokayukta asked Dr.Abdul Hannan whether he has considered what I had submitted.
- To this, Dr.Abdul Hannan replied that he has written to Government of Goa. That there was a hearing at Maharashtra Medical Council on 9th January 2021. He also said that he needed some documents from Jupiter Hospital.
- I am not aware of the report of the Deputy Secretary, Department of Vocational Education and Medicines, Ministry dated 29/12/2020 and the copy of the report dated 19/12/2020 submitted by Maharashtra Vaidyakiya Parishad, Mumbai to the Government received at the office of the Lokayukta. Also that the office had received a copy of the report dated 21/12/2020 submitted by the Superintendent, Sir J.J.Group of Hospitals, Mumbai to the Senior Inspector of Police, Navghar Police Station, Mumbai.
- There was no question of the complainant telling Dr.Abdul Hannan that the report of the 4 member committee was not correct as I am not aware of the 4 member committee formed and neither was I given a copy of the reports mentioned above.
- I am not aware of submission by Mr.Saurabh Vijay, Principal Secretary, Department of Medical Education and Drugs that a committee has been constituted at the level of Maharashtra Medical Council, Mumbai to look into the matter.
- Also that a committee has been constituted at the level of Government of India to make arrangements for sending the relevant documents to this office as well as the complainant.
- Decision of the hearing at Maharashtra Medical Council (ORDER) held on 9th January 2021; The name of accused, Dr.Mihirgiri Goswami has been removed from the Register of Maharashtra Medical Council. The Executive Committee resolution dated 09/01/2021 is specific on the most crucial fact **"In spite of adverse reaction, RMP had not taken action"**. They had charged that "Rokfoszoledronic" acid was administered without

blood investigation of the patient. That consent for administering “Rokfos injection” was not taken by respondents. That treatment was not provided as per severity of disease. After complication failed to detect the reason and treat the patient.

- Complete exposure of FOUL PLAY and nexus between Cipla and Maruti Nursing Home is before all the authorities.
 - Collusion by public servants to delay filing of FIR has been exposed.
 - I have also sent complete evidence of foul play involved in death of my wife with complete set of evidence documents to the hon’ble Lokayukta vide email as also vide speed post in my complaints to the Cabinet Secretary (India) dated 27th January 2021.
 - Order of Maharashtra Medical Council for removal of the name of Dr.Mihirgiri Goswami from its Register has been sent to the hon’ble Lokayukta vide letter dated 01/02/2021.
- Attached were my complaint to the Cabinet Secretary (India) and inaction by FDA Maharashtra in case filed at Mazgaon Court since six years.
- The matter has been placed by me before the hon’ble Chief Justice of India along with my book on ‘CIPLA DRUG TRIAL’.
 - I am not aware on what transpired at the hearing on 30/12/2020 at the Office of the hon’ble Lokayukta. I have not heard submissions regarding four-member committee, committee constituted at the level of Maharashtra Medical Council, Mumbai to look into the matter and Committee constituted at the level of Government of India.
 - As such, I had requested the office of the lokayukta to send me video footage of the said meeting on 30/12/2020.
 - Order by Maharashtra Medical Council as well as Order by Maharashtra State Consumer Disputes Redressal Commission have implicated drug Rokfos’ ADRs causing death of my wife.

