No. B3/16986/2021

District Medical Office (Health)
Malappuram, Dated: 27/11/2021

From

The Public Information Officer
C& D Section
District Medical Office of Health,
Malappuram.

To

[redacted]

Sir,

Sub:- RTI Act 2005 - Reply furnishing of - reg:

Ref:- 1) Your RTI application dated 27.09.2021 received in this office on 05.11.2021 from DHS
2) No. PH1-72346/2021/DHS dated 27/10/2021

.....

As per the reference above, the reply of your questions 5, 6, 7, 8, 12 and 13 are given below.

5. 18256 people tested positive for COVID-19 in Malappuram District even after taking two doses of vaccine till 25.09.2021.
6. 35564 people tested positive for COVID-19 in Malappuram District after taking single dose of vaccine till 25.09.2021.
7. 44 people deceased due to COVID-19 in Malappuram District after taking two doses of vaccines till 25.09.2021.
8. 164 people deceases due to COVID-19 in Malappuram District after taking single dose of vaccine till 25.09.2021
12. 1924 people deceased in Malappuram District due to COVID-19 since the date of vaccination started till 25.09.2021
13. 11 people deceased in Malappuram District due to the side effect of vaccination against COVID-19 till 25.09.2021.

Yours faithfully,

Baburaj P
Public Information Officer
C&D Sections
District Medical Office (Health) Malappuram.

If you are not satisfied with the above reply, you may file appeal petition to the Appellate Authority in the following address:

Appellate Authority
District Medical Officer(Health)
Malappuram - 676505

S.N - 30.11.2021

Large Vessel Stroke Linked to AstraZeneca COVID Vaccine

Sue Hughes

May 25, 2021

Link: https://www.medscape.com/viewarticle/951852

The first cases of large vessel arterial occlusion strokes linked to the AstraZeneca COVID19 vaccine have been described in the United Kingdom.

The three cases (one of which was fatal) occurred in two women and one man in their 30s or 40s and involved blockages of the carotid and middle cerebral artery. Two of the three patients also had venous thrombosis involving the portal and cerebral venous system. All three also had extremely low platelet counts, confirmed antibodies to platelet factor 4, and raised D-dimer levels, all characteristic of the vaccine-induced immune thrombotic thrombocytopenia (VITT) reaction associated with the AstraZeneca vaccine.

They are described in detail in a letter published online on May 25 in the Journal of Neurology, Neurosurgery & Psychiatry.

"These are first detailed reports of arterial stroke believed to be caused by VITT after the AstraZeneca COVID vaccine, although stroke has been mentioned previously in the VITT data," senior author, David Werring, PhD, FRCP, commented to Medscape Medical News.

"VITT has more commonly presented as CVST [Cerebral venous sinus thrombosis] which is stroke caused by a venous thrombosis; these cases are showing that it can also cause stroke caused by an arterial thrombosis," Werring, who is professor of clinical neurology at the Stroke Research Centre, University

College London Queen Square Institute of Neurology, United Kingdom, explained.

"In patients who present with ischemic stroke, especially younger patients, and who have had the AstraZeneca vaccine within the past month, clinicians need to consider VITT as a possible cause, as there is a specific treatment needed for this syndrome," he said.

Young patients presenting with ischemic stroke after receiving the AstraZeneca vaccine should urgently be evaluated for VITT with laboratory tests, including platelet count, Ddimers, fibrinogen, and anti-PF4 antibodies, the authors write, and then managed by a multidisciplinary team including hematology, neurology, stroke, neurosurgery, neuroradiology, for rapid access to treatments including intravenous immune globulin, methylprednisolone, plasmapheresis and nonheparin anticoagulants such as fondaparinux, argatroban, or direct oral anticoagulants.

Werring noted that these reports do not add anything to the overall risk/benefit of the vaccine, as they are only describing three cases.

"While VITT is very serious, the benefit of the vaccine still outweighs its risks," he said. "Around 40% of patients hospitalized with COVID-19 experience some sort of thrombosis and about 1.5% have an ischemic stroke. Whereas latest figures from the UK estimate the incidence of VITT with the AstraZeneca vaccine of 1 in 50,000 to 1 in 100,000.

"Our report doesn't suggest that VITT is more common than these latest figures estimate but we are just drawing attention to an alternative presentation," he added.

A grim warning from Israel: Vaccination blunts, but does not defeat Delta

With early vaccination and outstanding data, country is the world's real-life COVID-19 lab

SOURCE: SCIENCE
LINK: HTTPS://WWW.SCIENCE.ORG/CONTENT/ARTICLE/GRIM-WARNING-ISRAEL-VACCINATION-BLUNTS-DOES-NOT-DEFEAT-DELT
AUTHOR: MEREDITH WADMAN
PUBLISHED ON: 16 AUG., 2021

"Now is a critical time," Israeli Minister of Health Nitzan Horowitz said as the 56-year-old got a COVID-19 booster shot on 13 August, the day his country became the first nation to offer a third dose of vaccine to people as young as age 50. "We're in a race against the pandemic."

His message was meant for his fellow Israelis, but it is a warning to the world. Israel has among the world's highest levels of vaccination for COVID-19, with 78% of those 12 and older fully vaccinated, the vast majority with the Pfizer vaccine. Yet the country is now logging one of the world's highest infection rates, with nearly 650 new cases daily per million people. More than half are in fully vaccinated people, underscoring the extraordinary transmissibility of the Delta variant and stoking concerns that the benefits of vaccination ebb over time.

The sheer number of vaccinated Israelis means some breakthrough infections were inevitable, and the unvaccinated are still far more likely to end up in the

hospital or die. But Israel's experience is forcing the booster issue onto the radar for other nations, suggesting as it does that even the best vaccinated countries will face a Delta surge.

"This is a very clear warning sign for the rest of world," says Ran Balicer, chief innovation officer at Clalit Health Services (CHS), Israel's largest health maintenance organization (HMO). "If it can happen here, it can probably happen everywhere."

Israel is being closely watched now because it was one of the first countries out of the gate with vaccinations in December 2020 and quickly achieved a degree of population coverage that was the envy of other nations— for a time. The nation of 9.3 million also has a robust public health infrastructure and a population wholly enrolled in HMOs that track them closely, allowing it to produce high-quality, real-world data on how well vaccines are working.

"I watch [Israeli data] very, very closely because it is some of the absolutely best data coming out anywhere in the world," says David O'Connor, a viral sequencing expert at the University of Wisconsin, Madison. "Israel is the model," agrees Eric Topol, a physician-scientist at Scripps Research. "It's pure mRNA [messenger RNA] vaccines. It's out there early. It's got a very high level population [uptake]. It's a working experimental lab for us to learn from."

Israel's HMOs, led by CHS and Maccabi Healthcare Services (MHS), track demographics, comorbidities, and a trove of coronavirus metrics on infections, illnesses, and deaths. "We have rich individual-level data that allows us to provide real-world evidence in near–real time," Balicer says. (The United Kingdom also compiles a wealth of data. But its vaccination campaign ramped up later than Israel's, making its current situation less reflective of what the future

may portend; and it has used three different vaccines, making its data harder to parse.)

Now, the effects of waning immunity may be beginning to show in Israelis vaccinated in early winter; a preprint published last month by physician Tal Patalon and colleagues at KSM, the research arm of MHS, found that protection from COVID-19 infection during June and July dropped in proportion to the length of time since an individual was vaccinated. People vaccinated in January had a 2.26 times greater risk for a breakthrough infection than those vaccinated in April. (Potential confounders include the fact that the very oldest Israelis, with the weakest immune systems, were vaccinated first.)

Israel's sobering setback

Israel, which has led the world in launching vaccinations and in data gathering, is confronting a surge of COVID-19 cases that officials expect to push hospitals to the brink. Nearly 60% of gravely ill patients are fully vaccinated.

At the same time, cases in the country, which were scarcely registering at the start of summer, have been doubling every week to 10 days since then, with the Delta variant responsible for most of them. They have now soared to their highest level since mid-February, with hospitalizations and intensive care unit admissions beginning to follow. How much of the current surge is due to waning immunity versus the power of the Delta variant to spread like wildfire is uncertain.

What is clear is that "breakthrough" cases are not the rare events the term implies. As of 15 August, 514 Israelis were hospitalized with severe or critical COVID-19, a 31% increase from just 4 days earlier. Of the 514, 59% were fully vaccinated. Of the vaccinated, 87% were 60 or older. "There are so many breakthrough infections that they dominate and most of the hospitalized patients are actually vaccinated," says Uri Shalit, a bioinformatician at the Israel Institute

of Technology (Technion) who has consulted on COVID-19 for the government. "One of the big stories from Israel [is]: 'Vaccines work, but not well enough.'"

"The most frightening thing to the government and the Ministry of Health is the burden on hospitals," says Dror Mevorach, who cares for COVID-19 patients at Hadassah Hospital Ein Kerem and advises the government. At his hospital, he is lining up anesthesiologists and surgeons to spell his medical staff in case they become overwhelmed by a wave like January's, when COVID-19 patients filled 200 beds. "The staff is exhausted," he says, and he has restarted a weekly support group for them "to avoid some kind of PTSD [post-traumatic stress disorder] effect."

To try to tame the surge, Israel has turned to booster shots, starting on 30 July with people 60 and older and, last Friday, expanding to people 50 and older. As of Monday, nearly 1 million Israelis had received a third dose, according to the Ministry of Health. Global health leaders including Tedros Adhanom Ghebreyesus, director-general of the World Health Organization, have pleaded with developed countries not to administer boosters given that most of the world's population hasn't received even a single dose. The wealthy nations pondering or already administering booster vaccines so far mostly reserve them for special populations such as the immune compromised and health care workers.

Still, studies suggest boosters might have broader value. Researchers have shown that boosting induces a prompt surge in antibodies, which are needed in the nose and throat as a crucial first line of defense against infection. The Israeli government's decision to start boosting those 50 and older was driven by preliminary Ministry of Health data indicating people over age 60 who have received a third dose were half as likely as their twice-vaccinated peers to be hospitalized in recent days, Mevorach says. CHS also reported that out of a sample of more than 4500 patients who received boosters, 88% said any side

effects from the third shot were no worse, and sometimes milder, than from the second.

Yet boosters are unlikely to tame a Delta surge on their own, says Dvir Aran, a biomedical data scientist at Technion. In Israel, the current surge is so steep that "even if you get two-thirds of those 60-plus [boosted], it's just gonna give us another week, maybe 2 weeks until our hospitals are flooded." He says it's also critical to vaccinate those who still haven't received their first or second doses, and to return to the masking and social distancing Israel thought it had left behind—but has begun to reinstate.

Aran's message for the United States and other wealthier nations considering boosters is stark: "Do not think that the boosters are the solution."

Source: CBS Boston

Link: https://boston.cbslocal.com/2021/09/15/brown-university-covid-dining-stduents-gathering/

Published: September 15, 2021 at 8:43 am

Filed Under: Brown University, Coronavirus, Rhode Island News

Brown University Pauses Indoor Dining, Limits Student Gatherings As COVID Cases Rise

PROVIDENCE, R.I. (AP) — Brown University has paused in-person dining and placed a limit of five people for undergraduate social gatherings in response to a recent rise in confirmed coronavirus cases on campus.

The Ivy League school had 82 confirmed positive COVID-19 tests, primarily among undergraduate students, in the past seven days, according to a statement Monday.

"The increase in positive asymptomatic test results is a reflection of the transmissibility of the delta variant, our significant increase in the number of tests conducted at Brown, and an increase in our student population, some of whom have been engaging with other students in multiple smaller groups outside the classroom, especially indoors without masks," the school's statement said.

Those testing positive generally remain asymptomatic and there are no indications of serious illness and no hospitalizations, the school said.

There is no evidence of spread in classrooms, and classes will continue, the school said.

The “short-term” restrictions also include increased undergraduate student testing from once to twice per week and an indoor mask requirement.

Brown requires vaccinations for students and employees.

$101 MILLION AWARD FOR ENCEPHALOPATHY FROM MMR VACCINE

(July 17th, 2018. SARASOTA, FL)

Link: https://www.mctlaw.com/101-million-dollar-vaccine-injury-mmr/

— **mctlaw** attorneys negotiated a $101 million settlement for an infant who suffered a severe reaction to the MMR vaccine.

O.R.* was a one-year-old healthy baby girl who was already walking and climbing. On February 13, 2013, she received vaccinations for Measles Mumps Rubella (MMR), Hepatitis A, Haemophilus Influenzae type B (Hip), Prevnar (pneumonia), and Varicella (chickenpox).

That evening, the mother noticed baby O.R. was irritable and feverish. After a call to the pediatrician, the doctor advised Mom to give her Tylenol and Benadryl. The fever continued for several days and on the evening before her scheduled pediatrician visit, O.R. began having severe seizures.

She was rushed to the emergency room. Baby O.R. went into cardiac and respiratory arrest and doctors placed her on a ventilator.

The seizures and cardiac arrest left O.R. with a severe brain injury, encephalopathy, cortical vision impairment, truncal hypotonia (low muscle tone), and kidney failure.

After months of treatment at the hospital, baby O.R. finally went home, but her disabilities require specialized medical care and supervision around the clock for the rest of her life.

The $101 million-dollar settlement pays for the child's constant high-level medical care needed for the rest of her life. The family received a lump sum of $1 million dollars to cover the immediate costs of medical bills and expenses. The rest will be paid out through an annuity over the child's lifetime.

FILING THE VACCINE INJURY CLAIM IN FEDERAL COURT

Attorney Diana Stadelnikas represented the child and her parents in the National Vaccine Injury Compensation Program. Ms. Stadelnikas is an experienced Vaccine Injury Attorney and also a former Registered Nurse.

She filed a claim with the Vaccine Court on behalf of O.R. alleging the MMR immunization triggered the severe, but rare, reaction.

Stadelnikas filed the case in the U.S. Court of Claims against the Secretary of the Department of Health and Human Services (HHS). Upon reviewing the records and evidence, HHS conceded the case and agreed that O.R. was entitled to compensation for her vaccine-related injuries.

$101 MILLION VACCINE INJURY SETTLEMENT

The family received a lump sum of $1 million dollars to cover the immediate costs of medical bills and expenses from when the injury first happened.

The rest will be paid out through an annuity over the child's lifetime. Attorney's fees and costs are paid by the Vaccine Injury Compensation Program separately from the money awarded to the child.

You can read the actual decision on the Court of Federal Claims website: Case Number 16-119V: MMR Vaccine; Encephalopathy. Thankfully, this family reached out to our vaccine injury team and we were able to help them, says

attorney Diana Stadelnikas. Vaccine injury cases are medically and legally complex; I cannot stress enough how important it is to work with an attorney who has experience representing injured families in the Vaccine Program to successfully navigate the complexities, urges Stadelnikas. The outcome here was a result of hard work, devotion, and the collaborative efforts of our experienced team.

The attorneys at Maglio Christopher & Toale, P.A. have extensive experience representing people in the National Vaccine Injury Compensation Program (NVICP).

For almost 20 years the lawyers at our firm have helped people in all 50 states file vaccine injury claims. We have offices located in Washington, DC, Sarasota, FL and Seattle, WA. Our DC office is located two blocks from the Vaccine Court.

Vaccine injuries are not personal injury cases, they are a unique part of the Federal Court system. There are a small number of attorneys across the US who regularly practice in this court. MCT Law represents our clients in vaccine injury cases at no cost to them.

The NVICP pays attorney's fees separately from the victim's claim. This way, the victim keeps 100% of their award and never shares any part of it with their attorney. You can review a list of over 500 of our case results here: https://www.mctlaw.com/vaccine-injury/cases/

In 1986 the federal government set up the National Vaccine Injury Compensation Program. This way, the government may compensate the small percentage of people who experience rare and severe vaccine reactions. As of June 2018, the program trust contains over $3.75 billion dollars to compensate patients who experience adverse vaccine reactions.

THE UNITED STATES DEPARTMENT of JUSTICE
STICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE Monday, July 2, 2012

GlaxoSmithKline to Plead Guilty and Pay $3 Billion to Resolve Fraud Allegations and Failure to Report Safety Data

Largest Health Care Fraud Settlement in U.S. History

Global health care giant GlaxoSmithKline LLC (GSK) agreed to plead guilty and to pay $3 billion to resolve its criminal and civil liability arising from the company's unlawful promotion of certain prescription drugs, its failure to report certain safety data, and its civil liability for alleged false price reporting practices, the Justice Department announced today. The resolution is the largest health care fraud settlement in U.S. history and the largest payment ever by a drug company.

GSK agreed to plead guilty to a three-count criminal information, including two counts of introducing misbranded drugs, Paxil and Wellbutrin, into interstate commerce and one count of failing to report safety data about the drug Avandia to the Food and Drug Administration (FDA). Under the terms of the plea agreement, GSK will pay a total of $1 billion, including a criminal fine of $956,814,400 and forfeiture in the amount of $43,185,600. The criminal plea agreement also includes certain non-monetary compliance commitments and certifications by GSK's U.S. president and board of directors. GSK's guilty plea and sentence is not final until accepted by the U.S. District Court.

GSK will also pay $2 billion to resolve its civil liabilities with the federal government under the False Claims Act, as well as the states. The civil settlement resolves claims relating to Paxil, Wellbutrin and Avandia, as well as additional drugs, and also resolves pricing fraud allegations.

"Today's multi-billion dollar settlement is unprecedented in both size and scope. It underscores the Administration's firm commitment to protecting the American people and holding accountable those who commit health care fraud," said James M. Cole, Deputy Attorney General. "At every level, we are determined to stop practices that jeopardize patients' health, harm taxpayers, and violate the public trust – and this historic action is a clear warning to any company that chooses to break the law."

"Today's historic settlement is a major milestone in our efforts to stamp out health care fraud," said Bill Corr, Deputy Secretary of the Department of Health and Human Services (HHS). "For a long time, our health care system had been a target for cheaters who thought they could make an easy profit at the expense of public safety, taxpayers, and the millions of Americans who depend on programs like Medicare and Medicaid. But thanks to strong enforcement actions like those we have announced today, that equation is rapidly changing."

This resolution marks the culmination of an extensive investigation by special agents from HHS-OIG, FDA and FBI, along with law enforcement partners across the federal government. Moving forward, GSK will be subject to stringent requirements under its corporate integrity agreement with HHS-OIG; this agreement is designed to increase accountability and transparency and prevent future fraud and abuse. Effective law enforcement partnerships and fraud prevention are hallmarks of the Health Care Fraud Prevention and Enforcement Action Team (HEAT) initiative, which fosters government collaboration to fight fraud.

Criminal Plea Agreement

Under the provisions of the Food, Drug and Cosmetic Act, a company in its application to the FDA must specify each intended use of a drug. After the FDA approves the product as safe and effective for a specified use, a company's promotional activities must be limited to the intended uses that FDA approved. In fact, promotion by the manufacturer for other uses – known as "off-label uses" – renders the product "misbranded."

Paxil: In the criminal information, the government alleges that, from April 1998 to August 2003, GSK unlawfully promoted Paxil for treating depression in patients under age 18, even though the FDA has never approved it for pediatric use. The United States alleges that, among other things, GSK participated in preparing, publishing and distributing a misleading medical journal article that misreported that a clinical trial of Paxil demonstrated efficacy in the treatment of depression in patients under age 18, when the study failed to demonstrate efficacy. At the same time, the United States alleges, GSK did not make available data from two other studies in which Paxil also failed to demonstrate efficacy in treating depression in patients under 18. The United States further alleges that GSK sponsored dinner programs, lunch programs, spa programs and similar activities to promote the use of Paxil in children and adolescents. GSK paid a speaker to talk to an audience of doctors and paid for the meal or spa treatment for the doctors who attended. Since 2004, Paxil, like other antidepressants, included on its label a "black box warning" stating that antidepressants may increase the risk of suicidal thinking and behavior in short-term studies in patients under age 18. GSK agreed to plead guilty to misbranding Paxil in that its labeling was false and misleading regarding the use of Paxil for patients under 18.

Wellbutrin: The United States also alleges that, from January 1999 to December 2003, GSK promoted Wellbutrin, approved at that time only for Major Depressive Disorder, for weight loss, the treatment of sexual dysfunction, substance addictions and Attention Deficit Hyperactivity Disorder, among other off-label uses. The United States contends that GSK paid millions of dollars to doctors to speak at and attend meetings, sometimes at lavish resorts, at which the off-label uses of Wellbutrin were routinely promoted and also used sales representatives, sham advisory boards, and supposedly independent Continuing Medical Education (CME) programs to promote Wllbutrin for these unapproved uses. GSK has agreed to plead guilty to misbranding Wellbutrin in that its labeling did not bear adequate directions for these off-label uses. For the Paxil and Wellbutrin misbranding offenses, GSK has agreed to pay a criminal fine and forfeiture of $757,387,200.

Avandia: The United States alleges that, between 2001 and 2007, GSK failed to include certain safety data about Avandia, a diabetes drug, in reports to the FDA that are meant to allow the FDA to determine if a drug continues to be safe for its approved indications and to spot drug safety trends. The missing information included data regarding certain post-marketing studies, as well as data regarding two studies undertaken in response to European regulators' concerns about the cardiovascular safety of Avandia. Since 2007, the FDA has added two black box warnings to the Avandia label to alert physicians about the potential increased risk of (1) congestive heart failure, and (2) myocardial infarction

(heart attack). GSK has agreed to plead guilty to failing to report data to the FDA and has agreed to pay a criminal fine in the amount of $242,612,800 for its unlawful conduct concerning Avandia.

