

Date : 28th August 2022

Shri Awinash Chandra,

Under Secretary, Lokpal of India.

Plot No-6, Phase II, Institutional Area, Vasant Kunj, New Delhi-110070.

Subject : Letter dated 11th August 2022 & Order dated 25.04.2022

of the Hon'ble Full Bench of Lokpal of India for Complaint No.2491/2022.

Dear Sir,

This is just a gimmick trying to be played by the Lokpal of India after being caught protecting corrupted public servants in the Health Ministry.

Matter is before the CBI, Health Minister & Hon'ble President of India, Madam Droupadi Murmu for Action against Lokpal of India also.

1. My Complaint against 5 officers of the Health Ministry was dated **25.05.2021**.
2. Acknowledgement of my complaint was vide letter dated **30.07.2021** after 3 reminders. **Complaint No. 48/2021**.
3. Order was dated **24th August 2021** and sent to the complainant vide letter dated **31st August 2021** by Deputy Registrar of Lokpal of India, Shri Arvind Mishra.
4. My reply to the Deputy Registrar, Shri Arvind Mishra was dated **10th September 2021**. That I am aggrieved by the Order of the Hon'ble Bench of Lokpal of India and was responding point by point to the said Order.

Main points in the Order:

- A) Complainant has annexed a spiral bound booklet titled "**Facts of the Matter**" and a **book written by him "Cipla Drug Trial"**.
- B) Complainant states that this complaint is not been motivated only by personal considerations but is being made in the **interest of all citizens of the country** who may be prejudicially affected, as there is a dangerous network between pharma companies, doctors and hospitals which is supported by the Food and Drugs Administration (FDA) of the States and CDSCO, the National Regulatory Body for Drugs.

[COMPLAINANT'S RESPONSE] :

- At the outset, my complaint before the Lokpal of India is basically against 5 officers in **Ministry of Health and Family Welfare indulging in CORRUPTION**, gross dereliction of duty by colluding with an

unscrupulous Pharma company, Cipla Limited who have violated statutory guidelines on serious fatal adverse drug reactions; Schedule M of Drugs & Cosmetics Rules. There was no need to hide known side effects of a drug unless Foul Play was involved in manufacture & Trials conducted on innocent patients.

- **“Spiral bound booklet”** is evidence and proof of foul play. It has been given to prove my allegations but it seems that the learned hon’ble bench of Lokpal of India has not given full consideration to the same.
- **Book written on “Cipla Drug Trial”** shows the desperation of the aggrieved senior citizen, when each and every regulatory and law enforcement agency were being compromised.
- This complaint was not only motivated by personal considerations but in the **INTEREST OF ALL CITIZENS OF THE COUNTRY.**
- Why did the learned Hon’ble Bench not look into the voluminous evidence in “Spiral bound booklet” titled “Facts of the Matter” even after this complaint was in the Interest of all citizens of the country.

C) The complainant has already approached the Medical Council of Maharashtra.

[COMPLAINANT’S RESPONSE] :

- Surprisingly, the learned bench did not consider Order of the Medical Council. This is on page 1 itself supported by copy of the Order **[Evidence documents pages 61-67]**. Treating doctor’s name has been removed from the register of Maharashtra Medical Council.

Complaint before Maharashtra Medical Council was for Code of Ethics. What is the link to Corruption complaint against Central government Public Servants?

D) From the documents submitted by the complainant, it further appears that he has also filed a case before the Additional Metropolitan Magistrate, Mazgaon, Mumbai.

[COMPLAINANT’S RESPONSE] :

- **Blatant lying by Lokpal of India full bench.** Case was filed by Drug Inspector of FDA Maharashtra against doctors at Maruti Nursing Home, based on my complaint to FDA Maharashtra.

E) To investigate the complaint of the complainant dated 20th April 2015, officials from the FDA, Maharashtra raided the premises of M/s Maruti Nursing Home on 22.7.2015 along with two witnesses & found that the hospital is involved in sale of drugs without holding a requisite license. Accordingly, a case has been filed against the proprietor of the said nursing home.