- My email dated 03/01/2021 to the hon'ble Lokayukta has explained destruction of evidence and tampering of evidence by the Dean and Dr.Abdul Hannan. The same has been sent to the Cabinet Secretary, the hon'ble PM, hon'ble President as also authorities in the MOHFW.
 - I had informed the Commissioner of Mumbai to restrain Sir J.J.Group of Hospitals' doctors from tampering with evidence in a homicide case. I have sent my book on 'CIPLA DRUG TRIAL' to both the hon'ble Lokayukta as well as the Police Commissioner.
 - There was no need for Dr.Abdul Hannan to tamper with evidence given by both the authorities, Maharashtra Medical Council as well as by Maharashtra State Commission.
- The entire complaint along with Cipla evidence documents are in my police complaint and Dr.Abdul Hannan has all the documents with him including my complaint with FDA, Maharashtra, Mumbai.
- Defeat of Science at the hands of Cipla scientists and doctors at the three hospitals; Maruti Nursing Home, Platinum Hospitals and Jupiter Hospital and now by the 'Expert Committee' and Deans of Sir J.J.Group of Hospitals has been exposed.
 - A senior citizen seeking justice in death of his wife, is being taken for a ride by top Public Services Officials.
 - Dis-honesty and lack of integrity of Public Services' officials.
 - Total collapse of Food and Drugs Administration in Maharashtra.
 - Each and every law enforcement and regulatory authority, responsible for taking action and enforcing the law in this unnatural, untimely and merciless death of my wife have been compromised.
 - An aggrieved senior citizen has been taken for a ride and to crush him to abort seeking justice.
 - Directorate of Health Services, Public Health Department, Government of Maharashtra and successive Deans of Sir J.J.Group of Hospitals (2018-2021) under D.M.E.R., Government of Maharashtra appointed to

adjudicate criminality in death of my wife have been caught red-handed destroying evidence.

- Justice has been delayed to a senior citizen for more than seven years.
- Apart from all the accused in this homicide, all the civil servants have to be charged with indiscipline, misconduct, corruption and abetment to crimes against humanity.

16. After the hearing before the Hon'ble Upa-Lokayukta, Shri Sanjay Bhatia, all public servants in state government authorities have been exposed.

I informed Shri Sanjay Bhatia that justice cannot be done by Dean and expert committee doctors of Sir J.J. Group of Hospitals.

That there is no meaning for further hearings before the Dean and Expert Committee doctors. They have to be included as accessories in the FIR.

17. Office of Lokayukta letter dated 01/03/2021 says that the hearing scheduled for 16/03/2021 has been cancelled. That information has been called from Food and Drugs Administration, Mumbai.

18. Subsequently, I have periodically sent emails and letters to both the Office of Lokayukta as well as the Hon'ble Governor of Maharashtra, Shri Bhagat Singh Koshyari signifying the gravity of the matter viz dangerous network between Cipla, doctors, FDA and CDSCO and that this has to be highlighted to the President and Prime Minister of India.

19. Directorate of Health Services cannot answer two simple questions :

- a) Why was my complaint to Navghar Police (sent to them) to adjudicate criminality involved was held back for seven long months.
- b) What was the reason they decided that matter falls under Section 304A of the IPC. Why did they abandon their duty and responsibility and diverted the complaint to the Dean of Sir J.J. Group of Hospitals.

20. Director, Directorate of Medical Education and Research, Mantralaya, Government of Maharashtra :

- a) What action has been taken by them in the matter.

b) Medical Education and Drugs Department have to reply why Joint Investigation Report conducted on complainant's grievances was hidden from the complainant for two years.

c) Complaint under Drugs and Cosmetics Act, 1940 is with FDA Maharashtra, FDA Goa and CDSCO, the National Regulatory body for "Drugs".

Also before Medical Education and Drugs Department, government of Maharashtra.

PMOPG/D/2018/0452374 – 11/12/2018 – Case was closed by Department of Administrative Reforms and Public Grievances on 29/03/2021 by transfer to the following.

Officer concerns to Officer name – Hemant Mahajan – Officer designation – Under Secretary – Contact address – G.T.Hospital Complex, 9th floor, L.T.Marg, Mumbai.

[PMOPG/E/2018/0109827 – 10th March 2018].

Prior to case being closed on 09/06/2021 by Department of Administrative Reforms and Public Grievances, Status showed the following :

Current Status – Under process – Date of action – 06/12/2018 – Officer name – Dr.Pallavi Darade, Commissioner – FDA Maharashtra.

Immediate action was requested from Dr.Pallavi Darade.

PMOPG/D/2018/0325348 – 11/12/2018 – Case was closed by Department of Administrative Reforms and Public Grievances on 04/03/2021.

Officer concerns to Dr.Pallavi Darade - Commissioner, FDA Maharashtra.