“This case demonstrates our continuing commitment to ensuring that the messages provided by drug manufacturers to physicians and patients are true and accurate and that decisions as to what drugs are prescribed to sick patients are based on best medical judgments, not false and misleading claims or improper financial inducements,” said Carmen Ortiz, U.S. Attorney for the District of Massachusetts.

“Patients rely on their physicians to prescribe the drugs they need,” said John Walsh, U.S. Attorney for Colorado. “The pharmaceutical industries’ drive for profits can distort the information provided to physicians concerning drugs. This case will help to ensure that your physician will make prescribing decisions based on good science and not on misinformation, money or favors provided by the pharmaceutical industry.”

Civil Settlement Agreement

As part of this global resolution, GSK has agreed to resolve its civil liability for the following alleged conduct: (1) promoting the drugs Paxil, Wellbutrin, Advair, Lamictal and Zofran for off-label, non-covered uses and paying kickbacks to physicians to prescribe those drugs as well as the drugs Imitrex, Lotronex, Flovent and Valtrex; (2) making false and misleading statements concerning the safety of Avandia; and (3) reporting false best prices and underpaying rebates owed under the Medicaid Drug Rebate Program.

Off-Label Promotion and Kickbacks: The civil settlement resolves claims set forth in a complaint filed by the United States alleging that, in addition to promoting the drugs Paxil and Wellbutrin for unapproved, non-covered uses, GSK also promoted its asthma drug, Advair, for first-line therapy for mild asthma patients even though it was not approvedor medically appropriate under these circumstances. GSK also promoted Advair for chronic obstructive pulmonary disease with misleading claims as to the relevant treatment guidelines. The civil settlement also resolves allegations that GSK promoted Lamictal, an anti-epileptic medication, for off-label, non-covered psychiatric uses, neuropathic pain and pain management. It further resolves allegations that GSK promoted certain forms of Zofran, approved only for post-operative nausea, for the treatment of morning sickness in pregnant women. It also includes allegations that GSK paid kickbacks to health care professionals to induce them to promote and prescribe these drugs as well as the drugs Imitrex, Lotronex, Flovent and Valtrex. The United States alleges that this conduct caused false claims to be submitted to federal health care programs.

GSK has agreed to pay $1.043 billion relating to false claims arising from this alleged conduct. The federal share of this settlement is $832 million and the state share is $210 million.

This off-label civil settlement resolves four lawsuits pending in federal court in the District of Massachusetts under the *qui tam*, or whistleblower, provisions of the False Claims Act, which allow private citizens to bring civil actions on behalf of the United States and share in any recovery.

Avandia: In its civil settlement agreement, the United States alleges that GSK promoted Avandia to physicians and other health care providers with false and misleading representations about Avandia’s safety profile, causing false

claims to be submitted to federal health care programs. Specifically, the United States alleges that GSK stated that Avandia had a positive cholesterol profile despite having no well-controlled studies to support that message. The United States also alleges that the company sponsored programs suggesting cardiovascular benefits from Avandia therapy despite warnings on the FDA-approved label regarding cardiovascular risks. GSK has agreed to pay $657 million relating to false claims arising from misrepresentations about Avandia. The federal share of this settlement is $508 million and the state share is $149 million.

Price Reporting: GSK is also resolving allegations that, between 1994 and 2003, GSK and its corporate predecessors reported false drug prices, which resulted in GSK's underpaying rebates owed under theMedicaid Drug Rebate Program. By law, GSK was required to report the lowest, or "best" price that it charged its customers and to pay quarterly rebates to the states based on those reported prices. When drugs are sold to purchasers in contingent arrangements known as "bundles," the discounts offered for the bundled drugs must be reallocated across all products in the bundle proportionate to the dollar value of the units sold. The United States alleges that GSK had bundled sales arrangements that included steep discounts known as "nominal" pricing and yet failed to take such contingent arrangements into account when calculating and reporting its best prices to the Department of Health and Human Services. Had it done so, the effective prices on certain drugs would have been different, and, in some instances, triggered a new, lower best price than what GSK reported. As a result, GSK underpaid rebates due to Medicaid and overcharged certain Public Health Service entities for its drugs, the United States contends. GSK has agreed to pay $300 million to resolve these allegations, including $160,972,069 to the federal government, $118,792,931 to thestates, and $20,235,000 to certain Public Health Service entities who paid inflated prices for the drugs at issue.

Except to the extent that GSK has agreed to plead guilty to the three-count criminal information, the claims settled by these agreements are allegations only, and there has been no determination of liability.

"This landmark settlement demonstrates the Department's commitment to protecting the American public against illegal conduct and fraud by pharmaceutical companies," said Stuart F. Delery, Acting Assistant Attorney General for the Justice Department's Civil Division. "Doctors need truthful, fair, balanced information when deciding whether the benefits of a drug outweigh its safety risks. By the same token, the FDA needs all necessary safety-related information to identify safety trends and to determine whether a drug is safe and effective. Unlawful promotion of drugs for unapproved uses and failing to report adverse drug experiences to the FDA can tip the balance of those important decisions, and the Justice Department will not tolerate attempts by those who seek to corrupt our health care system in this way."

Non-monetary Provisions and Corporate Integrity Agreement

In addition to the criminal and civil resolutions, GSK has executed a five-year Corporate Integrity Agreement (CIA) with the Department of Health and Human Services, Office of Inspector General (HHS-OIG). The plea agreement and CIA include novel provisions that require that GSK implement and/or maintain major changes to the way it does business, including changing the way its sales force is compensated to remove compensation based on sales goals for territories, one of the driving forces behind much of the conduct at issue in this matter. Under the CIA, GSK is required to change its executive compensation program to permit the company to recoup annual bonuses and long-term incentives from covered executives if they, or their subordinates, engage in significant misconduct. GSK may recoup monies from executives who are current employees and those who have left the company. Among other things, the CIA also requires GSK to implement and maintain transparency in its research practices and publication policies and to follow specified policies in its contracts with various health care payors.

“Our five-year integrity agreement with GlaxoSmithKline requires individual accountability of its board and executives,” said Daniel R. Levinson, Inspector General of the U.S. Department of Health and Human Services. “For example, company executives may have to forfeit annual bonuses if they or their subordinates engage in significant misconduct, and sales agents are now being paid based on quality of service rather than sales targets.”

“The FDA Office of Criminal Investigations will aggressively pursue pharmaceutical companies that choose to put profits before the public’s health,” said Deborah M. Autor, Esq., Deputy Commissioner for Global Regulatory Operations and Policy, U.S. Food and Drug Administration. “We will continue to work with the Justice Department and our law enforcement counterparts to target companies that disregard the protections of the drug approval process by promoting drugs for uses when they have not been proven to be safe and effective for those uses, and that fail to report required drug safety information to the FDA.”

“The record settlement obtained by the multi-agency investigative team shows not only the importance of working with our partners, but also the importance of the public providing their knowledge of suspect schemes to the government,” said Kevin Perkins, Acting Executive Assistant Director of the FBI’s Criminal, Cyber, Response and Services Branch. “Together, we will continue to bring to justice those engaged in illegal schemes that threaten the safety of prescription drugs and other critical elements of our nation’s healthcare system.”

“ Federal employees deserve health care providers and suppliers, including drug manufacturers, that meet the highest standards of ethical and professional behavior,” said Patrick E. McFarland, Inspector General of the U.S. Office of Personnel Management. “Today’s settlement reminds the pharmaceutical industry that they must observe those standards and reflects the commitment of Federal law enforcement organizations to pursue improper and illegal conduct that places health care consumers at risk.”

“Today’s announcement illustrates the efforts of VA OIG and its law enforcement partners in ensuring the integrity of the medical care provided our nation’s veterans by the Department of Veterans Affairs,” said George J. Opfer, Inspector General of the Department of Veterans Affairs. “The monetary recoveries realized by VA in this settlement will directly benefit VA healthcare programs that provide for veterans’ continued care.”

“This settlement sends a clear message that taking advantage of federal health care programs has substantial consequences for those who try,” said Rafael A. Medina, Special Agent in Charge of the Northeast Area Office of Inspector General for the U.S. Postal Service. “The U.S. Postal Service pays more than one billion dollars a year in workers' compensation benefits and our office is committed to pursuing those individuals or entities whose fraudulent acts continue to unfairly add to that cost.”

A Multilateral Effort

The criminal case is being prosecuted by the U.S. Attorney’s Office for the District of Massachusetts and the Civil Division’s Consumer Protection Branch. The civil settlement was reached by the U.S. Attorney’s Office for the District of Massachusetts, the U.S. Attorney’s Office for the District of Colorado and the Civil Division’s Commercial Litigation Branch. Assistance was provided by the HHS Office of Counsel to the Inspector General, Office of the General Counsel-CMS Division and FDA’s Office of Chief Counsel as well as the National Association of Medicaid Fraud Control Units.

This matter was investigated by agents from the HHS-OIG; the FDA's Office of Criminal Investigations; the Defense Criminal Investigative Service of the Department of Defense; the Office of the Inspector General for the Office of Personnel Management; the Department of Veterans Affairs; the Department of Labor; TRICARE Program Integrity; the Office of Inspector General for the U.S. Postal Service and the FBI.

This resolution is part of the government's emphasis on combating health care fraud and another step for the Health Care Fraud Prevention and Enforcement Action Team (HEAT) initiative, which was announced in May 2009 by Attorney General Eric Holder and Kathleen Sebelius, Secretary of HHS. The partnership between the two departments has focused efforts to reduce and prevent Medicare and Medicaid financial fraud through enhanced cooperation. Over the last three years, the department has recovered a total of more than $10.2 billion in settlements, judgments, fines, restitution, and forfeiture in health care fraud matters pursued under the False Claims Act and the Food, Drug and Cosmetic Act.

Court documents related to today's settlement can be viewed online at www.justice.gov/opa/gsk-docs.html .

Related Materials:

Remarks by the Deputy Attorney General James M. Cole at the GSK Press Conference
Remarks by Acting Assistant Attorney General for the Civil Division Stuart F. Delery at the GSK Press Conference

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Topic(s):
Consumer Protection

Component(s):
Civil Division

Press Release Number:
12-842

Updated May 22, 2015

ADV. MANGESH B. DONGRE

Office: 2 & 3, Floor, Kothari House, 5/7 Oak Lane, A R Allana Marg, Near Burma Burma Restaurant, Fort, Mumbai - 400 023.

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Date: 23 .09.2021

Case Number before Hon'ble President of India	**PRSEC/E/2021/26841**
Case Number before Hon'ble Prime Minister of India	**PMOPG/E/2021/0524703**
Case Number before Central Vigilance Commission	**185135/2021/vigilance-7**

Legal notice for proceedings under section 12 of Contempt of Courts Act,1971 and Article 129, 215 of the Constitution of India

R/w

Section 80 of Civil Procedure Code

To,

Shri. Mansukh Mandaviya,

Ministry of Health and Family Welfare

'C' Wing, Nirmal Bhawan,

New Delhi – 110001.

Sub: To forthwith stop the contempt of law laid down by Hon'ble Supreme Court and follow the law and binding precedents of Constitution Bench of Hon'ble Supreme Court, and Hon'ble High Courts more particularly in the case of ;

(i) Mineral Development Ltd. Vs State **(1960) 2 SCR 609.**

(ii) A.K. Kraipak Vs. Union of India **(1969) 2 SCC 262,**

(iii) State of Punjab Vs. Davinder Pal Singh Bhullar **(2011) 14 SCC 770,**

(iv) Suresh Palande Vs. Govt. of Maharashtra **2015 SCC OnLine Bom 6775.**

AND TO FORTHWITH;

(i) Remove the persons/bureaucrats, members of the Task Force etc. from any decision-making process related with remedies and solutions regarding Covid-19 pandemic, who are directly or indirectly connected with any entity, NGO or Board that receives funds from Bill & Melinda Gates Foundation, Rockefeller Foundation, PATH, PHFI, where sole agenda is to reap profits for the vaccine manufacturers;

(ii) Issue immediate direction as per law laid down by the Constitution Bench of Hon'ble Supreme Court in the case of **Mineral Development Ltd. Vs State (1960) 2 SCR 609,** there by directing to all authorities not to follow, the illegal, unconstitutional, unscientific and nonsensical circulars and orders based on the recommendations and suggestions regarding vaccination, masks, RT-PCR test etc., issued by these disqualified members;

(iii) Issue directions for forthwith removal and withdrawl of all the false, misleading and illegal advertisements, caller tunes, Questions and Answers (FAQs) published by the Ministry of Health and

Family Welfare on the basis of recommendations given by members who are in the disqualified category as per law laid down by Hon'ble Supreme Court.

(iv) Immediate direction to protect the rights of covid cured citizens who are safest person as their immunity is proved to be 13 times better than fully vaccinated people and the citizen who are covid cured or having natural immunity developed due to contract with corona are entitled for relief from covid appropriate behavior before vaccinated people.

(v) Issue directions for enquiry and then issue specific directing to all the authorities to not to allow to take part in any of the meetings or decision making process the following person who are in the category of disqualified:

(i) Prof. K. Shrinath Reddy,

(ii) Dr. Cherry Gagandeep Kang,

(iii) Dr. Balram Bhargava,

(iv) Shri. V.K. Paul,

(v) Dr. Soumya Swaminathan ,

(vi) Dr. Randeep Guleria,

(vii) Dr. K. Vijay Raghvan,

(viii) Dr. N.K. Arora ;

and others as mentioning in para 14 of this notice.

(vi) Direction to prohibit the members of ICMR, PATH, PHFI, Bill Gates etc., who found prima facie guilty by the Parliamentary committee in 72nd Report and bsed on the evidences given in this notice from participating any board or body dealing with the corona management.

(vii) Direct prosecution u/s 51(b) of Disaster Management Act, 2005 against all the entities and all the persons who are directly or indirectly forcing the people to take vaccines or restricting their entries on the ground of non-vaccination.

(viii) Directions to authorities to not to publish misleading advertisements, slogans and publish correct fact that vaccines are not completely safe but having many side effects and vaccines are not solution or there is no guarantee that citizens will not get corona and the person taking vaccine may die due to corona.

(ix) Directions to authorities to issue circulars to all State Governments and Central Government entities to not to conduct RTPCR/RAT Test of asymptotic and healthy persons.

(x) Direction to authorities to not to draw any conclusions or not to take any policy decisions of lockdown or quarantine on the basis of RTPCR/RAT Test and only use the Gold Standard test of **'Virus Culture'** for taking any policy decisions or recommendations etc.

(xi) Give directions to all authorities to issue circulars, advertisements et. al to make public aware that:

(a) Natural immunity caused due to Contract with Covid-19 is more than13 times better than the person fully vaccinated and such people are most safest persons. They will not get corona again and they cannot spread infection.

(b) Wearing mask is voluntary and there is no scientific proof that masks can prevent infection. And the healthy or asymptomatic people need not to wear mask. Also publish the scientific studies regarding damage caused to the lungs and also other side effects of wearing masks.

(xii) Give wide publicity & proper support to the following result oriented remedies and treatments which are having far more efficacy than vaccines and not having no side effects with zero deaths as compared with many side effects and deaths due to vaccines:-

i) Naturopathy's - Three step Fluid Diet as formulated by Dr. Biswaroop Roy Choudhary and verified by National Institute of Naturopathy, Pune.

ii) Anandia's Ayurvedic 'K' medicine as verified & approved by the State Government of Andhra Pradesh and confirmed by the Hon'ble Andhra Pradesh High Court.

iii) Ayurvedic & yoga treatment as suggested by Baba Ramdev.

(xiii) Directions for forthwith stopping any marketing agenda, comments, advertisements regarding

vaccination of Children as there is no need in vaccinating children, but marketing division of pharma mafia is trying to mislead the people at large.

Sir,

Under the authorization and instructions by my client **Shri. Ambar Koiri**, **National Steering Committee member of Awaken India Movement**, I, the undersigned, serve this notice upon you as under;

1. At the outset I would like to express **our sincere thanks to the Honest Bureaucrats and Hon'ble Prime Minister Shri. Narendra Modiji** for many decisions for welfare of citizens more particularly the following ones;

(i) Including Ivermectin, Vitamin D, Aayush Ayurvedic & Naturopathy Protocol for corona treatment.

(ii) Clarifying time and again that the vaccines are not mandatory but voluntary in Central Governments RTI responses.

(iii) Making clear that Masks are not mandatory but voluntary.

2. However, some corrupt bureaucrats and members of Task Force are acting dishonestly and framing contrary policies which are against the Governments own policies and constitutional mandates. The dishonest members are involved in issuing directions, adds etc., with only one motive to;

(i) Create fear in the mind of public at large.

(ii) Make use of that fear to force the public to fulfil the agenda of vaccine syndicate thereby indirectly forcing public to get vaccinated anyhow.

3. While issuing such unconstitutional and illegal circulars the concerned dishonest and corrupt members of Task Force and other bureaucrats are deliberately and malafidely suppressing the following crucial facts:-

(i) The person who got cured from covid or came in contract with covid-19 are most safest person because they are having more than 13 times better immunity than the fully vaccinated people and there are no chances or very very less chances of such person getting infected or spreading the infection. Scientific data is in favor of these people. Any preference or relaxation should be given to these people forthwith.

(ii) There is no scientific evidence that the healthy or Asymptomatic people can spread the corona. In fact research showed that any asymptomatic person cannot spread corona.

Therefore, the government cannot spend thousands of crores of citizens and taxpayers' money on testing of asymptomatic people.

In fact, this is an offence of misappropriation of public funds punishable under section 409 of Indian Penal Code.

(iii) As per Sero Survey by ICMR there are around 70% such people in India who are having antibody developed and there is no need for any restrictions or lockdowns.

(iv) The vaccine companies in their fact sheet had given the list of persons who should not get vaccines such as persons having allergies to the contents of vaccines.

(v) Government is bound to publish the side effects of vaccines and cannot make any ads or statement saying that vaccines are completely safe. If any such misstatement is made then concerned officer is liable for offences of cheating and in

addition to imprisonment such officer and government is also liable to pay compensation to the person who go for vaccination under deceptions.

(vi) As per provisions of **Universal Declaration on Bioethics and Human Rights, 2005** and in view of law laid down by Hon'ble Supreme Court and various High Courts the person has a right to take decision between vaccination or alternate medicines and there cannot be any force either directly or indirectly.

(vii) Using mask have no guarantee of protection from corona but long use of masks can cause damages to the lungs. It will have death causing side effects upon person with Asthama etc.

(viii) When there are positive results and alternate harmless remedies like Ivermectin, Vitamin D, Naturopathy, Ayurvedic etc., the vaccines cannot be given **Emergency Use Authorization (EUA).**

(ix) It is honest duty of the government to make clear to every citizen that;

(a) The vaccines are experimental and are given Emergency use authorisation.

(b) There is no guarantee that after vaccination the person will not get corona.

(c) In fact, fully vaccinated person can also get corona and he/she can also spread infection. He/she can be a super spreader and also he/she can die due to corona.

(x) The positive result of RTPCR Test does not mean that the person is having infection. The RTPCR test only finds the particles of the virus in the body and based on the said report no action of medication, quarantine or lockdown can be taken.

The gold standard test for, active virus is 'Virus Culture' and not the RTPCR.

(xi) The Cycle threshold (CT) of RTPCR in India is 35 and at that cycle threshold the false positivity rate is 97%.

Therefore, no decision on restriction of life, liberty and livelihood of the public can be taken on the basis of result of RTPCR test

4. That, the only reason for suppression of true data and misleading the public at large by dishonest bureaucrats and members of Task Force is that they are being directly or indirectly funded or captured by the vaccine syndicates. The proofs are given in the preceding paras.

5. That, because of malafide and fraudulent acts of said money minded and corrupt officials &Task Force members the image of Hon'ble Prime Minister is being maligned and you being head of the Health Ministry is having duty to take immediate steps to prevent crimes and to protect the citizens from exploitation being caused due to such unlawful and unconstitutional circulars, advertisements et al issued by corrupt, dishonest and disqualified accused officials and Task Force members.