[COMPLAINANT'S RESPONSE] :

- Case filed by FDA Maharashtra was not based on my complaint to them. My name is not there as complainant.

I had given my complaint dated 16.08.2014 addressed to Cipla Limited to investigate drug Rokfos causing serious adverse drug reactions leading to death of my wife.

Also that drugs were sold above MRP.

My complaint was manipulated as a complaint received from a confidential source. Nothing on sale above MRP & serious ADRs.

- Besides, what is the relevance of this case with Corruption complaint against Central government civil servants?

Moreover, facts submitted to Lokpal of India was **to prove FRAUDULENT JOINT INVESTIGATION REPORT** by CDSCO Drug Controllers under MOHFW in nexus with FDA Maharashtra officials.

F) His complaint to the Ministry of Health and Family Welfare, Government of India has resulted into an investigation into the matter and a Joint Investigation Report with a covering letter **dated 20th March, 2019 is on record.**

[COMPLAINANT'S RESPONSE] :

- Crux of my complaint was **Fake Joint Investigation** used to silence the victim's spouse by CDSCO officers. Lokpal of India did not look into this. Complaint before Lokpal of India was to question "Fake Joint Investigation", arrest them & prosecute them.
- Finally the Pandora's box opened. Phone calls of several officials were being tapped for the past many months. **The files in CDSCO were moving as per the conversation on phone calls** – that is how the

Pandora's Box opened," a senior official from the ministry told the reporter.

- Corruption charges & arrest of the very same organiser of Fake Joint Investigation, Dr.S.Eswara Reddy.
- Next target was "New Drugs Bill" written by the same officers in CDSCO to make India a sick nation. Draft of New Drugs, Medical Devices & Cosmetics Bill, 2022 is written by bureaucrats in CDSCO/MOHFW. Lawmakers of 17th Lok Sabha will write Obituary of 140Cr citizens if they pass this Bill. CITIZENS SHOULD BEWARE! New Drugs Bill is a Prescription for Disaster. Read The Indian Express (08-08-2022). Dinesh Thakur, Prashant Reddy T write: It serves the interests of the Pharma Industry, Not Public Health.
- After trying to silence an aggrieved senior citizen seeking justice in untimely, unnatural & merciless death of his wife, they are trying to silence the entire Nation and its 140 crore citizens by favouring the Pharmaceutical Industry.
- **Lokpal of India (Full Bench) is in a way responsible for seditious acts by corrupted public servants in MOHFW/CDSCO. This would have not gone so far, had Lokpal of India performed their duty towards the citizens after being paid by Public money.**

G) In so far as the death of the complainant's wife is concerned, the report states that there is inadequate information available in relation to the patient's health history, other drugs administered and the sequence of events that occurred after discharge of the patient from M/s Maruti Nursing Home, clinical investigation reports as well as the cause of death. Therefore, it is difficult to comment on whether there was a lapse in the standard of care administered.

[COMPLAINANT'S RESPONSE] :

- **Why the Joint Investigation Report was a FRAUD and an UNPARDONABLE SIN committed on the citizens of the country.**
- Investigation was conducted at Maruti Nursing Home wherein all in-patient records were maintained.

Proprietor and other doctors of Maruti Nursing Home involved in treatment of the deceased would have been informed in advance of the investigation.

Investigation was on drug Rokfos causing death of my wife and the drug manufacturer's presence was essential along with his written false explanations to FDA Goa Director in Show Cause Notice.

Final hearing at Maharashtra State Commission was over and operating part of the Order was shown to the complainant & advocate for the treating doctors and hospital, Maruti Nursing Home. That the doctors and hospitals were held 'Guilty' and had to pay compensation.

Final Order was dated 21st February 2019.

There were two complaints; One before the Maharashtra Medical Council and another before Maharashtra State Commission. There were

- Nearly 1,500 pages of submissions by all parties, affidavits, evidence documents including Platinum Hospitals and Jupiter Hospital where the patient finally succumbed to her death.
- Patient's health history was noted by Physician, Dr.Aafaque Dolare who had certified the patient as "Fit for Surgery" for cord compression, the cause of stiff neck.