21. Dean and Expert Committee at Sir J.J.Group of Hospitals :

a) Report by the panel of three doctors (Expert Committee) appointed by the erstwhile 'Acting Dean', Dr.Tayde had to be submitted on "Tatkal basis", within a week.

b) Reasons for silence by the Deans (2018-2021) and panel of three doctors for two and half years till Hon'ble Lokayukta of Maharashtra, Justice Tahaliyani called for the report.

c) All the three doctors, Dr.Abdul Hannan, Dr.Amit Supe, Dr.Dattatray Bhoir, the erstwhile acting Dean, Dr.Tayde who appointed the panel of three

doctors had to give written explanations for not sending their report to Navghar Police Station.

- d) None of them could comply which proves them as "Guilty" of misconduct, gross dereliction of duty and colluding with criminal offenders in line of public duty towards the citizens.
- e) Drug Rokfos sold illegally caused grievous hurt within the meaning of section 320 of the IPC in four different ways ultimately resulting in death of the patient. This is punishable with life imprisonment.
- f) Section 27 of Drugs and Cosmetics Act – Any drug used in treatment causes his death or likely to cause such harm on his body as would amount to grievous hurt within the meaning of section 320 of the IPC solely on account of the drug being spurious or adulterated or not of standard quality shall be punishable with imprisonment – not less than 10 years which can extend up to life. Also, fine three times the value of drugs confiscated.
- g) In the case of the Complainant's wife :
 - Within 20 hours she was in severe bodily pains and was bed-ridden till her death two weeks later.
 - She was in Dysphagia (difficulty in swallowing) and could not swallow even her saliva after five days. Central line catheter was used for feeding nutrients and medicines.
 - She had petechial rashes (bleeding from under the skin).
 - She was in pancytopenia (drop in all three blood counts). WBC fell from 20,080 to 2,300 and platelets from 143,000 to 95,000 in a single day. Platelets fell by another 36,000 points the next day. Next day after shifting the patient, WBC was 200 and platelets 20,000.
 - This was much above "Grievous Hurt".
 - The doctors watched the patient sinking to her death for four days.
- h) Complainant's allegation of the drug being sub-standard was based on the following facts :

- Cipla did not follow statutory guidelines; Schedule 'M' of Drugs and Cosmetics Rules which required that the drug be investigated/evaluated and records of investigation and remedial action taken be maintained. This in spite of repeated appeals by the Complainant.
- Cipla lied to FDA Goa Director by linking imaginary diseases (paralysis, spinal tuberculosis, bone tuberculosis, arthralgia) with imaginary treatment (steroids and anti-tubercular therapy) just to defend that Rokfos was not the cause of death of my wife.
- Petechial rashes and pancytopenia are typical symptoms and characteristic features of aplastic anaemia as per standard medical textbooks on aplastic anaemia submitted in my complaint.
- There was no need to hide known side effects of a drug unless foul play was involved in manufacture and trials conducted on vulnerable patients.

22. Criminal acts by all the accused in my Police Complaint and Complaint before Food and Drugs Administration, Mumbai :

- a) Administering cancer drug for curing stiff neck in a single day. This injection has to be administered only once in a year even for bone cancer patients.
- b) Consent for administering this drug was not taken from patient or relatives.
- c) Before diagnosing cause of stiff neck, this injection was administered.
- d) Precautions and indications of use as per Cipla booklet (15 pages) were not taken. There were multiple precautions to be taken.
- e) Contra-indication tests were not performed.
- f) After serious Adverse Drug Reactions (ADRs), watched the patient sinking to her death for five days at a stretch. WBC falling from 20,080 to 200 and platelets from 143,000 to 20,000.
- g) Sent the patient in a panic, two days ahead of scheduled surgery for cord compression (cause of stiff neck) in a critical condition.
- h) Patient was bed-ridden, unable to swallow even saliva, petechial rashes (bleeding from under the skin) appeared on arms and legs and blood counts were at critically low levels.

i) This was "Attempt to Murder". Patient would have not survived the surgery as there was hardly any blood left in her body.