6. As being vigilant citizen and also as per his constitutional duty under Article 51 (A) of the Constitution of India, my client feels it must to bring it to your notice the proofs and details of fraudulent acts done by the accused

7. That, the present notice is sub divided into following points for the sake convenience.

Sr. Nos.	Particulars	Para Nos.	Page Nos.
1.	Duty of every citizen under Article 51 (A) of the Constitution of India.	**8**	**15**
2.	ICMR survey exposed non-efficacy of vaccines and also falsity of Health Ministry's claim.	**9**	**18**
3.	Any person including Ministers, who are receiving salary is public servant and he is bound to act fairly, impartially and only for the welfare of the nation. any deviation and misappropriation of public funds by misuse of power is punishable under Section 409 of IPC having punishment up to life imprisonment.	**10**	**20**
4.	Law of disqualification of any person from taking part in process, who is interested in someone's profit and their agenda.	**11**	**35**
5.	Even if there is a single member who is partial and interested and there are other members who are impartial then also it vitiates and invalidate their recommendations, suggestions and all actions.	**12**	**49**
6.	Failure to follow the law of disqualification and taking interested person makes such authority and Ministers liable for action under section 166, 218, 219,511, 120 (B) & 34 Etc. of IPC and contempt of Supreme Court and various High Courts in India.	**13**	**53**

15.	Intentionally & deliberately suppressing the result of sero survey which proved that around 70% of Indians have got natural immunity due to contract with Covid Sars-2 and they are the safest person and they cannot be asked to follow restrictions or to take vaccines because the immunity developed due to contract with corona (Covid-19) is more than 13 times better than the immunity developed due to vaccines.	**19**	**128**
16.	Fraudulently, corruptly & malafidely running the false narratives and conspiracy theories of asymptomatic patients without any scientific data and proofs.	**20**	**129**
17.	Study and reasoning on dangerous viruses found in healthy people.	**20.7**	**136**
18.	Conspiracy and fraud to suppress the economical and highly effective medicines and remedies such as Ivermectin, Vitamin-D, Hydroxychloroquine, Naturopathy, Ayurvedic et. al. to show that there is no remedy and medicines to cure corona and this was done to serve their ulterior purposes of getting emergency use authorization (EUA) to the vaccines whose clinical trials are not completed and there were no proofs of its efficacy and its side effects were not studied properly as mandated in medical science.	**21**	**137**
19.	Attempt to violate fundamental rights of citizens by forcing them to take vaccines and committing offences under section 323, 336, 115, 302, 304 etc., of I.P.C.	**22**	**138**

20.	Misappropriation of around thousands of crores on vaccines and RTPCR tests.	**23**	**138**
21.	Conspiracy to bring vaccine mandate for children's to give wrongful profit of thousands of crores to vaccine companies.	**24**	**139**
22.	All the report and recommendation of the ICMR and other bodies cannot be the basis for any conclusion or recommendations because they are based on the result of test of RT-PCR at 35 CT which is having false positive rate of 97%. Therefore, any recommendation about efficacy of vaccines or lockdown or anything is not permissible on the basis of the results of RT-PCR Test.	**25**	**142**
23.	Parliamentary Committee's 72nd report exposing corruption by ICMR and other officials involved in conspiracy to help vaccine syndicate sponsored by Bill and Melinda Gates Foundation and also responsible for offences of murder of female children. Supreme Court judgment upholding by the evidentry value of Report Parliamentary Committee.	**26**	**145**
24.	Recommendation of the Parliamentary Committee asking for investigation and legal action against Bill Gates and officials of ICMR.	**27**	**147**
25.	Earlier attempts to bring false pandemic.	**28**	**153**
26.	[a] Earlier attempt by accused who official to declare false pandemic: [b] The H1N1 swine flu pandemic was "fake,"	**28.1**	**153**

33.	In addition to abovesaid offences the accused print and social media persons stopping prohibiting or deleting the information are also liable for punishment under section 12 of Contempt of Courts Act, 1971 r/w Article 129 and 215 of Constitution of India for acting in wilful disregard and defiance of binding precedent of Hon'ble Supreme Court and various High Courts in India.	**34.10**	**190**
34.	Act of stopping, hiding, removing, suppressing, concealing and twisting material facts from any patient/citizen and leaving him no option but to adopt the option of dangerous vaccines is an preparation of offence mass murder of the people at large as defined under section 115, 511 of IPC.	**35**	**198**
35.	Chronology of offences committed by accused as per their conspiracy to commit mass murders i.e. genocide for creating market for unapproved vaccines by accused Bill And Melinda Gates Foundation and other vaccine syndicates.	**36**	**201**

8. <u>Duty of every citizen under Article 51 (a) of the Constitution Of India.</u>

8.1. Similarly in the case of **<u>Anirudha Bahal vs. State 2010 SCC OnLine Del 3365</u>**, it is ruled as under;

> ***"<u>DUTY OF A CITIZEN UNDER ARTICLE 51A(H) IS TO DEVELOP A SPIRIT OF INQUIRY AND REFORMS -</u>*** *Constitution of India mandates citizens to act as agent provocateurs to bring out and expose and uproot the*

corruption - ***it is a fundamental right of citizens of this country to have a clean incorruptible judiciary, legislature, executive and other organs and in order to achieve this fundamental right, every citizen has a corresponding duty to expose corruption wherever he finds it, whenever he finds it and to expose it if possible with proof so that even if the State machinery does not act and does not take action against the corrupt people when time comes people are able to take action***

Chanakaya in his famous work 'Arthshastra' advised and suggested that honesty of even judges should be periodically tested by the agent provocateurs. I consider that the duties prescribed by the Constitution of India for the citizens of this country do permit citizens to act as agent provocateurs to bring out and expose and uproot the corruption

I consider that one of the noble ideals of our national struggle for freedom was to have an independent and corruption free India. The other duties assigned to the citizen by the Constitution is to uphold and protect the sovereignty, unity and integrity of India andI consider that sovereignty, unity and integrity of this countrycannot be protected and safeguarded if the corruption is not removed from this country. - ***I consider that a country cannot be defended only by taking a gun and going to border at the time of war. The country is to bedefended day in and day out by being vigil and alert to the needs and requirements of the country and to bring forth the corruption at higher level. The duty under Article 51A(h) is to develop a spirit of inquiry and reforms. The duty of a citizen under Article***

51A(j) is to strive towards excellence in all spheres so that the national constantly rises to higher level of endeavour and achievements I consider that it is built-in duties that every citizen must strive for a corruption free society and must expose the corruption whenever it comes to his or her knowledge and try to remove corruption at all levels more so at higher levels of management of the State.

9. *I consider that it is a fundamental right of citizens of this country to have a clean incorruptible judiciary, legislature, executive and other organs and in order to achieve this fundamental right, every citizen has a corresponding duty to expose corruption wherever he finds it, whenever he finds it and to expose it if possible with proof so that even if the State machinery does not act and does not take action against the corrupt people when time comes people are able to take action either by rejecting them as their representatives or by compelling the State by public awareness to take action against them.*

The rule of corroboration is not a rule of law. It is only a rule of prudence and the sole purpose of this rule is to see that innocent persons are not unnecessarily made victim. The rule cannot be allowed to be a shield for corrupt.

8.2. In the case of **State of Maharashtra v. Sarangdharsingh Shivdassingh Chavan, (2011) 1 SCC 577,** it is ruled as under;

> ***"52…Every citizen must do his duty towards the nation as well as the fellow citizens because unless everyone does his duty, it is not possible to achieve the goals of equality and justice enshrined in the Preamble.***

> ***53.*** *Part IV-A of the Constitution was enacted with a fond hope that every citizen will honestly play his role in building of a homogeneous society in which every Indian will be able to live with dignity without having to bother about the basics like food, clothing, shelter, education, medical aid and the nation will constantly march forward and will take its place of pride in the comity of nations."*

9. ICMR survey exposed non-efficacy of vaccines and also falsity of Health Ministry's claim.

9.1. Health Ministry on 10th September, 2021 said one dose of covid vaccine is 96.6% effective in preventing death and second dose is 97.5% effective. On the contrary ICMR on 12th September, 2021 said that around 23% vaccinated people have not developed anti-bodies and they may require a booster dose.

Furtherance in the Reply received from Health Ministry on 20th September, 2021 it is clarified that the longevity of the immune response in vaccinated people is yet to be determined.

9.2. Study shows that the natural immunity developed due to contact with corona is 13 times better than the immunity developed after full vaccination means after two doses of vaccines.

9.3. The falsity and dishonesty of the state authorities is ex facie clear from following instance where the corrupt officials published false and manipulated data to help vaccine syndicates for ulterior purposes.

9.4. That in a news dated 10th September, 2021 it is the version of the Health Ministry that one dose of covid vaccine is 96.6% effective in preventing death and second dose is 97.5% effective.

Link:

-https://indianexpress.com/article/india/covid-19-vaccines-effectiveness-serious-disease-death-govt-7499316/?utm_source=whatsapp_web&utm_medium=social&utm_campaign=socialsharebuttons

9.5. The falsity of above data is exposed from the news dated 12th September, 2021 where ICMR said that around 23% vaccinated people have not developed anti-bodies and they may require a booster dose.

Link: https://www.news18.com/news/india/booster-dose-likely-to-get-icmr-nod-as-clinical-trials-find-20-vaccinated-have-no-antibodies-4193873.html

9.6. Needless to mention here that in the reply given by Health Ministry on 20.09.2021 says that, there is no data available regarding longevity of the immune response in vaccinated individuals. The relevant Question & Answer is as under;

> Question-1 Detailed information on approved vaccines to prevent corona outbreaks. As well as detailed information about their time period.
>
> Answer:- 1. Longevity of the immune response in vaccinated individuals is yet to be determined. Hence, continuing the use of masks, hand washing, physical distancing and other COVID-19 appropriate behaviors is strongly recommended.

This proves the falsity of claim of efficacy of vaccines.

9.7. Apart from abovesaid clear proofs of false claims of non-efficient vaccines, it is a matter of record that the data regarding vaccinated people and people with natural immunity is not properly and honestly maintained. It can be seen from the very fact that as per ICMR's own Sero Survey there are around 70% people who got anti-bodies developed in their body.

Link: https://www.livemint.com/news/india/these-states-have-over-75-seropositivity-icmr-s-national-sero-survey-finds-11627468536788.html

9.8. But there is no data available or it is suppressed that before vaccination the immunity and antibody developed in a person's body is verified or checked .

9.9. Therefore the claims of efficacy of vaccines are not reliable and trustworthy. Hence, it is clear that the efficacy of natural immunity is dishonestly and malafidely suppressed and the results of antibodies developed due to natural immunity because of person coming in contact with Covid-19 are malafidely used by vaccine mafias to give undeserving credit to vaccines.

9.10. The survey report of 7 Lac people had proved that the natural immunity developed due to contact with corona is 13 times better than the immunity developed after two doses of vaccines.

Link: https://youtu.be/6v5VrpgXPm4

10. Any person including Ministers, who are receiving salary is public servant and he is bound to act fairly, impartially and only for the welfare of the nation. any deviation and misappropriation of public funds by misuse of power is punishable under Section 409 of IPC having punishment up to life imprisonment.

10.1. Minister or Chief Minister to be Public Servant: A Chief Minister or a Minister are in the pay of the Government and are, therefore, public servants within the meaning of S. 21(12) of the I.P.C. [**See : M. Karunanidhi Vs. Union of India, AIR 1979 SC 898 (Five-Judge Bench)**].

10.2. Governor Competent to grant for prosecution of Chief Minister or Ministers: Governor is competent to grant sanction for prosecution of Chief Minister or Ministers for offences committed under the P.C. Act, 1988 and in proper cases Governor may act independently of or contrary to the advice of his Council of Ministers in exercise of his discretionary powers under Article 163

of the constitution. See: M.P. Special Police Establishment Vs. State of M.P. & Others, (2004) 8 SCC 788 (Five-Judge Bench).

10.3. That, the duty, responsibility, limitation on power and jurisdiction of any minister are very well explained by the Hon'ble Supreme Court in the case of **State of Maharashtra Vs. Sarangdharsingh Shivdassingh Chavan (2011) 1 SCC 577,** It is ruled as under;

> ***"64.*** *In Jaipur Development Authority v. Daulat Mal Jain [(1997) 1 SCC 35] this Court had the occasion to examine allotment of lands to the respondents by the Minister and the Committee headed by the Minister. Some of the observations made in that decision are quite relevant in the context of the present case. Therefore, they are quoted below : (SCC pp. 45-46, paras 11-12 & 14)*
>
> > *"11. The Minister holds public office though he gets constitutional status and performs functions under the Constitution, law or executive policy. The acts done and duties performed are public acts or duties as the holder of public office. Therefore, he owes certain accountability for the acts done or duties performed. In a democratic society governed by the rule of law, power is conferred on the holder of the public office or the authority concerned by the Constitution by virtue of appointment. The holder of the office, therefore, gets opportunity to abuse or misuse the office. The politician who holds public office must perform public duties with the sense of purpose, and a sense of direction, under rules or sense of priorities. The purpose must be genuine in a free democratic society governed by the rule of law to further socio-economic democracy. ...*

12. ... If the Minister, in fact, is responsible for all the detailed workings of his department, then clearly ministerial responsibility must cover a wider spectrum than mere moral responsibility : for no Minister can possibly get acquainted with all the detailed decisions involved in the working of his department. ...

14. The so-called public policy cannot be a camouflage for abuse of the power and trust entrusted with a public authority or public servant for the performance of public duties. Misuse implies doing of something improper. The essence of impropriety is replacement of a public motive for a private one. When satisfaction sought in the performance of duties is for mutual personal gain, the misuse is usually termed as corruption. The holder of a public office is said to have misused his position when in pursuit of a private satisfaction, as distinguished from public interest, he has done something which he ought not to have done. The most elementary qualification demanded of a Minister is honesty and incorruptibility. He should not only possess these qualifications but should also appear to possess the same."

(emphasis supplied)

***67.** In Porter v. Magill [(2002) 2 AC 357 : (2002) 2 WLR 37 : (2002) 1 All ER 465 (HL)] the House of Lords upheld the decision of the District Auditor who had opined that certain Ministers of Westminster's City Council had used their powers to increase the number of owners/occupiers in marginal wards for the purpose of encouraging them to vote for the Conservative Party*

in future elections. The House of Lords held that although the powers under which the Council could dispose of the land was very broad, and although, elected politicians were entitled to act in a manner which would earn the gratitude and support of their electorate, they could act only to pursue a "public purpose for which the power was conferred", but the purpose of securing electoral advantage for the Conservative Party was no such "public purpose".

68. *At this stage, I may also refer to the following portion of the preface to 1964 paperback edition of the book titled The Modern State by Maciver:*

"The State has no finality, but human nature is as stable as human needs, and what human beings need from government — if we think not of the few, but of men generally, men as social beings — is the same under all conditions. These are liberties secured by restraints, justice under law, order that provides opportunity, the economy of the good life. The modes of satisfying these needs change with the changing conditions. To satisfy any need whatever, even the most spiritual, a modicum of power is necessary, for power is simply the effective control of means. From the beginning of human history government has been recognized as the overall holder and regulator of power, maintaining order by limiting all other expressions of power and thereby turning permitted powers into rights. In that concept lay the rudiments of the principles of government. In every age men have sought to clarify the application of these principles to

the changing times. In every age the abuse of power by governments has led to disasters and uprisings, oppressions and vainglorious wars, and sometimes to experiments in the control of power, seeking to make it responsible, or more responsible, subject in some manner to the will of the people, of the majority or those who represented them."

33. *From the communication of the Collector containing the instructions of the then Chief Minister, Mr Vilasrao Deshmukh, it is clear that the Chief Minister was aware of various complaints being filed against the said family. Even then he passed an order for special treatment in favour of the said family which is unknown to law. This was obviously done to protect the Sananda family from the normal legal process and a special procedure was directed to be adopted in respect of criminal complaints filed against them.*

34. *In other words, the Chief Minister wanted to give the members of the said family a special protection which is not available to other similarly placed persons. It is clear from the Collector's order dated 5-6-2006 where the Chief Minister's instructions were quoted that the Chief Minister was acting solely on political consideration to screen the family of the MLA from the normal process of law.*

35. As Judges of this Court, it is our paramount duty to maintain the rule of law and the constitutional norms of equal protection.

36. *We cannot shut our eyes to the stark realities.*

38. This being the ground reality, as the Chief Minister of the State and as holding a position of great responsibility as a high constitutional functionary, Mr Vilasrao Deshmukh certainly acted beyond all legal norms by giving the impugned directions to the Collector to protect members of a particular family who are dealing in moneylending business from the normal process of law. This amounts to bestowing special favour to some chosen few at the cost of the vast number of poor people who as farmers have taken loans and who have come to the authorities of law and order to register their complaints against torture and atrocities by the moneylenders. The instructions of the Chief Minister will certainly impede their access to legal redress and bring about a failure of the due process.

39. *The aforesaid action of the Chief Minister is completely contrary to and inconsistent with the constitutional promise of equality and also the Preambular resolve of social and economic justice. As the Chief Minister of the State Mr Deshmukh has taken a solemn oath of allegiance to the Constitution but the directions which he gave are wholly unconstitutional and seek to subvert the constitutional norms of equality and social justice.*

41. *Records disclosed in this case show that out of 74 cases only in seven cases charge-sheets were filed and the rest of the cases were either compromised or withdrawn. How can poor farmers sustain their complaints in the face of such directions and how can*

the subordinate police officers carry on investigation ignoring such instructions of the Chief Minister? Therefore, the instructions of the Chief Minister have completely subverted the rule of law.

46. *This Court is extremely anguished to see that such an instruction could come from the Chief Minister of a State which is governed under a Constitution which resolves to constitute India into a socialist, secular, democratic republic. The Chief Minister's instructions are so incongruous and anachronistic, being in defiance of all logic and reason, that our conscience is deeply disturbed. We condemn the same in no uncertain terms.*

47. *We affirm the order of the High Court and direct that the instruction of the Chief Minister to the Collector dated 5-6-2006 has no warrant in law and is unconstitutional and is quashed.*

48. *We dismiss this appeal with costs of Rs. 10,00,000 (rupees ten lakhs) to be paid by the appellant in favour of the Maharashtra State Legal Services Authority. This fund shall be earmarked by the Authority to help the cases of poor farmers. Such costs should be paid within a period of six weeks from date.*

55. *Under the Constitution, the executive power of the State vests in the Governor and is required to be exercised by him either directly or through officers subordinate to him in accordance with the Constitution [Article 154(1)]. Article 163 mandates that there shall be a Council of Ministers with the Chief Minister as the head to aid and advise the Governor in the exercise of*

his functions, except insofar as he is by or under the Constitution required to exercise his functions or any of them in his discretion.

56. *Article 164 lays down that:*

"164. Other provisions as to Ministers.—(1)The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor."

Article 164(3) lays down that the Governor shall before a Minister enters upon his office, administer to him the oath of office and secrecy according to the form set out in the Third Schedule, in terms of which, the Minister is required to take oath that he shall discharge ***his duties in accordance with the Constitution and the law without fear or favour, affection or ill will. However, the cases involving pervasive misuse of public office for private gains, which have come to light in the last few decades tend to shake the peoples' confidence and one is constrained to think that India has freed itself from British colonialism only to come in the grip of a new class, which tries to rule on the same colonial principles.*** *Some members of the political class who are entrusted with greater responsibilities and who take oath to do their duties in accordance with the Constitution and the law without fear or favour, affection or ill will, have by their acts and omissions demonstrated that they have no respect for a system based on the rule of law.*

57. *The judgment of the Constitution Bench in C.S. Rowjee v. State of A.P. [AIR 1964 SC 962 : (1964) 6 SCR 330] is an illustration of the misuse of public office by the Chief Minister for political gain. The schemes framed by the Government of Andhra Pradesh under Chapter IV-A of the Motor Vehicles Act, 1939 for nationalisation of motor transport in certain areas of Kurnool District of Andhra Pradesh were challenged by filing writ petitions under Article 226 of the Constitution. The High Court repelled the challenge to the validity of the schemes and also negatived the argument that the same were vitiated due to mala fides of the then Chief Minister of the State. This Court allowed the appeals and quashed the scheme and declared that the schemes are invalid and cannot be enforced. While examining the issue of mala fide exercise of power, the Constitution Bench stuck a note of caution by observing that allegations of mala fides and of improper motives on the part of those in power are frequently made and sometimes without any foundation and, therefore, it is the duty of the Court to scrutinise those allegations with care so as to avoid being in any manner influenced by them if they are not well founded.*

58. *The Court in C.S. Rowjee [AIR 1964 SC 962 : (1964) 6 SCR 330] then noted that the scheme was originally framed by the Corporation on the recommendations of the Anantharamakrishnan Committee, but was modified at the asking of the Chief Minister so that his opponents may be prejudicially*

affected and proceeded to observe : (AIR pp. 972-73, paras 28-30)

"28. ... The first matter which stands out prominently in this connection is the element of time and the sequence of dates. We have already pointed out that the Corporation had as late as March 1962 considered the entire subject and had accepted the recommendation of the Anantharama krishnan Committee as to the order in which the transport in the several districts should be nationalised and had set these out in their administration report for the three year period 1958 to 1961. It must, therefore, be taken that every factor which the Anantharamakrishnan Committee had considered relevant and material for determining the order of the districts had been independently investigated, examined and concurred in, before those recommendations were approved. It means that up to March-April 1962 a consideration of all the relevant factors had led the Corporation to a conclusion identical with that of the Ananth Ramakrishnan Committee. The next thing that happened was a conference of the Corporation and its officials with the Chief Minister on 19-4-1962. The proceedings of the conference are not on the record nor is there any evidence as to whether any record was made of what happened at the conference. But we have the statement of the Chief Minister made on the floor of the State Assembly in which he gave an account of what transpired between him and the Corporation and its officials. We have already extracted the relevant

portions of that speech from which the following points emerge : (1) that the Chief Minister claimed a right to lay down rules of policy for the guidance of the Corporation and, in fact, the learned Advocate General submitted to us that under the Road Transport Corporation Act, 1950, the Government had a right to give directions as to policy to the Corporation; (2) that the policy direction that he gave related to and included the order in which the districts should be taken up for nationalisation; and (3) that applying the criteria that the districts to be nationalised should be contiguous to those in which nationalised services already existed, Kurnool answered this test better than Chittoor and he applying the tests he laid down, therefore suggested that instead of Chittoor, Kurnool should be taken up next. One matter that emerges from this is that it was as a result of policy decision taken by the Chief Minister and the direction given to the Corporation that Kurnool was taken up for nationalisation next after Guntur. It is also to be noticed that if the direction by the Chief Minister, was a policy decision, the Corporation was under the law bound to give effect to it (vide Section 34 of the Road Transport Corporation Act, 1950). We are not here concerned with the question whether a policy decision contemplated by Section 34 of the Road Transport Act could relate to a matter which under Section 68-C of the Act is left to the unfettered discretion and judgment of the Corporation, where that is the State undertaking, or again whether or not the policy decision has to be by a formal government order

in writing for what is relevant is whether the materials placed before the Court establish that the Corporation gave effect to it as a direction which they were expected to and did obey. If the Chief Minister was impelled by motives of personal ill will against the road transport operators in the western part of Kurnool and he gave the direction to the Corporation to change the order of the districts as originally planned by them and instead take up Kurnool first in order to prejudicially affect his political opponents, and the Corporation carried out his directions it does not need much argument to show that the resultant scheme framed by the Corporation would also be vitiated by mala fides notwithstanding the interposition of the semi-autonomous Corporation.