He had noted; "Pre-morbidly healthy" "No known allergies" "No addictions" "No major illness in the past".

- Lapse of care is explained in two Orders submitted along with evidence documents to the Lokpal of India; 1) Order of Maharashtra Medical Council who had removed the treating doctor's name from its register. 2) Order of Maharashtra State Commission holding doctors and hospitals guilty of causing death of my wife from serious adverse drug reactions of injection Rokfos manufactured by Cipla Limited.
- Lokpal of India (Full Bench) did not look into these Orders at the top of list of documents relied upon by the complainant.

H) It further appears that the complainant has approached a number of authorities as also the Lokayukta of Maharashtra. The complaint has been actively pursued before the said authority. However no copies of orders passed thereupon have been annexed.

[COMPLAINANT'S RESPONSE] :

- Complaint before Lokayukta of Maharashtra was against corrupted State government public servants. What is the relevance to corruption complaint against Central government public servants?
 - The complaint was actively pursued and finally in January 2022, Lokayukta of Maharashtra followed the footsteps of Lokpal of India by abandoning his duty for which he was appointed and paid by Public money. After 2 ½ years & five hearings dismissed my complaint without writing minutes of the last hearing. Complaint is before the Governor of Maharashtra for dismissal of the Lokayukta followed by his arrest.
 - Central Bureau of Investigation has been provided full facts explained with evidence documents and both Lokpal of India (Full Bench) and Lokayukta of Maharashtra are answerable before the CBI for Corruption.
 - Order passed by the Lokayukta was his "Solo" hearing without even able to write minutes of the last hearing where he indulged in supporting the corrupted civil servants and indirectly, criminal offenders.
 - Conduct of both the Lokayukta of Maharashtra and Lokpal of India have tarnished the image of India's Top Judiciary viz the High Courts and the Supreme Court of India.
- I) The complainant has also stated that the Maharashtra State Commission has passed orders against the concerned hospitals. However, copies of the orders to this effect have not been annexed.

[COMPLAINANT'S RESPONSE] :

- Nothing can be more damning and disgracing to the Apex Anti-corruption Body than such blatant lying.
 - Order by the Maharashtra State Commission is in the submitted evidence documents [**Evidence documents pages 68-87**].
- J) From the last document in the booklet titled "Facts of the case", it appears that the complainant has also approached the Hon'ble Supreme Court of India vide diary No.16068/SCI/PIL/2021, diary No.17119/SCI/PIL/2021 and diary No.6819/SCI/PIL(E)/2020. However, the status of the matter is not clear as no orders have been annexed.

[COMPLAINANT'S RESPONSE] :

- Complainant has approached the Supreme Court of India against corrupted Public servants in this homicide case requesting them for Orders to State Law enforcing agencies and Central Regulatory authorities viz 1) FIR in Police complaint for culpable homicide 2) FDA Maharashtra officials for not taking action in case registered at Magistrate Court against Dr.Mihirgiri Goswami & others of Maruti Nursing Home [**Evidence documents pages 279-280**] & 3) Complaint under Drugs & Cosmetics Act against Cipla Limited before the State Licensing Authority, FDA Goa & National Regulatory Authority CDSCO.
- This is precisely the matter before the Lokpal of India for **Fake Joint Investigation by CDSCO officers** in nexus with FDA authorities of Maharashtra and Goa. Lokpal of India succumbed to corruption and protected MOHFW/CDSCO corrupted officers of which the main organiser of Fake Joint Investigation, Dr.S.Eswara Reddy was arrested by the CBI in another Pharma company corruption charges. He has since been suspended by the Health Ministry. I have asked the Health Minister to suspend other officers involved [**All are part of corruption complaint with Lokpal of India**] viz Dr.P.B.N.Prasad, Mr.Somnath Basu, Dr.V.G.Somani and Mr.Rajesh Bhushan (Health Secretary).
- **The Fraud of Fake Joint Investigation is exposed before the Cabinet Secretariat and Hon'ble President of India, Madam Droupadi Murmu** in a simple way as follows:
 - **As per Order of Lokpal of India**, Joint Investigation Report with a covering letter **dated 20th March, 2019 is on record.**
 - **Cabinet Secretary, Shri Rajiv Gauba and around six of his deputies** had gone through 250 pages of my book on Cipla Drug Trial and had signed off addressed to **Health Secretary at end of July 2020** for investigation and **action in "Cipla Drug Trial"** case.
 - **Health Secretary did not inform Cabinet Secretariat of the Hon;ble President of India** that the matter was investigated by CDSCO Drug Controllers along with FDA authorities of FDA Gr Mumbai and a Professor of Government Medical College in Mumbai.