ADRs of Cipla injection would have been suppressed forever.

j) False death certificate was given to suppress the ADRs which was not mentioned even in death summary. Aplastic Anaemia (cause of death) was also not included in death summary.

k) Both Cipla and FDA Maharashtra violated statutory guidelines and did not investigate the injection causing serious adverse drug reactions never seen before. This in spite of several requests and appeals by the aggrieved.

l) Cipla deceived FDA Goa Director with fake chemistry and fake medical theses and pleaded ignorance of laws of the land.

m) Cipla took the aggrieved senior citizen for a ride by lying to have investigated their drug and reporting to FDA, PVPI and DCG(I).

These have been proved as totally false.

Letters from all the three authorities to the contrary have been produced.

n) Finally, the weapon that killed my wife, meaning serious Adverse Drug Reactions of injection Rokfos was suppressed by around two dozen doctors at three hospitals. Cipla hushed up the serious ADRs for four long years. When law caught up with them, reported to Indian Pharmacopoeia Commission after five years.

o) There was no need to hide known side effects of a drug unless 'FOUL PLAY' was involved in manufacture and 'TRIALS' conducted on vulnerable patients.

p) The entire world has been educated now regarding vaccines, the time required to manufacture them and the investment lost if it fails. Cipla tried to conduct 'Clinical Trial' on a vulnerable patient in nexus with doctors and in the process an innocent life was sacrificed.

q) Cipla, being a Listed company hid the serious ADRs of their drug Rokfos from stakeholders, external auditors, secretarial auditors, external regulators, Bombay Stock Exchange as well as WHO.

r) Cipla's last letter dated 26th June 2018 says that they will comply with directions of the authorities as and when received. This is acceptance of

guilt. Both FDA authorities in Maharashtra and Goa as well as DCG(I), CDSCO (HQ) and DDC(I), CDSCO (WZ), Mumbai are exposed in a conspiracy to conduct bogus Joint Investigation and report to absolve Cipla Limited in multiple crimes against innocent citizens.

- s) Cipla Limited directors should have been prosecuted in 2015 after my complaint with FDA Maharashtra, Mumbai. Also later in May 2018 itself after their false explanations to FDA Goa Director were exposed.

23. Complaint to Police Commissioner of Mumbai :

- a) Complaint dated 1st January 2021 was registered with Commissioner of Police, Mumbai by the Complainant informing him of destruction of evidence and attempt to tamper with evidence in a homicide case by the Dean and 'Expert Committee' at Sir J.J. Group of Hospitals.
- b) Complainant has told the Commissioner that this matter is not only his personal battle but in the interest of the citizens of the country. He informed the Police Commissioner that it is four years after his police complaint that FIR has not been registered.
- c) Book on 'CIPLA DRUG TRIAL' was sent to the Police Commissioner.
- d) Copy of Complaint to Cabinet Secretary dated 27.01.2021 was sent to the Police Commissioner.
- e) Copy of Order by Maharashtra Medical Council was sent to the Police Commissioner.
- f) Copy of Status of case at Mazgaon Court filed by FDA Drug Inspector was sent to the Police Commissioner.

24. Complainant sent RTI request to O/O Joint Commissioner of Police asking for the following information.

- a) Reasons for delay in registering FIR since his complaint was dated 10th April 2017.
- b) Action taken report against D.H.S. officials for holding back my complaint for seven months and then transferring the complaint to Dean of Sir

J.J.Group of Hospitals on the false pretext that matter falls under section 304A.

- c) Action taken against Dean and Expert Committee appointed by the Dean for destroying the report submitted in September 2018.
- d) Action taken against FDA Maharashtra Mumbai officials for collusion in a homicide case.
- e) Whether FIR has been registered against all the accused in his police complaint.

25. Deans of Sir J.J.Group of Hospitals (2018-2021) and Expert Committee doctors are answerable for gross dereliction of duty, colluding with criminal offenders and destruction of Expert Committee Report.

26. They have to be named in the FIR at Navghar Police Station, Mulund, Mumbai.

27. The same questions on criminal acts explained above have to be submitted to the Police Officer-in-Charge of Navghar Police Station, Mulund, Mumbai to register the FIR.