29. ... If in these circumstances the appellants allege that whatever views the Corporation entertained they were compelled to or gave effect to the wishes of the Chief Minister, it could not be said that the same is an unreasonable inference from facts. It is also somewhat remarkable that within a little over two weeks from this conference by its resolution of 4-5-1962, the Corporation dropped Nellore altogether, a district which was contiguous to Guntur and proceeded to take up the nationalisation of the routes of the western part of Kurnool District and were able to find reasons for taking the step. It is also worthy of note that in the resolution of 4-5-1962, of the Corporation only one reason was given for preferring Kurnool to Nellore, namely, the existence of a depot at Kurnool because the other reason given, namely, that Kurnool was

contiguous to an area of nationalised transport equally applied to Nellore and, in fact, this was one of the criteria on the basis of which the Anantharamakrishnan Committee itself decided the order of priority among the districts. ...

30. ... What the Court is concerned with and what is relevant to the enquiry in the appeals is not whether theoretically or on a consideration of the arguments for and against, now advanced the choice of Kurnool as the next district selected for nationalisation of transport was wise or improper, but a totally different question whether this choice of Kurnool was made by the Corporation as required by Section 68-C or, whether this choice was in fact and in substance, made by the Chief Minister, and implemented by him by utilising the machinery of the Corporation as alleged by the appellants. On the evidence placed in the case we are satisfied that it was as a result of the conference of 19-4-1962, and in order to give effect to the wishes of the Chief Minister expressed there, that the schemes now impugned were formulated by the Corporation."

(emphasis supplied)

***60**... Under the Cabinet system of Government the Chief Minister occupies a position of pre-eminence and he virtually carries on the governance of the State.*

Neither the Chief Minister nor the Minister for Cooperation or Industries had the power to arrogate to himself the statutory functions.

The action of the Chief Minister meant the very negation of the beneficial measures contemplated by the Act.

62. *In Shivajirao Nilangekar Patil v. Mahesh Madhav Gosavi [(1987) 1 SCC 227] the question considered by this Court was whether the marks awarded to the daughter of the appellant, who was at the relevant time the Chief Minister of the State of Maharashtra had been changed at his instance or to please him.*

63. *This Court in Shivajirao Patil [(1987) 1 SCC 227] extensively considered the matter, referred to some of the precedents and observed : (SCC p. 253, paras 50-51)*

"50. *There is no question in this case of giving any clean chit to the appellant in the first appeal before us. It leaves a great deal of suspicion that tampering was done to please Shri Patil or at his behest. It is true that there is no direct evidence. It is also true that there is no evidence to link him up with tampering. Tampering is established. The relationship is established. The reluctance to face a public enquiry is also apparent. Apparently Shri Patil, though holding a public office does not believe that 'Caesar's wife must be above suspicion'. The erstwhile Chief Minister in respect of his conduct did not wish or invite an enquiry to be conducted by a body nominated by the Chief Justice of the High Court. The facts disclose a sorry state of affairs. Attempt was made to pass the daughter of the erstwhile Chief Minister, who had failed thrice before, by tampering the record. The person who did it was an*

employee of the Corporation. It speaks of a sorry state of affairs and though there is no distinction between comment and a finding and there is no legal basis for such a comment, we substitute the observations made by the aforesaid observations as herein.

51. *This Court cannot be oblivious that there has been a steady decline of public standards or public morals and public morale. It is necessary to cleanse public life in this country along with or even beforecleaning the physical atmosphere. The pollution in our values and standards in (sic is) an equally grave menace as the pollution of the environment. Where such situations cry out the courts should not and cannot remain mute and dumb."*

(emphasis supplied)

64*... The essence of impropriety is replacement of a public motive for a private one. When satisfaction sought in the performance of duties is for mutual personal gain, the misuse is usually termed as corruption.*

67. *In Porter v. Magill [(2002) 2 AC 357 : (2002) 2 WLR 37 : (2002) 1 All ER 465 (HL)] the House of Lords upheld the decision of the District Auditor who had opined that certain Ministers of Westminster's City Council had used their powers to increase the number of owners/occupiers in marginal wards for the purpose of encouraging them to vote for the Conservative Party in future elections. The House of Lords held that although the powers under which the Council could dispose of the land was very broad, and although,*

elected politicians were entitled to act in a manner which would earn the gratitude and support of their electorate, they could act only ***to pursue a "public purpose for which the power was conferred",*** *but the purpose of securing electoral advantage for the Conservative Party was no such "public purpose".*

70. *The camouflage of sophistry used by Shri Vilasrao Deshmukh in the instructions given by him and the affidavit filed before this Court is clearly misleading.*

71… *In total disregard of the scheme of the Act, the Chief Minister gave instructions which had the effect of frustrating the object of the legislation enacted for protection of the farmers. The instructions given by the Chief Minister to District Collector, Buldhana were ex facie ultra vires the provisions of the Act which do not envisage any role of the Chief Minister in cases involving violation of the provisions of the Act and amounted to an unwanted interference with the functioning of the authorities entrusted with the task of enforcing the Act."*

10.4. In **T.N. Godavarman Thirumulpad (102) v. Ashok Khot, (2006) 5 SCC 1,** it is ruled that every official, from Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done with legal justification as any other citizen. The court observed as under;

> ***"21.*** *Any country or society professing the rule of law as its basic feature or characteristic does not distinguish between high or low, weak or mighty. Only monarchies and even some democracies have adopted the age-old principle that the king cannot be sued in his own courts.*

22. *Professor Dicey's words in relation to England are equally applicable to any nation in the world. He said as follows:*

> *"When we speak of the rule of law as a characteristic of our country, not only that with us no man is above the law but that every man, whatever be his rank or condition, is subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals. In England the idea of legal equality, or the universal subjection of all classes to one law administered by the ordinary courts, has been pushed to its utmost limit.* ***With us every official, from Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done with legal justification as any other citizen. The reports abound with cases in which officials have been brought before the courts, and made, in their personal capacity, liable to punishment, or to the payment of damages, for acts done in their official character but in excess of their lawful authority. A colonial Governor, a Secretary of State, a military officer, and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorise as is a private and unofficial person.*** *(See Introduction to the Study of the Law of the Constitution, 10th Edn., 1965, pp. 193-94.)"*

11. Law of disqualification of any person from taking part in any decision making process, who is interested in someone's profit or interested in fulfilling agenda of someone else.

11.1. That, it is mandatory provisions of law that the person who is in the body of decision-making process should be a impartial person and should not have

any connection in the outcome of decision. An interested party cannot be a decision maker. If the interest is a financial outcome, then such person either on administrative side or on judicial side are automatically disqualified to be a part of decision-making process. If any decision is taken by a body consisting of a disqualified members then said decision or recommendation stands vitiated Hon'ble Constitution Bench in A.K. Kraipak Vs. Union of India 1969 2 SCC 262, made a clear law in this regard.

11.2. That on 31st January, 2019 Justice N.V. Ramanna himself recused from the hearing of a petition challenging appointment of Shri. M. Nageshwar Rao as the interim director of the C.B.I.

While recusing himself from hearing the matter, Justice Ramana said Rao from his home state. "Nageswara Rao is from my home state and I have attended his daughter's wedding," Justice Ramana said.

Link:- https://www.hindustantimes.com/india-news/justice-nv-ramana-recues-from-hearing-on-m-nageswara-rao-s-appointment-as-interim-cbi-director/story-pKEAjTOS7mgL5IsCTvervN.html

11.3. That many honest Supreme Court Judges have followed this law in its letter and spirit and recused from the hearing of the case because they and their family members are having shares of the company whose case came up for hearing before them.

11.4. Justice Markandey Katju recused himself in a part-heard matter as his wife held shares in a company which was a litigant in the case before the bench. On November 6, Justice Kapadia recused himself from a case in which the Sterlite Industries' sister concern, Vedanta, was an applicant in the court.

11.5. Justice Raveendran recused himself from the case as he had discovered that, his daughter was a lawyer in a firm which was doing legal work not connected with the litigation before him but for one of the Reliance companies.

11.6. Seven Judge Constitution bench of Supreme Court in **Mineral Development Ltd. v. State of Bihar AIR 1960 SC 468,** it was held that;

> ***11… "It may, therefore, be taken that the allegations of personal bias of the Revenue Minister against the proprietor is not denied. It is also not disputed that*** *the proceedings against the petitioner were started during the tenure of the said Revenue Minister and that the actual order of cancellation was made by him. We have no hesitation in holding that* ***the Revenue Minister had personal bias against the proprietor and that he was also acting on the belief that the lease was only benami for the said proprietor.*** *We, therefore, hold that the said Revenue Minister had personal bias within the meaning of the decisions and* ***he should not have taken part in either initiating the enquiry or in cancelling the licence.***
>
> ***10…****In view of the foregoing principles the first question to be considered is whether in the present case the authority functioning for the State Government — it is admitted that the then Revenue Minister of the State made the impugned order — had personal bias against the petitioner.*
>
> ***16.*** *In the result we accept the petition and issue a writ of certiorari against the respondents quashing the order of the Government of Bihar dated September 1, 1955, cancelling miner's licence No. 261-H of 1951 granted in favour of the petitioner. The respondents will pay the costs to the petitioner.*

11.7. In **Suresh Ramchandra Palande and Ors. Vs. The Government of Maharashtra and Ors. 2016 (2) Mh.L.J.918.** It is ruled that such disqualification rule is applicable to every public servant. It is ruled as under;

> ***"17.*** *At this stage, a reference will have to be also made to the well known decision of the Apex Court in case of J. Mohapatra and Co. v. State of Orissa, (1984) 4 SCC 103. In paragraph 9 of the said decision, the Apex Court has quoted with approval the position of law which has been stated in Halsbury's Laws of England, Fourth Edition, Volume 1, para 68. Paragraph 9 of the said decision of the Apex Court reads thus:*
>
> > *"9. It is, however, unnecessary to go further into this controversy for the real question in this appeal is of far greater importance. That is the question of bias on the part of some of the members of the Assessment Sub-Committee. This question has been answered against the appellants and forms the subject-matter of the third and fourth grounds on which the High Court rested its decision. Nemo judex in causa sua, that is, no man shall be a judge in his own cause, is a principle firmly established in law. Justice should not only be done but should manifestly be seen to be done. It is on this principle that the proceedings in Courts of law are open to the public except in those cases where for special reason the law requires or authorizes a hearing in camera.* ***Justice can never be seen to be done if a man acts as a judge in his own cause or is himself interested in its outcome. This principle applies not only to judicial proceedings but also to quasi-iudicial and administrative proceedings****. The position in law has been succinctly stated*

in Halsbury's Laws of England, Fourth Edition, Volume 1, para 68, as follows:

Disqualification for financial interest. — ***There is a presumption that any direct financial interest, however small, in the matter in dispute disqualifies a person from adjudicating. Membership of a company, association or other organisation which is financially interested may operate as a bar to adjudicating, as may a bare liability to costs where the decision itself will involve no pecuniary loss.*** *"*

(Emphasis added)

18. *Thus, what is held by the Apex Court in the aforesaid decisions is that the presence of direct pecuniary interest irrespective of its extent operates as a complete disqualification to adjudicate a dispute. The complete disqualification operates irrespective of the fact that the pecuniary interest may be very small. In such a case, the issue of waiver of objection regarding bias will not arise at all as the presence of pecuniary bias prevents the Judge from taking up the case in which he has pecuniary interest. Therefore, any direct financial interest operates as a complete bar which prohibits a person exercising even quasi judicial powers from participating in the process of adjudication. Hence, the plea of waiver is not available in such cases. As stated earlier, this is a case where the pecuniary and proximate interest in the subject matter of the case is admitted by Shri Sodal. There is in our view a distinction to be drawn between a personal bias, one that may be waived, and a pecuniary bias which stands on a wholly different footing. In the first place, to be invoked*

waiver requires that a disclosure be made of the possibly conflicting interest. It is when that interest is made known that a party can waive it. But this can only apply in the case of a personal bias such a relationship or a friendship. A pecuniary bias stands on another footing altogether. On the principles enunciated in Mohapatra's case, a direct, proximate and existing pecuniary bias can never be waived. It is to be noted that in Mohapatra's case, the Apex Court held that the existence of a pecuniary interest was a disqualification and that this disqualification did not depend on the amount of the pecuniary interest. The Apex Court also rejected the invocation of the doctrine of necessity in such a case by holding that nothing prevented the government in that case from reconstituting the committee in question.

24. *In the well known decision of the Apex Court in the case of A.K. Kripak v. Union of India, (1969) 2 SCC 262 in paragraph 15, the Apex Court held thus:*

> *"15. It is unfortunate that Naquishbund was appointed as one of the members of the selection board. It is true that ordinarily the Chief Conservator of Forests in a State should be considered as the most appropriate person to be in the selection board. He must be expected to know his officers thoroughly, their weaknesses as well as their strength. His opinion as regards their suitability for selection to the All India Service is entitled to great weight. But then under the circumstances it was improper to have included Naquishbund as a member of the selection board. He was one of the persons to be considered for selection. It is against all canons of justice to make a man judge in his own cause. It is true that he did not participate in the*

deliberations of the committee when his name was considered. But then the very fact that he was a member of the selection board must have had its own impact on the decision of the selection board. Further admittedly he participated in the deliberations of the selection board when the claims of his rivals particularly that of Basu was considered he was also party to the preparation of the list of selected candidates in order of preference. At every stage of this participation in the deliberations of the selection board there was a conflict between his interest and duty. Under those circumstances it is difficult to believe that he could have been impartial. The real question is not whether he was biased. It is difficult to prove the state of mind of a person. Therefore what we have to see is whether there is reasonable ground for believing that he was likely to have been biased. We agree with the learned Attorney-General that a mere suspicion of bias is not sufficient. There must be a reasonable likelihood of bias. In deciding the question of bias we have to take into consideration human probabilities and ordinary course of human conduct. It was in the interest of Naqishbund to keep out his rivals in order to secure his position from further challenge. Naturally he was also interested in safeguarding his position while preparing the list of selected candidates."

25. *The Apex Court reiterated that the real question is not whether there was a bias. The test laid down by Apex Court is to see whether there is any reasonable likelihood of bias. We may also make an useful reference to the decision of the Apex Court in the case of Ranjit Thakur v. Union of India, (1987) 4*

SCC 611 and in particular paragraphs 16 and 17 thereof. Paragraphs 16 and 17 read thus:

> *"16. It is the essence of a judgment that it is made after due observance of the judicial process; that the Court or tribunal passing it observes, at least the minimal requirements of natural justice; is composed of impartial persons acting fairly and without bias and in good faith.* ***A judgment which is the result of bias or want of impartiality is a nullity and the trial 'coram non iudice'****....*
>
> *17. As to the tests of the likelihood of bias what is relevant is the reasonableness of the apprehension in that regard in the mind of the party. The proper approach for the Judge is not to look at his own mind and ask himself, however, honestly, 'Am I biased?'; but to look at the mind of the party before him."*

(Emphasis added)

Coming back to the case in hand, Mr. S.V. Sodal candidly accepted before this Court that his agricultural lands would have been benefited on the implementation of the impugned order dated 26th October, 2015. In fact, he stated that he holds 12 Acres of agricultural land, which will directly benefit from the impugned order dated 26th October, 2015. Therefore, in our view, it was not even necessary for any of the party to the proceedings to raise an objection of personal or pecuniary bias. In fact, Mr. S.V. Sodal should, on his own, have recused himself when the Case No. 5 of 2015 and Case No. 6 of 2015 were placed before the Regulatory Authority.

26. *Therefore, there is no option but to hold that the impugned order dated 26th October, 2015 is completely vitiated."*

11.8. In Noida Vs Noida (2011) 6 SCC 527 it is ruled as under;

> *"**Undue haste** – In absence of any urgency – Inference of malafide can be drawn against the said public servant. Thereafter it is a matter of investigation to find out whether there was any ulterior motive"*

11.9. Any order or decision which is bad at inception due to consisting of disqualified members vitiates the further decisions and process. Constitution Bench in the case of **A.K. Kraipak v. Union of India (1969) 2 SCC 262** ruled that;

> ***"13.** Every organ of the State under our Constitution is regulated and controlled by the rule of law. In a welfare State like ours it is inevitable that the jurisdiction of the administrative bodies is increasing at a rapid rate. **The concept of rule of law would lose its vitality if the instrumentalities of the State are not charged with the duty of discharging their functions in a fair and just manner**. The requirement of acting judicially in essence is nothing but a requirement to act justly and fairly and not arbitrarily or capriciously.*
>
> ***18.** In the same case Blain, J., observed thus:*
>
> *"I would only say that an immigration officer having assumed the jurisdiction granted by those provisions is in a position where it is his duty to exercise that assumed jurisdiction whether it be administrative, executive or quasi-judicial, fairly, by which I mean applying his mind dispassionately to a fair analysis of the particular problem and the*

information available to him in analysing it. If in any hypothetical case, and in any real case, this court was satisfied that an immigration officer was not so doing, then in my view mandamus would lie."

19. *In State of Orissa v. Dr Binapani Dei [(1967) 2 SCR 625] Shah, J., speaking for the Court, dealing with an enquiry made as regards the correct age of a government servant, observed thus:*

"We think that such an enquiry and decision were contrary to the basic concept of justice and cannot have any value. It is true that the order is administrative in character, but even an administrative order which involves civil consequences as already stated, must be made consistently with the rules of natural justice after informing the first respondent of the case of the State ...."

The aim of the rules of natural justice is to secure justice or to put it negatively to prevent miscarriage of justice. These rules can operate only in areas not covered by any law validly made. In other words they do not supplant the law of the land but supplement it.

If the purpose of the rules of natural justice is to prevent miscarriage of justice one fails to see why those rules should be made inapplicable to administrative enquiries.

Enquiries which were considered administrative at one time are now being considered as quasi-judicial

in character. Arriving at a just decision is the aim of both quasi-judicial enquiries as well as administrative enquiries. An unjust decision in an administrative enquiry may have more far reaching effect than a decision in a quasi-judicial enquiry.

20. *The framework of the law under which the enquiry is held and the constitution of the Tribunal or body of persons appointed for that purpose. Whenever a complaint is made before a court that some principle of natural justice had been contravened the court has to decide whether the observance of that rule was necessary for a just decision on the facts of that case.*

It is unfortunate that Naqishbund was appointed as one of the members of the selection board. It is true that ordinarily the Chief Conservator of Forests in a State should be considered as the most appropriate person to be in the selection board. He must be expected to know his officers thoroughly, their weaknesses as well as their strength. His opinion as regards their suitability for selection to the All-India Service is entitled to great weight. But then under the circumstances it was improper to have included Naqishbund as a member of the selection board. He was one of the persons to be considered for selection. ***It is against all canons of justice to make a man judge in his own cause.*** *It is true that he did not participate in the deliberations of the committee when his name was considered. But then the very fact that he was a member of the selection board must have had its own impact on the decision of the selection board.*

Further admittedly he participated in the deliberations of the selection board when the claims of his rivals particularly that of Basu was considered.

At every stage of his participation in the deliberations of the selection board there was a conflict between his interest and duty. Under those circumstances it is difficult to believe that he could have been impartial. The real question is not whether he was biased.