This was 1 ½ years prior to Cabinet Secretariat Order to Health Secretary.

- **Health Secretary was aware** that this Fake Investigation was a **FRAUD** committed on an aggrieved senior citizen seeking justice in untimely, unnatural and merciless death of his wife.
- **Finally**, along with the corrupted public servants in Complaint to Lokpal of India, Lokpal of India (Full Bench) has been trapped for corruption in a homicide case punishable with Life Imprisonment.

K) The complainant has already had recourse to the appropriate forums i.e. Lokayukta of Maharashtra, Maharashtra State Commission and the Civil Court, for the redressal of his grievance. Furthermore, he has also approached the Hon'ble Supreme Court of India. In these circumstances, the Full Bench of the Lokpal of India will not be able to take up this matter, since it is barred under Section 15 of the Lokpal and Lokayuktas Act, 2015.

[COMPLAINANT'S RESPONSE] :

- Lokayukta of Maharashtra abandoned his duty towards the people and is answerable before the CBI and Hon'ble President of India.
- Case before Civil Court was filed by FDA Gr Mumbai and not followed up by FDA **[Evidence documents pages 279-280]**. Lokayukta of Maharashtra, Justice V.M.Kanade further facilitated corruption by FDA Gr Mumbai as also in Public Health Departments of Maharashtra.
- Maharashtra State Commission & Maharashtra Medical Council have given identical orders holding doctors & hospitals guilty of causing death of my wife from serious adverse drug reactions of injection Rokfoa manufactured by Cipla Limited.
- **All the above mentioned Forums are not for Corruption Complaint against Health Ministry officials with Lokpal of India.**

CONCLUSION FOR ACTION BY CENTRAL BUREAU OF INVESTIGATION

Fake Joint Investigation has exposed CDSCO/MOHFW, FDA Maharashtra and FDA Goa.

Destruction of Expert Committee Report in Police complaint has exposed Public Health Departments of Maharashtra & Dean and doctors of Sir

J.J.Group of Hospitals. **Lokayukta facilitated and supported one & all corrupted civil servants and is liable for action for Corruption.**

5. Letter from Shri Awinash Chandra, Under Secretary, Lokpal of India; Subject **No.F-12016/13/2021-Lokpal/1117 409/2021.**

My Reply to this letter dated **18th September 2021.**

a) My letter dated 14th August 2021 was an open letter to the honourable Prime Minister of India, Shri Narendra Modiji posted on Twitter and Facebook.

b) Subject matter pertains to;

- Consumer Protection and Justice – Aggrieved Senior Citizen and common man’s voice has been silenced for 7 years.
- That we continue to face tyranny of regulatory and law enforcement agencies of our country. Corrupted public servants supposed to protect us are colluding with criminal offenders.
- A senior citizen tried to reach the PM multiple times for nearly four years and that he was compelled to write this open letter as a law-abiding frustrated citizen of our country.
- That I was seeking justice in unnatural, untimely & merciless death of my wife, sacrificed as a “GUINEA PIG” in 2014 in a secret drug trial.

6. Letter dated **20th December 2021** from Shri Arvind Mishra;

Subject: Grievance/Review Petition(s) dated 18.09.2021 and 28.09.2021 w.r.t. **Order dated 24.08.2021 of the Hon’ble Full Bench of Lokpal of India** for complaint No.48/2021 under the Lokpal and Lokayuktas Act, 2013.