- a) Full complaint file has been given to the Dean of Sir J.J.Group of Hospitals including all evidence submitted in civil complaints.
- b) I have also submitted written statement of treating doctor, Dr.Mihirgiri before Maharashtra Medical Council. He has submitted that drug Rokfos did not suit the complainant's wife.
- c) It was in 2017 that my statement was recorded by Navghar Police, Mulund East, Mumbai to effect an arrest warrant.
- d) Maharashtra Medical Council has passed their Order by removing the name of treating doctor, Dr.Mihirgiri Goswami from their register.
- e) This Order sets at rest that Rokfos was the cause of disaster and attempts by Dr.Abdul Hannan and the Dean of Sir J.J.Group of Hospitals to divert the matter to protect drug manufacturer Cipla Limited has to be taken into account by the Hon'ble Lokayukta of Maharashtra for action against those who colluded with criminal offenders, indulging in corruption and gross dereliction of duty and responsibility.

- f) False death certificate is explained in my writ petition before the SCI.
 - g) Nexus between Maruti Nursing Home and Cipla Limited in conducting trial with cancer injection Rokfos administered for curing stiff neck in a single day is exposed in transcripts of meeting between the relatives of the deceased and Maruti Nursing Home doctors.
 - h) This is part of criminal complaint with Navghar Police, Mulund, Mumbai.
 - i) Foul Play by Cipla is exposed in their own statements reproduced in my writ petition as also in Questionnaire to Cipla submitted to the Office of the Lokayukta in my complaint. These details are with Dean's Office. Full complaint file along with all evidence subsequent to my complaint sent to the Dean's office as well as to Navghar police has to be considered while filing the FIR.
28. My writ petition before the Hon'ble Supreme Court of India is under process.
29. Charges against Central Government officers in Ministry of Health and Family Welfare for colluding with criminal offenders and for gross dereliction of duty had been placed before the Lokpal of India.
- Fake Lokpal Disposal Order is before the Hon'ble Chief Justice of India, Hon'ble President of India, Hon'ble Prime Minister of India, Hon'ble Speaker of the Lok Sabha.
- Copy of my complaint against the Lokpal full bench to the Hon'ble Chief Justice of India is before the Hon'ble Lokayukta of Maharashtra.
30. Charges against officers in State Government departments has been submitted in document on Reliefs sought by me in the matter.
31. Immediate criminal actions against the directors of Cipla Limited, doctors and hospitals have to be taken by Mumbai Police under the IPC.
32. Disciplinary and criminal charges against public servants in FDA Maharashtra and others in Public Health Departments of Maharashtra is required by the Hon'ble Lokayukta/Upa-Lokayukta of Maharashtra.
33. This is not my personal battle, but in the interest of all the citizens of our country as also all people across the world. Pharma-doctor nexus playing with vulnerable, innocent lives.

34. Complaint filed at 15th Court, Mazgaon, Mumbai against Maruti Nursing Home and Others has not been acted upon by the Drug Inspector working under FDA Maharashtra Commissioner. I have sent status of case at 15th Court, Mazgaon, Mumbai obtained from internet to the office of Lokayukta displaying non-action since six years.
35. Complaint has to be filed on serious ADRs causing death against Cipla Limited and Maruti Nursing Home.
36. Justice has been denied for seven years to an aggrieved senior citizen in untimely, unnatural and merciless death of his wife.

Request the hon'ble Lokayukta of Maharashtra to see that, justice will not be delayed any further and the accused criminal offenders are punished under IPC for culpable homicide as well as under Drugs and Cosmetics Act, 1940.

Officers under departments in Government of Maharashtra should be charged for indiscipline, misconduct in line of public duty towards the people, corruption and collusion with criminal offenders.

Yours Sincerely,

Umeshchandra Barkur

(Complainant)

A-15, Neeta Apartments, Chaphekar Bandhu Marg, Mulund (East), Mumbai 400081. E-mail : umeshchandrabarkur@hotmail.com Cell : 98201 17923.