15. It was in the interest of Naqishbund to keep out his rivals in order to secure his position from further challenge. *Naturally he was also interested in safeguarding his position while preparing the list of selected candidates.*

16. *In a group deliberation each member of the group is bound to influence the others, more so, if the member concerned is a person with special knowledge. His bias is likely to operate in a subtle manner. It is no wonder that the other members of the selection board are unaware of the extent to which his opinion influenced their conclusions. We are unable to accept the contention that in adjudging the suitability of the candidates the members of the board did not have any mutual discussion. It is not as if the records spoke of themselves. We are unable to believe that the members of selection board functioned like computers.*

The horizon of natural justice is constantly expanding. The question how far the principles of natural justice

govern administrative enquiries came up for consideration before the Queen's Bench Division In re H.K. (An Infant). [(1967) 2 QB 617 at p. 630] Therein the validity of the action taken by an Immigration Officer came up for consideration. In the course of his judgment Lord Parker C.J. observed thus:

That is not, as I see it, a question of acting or being required to act judicially, but of being required to act fairly. Good administration and an honest or bona fide decision must, as it seems to me, require not merely impartiality, nor merely bringing one's mind to bear on the problem, but acting fairly; and to the limited extent that the circumstances of any particular case allow, and within the legislative framework under which the administrator is working, only to that limited extent do the so-called rules of natural justice apply, which in a case such as this is merely a duty to act fairly.

17. *The decisions of the courts do seem to have drawn a strict line in these matters according to whether there is or is not a duty to act judicially or quasi-judicially.*

21. *Looking at the composition of the board and the nature of the duties entrusted to it we have no doubt that its recommendations should have carried considerable weight with the UPSC. If the decision of the selection board is held to have been vitiated, it is clear to our mind that the final recommendation made by the Commission must also be held to have been*

vitiated. The recommendations made by the Union Public Service Commission cannot be disassociated from the selections made by the selection board which is the foundation for the recommendations of the Union Public Service Commission.

***23.** To that extent he was undoubtedly a judge in his own case, a circumstance which is abhorrent to our concept of justice. Now coming to the selection of the officers in the junior scale service, the selections to both the senior scale service as well as junior scale service were made from the same pool. Hence it is not possible to separate the two sets of officers.*

24. For the reasons mentioned above these petitions are allowed and the impugned selections set aside. The Union Government and the State Government shall pay the costs of the petitioners."

12. Even if there is a single member who is partial and interested and there are other members who are impartial then also it vitiates and invalidate their recommendations, suggestions and all actions.

12.1. In **R. Vs. Commissioner of pawing (1941) 1 QB 467**, William J. Observed;

*"I am strongly dispassed to think that **a Court is badly constituted of which an intrested person is a part, whatever may be the number of disintrested peraons. We cannot go into a poll of the Bench."***

12.2. In **A.K. Kraipak Vs. Union of India (1969) 2 SCC 262**, it is ruled as under;

*"**15.** It is unfortunate that Naqishbund was appointed as one of the members of the selection board. It is true that ordinarily the Chief Conservator of Forests in a State should be considered as the most appropriate person to be in the selection board. He must be expected to know his officers thoroughly, their weaknesses as well as their strength. His opinion as regards their suitability for selection to the All-India Service is entitled to great weight. But then under the circumstances it was improper to have included Naqishbund as a member of the selection board. He was one of the persons to be considered for selection. It is against all canons of justice to make a man judge in his own cause. It is true that he did not participate in the deliberations of the committee when his name was considered. But then the very fact that he was a member of the selection board must have had its own impact on the decision of the selection board. Further admittedly he participated in the deliberations of the selection board when the claims of his rivals particularly that of Basu was considered. He was also party to the preparation of the list of selected candidates in order of preference. At every stage of his participation in the deliberations of the selection board there was a conflict between his interest and duty. Under those circumstances it is difficult to believe that he could have been impartial. The real question is not whether he was biased. It is difficult to prove the state of mind of a person. Therefore what we have to see is whether there is reasonable ground for*

believing that he was likely to have been biased. We agree with the learned Attorney General that a mere suspicion of bias is not sufficient. There must be a reasonable likelihood of bias. In deciding the question of bias we have to take into consideration human probabilities and ordinary course of human conduct. It was in the interest of Naqishbund to keep out his rivals in order to secure his position from further challenge. Naturally he was also interested in safeguarding his position while preparing the list of selected candidates.

16. *The members of the selection board other than Naqishbund, each one of them separately, have filed affidavits in this Court swearing that Naqishbund in no manner influenced their decision in making the selections. In a group deliberation each member of the group is bound to influence the others, more so, if the member concerned is a person with special knowledge. His bias is likely to operate in a subtle manner. It is no wonder that the other members of the selection board are unaware of the extent to which his opinion influenced their conclusions. We are unable to accept the contention that in adjudging the suitability of the candidates the members of the board did not have any mutual discussion. It is not as if the records spoke of themselves. We are unable to believe that the members of selection board functioned like computers. At this stage it may also be noted that at the time the selections were made, the members of the selection board other than Naqishbund were not likely to have*

known that Basu had appealed against his supersession and that his appeal was pending before the State Government. Therefore there was no occasion for them to distrust the opinion expressed by Naqishbund. Hence the board in making the selections must necessarily have given weight to the opinion expressed by Naqishbund.

21. *It was next urged by the learned Attorney General that after all the selection board was only a recommendatory body. Its recommendations had first to be considered by the Home Ministry and thereafter by the UPSC. The final recommendations were made by the UPSC Hence grievances of the petitioners have no real basis. According to him while considering the validity of administrative actions taken, all that we have to see is whether the ultimate decision is just or not. We are unable to agree with the learned Attorney-General that the recommendations made by the selection board were of little consequence. Looking at the composition of the board and the nature of the duties entrusted to it we have no doubt that its recommendations should have carried considerable weight with the UPSC. If the decision of the selection board is held to have been vitiated, it is clear to our mind that the final recommendation made by the Commission must also be held to have been vitiated. The recommendations made by the Union Public Service Commission cannot be disassociated from the selections made by the selection board which is the foundation for the recommendations of the Union*

Public Service Commission. In this connection reference may be usefully made to the decision in Regina v. Criminal Injuries Compensation Board Ex parte Lain."

12.3. Constitutional Bench of Hon'ble Supreme Court in **Mineral Development Ltd. v. State of Bihar** (supra) it was held that, as there was bias in the mind of the Minister, therefore the Minister could not have taken part in either initiating the enquiry or taking a final decision.

12.4. Hence, apart from others the ICMR who is manufacturing vaccines i.e. Covaxin in collaboration with Bharat Biotech cannot formulate the policy regarding best available remedies other than vaccines. They are disqualified to be a part of Team. Because it will definitely work in one direction of forcing vaccination.

12.5. This is clear from the very fact that **no efforts were made to verify other harmless and effective medicines such as Ivermectin, Vitamin D, Ayurveda, Naturopathy etc.** The reason was obvious that all act of commission and omission were for granting emergency use authorization to vaccines.

12.6. Needless to mention here that, Hon'ble A.P. High Court has given approval to Ayurvedic medicine Anandia's to used in corona cases.

Link: -

https://www.newindianexpress.com/states/andhra-pradesh/2021/jun/08/andhra-high-court-allows-distribution-of-anandaiahsk-medicine-2313114.html

13. Failure to follow the law of disqualification and taking interested person makes such authority and Ministers liable for action under section 166, 218, 219,511, 120 (B) & 34 Etc. of IPC and contempt of Supreme Court and various High Courts in India.

13.1. That, in **T.N. Godavarman Thirumulpad through the Amicus Curiae** Vs. **Ashok Khot and Ors. 2006 (2) ACR 1649 (SC),** Hon'ble Supreme Court sentenced the Minister & Chief Secretary to jail for acting against the law laid down by the Supreme Court.

It is ruled as under;

> ***Any country or society professing rule of law as its basic feature or characteristic does not distinguish between high or low, weak or mighty. Only monarchies and even some democracies have adopted the age-old principle that the king cannot be sued in his own courts.***
>
> ***With us every official, from Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done with legal justification as any other citizen.***
>
> *In B.M. Bhattacharjee (Major General) and Anr. v. Russel Estate Corporation and Anr. MANU/SC/0266/ 1993 it was observed by this Court that "all of the officers of the Government must be presumed to know that under the constitutional scheme obtaining in this country, orders of the courts have to be obeyed implicitly and that orders of the apex court-for that matter any court- should not be trifled with".*
>
> *Proceedings for contempt are essentially personal and punitive. This does not mean that it is not open to the Court, as a matter of law to make a finding of contempt against any official of the Government say Home Secretary or a Minister. While contempt proceedings*

usually have these characteristics and contempt proceedings against a Government department or a minister in an official capacity would not be either personal or punitive (it would clearly not be appropriate to fine or request the assets of the Crown or a Government department or an officer of the Crown acting in his official capacity), this does not mean that a finding of contempt against a Government department or minister would be pointless. The very fact of making such a finding would vindicate the requirements of justice. In addition an order for costs could be made to underline the significance of a contempt. A purpose of the court's powers to make findings of contempt is to ensure the orders of the court are obeyed. This jurisdiction is required to be co-extensive with the courts' jurisdiction to make the orders which need the protection which the jurisdiction to make findings of contempt provides. In civil proceedings the court can now make orders (other than injunctions or for specific performance) against authorized Government departments or the Attorney General. On applications for judicial review orders can be made against ministers. In consequence such orders must be taken not to offend the theory that the Crown can supposedly do no wrong. Equally, if such orders are made and not obeyed, the body against whom the orders were made can be found guilty of contempt without offending that theory, which could be the only justifiable impediment against making a finding of contempt. (See M v. Home Office (1993) (3) AER 537.

The case at hand involves two contemnors. Shri Ashok Khot (hereinafter described as 'contemnor No. 1') was the Principal Secretary, Department of Forest, Government of Maharashtra and Shri Swarup Singh Naik (hereinafter described as 'contemnor No. 2') was the Minister, Incharge of Department of Forest at the relevant point of time.

"The "King is under no man, but under God and the law"- was the reply of the Chief Justice of England, Sir Edward Coke when James-I once declared "Then I am to be under the law. It is treason to affirm it"-so wrote Henry Bracton who was a Judge of the King's Bench. The words of Bracton in his treatise in Latin "quod Rex non debat esse sub homine, sed sub Deo et Lege" (That the King should not be under man, but under God and the law) were quoted time and time again when the Stuart Kings claimed to rule by divine right. We would like to quote and requote those words of Sir Edward Coke even at the threshold. In our democratic polity under the Constitution based on the concept of 'Rule of law' which we have adopted and given to ourselves and which serves as an aorta in the anatomy of our democratic system. THE LAW IS SUPREME. Everyone whether individually or collectively is unquestionably under the supremacy of law. Whoever he may be, however high he is, he is under the law. No matter how powerful he is and how rich he may be.

Hence, it is not only the third pillar but also the central pillar of the democratic State. If the judiciary is to

perform its duties and functions effectively and remain true to the spirit with which they are sacredly entrusted to it, the dignity and authority of the Courts have to be respected and protected at all costs.

The respondents have acted in brazen defiance of the orders of this Court and their conduct constitutes the contempt by way of (a) wilful disobedience of directions issued by this Court, (b) the manner in which contemnors have conducted themselves clearly tends to lower the authority of this Court and obstructs the administration of justice (c) as their conduct falls both under the definition of Civil contempt, as well as seeing dimensions of the matters, under criminal contempt.

Respect should always be shown to the Court. If any party is aggrieved by the order which is in its opinion is wrong or against rules or implementation is neither practicable nor feasible, it should approach the Court. This had been done and this Court after consideration had rejected the I.A. long before.

Apology is an act of contrition. Unless apology is offered at the earliest opportunity and in good grace, the apology is shorn of penitence and hence it is liable to be rejected. If the apology is offered at the time when the contemnor finds that the court is going to impose punishment it ceases to be an apology and becomes an act of a cringing coward. Apology is not a weapon of defence to purge the guilty of their offence, nor is it intended to operate as universal panacea, but it is intended to be evidence of real contriteness. As was

noted in L.D. Jaikwal v. State of Uttar Pradesh MANU/SC/0077/1984 : 1984CriLJ993 "We are sorry to say we cannot subscribe to the 'slap-say sorry-and forget' school of thought in administration of contempt jurisprudence. Saying 'sorry' does not make the slipper taken the slap smart less upon the said hypocritical word being uttered. Apology shall not be paper apology and expression of sorrow should come from the heart and not from the pen. For it is one thing to 'say' sorry-it is another to 'feel' sorry.

This is a case where not only right from the beginning attempt has been made to overreach the orders of this Court but also to draw red-herrings. Still worse is the accepted position of inserting a note in the official file with oblique motives. That makes the situation worse. In this case the contemnors deserve severe punishment. This will set an example for those who have propensity of disregarding the court's orders because of their money power, social status or posts held. Exemplary sentences are called for in respect of both the contemnors. Custodial sentence of one month simple imprisonment in each case would meet the ends of justice. It is to be noted that in Re: Sri Pravakar Behera (Suo Motu C.P. 301/2003 dated 19.12.2003) 2003 (10) SCALE 1126, this Court had imposed costs of Rs. 50,000/- on a D.F.O. on the ground that renewal of license was not impermissible in cases where licenses were issued prior to this Court's order dated 4.3.1997. That was the case of an officer in the lower rung. Considering the high positions held by the contemnors

more stringent punishment is called for, and, therefore, we are compressing custodial sentence."

13.2. In the case of **Makhanlal Waza v. State of J&K, (1971) 1 SCC 749**, it is ruled as under;

"6. The law so declared by this Court was binding on the respondent-State and its officers and they were bound to follow it whether a majority of the present respondents were parties or not in the previous petition."

(Emphasis supplied)

13.3. In **State of Gujarat v. Secretary, Labour Social Welfare and Tribunal Development Deptt. Sachivalaya, 1982 CriLJ 2255**, the Division Bench of the Gujarat High Court summarized the principles as under:-

*"**11.** From the above four decisions, the following propositions emerge:*

(1) It is immaterial that in a previous litigation the particular petitioner before the Court was or was not a party, but if a law on a particular point has been laid down by the High Court, it must be followed by all authorities and tribunals in the State;

(2) The law laid down by the High Court must be followed by all authorities and subordinate tribunals when it has been declared by the highest Court in the State and they cannot ignore it either in initiating proceedings or deciding on the rights involved in such a proceeding;

> ***(3) If in spite of the earlier exposition of law by the High Court having been pointed out and attention being pointedly drawn to that legal position, in utter disregard of that position, proceedings are initiated, it must be held to be a wilful disregard of the law laid down by the High Court and would amount to civil contempt as defined in section 2(b) of the Contempt of Courts Act, 1971."***
>
> *(Emphasis supplied)*

13.4. In **Priya Gupta v. Addl. Secy. Ministry of Health and Family Welfare, (2013) 11 SCC 404**, the Supreme Court held as under:-

> "***19.*** *It is true that Section 12 of the Act contemplates disobedience of the orders of the court to be wilful and further that such violation has to be of a specific order or direction of the court.* ***To contend that there cannot be an initiation of contempt proceedings where directions are of a general nature as it would not only be impracticable, but even impossible to regulate such orders of the court, is an argument which does not impress the court. As already noticed, the Constitution has placed upon the judiciary, the responsibility to interpret the law and ensure proper administration of justice. In carrying out these constitutional functions, the courts have to ensure that dignity of the court, process of court and respect for administration of justice is maintained.*** *Violations which are likely to impinge upon the faith of the public in administration of justice and the court system must be punished, to prevent repetition of such behaviour and the adverse*

impact on public faith. With the development of law, the courts have issued directions and even spelt out in their judgments, certain guidelines, which are to be operative till proper legislations are enacted. The directions of the court which are to provide transparency in action and adherence to basic law and fair play must be enforced and obeyed by all concerned. The law declared by this Court whether in the form of a substantive judgment inter se a party or are directions of a general nature which are intended to achieve the constitutional goals of equality and equal opportunity must be adhered to and there cannot be an artificial distinction drawn in between such class of cases. Whichever class they may belong to, a contemnor cannot build an argument to the effect that the disobedience is of a general direction and not of a specific order issued inter se parties. Such distinction, if permitted, shall be opposed to the basic rule of law.

23. *... The essence of contempt jurisprudence is to ensure obedience of orders of the Court and, thus, to maintain the rule of law. History tells us how a State is protected by its courts and an independent judiciary is the cardinal pillar of the progress of a stable Government. If over-enthusiastic executive attempts to belittle the importance of the court and its judgments and orders, and also lowers down its prestige and confidence before the people, then greater is the necessity for taking recourse to such power in the interest and safety of the public at large. The power to punish for contempt is inherent in the very nature and*

purpose of the court of justice. In our country, such power is codified..."

(Emphasis supplied)

13.5. In **New Delhi Municipal Council Vs. M/S Prominent Hotels Limited 2015 SCC Online Del 11910,** it is ruled as under;

***"22.** Consequences of the Trial Court disregarding well settled law;*

***22.4. In Baradakanta Mishra Ex-Commissioner of Endowments v. Bhimsen Dixit, (1973) 1 SCC 446,** the appellant therein, a member of Judicial Service of State of Orissa refused to follow the decision of the High Court. The High Court issued a notice of contempt to the appellant and thereafter held him guilty of contempt which was challenged before the Supreme Court. The Supreme Court held as under:-*

*"15. **The conduct of the appellant in not following previous decisions of the High Court is calculated to create confusion in the administration of law. It will undermine respect for law laid down by the High Court and impair the constitutional authority of the High Court.** His conduct is therefore comprehended by the principles underlying the law of Contempt. The analogy of the inferior court"s disobedience to the specific order of a superior court also suggests that his conduct falls within the purview of the law of Contempt. Just as the disobedience to a specific order of the Court undermines the authority and dignity of the court in a particular case, similarly the deliberate and mala fide conduct of not following the law laid down in the*

previous decision undermines the constitutional authority and respect of the High Court. Indeed, while the former conduct has repercussions on an individual case and on a limited number of persons, the latter conduct has a much wider and more disastrous impact. It is calculated not only to undermine the constitutional authority and respect of the High Court, generally, but is also likely to subvert the Rule of Law and engender harassing uncertainty and confusion in the administration of law".

(Emphasis supplied)"

22.1. *If the Trial Court does* ***not follow the well settled law, it shall create confusion in the administration of justice and undermine the law laid down by the constitutional Courts. The consequence of the Trial Court not following the well settled law amounts to contempt of Court.*** *Reference in this regard may be made to the judgments given below.*

22.2. *In East India Commercial Co. Ltd. v. Collector of Customs, Calcutta, AIR 1962 SC 1893, Subba Rao, J. speaking for the majority observed reads as under:*

—31.....This raises the question ***whether an administrative tribunal can ignore the law declared by the highest Court in the State*** *and initiate proceedings in direct violation of the law so declared. Under Art. 215, every High Court shall be a Court of record and shall have all the powers of such a Court including the power to punish for contempt of itself. Under Art. 226, it has a plenary power to issue orders or writs for the*

enforcement of the fundamental rights and for any other purpose to any person or authority, including in appropriate cases any Government within its territorial jurisdiction. Under Art. 227 it has jurisdiction over all Courts and tribunals throughout the territories in relation to which it exercises jurisdiction. ***It would be anomalous to suggest that a tribunal over which the High Court has superintendence can ignore the law declared by that Court and start proceedings in direct violation of it. If a tribunal can do so, all the subordinate Courts can equally do so,…….***

We, therefore, hold that the ***law declared by the highest Court in the State is binding on authorities, or tribunals under its superintendence, and that they cannot ignore it either in initiating a proceeding or deciding on the rights involved in such a proceeding. If that be so, the notice issued by the authority signifying the launching of proceedings, contrary to the law laid down by the High Court would be invalid and the proceedings themselves would be without jurisdiction."***

13.6. That, the law declared by the Hon'ble Supreme Court is the law of the land as per Article 141 of the Constitution of India. Failure to follow said judgment is an offence punishable under section 166, 218, 511, 409 etc., of IPC. **Section 166 reads thus;**

> **166. Public servant disobeying law, with intent to cause injury to any person.—**Whoever, being a public servant, knowingly disobeys any direction of the law as to the way in which he is to conduct himself as

such public servant, intending to cause, or knowing it to be likely that he will, by such disobedience, cause injury to any person, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both. Illustration A, being an officer directed by law to take property in execution, in order to satisfy a decree pronounced in Z's favour by a Court of Justice, knowingly disobeys that direction of law, with the knowledge that he is likely thereby to cause injury to Z. A has committed the offence defined in this section.

Section 409 reads thus;

409. Criminal breach of trust by public servant, or by banker, merchant or agent.—Whoever, being in any manner entrusted with property, or with any dominion over property in his capacity of a public servant or in the way of his business as a banker, merchant, factor, broker, attorney or agent, commits criminal breach of trust in respect of that property, shall be punished with 1[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Section 218 reads thus;

218. Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture.— Whoever, being a public servant, and being as such public servant, charged with the preparation of any record or other writing, frames that record or writing in a manner which he knows to be incorrect, with intent to cause, or knowing it to be likely that he will thereby cause, loss or injury to the public or to any person, or with intent thereby to save, or knowing it to be likely that he will thereby save, any person from legal punishment, or with intent to save, or knowing that he is likely thereby to save, any property from forfeiture or other charge to which it is liable by

law, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Section 219 reads thus;

219. Public servant in judicial proceeding corruptly making report, etc., contrary to law.—Whoever, being a public servant, corruptly or maliciously makes or pronounces in any stage of a judicial proceeding, any report, order, verdict, or decision which he knows to be contrary to law, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

Section 511 reads thus;

511. Punishment for attempting to commit offences punishable with imprisonment for life or other imprisonment.—Whoever attempts to commit an offence punishable by this Code with 1[imprisonment for life] or imprisonment, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall, where no express provision is made by this Code for the punishment of such attempt, be punished with 2[imprisonment of any description provided for the offence, for a term which may extend to one-half of the imprisonment for life or, as the case may be, one-half of the longest term of imprisonment provided for that offence], or with such fine as is provided for the offence, or with both. Illustrations

(a) A makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. He has done an act towards the commission of theft, and therefore is guilty under this section.