It says;

a) Please refer to your Grievance/Review (Petition(s) dated **18.09.2021 (addressed to the Lokpal of India)** and **28.09.2021 (received from the Hon’ble Minister for Consumer Affairs & Public Distribution)** w.r.t. Order dated 24.08.2021 of the Hon’ble Full Bench of Lokpal of India for Complaint No.48/2021 of the Hon’ble Full Bench of Lokpal of India for Complaint No.48/2021 under the Lokpal and Lokayuktas Act, 2013.

b) The undersigned is directed to inform you that in the absence of any express and substantive power of review in the Lokpal and Lokayuktas Act,

2013, a request for review of the Order, passed by a Full Bench of the Lokpal of India cannot be entertained.

7. Letter dated **11th August 2022** from Awinash Chandra, Under Secretary, Lokpal of India.

Subject : Order dated 25.04.2022 of the Hon'ble Full Bench of Lokpal of India for Complaint **No.2491/2022**.

Perused the complaint dated 14th August 2021.

It says :

This complaint had been received earlier and was numbered as Complaint No.48/2021. Complaint No.48/2021 was considered by the Full Bench of the Lokpal of India and vide an order dated 24.08.2021, the complaint was disposed of as the complainant had recourse to Hon'ble Lokayukta, Maharashtra, Civil Court and other forums. Further, he had approached the Hon'ble Supreme Court of India.

A copy of the order of the Full Bench of the Lokpal of India dated 24.08.2021 in respect of Complaint No.48/2021 was also sent to the complainant vide letter dated 31.08.2021.

In view of the facts stated above, the paper received Complaint No.2491/2022 may be tagged with Complaint No.48/2021.

Registry, Lokpal of India is directed to take further necessary action.

8. **I will summarise Lokpal of India (Full Bench) collusion in a homicide case by protecting corrupted civil servants in Health Ministry:**

After complaint has been registered before the Central Bureau of Investigation, Gimmick is being played out by the office of Lokpal of India to avoid Prosecution by the CBI.

- a) They are trying to confuse whoever questions them; by firstly mentioning my open letter to the Hon'ble PM as a Complaint registered by them even after clarifying that this was not a complaint as explained under para 5 above. Same Complaint No.48/2021 is being mentioned.
- b) Finally **Converted this complaint number after one year to No.2491/2022** and asking the complainant to tag it with Disposal Order of 24th August 2021. It says:

- Perused the complaint dated 14th August 2021. This complaint has been received earlier and was numbered as Complaint No.48/2021.
- Complaint No.48/2021 was considered by the Full Bench of the Lokpal of India and vide an order dated 24.08.2021, the complaint was disposed of as the complainant already had recourse to Hon'ble Lokayukta, Maharashtra, Civil Court and other forums. Further he has approached the Hon'ble Supreme Court of India.

[COMPLAINANT'S RESPONSE] :

- As explained in detail above, none of the Forums mentioned are for Corruption by Public servants in Central government. Corruption against Central government public servants have to be acted upon by the Lokpal of India. In this case, they were also compromised.
- As such this cannot be tagged with Complaint No.48/2021.

c) Letter dated **20th December 2021** from Shri Arvind Mishra;

Dated 28.09.2021 (received from the Hon'ble Minister for Consumer Affairs & Public Distribution).

- I am not aware of this.
- This means that Lokpal of India has disregarded even Corruption Complaint by Ministry of Consumer Affairs & Public Distribution against FDA & CDSCO.

9. Serious consequences for our Nation on Lokpal of India not taking action against Drug Controllers in CDSCO & officials in MOHFW for suppressing Fake Joint Investigation:

- a) Corruption is on the rise in MOHFW/CDSCO and Dr.S.Eswara Reddy has been arrested by the CBI & charge-sheeted in Biocon Biologics bribery case.
- b) After silencing the aggrieved senior citizen seeking justice in homicide of his wife, CDSCO/MOHFW officers have written New Drugs Bill to silence the entire Nation and its 140 crore citizens by favouring the Pharma Industry.

Thanking you,

Yours Sincerely,

Umeshchandra Barkur

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