(b) A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A fails in the attempt in consequence of Z's having nothing in his pocket. A is guilty under this section. CLASSIFICATION OF

OFFENCE Punishment—Imprisonment for life or imprisonment not exceeding half of the longest term provided for the offence, or fine, or both—According as the offence is cognizable or non-cognizable—According as the offence attempted by the offender is bailable or not—Triable by the court by which the offence attempted is triable—Non-compoundable. comments Moral guilt and injury Section 511 is a general provision dealing with attempts to commit offences not made punishable by other specific sections. It makes punishable all attempts to commit offences punishable with imprisonment and not only those punishable with death. An attempt is made punishable, because every attempt, although it falls short of success, must create alarm, which by itself is an injury, and the moral guilt of the offender is the same as if he had succeeded. Moral guilt must be united to injury in order to justify punishment. As the injury is not as great as if the act had been committed, only half the punishment is awarded. Attempt to commit an offence can be said to begin when the preparations are complete and the culprit commences to do something with the intention of committing the offence and which is a step towards the commission of the offence. The moment culprit commences to do an act with the necessary intention, he commences his attempt to commit the offence. The word "attempt" is not itself defined, and must, therefore, be taken in its ordinary meaning. This is exactly what the provisions of section 511 require; Koppula Venkat Rao v. State of Andhra Pradesh, (2004) 3 SCC 602.

14. <u>The Person/Minister joining the unlawful acts subsequently is also liable for same offences as that of principal offender.</u>

14.1. Relied on: [<u>T.N. Godavarman Thirumulpad through the Amicus Curiae Vs. Ashok Khot and Ors. 2006 (2) ACR 1649 (SC).</u>]

14.2. In **<u>Raman Lal Vs State 2001 Cri.L.J. 800</u>** it is ruled as under;

"Conspiracy – I.P.C. Sec. 120 (B) – Apex court made it clear that an inference of conspiracy has to be drawn on the basis of circumstantial evidence only because it becomes difficult to get direct evidence on such issue – The offence can only be proved largely from the inference drawn from acts or illegal omission committed by them in furtherance of a common design – Once such a conspiracy is proved, act of one conspirator becomes the act of the others – A Co-conspirator who joins subsequently and commits overt acts in furtherance of the conspiracy must also be held liable – Proceeding against petitioner who is a Judge of Constitutional Court cannot be quashed."

14.3. Hon'ble Bombay High Court in the case of **CBI Vs. Bhupendra Champaklal Dalal 2019 SCC OnLine Bom 140**, it is ruled as under;

CHARGE FOR THE OFFENCE OF CRIMINAL BREACH OF TRUST :-

Hon'ble Apex Court in the case of ***Ram Narain Poply Vs. Central Bureau of Investigation, AIR 2003 SC 2748,*** *wherein the Hon'ble Apex Court has, at length, dealt with the charge of criminal conspiracy, in the backdrop of the similar allegations, in a case arising out of the decision of this Court in the matter of Harshad Mehta and others. While dealing with the essential ingredients of the offence of criminal conspiracy, punishable u/s. 120 B IPC, the* ***Hon'ble Court was, in paragraph No.349 of its Judgment, pleased to hold that, "349. Privacy and secrecy are more characteristics of a conspiracy, than of a loud discussion in an elevated place open to public view.*** *Direct evidence in proof of a conspiracy is seldom available, offence of*

conspiracy can be proved by either direct or circumstantial evidence. It is not always possible to give affirmative evidence about the date of the formation of the criminal conspiracy, about the persons who took part in the formation of the conspiracy, about the object, which the objectors set before themselves as the object of conspiracy, and about the manner in which the object of conspiracy is to be carried out, all this is necessarily a matter of inference."

[Emphasis Supplied]

177. This Court can also place reliance on another landmark decision of the Hon'ble Apex Court in the case of State of Maharashtra Vs. Som Nath Thapa, (1996) 4 SCC 659, wherein the Hon'ble Apex Court was pleased to observe as follows :-

> *"24. The aforesaid decisions, weighty as they are, lead us to conclude that to establish a charge of conspiracy knowledge about indulgence in either an illegal act or a legal act by illegal means is necessary. In some cases, intent of unlawful use being made of the goods or services in question may be inferred from the knowledge itself. This apart, the prosecution has not to establish that a particular unlawful use was intended, so long as the goods or service in question could not be put to any lawful use. Finally, when the ultimate offence consists of a chain of actions, it would not be necessary for the prosecution to establish, to bring home the charge of conspiracy, that each of the conspirators had the knowledge of what the collaborator would do, so long*

as it is known that the collaborator would put the goods or service to an unlawful use." [See State of Kerala v. P. Sugathan, (2000) 8 SCC 203, SCC p. 212, para 14]"." [Emphasis Supplied]

178. While dealing with the offence of criminal conspiracy in respect of the financial frauds, the Hon'ble Apex Court in the case of Ram Narain Poply (supra), in paragraph No.344, was pleased to observe that,

"344. ..... The law making conspiracy a crime, is designed to curb immoderate power to do mischief, which is gained by a combination of the means. The encouragement and support which co-conspirators give to one another rendering enterprises possible which, if left to individual effort, would have been impossible, furnish the ground for visiting conspirators and abettors with condign punishment. The conspiracy is held to be continued and renewed as to all its members wherever and whenever any member of the conspiracy acts in furtherance of the common design."

[Emphasis Supplied]

179. In the context of Section 10 of the Indian Evidence Act, it was held by the Hon'ble Apex Court, in paragraph No.348, that, the expression "in furtherance to their common intention" in Section 10 is very comprehensive and appears to have been designedly used to give it a wider scope than the words "in furtherance of" used in the English Law : with the result anything said, done or written by co- conspirator after the conspiracy was formed, will be evidence against the

other before he entered the field of conspiracy or after he left it. Anything said, done or written is a relevant fact only.

186. The Hon'ble Apex Court has further quoted with approval in paragraph No.101, the observations made in the case of State (NCT of Delhi) Vs. Navjot Sandhu @ Afsan Guru, (2005) 11 SCC 600, wherein it was held that, "The cumulative effect of the proved circumstances should be taken into account in determining the guilt of the accused rather than adopting an isolated approach to each of the circumstances."

15. <u>Proofs exposing links of members of National Task Force with vaccine mafia Bill Gates and Others.</u>

15.1. That, following chart will explain the dishonesty and frauds played by the members of National Task Force in being on the post of Public Health Foundation of India a private society registered under societies Act and being funded by the Pharma mafias and more particularly by the vaccine mafia kingpin Bill Gates through his "Bill & Milanda Gates" Foundation.

15.2. <u>Conflicts of Interest and also criminal conspiracy in India's Public Health System:</u>

15.2.1. PHFI (Public Health Foundation of India)

PHFI is a public private partnership, has received millions of dollars of funding from pharmaceutical companies, vaccine manufacturers, & dubious philanthropic organizations, which use philanthropy as a front to push hidden agendas which profit vested interests. It was started with initial funding of 65cr given by the Gates Foundation, and 65cr given by the Indian Government. This so called PPP has received funding over the years from the **Bill & Melinda Gates Foundation, Pfizer, Johnson & Johnson, Rockefeller Foundation, World Bank, PATH, Diamond Jubilee Trust of the Queen of England,**

USAID, Wellcome Trust, Abbott, Mckinsey, Eli Lily, Glaxosmithkline, Bayer, NIH, & Google!

(https://phfi.org/about/financial-information/)

Check under "Intimation of Quarterly Receipt of Foreign Contributions" Section.

15.2.2. Many government members as well as members of IT giants & Pharmaceutical companies have sat on the PHFI Governing Body in the past, and some continue to sit on the Governing body of PHFI. These include :

S Ramadorai (Former Vice Chairman ,TCS)

Mr. Lav Agarwal, Joint Secretary of MOHFW

JVR Prasada Rao (UN Secretary General Special Envoy for AIDS)

Dr. Sanjay Tyagi (Director General of Health Services, MOHFW)

Dr. Soumya Swaminathan (Ex Director General, ICMR)

Prof. K. Vijayraghavan (Ex Secretary, Department of Biotechnology)

Rajat Gupta (Former MD McKinsey, arrested for fraud)

Y. Venugopal Reddy (Former Governor of RBI)

Vishwa Katoch (Ex Director General ICMR)

TKA Nair (Former Advisor to PMO)

RA Mashelkar (Chairman Reliance Innovation Council, CSIR Chief)

Rati Godrej (Industrialist)

Mr. KRS Jamwal (Executive Director of TATA Industries)

Harpal Singh (Fortis)

Uday Khemka (SUN Group)

Amartya Sen (Married into Rothschild Family)

Dr. Montek Singh Ahluwallia (Former Deputy Chair of Planning Commission)

Timothy Evans (Ex Director for Health, Nutrition, & Population, World Bank)

Shiv Nadar (HCL)

Mr. Bhanu Pratap Sharma (Ex Secretary, MOHFW)

Dr Jagdish Prasad (Ex DGHS, MOHFW)

Ashok Alexander (Former Director BMGF)

Narayan Murthy (Infosys)

Rohini Nilekani (Member of Gates' Giving Pledge, partner with Gates & Rockefeller Foundation in many projects)

A. K. Shivakumar (UNICEF)

Gary Darmstatd (Ex Director of Gates Foundation)

Anand Mahindra (Mahindra Group)

Mukesh Ambani (Reliance)

Prashant Vasu (Mckinsey)

David Lynn (Director, Wellcome Trust)

Mr. Gautam Kumra (Director at Mckinsey)

P. K. Pradhan (Ex secretary MOHFW)

(https://phfi.org/about/financial-information/)- Check Progress Reports Section

15.2.3. There are many members from PHFI which have been influencing all Covid-19 & Covid-19 vaccine related policies in India. These include:

1) Prof. K Srinath Reddy President, President of PHFI

He continues to provide technical expertise during Covid-19. Prof. Reddy is a member of the following national and international committees:

-National COVID Technical Taskforce convened by ICMR. (https://www.icmr.gov.in/pdf/covid/rrt/ICMR_COVID_Response_Teams_08072021_v12.pdf)

-Founding Board Member of IHME (Institute of Health Metrics & Evaluation), alongside Tedros Ghebreyesus

(IHME - an organization funded massively by Bill Gates) (http://www.healthdata.org/about/IHME-founding-board-members)

- Professional Organization Representative in NTAGI

(https://main.mohfw.gov.in/sites/default/files/MoM%20NTAGI%202020.pdf)

-Honorary Advisor on Health to the Governments of Odisha and Andhra Pradesh with Cabinet Rank in both states.

-Member of Leadership Council of the Sustainable Development Solutions Network

(https://www.unsdsn.org/leadership-council)

-Chair/Member of Several WHO Panels

-Physician to 2 prime ministers of India

-Chaired High Level Expert Group on Universal Health Coverage, setup by Planning Commission & funded by Rockefeller foundation (http://uhc-india.org/reports/executive_summary.pdf)

- Queen Elizabeth Medal Recipient

-Part of Post-COVID strategy paper for the health system, by the National Security Council Secretariat.

-Part of the Executive Group of the Steering Committee of WHOs SOLIDARITY Trial (https://pubmed.ncbi.nlm.nih.gov/33264556/)

-Member, Group of Experts for COVID-19 Response under the CM of Punjab

- Technical Expert, Government of Haryana

(https://phfi.org/member/profksrinathreddy/)

-Speaker at events hosted by Nudge & the Rockefeller Foundation **(http://www.pharmabiz.com/NewsDetails.aspx?aid=141833&sid=2)**

-Member of Lancet Covid-19 Commission's India Regional Task Force, who's founding donor is the Rockefeller Foundation

(https://covid19commission.org/regional-task-force-india)

2) Dr Subash Salunke Director

– IIPHB and Senior Advisor

– PHFI, the Indian Institute of Public Health Bhubaneswar

- Technical COVID Support to Government of Odisha

- Technical support to Government of Maharashtra

The technical team at the Indian Institute of Public Health, Bhubaneswar is assisting efforts of the Government of Odisha

3) Prof Sanjay Zodpey Director – IIPH Delhi

- Prof. Sanjay Zodpey, is a part of the National Task Force for COVID-19 at ICMR of the Epidemiology and Surveillance research group.
- He is the Technical Advisor for COVID-19 related activities for Nagpur Division. He is suggesting appropriate measures to be taken to contain the pandemic in the Division.
- He is a member of the working group which is working on execution of specific tasks related to population based studies and prophylaxis studies to generate evidences of AYUSH interventions in dealing with the COVID 19 crisis, which will be initiated by Ministry of AYUSH and will be implemented by RCs, academic institutes and other partners in different parts of the country.

4) Prof GVS Murthy Director – IIPH Hyderabad Technical support to the Government of Telangana.

5) Dr. Jayaram - Registrar – IIPH Hyderabad Technical Support to Government of Telangana.

The technical team at the Indian Institute of Public Health, Hyderabad is assisting efforts of the Government of Odisha. The students are activitely engaged and have been recruited as epidemiologists at the district level.

6) Dr Dileep Mavalankar Director, IIPHG

The technical team at IIPHG led by Dr Dileep Mavalankar is supporting efforts of the Government of Gujarat. Dr Sandra Albert Director – IIPH Shillong Member of the Working group on Epidemiology Survey and Documentation constituted by the Interdisciplinary AYUSH Research and Development Task Force on Covid-19. Notification No. A.17020/1/2020-E.1 of Ministry of AYUSH

7) **Prof Sandra Albert** is a member of the State Level Medical Expert Committee constituted by the Government of Meghalaya Technical team members at IIPH Shillong

8) Dr Rajiv Sarkar, Badondor Shylla and Uniqueky Mawrie are members of the technical support group of the State response team for COVID-19, Government of Meghalaya

9) Dr. Giridhara Babu Head -Life Course Epidemiology, PHFI, IIPH – Bengaluru Campus

Policy Support

- Member, Lancet Covid -19 Commission India Task Force
- Member Karnataka State Government State Vision Group
- Co-Chair, BBMP Task force on COVID-19 Public Health Response, Bruhat Bengaluru Mahanagara Palike, Bengaluru.
- National level: Member of Epidemiology, Surveillance, & Research group constituted by ICMR National Task Force for

COVID-I9

- Member, Karnataka State Government Technial Analysis Committe: COVID19
- Member, Karnataka State Government Expert Committee for COVID19
- Member, Bruhat Bengaluru Mahanagara Palike, Expert Committee for COVID19
- Consultation to state Governments of Andhra Pradesh, Uttar Pradesh, Maharashtra, Punjab & Telengana

10) J. VR. Prasada Rao

- Member of National Covid-19 Task Force

- UN Secretary General Special Envoy for AIDS

- Ex Governing Board Member of PHFI

Source for the above : https://phfi.org/covid19/technical-support-to-central-and-state-governments/

15.3. <u>Illegal HPV Vaccine Trials with involvement of ICMR Officials as exposed in Parliamentary Committee Report</u>:-

15.3.1. Many years ago, a parliamentary standing committee in India produced a scathing report regarding illegal trials which were conducted by the NGO PATH, that were funded by the Gates Foundation. There were serious lapses in the trial which amounted to a gross violation of the human rights of the subjects involved.

15.3.2. Back then, it accused the ICMR of gross misconduct and conflict of interest. Here is an excerpt from the report:

"It was unwise on the part of ICMR to go in the PPP mode with PATH, as such an involvement gives rise to grave Conflict of Interest. The Committee takes a serious view of the role of ICMR in the entire episode and is constrained to

observe that ICMR should have been more responsible in the matter. The Committee strongly recommends that the Ministry may review the activities of ICMR functionaries involved in PATH project.

The Committee from its examination has found that DHR/ICMR have completely failed to perform their mandated role and responsibility as the apex body for medical research in the Country. Rather, in their over-enthusiasm to act as a willing facilitator to the machinations of PATH they have even transgressed into the domain of other bodies/ agencies which deserves the strongest condemnation and strictest action against them" http://164.100.47.5/newcommittee/reports/EnglishCommittees/Committee%20on%20Health%20and%20Family%20Welfare/72.pdf

15.3.3. Years later, today PATH and the Gates Foundation are still freely operating in the country, and going around funding various public and private projects. No action was taken against the ICMR employees who got into a PPP with PATH, as recommended by the standing committee.

15.3.4. What the standing committee failed to notice at the time is that the ICMR and other Government departments, got into a so called PPP with the pharmaceutical companies, industrialists & fraudulent philanthropic organizations that use philanthrophy as a front to push their hidden agendas. This arrangement is known as PHFI.

15.3.5. Back then, the conflict of interest of ICMR was only limited to the trials that were being conducted. Today, the conflict of interest of the ICMR is enormous, as ICMR Director Balaram Bhargava, and past Directors such as Soumya Swaminathan and Vishwa Mohan Katoch sat on the board of PHFI along with leaders from pharmaceutical companies, the Gates Foundation, industrialists, the Rockefeller Foundation, etc. On behalf of these vested interests, the ICMR is controlling the entire response to the Covid-19 pandemic today, as it setup the task force which directly recommends the Central Government about what measures to take in response to the pandemic.

15.3.6. This issue has come up in the past as well, and was reported in the Indian mainstream media. You can read up on that here:

https://economictimes.indiatimes.com/industry/healthcare/biotech/healthcare/controversial-vaccine-studies-why-is-bill-melinda-gates-foundation-under-fire-from-critics-in-india/articleshow/41280050.cms?from=mdr

15.3.7. The ICMR also got into a deal with Bharat Biotech, and gets 5% royalty on the sale of the vaccine. The ICMR has inked other deals along with the Gates Foundation as well. These conflicts of interest need to be cut-off, as they are not just influencing the outcome of a clinical trial, but the fine detail of all 135 crore peoples lives today! ICMR guidelines are followed like a religious book all over our country today.

15.3.8. If we go into more detail below on the conflicts of interest in the Covid-19 task force. To read up on more controversies and problems that have plagued PHFI, do read the following articles :

-https://www.moneylife.in/article/with-phfi-falsification-is-the-truth/28389.html

-https://www.moneylife.in/article/phfi-more-wool-over-public-eyes-part-2/28401.html

-https://dragada.com/kbforyou/2014/03/24/public-health-fraud-of-india-phfi-heres-why-manmohan-singh-deserves-the-fate-of-his-crony-rajat-gupta/

-https://dragada.com/kbforyou/2018/03/22/manmohan-singhs-phfi-unravels-under-its-own-fraud-and-criminality-half-dead-in-critical-care/

-https://dragada.com/kbforyou/2018/05/09/phfi-fails-to-respond-to-govt-notice-on-my-complaint-instead-sends-me-legal-notice-for-defamation/

15.4. There are other people who are not directly working for PHFI, and don't sit in the main ICMR Covid-19 task force either, but are influencing Government policies & media messaging on Covid 19 in a big way, and are connected to Bill Gates, Rockefeller Foundation, vaccine & pharmaceutical companies, etc. These include :

1) Dr. Narendra Kumar Arora:

- Teaching Faculty at PHFI since 2014

-Member of National Technical Advisory Group on Immunization

-Chairperson, Operational Research Group of National Covid-19 Task Force

-Chairperson of Scientific Advisory Committee of qHPV program between India's Dept of Biotechnology & Gates Foundation

-WHO Strategic Group Member

- Part of SAGE Group

- Adviser to Bill Gates' Projects on Immunization

- Member, GACVS

- Adviser to National AEFI Committee in 2017

- Chairperson of National AEFI Committee from 2008-2017

- Member of Scientific Advisory Board, ICMR (2007)

- Rockefeller INCLEN fellowship, 1993

- Contributor to WHO's Covid19 Vaccine Safety Surveillance Manual

Source for the above: http://inclentrust.org/inclen/wp-content/uploads/N-K-Arora.pdf

-His research is directly sponsored by the Gates Foundation **(https://main.icmr.nic.in/sites/default/files/upload_documents/Vol_III_1.pdf)**

- Contributor to India State level Disease Burden Initiative, funded by Gates Foundation.

(https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf)

2) Dr. Cherry Gagandeep Kang

- Professor at CMC Vellore (Which receives a lot of grants from the Gates Foundation, Wellcome Trust, Rockefeller Foundation, Ford Foundation, etc)

https://www.gatesfoundation.org/about/committed grants/2019/10/inv001196

https://vellorecmc.org/about/partners-in-philanthropy/friends of-cmc/

https://www.cmchvellore.edu/sites/research/International%20Funding%20Agencies.html

- Head of Wellcome Trust Research Lab at CMC

https://www.cmcwtrl.in/gagandeep-kang.php

- Member of Global Health Scientific Advisory Committee in the Gates Foundation

https://www.gatesfoundation.org/about/leadership/scientific-advisory-committee

- Vice chair of the board of CEPI (body created & funded by Bill Gates, World Economic Forum, Wellcome Trust, etc)

- First Indian to be elected as fellow of the Royal Society

https://www.facebook.com/gatesfoundation/posts/congratulations-to-dr-gagan-for-being-the-first-indian-woman-to-become-a-fellow-/10157701125213072/

- Core Member, NTAGI

https://main.mohfw.gov.in/sites/default/files/MoM%20NTAGI%202020.pdf

- Developed an oral rotavirus vaccine, that was sold by Bharat Biotech, who's MD was funded by Bill Gates.

https://www.bharatbiotech.com/images/press/Rotavirus-Vaccine-Developed-in-India-Demonstrates-Strong-Efficacy-(ENGLISH)-May-14-2013.pdf

- Adviser, WHO GACVS

(https://www.who.int/vaccine_safety/committee/current_members_GACVS.pdf

)

- Chair, WHO SEAR Regional Immunization Technical Advisory

https://apps.who.int/iris/bitstream/handle/10665/335831/SEA-Immun-119-eng.pdf?sequence=1&isAllowed=y

- Most if not all of her research directly funded by the Gates Foundation (https://orcid.org/0000-0002-3656-564X Check funding section)
- Conducted a panel discussion with Dr. Santosh Matthew, Country lead for Public Policy and Finance at the Gates Foundation India (https://ciihive.in/Flyer/PUBHEALTH2.pdf)

3) K Vijayraghavan

- Principal Scientific Advisor to Government of India : Gates said Bill and Melinda Gates Foundation is also a "partner with the government, particularly with the department of biotechnology, the Indian Council of Medical Research (ICMR) and the office of the principal scientific advisor provide advice and help about getting these tools going". (https://www.livemint.com/news/india/india-is-capable-of-producing-covid-19-vaccine-for-the-entire-world-bill-gates-11594901608618.html)
- Member of Covid-19 Task Force Vaccine setup to encourage R&D for vaccine manufacturers.

https://theprint.in/india/governance/this-is-the-team-advising-pm-modi-in-indias-battle-against-coronavirus/388607/

- Chairperson of CEPI's interim board (Organization Created & Funded by Bill Gates, Wellcome Trust, World economic forum, etc) https://dst.gov.in/pressrelease/dr-harsh-vardhan-inaugurates-second-meeting-interim-board-cepi
- Ex Governing Board Member of PHFI https://phfi.org/wp-content/uploads/2017/02/annual_report2014.pdf
- Authored Report along with the Rockefeller Foundation on scaling up Covid-19 testing in India

https://www.rockefellerfoundation.org/news/psa-to-goi-rockefeller-foundation-release-recommendations-for-equitable-cost-effective-covid-testing-and-tracing/

- Launched "Navigating the New Normal"Campaign created by Bill & Melinda Gates Foundation to create behavior change in people.

https://pib.gov.in/PressReleasePage.aspx?PRID=1634328

- Speaker at events hosted by Nudge & the Rockefeller Foundation.

https://www.dailypioneer.com/2021/state-editions/the-nudge-foundation-convenes-charcha-2021-from-aug-13-15.html

15.5. ITSU (Immunization Technical Support Unit)

15.5.1. ITSU was Setup by PHFI in 2012 by a 6.9 million $ grant from Gates Foundation. The Senior Management Team of the ITSU's key areas of focus consist of the AEFI Secretariat, Implementation of India's Immunization Program, & the Communications Strategy of the Covid-19 Vaccine Communication Program. Other Partners in deciding the communication strategy of the Covid-19 vaccine program include UNICEF & the Bill & Melinda Gates Foundation.

https://m.economictimes.com/news/politics-and-nation/centre-shuts-gate-on-bill-melinda-gates-foundation/articleshow/57028697.cms

15.5.2. The funding of the BMGF to the ITSU Secretariat was withdrawn after controversy over influence of vaccine manufacturers in India's Universal Immunization Programme, but funding to other parts of the ITSU by the BMGF still continues, according to WHO Chief Scientist Soumya Swaminathan. https://www.reuters.com/article/us-india-health-bmgf-idUSKBN15N13K

15.5.3.PHFI's FCRA license was also removed by the Ministry of Home Affairs for sometime due to various reasons, including misappropriation of funds, not disclosing FDs, remitting funds abroad, etc.

https://m.economictimes.com/news/politics-and-nation/mha-order-revoking-license-of-phfi-lists-7-undesirable-activities/articleshow/58294627.cms

15.5.4. The license was restored later with the rider that PHFI would have to take prior approval from the ministry before receiving funds, among other checks.

https://timesofindia.indiatimes.com/india/phfi-can-get-foreign-funds-but-has-to-report-use-to-centre/articleshow/62843362.cms

Members of Senior Management Team of ITSU include:

1) Pritu Dhalaria, Director of ITSU. Ex Director of PATH's Immunization Portfolio, Ex-Member of NTAGI, worked at PATH, WHO & Bill & Melinda Gates Foundation in the past.

2) Apurva Rastogi, Project Manager at ITSU, Ex Researcher at PHFI

3) Kishore Kumar Bajaj, Senior Operations Manager at ITSU.

Has worked at PHFI & PATH in the past.

4) Dr. GK Soni, Team Lead of program implementation at ITSU. Has worked at PHFI in the past

https://itsu.org.in/about-itsu/

According to PHFI's own website:

Improving Immunisation Coverage rate among children

Through Immunisation Technical Support Unit (ITSU), PHFI is helping MoHFW in the expansion of immunisation coverage, improvement of quality, and introduction of new vaccines. PHFI has extended support to 'Mission Indradhanush' for targeted increase from 65% to 90% rate of coverage of full immunization among children.

https://phfi.org/about/what-do-we-do/

15.5.5. Everything to do with the adverse events of the Covid-19 vaccines is handled by the ITSU, right from the drafting of the guidelines which decide which death will be considered to be caused by a vaccine and which will not, to coordinating between various AEFI committees, collecting and organizing data for the groups, etc. Talk about conflict of interest?

https://itsu.org.in/aefi/

15.6. Connections of India's Covid-19 Task Force to the vaccine mafia.

15.6.1. Names of all Task Force Members can be found here:

https://www.icmr.gov.in/pdf/covid/rrt/ICMR_COVID_Response_Teams_08072021_v12.pdf

15.6.2. Dr. Vinod K Paul:

-Visiting Professor, PHFI, & Chief Guest at PHFI functions (https://www.who.int/docs/default-source/documents/about-us/vinod-paul.pdf?sfvrsn=d0771d4c_2)

- Part of Union Govts Core Team for Covid 19 Pandemic Response.

-Chairs Empowered Group on Medical Infrastructure & Covid Management Plan

- Chairs National Expert Group on Vaccine Administration for Covid-19

- Reports to PM Modi directly

- Worked as Member of High Level Expert Group on Universal Health Coverage, setup by Planning Commission & funded by Rockefeller Foundation, under the chairmanship of PHFI President Srinath Reddy. This would lay the groundwork for what eventually became the Ayushman Bharat Scheme. (http://uhc-india.org/reports/executive_summary.pdf)

-Launched "Navigating the New Normal"Campaign created by Bill & Melinda Gates Foundation to create behavior change in people.

https://pib.gov.in/PressReleasePage.aspx?PRID=1634328

https://ashoka.edu.in/page/COVID19-centres-445

- Part of Panel on Stigmatization head along with PHFI Governing board member Lav Agarwal & Gates Foundation India Head Hari Menon.

(https://twitter.com/nitiaayog/status/1253628777084510214?lang=en)

-Part of a panel discussion on Holistic long term medicare system in the case of covid 19 alongside PHFI President Srinath Reddy.

(https://iicdelhi.in/programmes/towards-holistic-long-term-medi-care-system-case-covid-19)

- Released "Health System for a New India" Report with Bill Gates, was a major contributor to Aayushman Bharat Scheme Praised by Bill Gates.

(https://economictimes.indiatimes.com/news/politics-and-nation/bill-gates-congratulates-indian-government-for-ayushman-bharat-scheme/articleshow/67574481.cms?from=mdr)

(https://pib.gov.in/PressReleasePage.aspx?PRID=1591934)

-Part of Advisory panel on Covid-19 Vaccine communication strategy,who's core partners include ITSU, BMGF & UNICEF.

(https://www.mohfw.gov.in/pdf/Covid19CommunicationStrategy2020.pdf)

- His research is directly funded by Wellcome Trust

(https://main.icmr.nic.in/sites/default/files/upload_documents/Vol_IV_1.pdf)

- Contributor to India State level disease burden initiative, funded by Gates Foundation.

https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf

-Drafted Uttar Pradesh Govermnents State Health policy along with representatives of WHO-India, PHFI, Bill & Melinda Gates Foundation, World Bank, etc.

(https://phfi.org/wp-content/uploads/2018/11/Annual_Report_2017-18.pdf)

15.6.3. Ex- co chair Preeti Sudan:

-Ex Governing Body Member of PHFI

https://phfi.org/wp-content/uploads/2018/11/Annual_Report_2017-18.pdf

-Post Graduate in Social Policy & Planning from London School of Economics

-Ex-consultant for the World Bank

https://www.who.int/pmnch/about/governance/board/chairs/india/en/

-Member of the Independent Panel for Pandemic Preparedness Setup by the WHO

https://theindependentpanel.org/panel-members/

- Accused by Andhra Pradesh Government of misusing public position for personal benefit

https://www.thehindu.com/news/national/andhra-pradesh/disciplinary-proceedings-against-ias-officer-preeti-sudan-begin/article33917426.ece

-Key functionary in planning and execution of Aayushman Bharat Scheme

https://en.wikipedia.org/wiki/Preeti_Sudan

- Board Member of the Partnership for Maternal, New born & childhood health, who's funders and other board members include the Gates Foundation, USAID, World Bank, WHO, Pfizer, Novartis, Johnson&Johnson, GAVI

https://pmnch.who.int/about-pmnch

-Speaker at events hosted by Nudge & the Rockefeller Foundation

https://www.theweek.in/wire-updates/business/2020/08/12/pwr17-thenudge-foundation.html

Present Co-chairs:

15.6.4. Health Secretary Rajesh Bhushan

–On the advisory panel of India's Covid19 vaccine communication strategy, who's core partners include Gates Foundation, ITSU & UNICEF (https://www.mohfw.gov.in/pdf/Covid19CommunicationStrategy2020.pdf)

- Appreciated collaboration between Gates Foundation & Ministry of Rural Development

(https://indiaeducationdiary.in/govt-signs-mou-with-bill-and-melinda-gates-foundation-under-deendayal-antyodaya-yojana-national-rural-livelihoods-mission-day-nrlm/)

- Co-chair of NEGVAC

https://theprint.in/india/governance/too-many-cooks-15-committees-dozens-of-experts-behind-indias-fumbling-covid-response/658487/

- Expressed full support for behavior change campaign started by Gates Foundation focused on mask wearing by all & social distancing. The mask-wearing campaign is designed by Bill and Melinda Gates Foundation in partnership with McCann Worldgroup.

(https://pib.gov.in/PressReleseDetail.aspx?PRID=1634328)

15.6.5. Balram Bhargava

- Director General, ICMR

- Co-chairperson, NTAGI

https://main.mohfw.gov.in/sites/default/files/MoM%20NTAGI%202020.pdf

- Member of NEGVAC

https://www.thehindubusinessline.com/news/expert-group-on-covid-19-vaccine-expert-group-to-meet-vaccine-makers-on-tuesday/article32350975.ece

– Governing Body Member of PHFI

- Chief Guest at PHFI events

(https://www.facebook.com/thePHFI/posts/snapshots-of-iiphgs-convocation-chief-guest-prof-balram-bhargava-secretary-to-th/189876944349609/)

- Personally handed awards along with Bill Gates to Cyrus Poonawalla and Kiran Mazumdar Shaw

(https://twitter.com/profbhargava/status/1196117377882046464?lang=en)

- Hosted Bill Gates at ICMR

(https://twitter.com/profbhargava/status/1196115482585128960)

- Entered a collaborative deal by signing a DOI with Gates Foundation and NIH, right before the Covid-19 pandemic began

(https://main.icmr.nic.in/sites/default/files/press_realease_files/PressRelease_17Nov2019.pdf)

- Speaker at Grand challenges annual meeting, hosted by Wellcome Trust, Gates Foundation & USAID.

- Launched National Data Quality Forum along with Rockefeller created Population Council, WHO, & the Gates Foundation

(https://www.expresshealthcare.in/news/icmr-nims-launch-national-data-quality-forum-to-improve-quality-of-data-that-feeds-into-evidence-based-decision-making/412980/?SuperSocializerAuth=LiveJournal)

-Lauded the partnership to create Covid-19 vaccine between Serum Institute, Gates Foundation, and GAVI

(https://swachhindia.ndtv.com/serum-institute-of-india-partners-with-the-gates-foundation-for-manufacturing-100-million-doses-of-covid-19-vaccine-48084/)

15.6.5.1. When one trial participant developed a neurological condition in Serum Institutes indian vaccine trial, Balram bhargava mentioned why the trial was not halted like it was halted abroad when the same thing happened. He said: "Initial causality assessment findings did not necessitate stoppage," https://www.science.org/news/2020/12/malicious-and-misconceived-indian-vaccine-producer-hits-back-complaint-trial-volunteer

15.6.5.2. Balram Bhargava started the School of International Biodesign, with the help of Stanford Uni and IIT. According to him : ""We have had funding from various agencies, including national governments and international agencies, the Gates Foundation, the Grand Challenges Canada and the Pfizer Foundation, not to mention private investment from angel investors and others" (https://news.rcpsg.ac.uk/engagement/professor-balram-bhargava-awarded-the-presidents-medal/)

15.6.5.3. Sits on the Board of the International vaccine institute.

(https://www.ivi.int/who-we-are/leadership/board-of-trustees/) which accelerates vaccine research and development worldwide, and is funded by the Gates Foundation, Wellcome Trust, CEPI, etc."

-Author of clinical trials of Bharat Biotech's Covaxin (https://indianexpress.com/article/india/what-rate-card-does-not-show-govt-help-in-developing-covaxin-7291708/)

15.6.6. Dr. Samiran Panda

-According to him, ICMR funded trials of the Covishield vaccine (https://www.thehindu.com/sci-tech/science/reneging-on-the-no-profit-pledge-to-supply-oxford-vaccine/article33705151.ece)

-Has received grants for his research from the WHO (who's second largest funder is Bill Gates)

-Study coordinator in a project supported by the Rockefeller created Population Council. Study coordinator in a project supported by the Ford Foundation & World Bank.

(https://www.nari-icmr.res.in/nari/StaffDetails/39f3e134-43ce-9d51-eac6-3ceaf48a3b01)

- Part of panel discussion hosted by infamous NGO PATH & Rockefeller Foundation on Sarscov2 surveillance in India (https://finddx.zoom.us/webinar/register/WN_Lkc4oC30TbCBWsqBcPtSVw)

15.6.7. Dr. Randeep Guleria

-Presided over an event organised for Trevor Mundel, President of Global Health at the Gates foundation.

https://dbtindia.gov.in/sites/default/files/Leadership_Dialogue_Series_2nd_lecture.pdf

According to Mundel, the Department of Biotechnology, Government of India, AIIMS and the Indian Council of Medical Research (ICMR) are key partners of the Gates Foundation in India.

(https://www.expresspharma.in/dbt-birac-and-aiims-organise-leadership-dialogue-series/?SuperSocializerAuth=LiveJournal)

-Author of clinical trials conducted on Bharat Biotech's Covaxin (https://indianexpress.com/article/india/what-rate-card-does-not-show-govt-help-in-developing-covaxin-7291708/)

15.6.8. Dr. Jagdish M Deshpande

-Studies he's been part of have been funded by Gates Foundation & WHO (https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5289926/) (https://europepmc.org/article/med/25146288)

-Participant of WHO/SEAR Technical Consultive Group on Polio Eradication

-Director at the Enterovirus Research Center in Mumbai, where training programs are held along with foreign agencies like the CDC (https://economictimes.indiatimes.com/icmr-to-jointly-embark-study-on-norovirus-with-us-entity/articleshow/2532644.cms?from=mdr)

-Coordinator of the national task force on laboratory containment of the wild polio virus.

(http://archive.indianexpress.com/news/to-contain-polio-a-nationwide-search-and-seal-operation/916411/0)

-Co-chair of India expert advisory group on polio eradication, who's core partners include Gates Foundation, WHO, CDC, World Bank, etc. (https://iple.unicef.in/files/ckuploads/files/24th_IEAG.pdf)

-Authored a paper along with Jay Wenger, Gates Foundation Global Development MD

(https://www.researchgate.net/publication/6686398_New_Strategies_for_the_Elimination_of_Polio_from_India)

15.6.9. Dr. Swarup Sarkar

–Director of Communicable Disease at WHO-SEARO, Asia Pacific Regional.

https://gaffi.org/professor-swarup-sarkar-joins-gaffi-as-a-senior-advisor/

- Chair at ICMR

- Director of the Asia pacific region of the Global Fund (started by Gates), who's Ex director used to be Rajat Gupta

- Head of Asia Pacific Region of UNAIDS,

- Awarded by WHO Director General Tedros

https://timesofindia.indiatimes.com/india/who-felicitates-dr-swarup-sarkar-for-his-contribution-to-public-health/articleshow/67203097.cms

- Board member of India State level disease burden initiative, undertaken by PHFI, ICMR & IHME, & funded by Gates Foundation.

https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf

15.6.10. JVR Prasada Rao

- Used to be Co-chair of the India AIDS Initiative that was started by the Gates Foundation, along with fellow co-chair Rajat Gupta, and Director of Gates Foundation India, Ashok Alexander.

(https://www.gatesfoundation.org/ideas/media-center/press-releases/2003/10/india-aids-initiative) India AIDS Initiative (aka Avahan) was funded to the tune of 200 million dollars over the years!

– Special Advisor to UNAIDS

- Ex Director at NACO. NACO received funding of 23 million dollars from the Gates Foundation.

(https://www.gatesfoundation.org/ideas/media-center/press-releases/2006/10/indias-national-aids-control-organization-naco-receives-23-million-commitment)

Later it sent a grant for NACO through PHFI, which JVR Prasada Rao is now a board member of

(https://www.gatesfoundation.org/about/committed-grants/2015/08/opp1131140) NACO's partners include UNAIDS, the Gates

Foundation, the Clinton foundation, USAID, the Global Fund, the World Bank, and WHO.

(http://naco.gov.in/bilateral-and-multilateral-partners-0)

NACO then went on to merge with the Health Ministry (https://timesofindia.indiatimes.com/india/naco-no-more-an-independent-wing/articleshow/41747087.cms)

- Governing Body Member of PHFI
- Secretary of Health and Family welfare from 2002-2004
- Member of Transitional Working Group, which decided the Operational Mechanism for the Global Fund to Fight AIDS TB & Malaria, who's chairman used to be fraud Rajat Gupta, & the body itself was started by a donor grant from Bill Gates.
- Member of High Level Forum started by the World Bank, WHO, etc.
- Board member of India State level disease burden initiative, funded by Gates Foundation.

https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf

15.6.11. Sanjay Zodpey

– Projects undertaken by him at PHFI are directly funded by Gates Foundation.
- Contributor to India State level disease burden initiative, funded by Gates Foundation.

https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf

15.6.12. Sanjay Pujari

– on the Advisory board of, and taking speaker fees from Cipla, Mylan, Emcure pharmaceuticals & Hetero

(https://www.eacsociety.org/media/hivss2018_s._pujari_oi.pdf)

- His research has been funded by the NIH

- Participant of a meeting held on AIDS, TB & Malaria, alongside people from pharmaceutical companies, Gates foundation, etc
(http://digicollection.org/hss/en/d/Js6172e/14.html)

15.6.13. Raman Gangakhedkar :

- Member of Lancet Covid-19 Commission's India Regional Task Force, who's founding donor is the Rockefeller Foundation
(https://covid19commission.org/regional-task-force-india)

-His research is directly funded by the NIH, WHO, & the Gates Foundation
https://main.icmr.nic.in/sites/default/files/upload_documents/Vol_II_1.pdf
https://main.icmr.nic.in/sites/default/files/upload_documents/List_of_HMSC_approved_projects_August_2017_December_2019_New.pdf
https://journals.sagepub.com/doi/full/10.1177/0956462420983992

- Ex Director of National AIDS Research Institute

15.6.14. Rajan Khobragade

-Principal Secretary of Health & Family Welfare of the Govt of Kerala

- Member of Lancet Covid-19 Commission's India Regional Task Force, who's founding donor is the Rockefeller Foundation
(https://covid19commission.org/regional-task-force-india)

- Gave the Welcome Note at Kerala Health – Making SDG a reality conference, who's partners inclued World Bank and the WHO.
(https://keralahealthconference.in/)

- Part of the NGO PATH's webinar on Covid 19 testing in India (the same NGO that conducted illegal vaccine trials in India in the past and still no action has been taken against it
(https://zoom.us/webinar/register/WN_NMMJnj6CTcKGfAEro0HfkQ)

15.6.15. Dr. Naveet Wig :

- Researcher on a report headed by NK Arora, and funded by Wellcome Trust

http://inclentrust.org/inclen/wpcontent/uploads/Report_Leadership_6thApril_-1.pdf)

-Research done by him is funded by the Gates foundation (https://core.ac.uk/download/pdf/82085185.pdf)

-Speaker at the American Society of Tropical medicine and hygiene, which is funded by various pharma and vaccine companies like Sanofi, GSK, etc. (https://www.astmh.org/ASTMH/media/Documents/ASTMH_06_FP.pdf)

15.6.16. Dr Shashi Kant:

-His Research is funded by pharmaceutical company GlaxoSmithKline (https://main.icmr.nic.in/sites/default/files/upload_documents/List_of_HMSC_approved_projects_August_2017_December_2019_New.pdf)

- Was part of the core group at NACO, whos connections to vested interests are described above. He has been providing NACO advice since 1998 (http://www.naco.gov.in/sites/default/files/Strategic%20Information%20and%20Surveillance.pdf)

15.6.17. Dr. Sujeet Singh :

- Director of National Center for Disease Control, which houses the IDSP, that was launched along with the World Bank. (https://idsp.nic.in/index1.php?lang=1&level=1&sublinkid=5768&lid=3697)

- Done a lot of joint collaborative work along with PHFI and its president Srinath Reddy.

(https://idsp.nic.in/WriteReadData/IHIP/Report_repriortization%20Diseases.pdf

)

(https://phfi.org/wp-content/uploads/2021/03/Annual-Report_2019-20.pdf)

15.6.18. Dr. Kirankumar Rade

- Associated with WHO Country Office for India as a medical consultant since 2005

- Speaker at USAID organized TBII (https://healthtech4tb.org/

- Studies he has worked on have been funded by the Gates Foundation (https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0214928

- Contributor to a document funded by USAID, Gates foundation, The Global fund, etc (http://www.stoptb.org/assets/documents/global/plan/globalplantoendtb_theparadigmshift_2016-2020_stoptbpartnership.pdf)

- Contributing author to India State level disease burden initiative, conducted by PHFI, ICMR & IHME, & funded by the Gates Foundation (https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf)

15.6.19. Dr Lalit Dar:

-Heads the Virology Laboratory at AIIMS, which collaborates on various projects with foreign universities, as well as NIH and CDC. (https://www.aiims.edu/hi/about-us/102-microbiology-h/2296-dr-l-dar.html)

-Member of Technical resource group for NACO (background mentioned above)

- Part of PHFI hosted Webinars (https://twitter.com/thephfi/status/1282538049927176192?lang=en)

15.6.20. Dr. Manoj Murhekar

-His research is directly funded by the CDC & the Medical Research Council of UK (https://main.icmr.nic.in/sites/default/files/upload_documents/Vol_IV_1.pdf)

-Dr. Murhekar also worked with the World Health Organization (WHO)

Western Pacific Regional Office as a consultant and professional staff member in Papua New Guinea and the Philippines.

-Contributing author to India State level disease burden initiative, conducted by PHFI, ICMR & IHME, & funded by the Gates Foundation (https://phfi.org/downloads/171110_India_Health_of_Nation_states_Report_2017.pdf)

-Studies conducted by him have been directly funded by the Gates foundation(https://www.medrxiv.org/content/10.1101/2021.02.27.21252424v1)

15.6.21. Dr Nivedita Gupta

- Responsible for creating Covid-19 testing & treatment protocols in India

(https://www.vogue.in/culture-and-living/content/vogue-warriors-dr-nivedita-gupta-scientist-covid-19-testing-treatment-protocols-in-india)

- She was also the primary scientist involved in the investigations and containment of the Nipah virus outbreak in Kerala last year.

- Directly funded by the Gates foundation & John Hopkins University for her research

(https://main.icmr.nic.in/sites/default/files/upload_documents/List_of_HMSC_approved_projects_August_2017_December_2019_New.pdf)

(https://www.indiascienceandtechnology.gov.in/research/mobile-application-immunization-data-india-maidi)

- Part of the NGO PATH's webinar on Covid 19 testing in India (the same NGO that conducted illegal vaccine trials in India in the past and still no action has been taken against it

(https://zoom.us/webinar/register/WN_NMMJnj6CTcKGfAEro0HfkQ)

15.6.22. Dr. Subhash Salunke

-Senior Adviser to the President of PHFI

-His 30 years' experience in the Public Health Department spans from Position of Deputy Director to Director General in the Health Services of Maharashtra State

-His stint with the WHO SEARO spanned from being Regional Advisor in 2005 to Assistant Regional Director in 2009, including three years as WHO-Representative to Indonesia

-He was actively involved in formulating projects like "Health System Development" for Maharashtra State that was supported by the World Bank.
- He has shown leadership in designing the HIV/AIDS Control special programme (AVERT) with the assistance of USAID for Maharashtra State
-He was one of the members of designing National AIDS Control Programme Phase II during 1999-2000

https://phfi.org/member/dr-subhash-r-salunke-md-dph-dih/

-Involved in the steering committee of a study which was funded by big pharmaceutical companies and the Gates Foundation

(https://academic.oup.com/cid/article/73/Supplement_3/S238/6362481)

15.6.23. Dr Sanjay L Chauhan

-Scientist at the National Institute for Research in Reproductive Health. NIRRH has been involved in conducting studies along with the Gates Foundation and Rockefeller created and funded Population Council.

(https://bmcwomenshealth.biomedcentral.com/articles/10.1186/s12905-018-0636-7)

15.6.24. Dr. Tarun Bhatnagar

- He was the recipient of an NIH Fogarty fellowship for his PhD in epidemiology under the AIDS International Training and Research Program at the University of California Los Angeles from 2004-2011.

(https://www.tephinet.org/tarun-bhatnagar)

- Authored analysis along with Giridhar Babu of PHFI to increase testing in India

(https://www.hindustantimes.com/india-news/india-has-low-testing-rate-needs-to-scale-up-surveillance-analysis/story-yRQDOQlTlHOq0sLDHU63IM.html)

- Part of NACO subgroup

(http://www.naco.gov.in/sites/default/files/Strategic%20Information%20and%20Surveillance.pdf)

- He was working at NIE as Project Manager in the Bill and Melinda Gates Foundation multi-centric project on Integrated Behavioural and Biological Assessment of HIV since November 2007. (http://14.139.190.203/staff-more.php?mid=Mg==&divid=MQ==&id=NQ==)

- Studies he's authored have been directly funded by the Gates Foundation

(https://jech.bmj.com/content/66/Suppl_2/ii55)

15.6.25. Dr. Jerin Jose Cherian

- Part of expert panel in Global-Bio India 2021, who's partners include Serum Institute of India, Biocon, CII, & many other pharma companies

(https://www.globalbioindia.com/images/Bio-India-2021-Agenda.pdf)

- Member of Health Tech Assessment board meeting, chaired by VK Paul & Balram Bhargava

(https://htain.icmr.org.in/images/pdf/2nd_Board_Meeting_Minutes_3rd_May_2019.pdf)

-contributes as a member of the national team developing Standard Treatment Workflows for the National Healthcare Program AB-PMJAY (background to which is referenced earlier)

-Authored paper with Balram Bhargava & Swarup Sarkar on making India an independent manufacturer of pharmceutical ingredients

(https://www.researchgate.net/publication/351478239_India's_Road_to_Independence_in_Manufacturing_Active_Pharmaceutical_Ingredients_Focus_on_Essential_Medicines)

15.6.26. Dr. Tanu Anand:

- Part of team at IAPSM, along with members of Gates Foundation, PHFI, and others.

(https://www.iapsmyc2021.com/mentors)

Mumbai BMC lady Daksha Shah who holds a lot of influence in making Mumbai's Covid-19 policies:

- Member of Lancet Covid-19 Commission's India Regional Task Force, who's founding donor is the Rockefeller Foundation

(https://covid19commission.org/regional-task-force-india)

Subhash Salunke & Giridhar Babu from PHFI are advising the Maharashtra Govt on Covid 19. Salunke is DGHS for Maharashtra State.

15.7. Given all of this, how can the ICMR be involved in the task force, or setting up of the task force? It has a past of colluding with PATH and present of inking many deals with the Gates foundation. Many of ICMRs researchers and scientists are getting funding from the pharmaceutical companies and international toxic "philanthrophic" bodies.

15.8. ICMR is also involved in funding the trials of both Covaxin as well as Covishield. The ICMR, previously in reply to an RTI query from a news magazine, said the estimated cost incurred by ICMR towards development of Covaxin was `35 crore. However, sources said the figure put out by ICMR was a conservative estimate and the actual cost – when calculated properly in terms

of NIV's human resources, intellectual investment, time and establishment costs – would be much more. It gets 5% percent royalties from the sale of Bharat Biotech vaccines.

https://www.thehindu.com/news/national/icmr-to-get-royalty-from-covaxin-sale/article34474504.ece

https://www.deccanchronicle.com/nation/current-affairs/250821/bharat-biotech-underplayed-role-of-icmr-nin-in-covaxin-development.html

15.9. These are some of the minutes of what has been going on inside the Task force:

https://www.icmr.gov.in/pdf/covid/techdoc/ICMR_NTF_Meetings_v1.pdf

15.10. Journalists have been trying to uncover what has been going on inside the task force. Some have tried to pin blame or put responsibility on its members for the decisions taken by the Modi Government, or the lackthereof, but because they could not managed to find the list of the task force members, they could not pin individual responsibility on anyone. However now you, can go through these articles, and then put them into context with everything that we've discussed above.

https://www.indiatoday.in/india-today-insight/story/inside-pm-modi-s-covid-19-task-force-1665239-2020-04-09

https://caravanmagazine.in/government/modi-administration-did-not-consult-icmr-appointed-covid-task-force-before-key-decisions

https://caravanmagazine.in/health/members-pm-covid-19-task-force-say-lockdown-failed-due-to-unscientific-implementation

https://caravanmagazine.in/health/members-pm-covid-19-task-force-say-lockdown-failed-due-to-unscientific-implementation

https://indianexpress.com/article/india/coronavirus-transmission-covid-19-task-force-national-lockdown-7298468/

https://frontline.thehindu.com/the-nation/public-health/indias-national-task-force-for-covid-19-and-the-government-did-not-prepare-for-the-second-wave-of-the-pandemic/article34471646.ece

15.11. Summary as given by Medical Researcher and Social Activist Shri. Yohan Tengra is as under;

15.11.1. The capture of our public health agencies by fake philanthropists like Bill Gates, the Rockefellers & their frontmen, and the pharmaceutical/vaccine mafia started in India a long time ago, in the year 2006. Since then, incidents like illegal HPV vaccine trial coming to light have put pressure on the perpetrators of the crimes (namely PATH and the Gates Foundation), but due to their tremendous infiltration and capture by these forces of the mainstream media, public health "experts", government bureaucrats, etc the criminals are still able to conduct themselves in India without any barriers.

15.11.2. The entire Covid-19 plandemic is a well planned orchestrated medical fraud, executed by the same vested interests referenced in detail in this article, to usher in a technocratic orwellian global dictatorship, which will be accompanied by a resource grab executed by the elites. As Klaus Schwab, CEO of the World Economic Forum says : "You will own nothing, and you will be happy". This criminal capture and sabotage of our public health agencies is what has enabled this, as the mafia wants to push mandatory testing, masks, vaccines and lockdowns on the world in order to pursue their New World Order/ Great Reset Agenda, and since they control almost everyone in key positions of power (as shown above), they have been able to do so very easily.

15.11.3. But now that all of this has been put in one place for you, you and Indians at large are hopefully able to see the puppeteering behind the scenes, at least in the public health sector. Its high time we have throw out and imprison all these corrupt hijacked officials who are putting our health and livelihoods in

grave danger, on behalf of the puppet masters who pull their strings. It is time to choose, between freedom or fascism, and act on the facts that we have learnt in this expose, so that we can stop the globalists from achieving their end goal, and are able to cement our goal forever – freedom and respect for the inalienable god given and constitutionally protected rights of every human being.

16. Unlawful & unconstitutional partnership or collaboration with LLP or any private entity like PHFI, PATH et al;-

16.1. That any private body and more particularly the body of disqualified members is not permitted to participate in decision making process which is having impact on 135 crore Indians.

Hon'ble Supreme Court in Noida Vs Noida (2011) 6 SCC 508, had ruled as under;

> ***"25.*** *It is a settled proposition of law that whatever is prohibited by law to be done, cannot legally be affected by an indirect and circuitous contrivance on the principle of quando aliquid prohibetur, prohibetur at omne per quod devenitur ad illud, which means "whenever a thing is prohibited, it is prohibited whether done directly or indirectly". (See Swantraj v. State of Maharashtra [(1975) 3 SCC 322 : 1974 SCC (Cri) 930 : AIR 1974 SC 517] , CCE v. Acer India Ltd. [(2004) 8 SCC 173] and Sant Lal Gupta v. Modern Coop. Group Housing Society Ltd. [(2010) 13 SCC 336 : (2010) 4 SCC (Civ) 904 : JT (2010) 11 SC 273])*
>
> ***26.*** *In Jagir Singh v. Ranbir Singh [(1979) 1 SCC 560 : 1979 SCC (Cri) 348 : AIR 1979 SC 381] this Court has observed that an authority cannot be permitted to evade a law by "shift or contrivance". While deciding the said case, the Court placed reliance on the judgment in Fox v. Bishop of*

Chester [(1824) 2 B&C 635 : 107 ER 520] , wherein it has been observed as under: (Jagir Singh case [(1979) 1 SCC 560 : 1979 SCC (Cri) 348 : AIR 1979 SC 381] , SCC p. 565, para 5)

> ***"5.*** *... 'To carry out effectually the object of a statute, it must be so construed as to defeat all attempts to do, or avoid doing, in an indirect or circuitous manner that which it has prohibited or enjoined.' [Ed.: As observed in Maxwell on the Interpretation of Statutes, 11th Edn., p. 109. See SCC p. 565, para 5 of Jagir Singh case, (1979) 1 SCC 560.] "*

16.2. But unlawfully the PHFI was given charge of policy making. The other black listed entities like PATH, Bill & Milinda Gates Foundation also made back door entry. They decided the policies and made non-sensical rules. The only intention was to give undue and wrongful profit to vaccine and pharma mafias at the cost of life and liberty of 135 crore Indians. Which is highly illegal and in fact a criminal conspiracy.

16.3. In the case of **Prof. Ramesh Chandra Vs State MANU/UP/0708/2007**, it is ruled as under;

> ***"Anything done in undue haste can also be termed as arbitrary and cannot be condoned in law for the reasons that in such a fact situation mala fide can be presumed. Vide Dr. S.P. Kapoor v. State of Himachal Pradesh (AIR 1981 SC 281) ; Madhya Pradesh Hasta Shilpa Vikas Nigam Ltd. v. Devendra Kumar Jain and Ors. [(1995) 1 SCC 638] and Bahadursinh Lakhubhai Gohil v. Jagdishbhai M. Kamalia and Ors (AIR 2004 SC 1159)."***
>
> ***Abuse of Power has to be considered in the context and setting in which it has been used and cannot mean the use***

<u>of a power which may appear to be simply unreasonable or inappropriate. It implies a wilful abuse for an intentional wrong.</u>

In <u>M. Narayanan vs. State of Kerala [(1963) IILLJ 660 SC</u>

<u>L</u> *the Constitution "Bench of the Hon'ble Supreme Court interpreted the expression 'abuse' to mean as misuse, i.e. using his position for something for which it is not intended. That abuse may be by corrupt or illegal means or otherwise than those means.*

C) *In Erusian Equipment & Chemicals Ltd. v. State of West Bengal and Anr. ([1975] 2 SCR 674), the Supreme Court observed that where Government activity involves public element, the "citizen has a right to gain equal treatment", and when "the State acts to the prejudice of a person, it has to be supported by legality." Functioning of "democratic form of Government demands equality and absence of arbitrariness and discrimination."*

Every action of the executive Government must be informed by reasons and should be free from arbitrariness. That is the very essence of rule of law and its bare minimum requirement.

The decision taken in an arbitrary manner contradicts the principle of legitimate expectation and the plea of legitimate expectation relates to procedural fairness in decision making and forms a part of the rule of non-arbitrariness as denial of administrative fairness is Constitutional anathema.

The rule of law inhibits arbitrary action and such action is liable to be invalidated. Every action of the State or its instrumentalities should not only be fair, legitimate and

above-board but should be without any affection or aversion. It should neither be suggestive of discrimination nor even apparently give an Impression of bias, favoritism and nepotism.

Procedural fairness is an implied mandatory requirement to protect arbitrary action where Statute confers wide power coupled with wide discretion on the authority. If procedure adopted by an authority offends the fundamental fairness or established ethos or shocks the conscience, the order stands vitiated. The decision making process remains bad.

Official arbitrariness is more subversive of doctrine of equality than the statutory discrimination. In spite of statutory discrimination, one knows where he stands but; the wand of official arbitrariness can be waved in all directions indiscriminately.

Similarly, in ***S.G. Jaisinghani v. Union of India and Ors. ([1967] 65 ITR 34 (SC)), the Constitution Bench of the Apex Court observed as under:***

"In the context it is important to emphasize that absence of arbitrary power is the first essence of the rule of law, upon which our whole Constitutional System is based. In a system governed by rule of law, discretion, when conferred upon Executive Authorities, must be confined within the clearly defined limits. Rule of law, from this point of view, means that the decision should be made by the application of known principle and rules and h general such, decision should be predictable and the citizen should know where he is, if a decision is taken without any principle or without any rule, it

is unpredictable and such a decision is" antithesis to the decision taken in accordance with the rule of law."

Even in a situation where an authority is vested with a discretionary power, such power can be exercised by adopting that mode which best serves the interest and even if the Statute is silent as to how the discretion should be exercised, then too the authority cannot act whimsically or arbitrarily and its action should be guided by reasonableness and fairness because the legislature never intend that its authorities could abuse the laws or use it unfairly. Any action which results in unfairness and arbitrariness results in violation of Article 14 of the Constitution. It has also been emphasized that an authority cannot assume to itself an absolute power to adopt any procedure and the discretion must always be exercised according to law. It was, therefore, obligatory for the Chancellor to have held a proper enquiry in accordance with the principles of natural justice and mere giving of show cause notice requiring the petitioner to submit an explanation does not serve the purpose. The factual position that emerges in the present case is that the report of the Commissioner, Jhansi formed the sole basis for taking action against the Vice-Chancellor.

In Dr. Binapani Dei (supra), the Hon'ble Apex Court held as under:

"It is one of the fundamental rules of our constitutional set up that every citizen is protected against the exercise of arbitrary authority by the State or its officers If there is power to decide and determine to the prejudice of a person,

duty to act judicially is implicit in the exercise of such power. If the essentials of justice be ignored and an order to the prejudice of a person is made, the order is a nullity."

E) Discretion - It signifies exercise of judgment, skill or wisdom as distinguished from folly, unthinking or haste - Discretion cannot be arbitrary - But must be result of judicial thinking - Word in itself implies vigilant circumspection and care.

In a case where a result of a decision taken by the Government the other party is likely to be adversely affected, the Government has to exercise its powers bona fide and not arbitrarily. The discretion of the Government cannot be absolute and in justiciable vide Amarnath Ashram Trust Society v. Governor of U.P. (AIR 1998 SC 477).

Each action of such authorities must pass the test of reasonableness and whenever action taken is found to be lacking bona fide and made in colorable exercise of the power, the Court should not hesitate to strike down such unfair and unjust proceedings. Vide Hansraj H. Jain v. State of Maharashtra and Ors [(1993) 3 SCC 634].

In fact, the order of the State or State instrumentality would stand vitiated if it lacks bona fides as it would only be a case of colourable exercise of power. In State of Punjab and Anr. v. Gurdial Singh and Ors. [(1980) 1 SCR 1071] the Hon'ble Apex Court has dealt with the issue of legal malice which is, just different from the concept of personal bias. The Court observed as under:

"When the custodian of power is influenced in its exercise by considerations outside those for promotion of which the power is vested the Court calls it a colourable exercise and is undeceived by illusion.... If considerations, foreign to the scope of the power or extraneous to the statute, enter the verdict or impels the action mala fides or fraud on power vitiates the...official act."

In Delhi Transport Corporation v. D.T.C. Mazdoor Congress and Ors.[(1991) I LLJ 395 SC] and Dwarka Dass and Ors. v. State of Haryana (2003 CriLJ 414) the Supreme Court observed that "discretion when conferred upon the executive authorities, must be confined within definite limits. The rule of law from this point of view means that decision should be made by the application by known-principles and rules and in general, such decision should be predictable and the citizen should know where he is.

The scope of discretionary power of an authority has been dealt with by the Supreme Court in Bangalore Medical Trust v. B.S. Muddappa and Ors [(1991) 3 SCR 102]and it has been observed:

"Discretion is an effective tool in administration. But wrong notions about it results in ill-conceived consequences. In law it provides an option to the authority concerned to adopt one or the other alternative. But ***a better, proper and legal exercise of discretion is one where the authority examines the fact, is aware of law and then decides objectively and rationally what serves the interest better. When a***

statute either provides guidance or rules or regulations are framed for exercise of discretion then the action should be in accordance with it. Even where statutes are silent and only power is conferred to act in one or the other manner, the Authority cannot act whimsically or arbitrarily. It should be guided by reasonableness and fairness. The legislature never intends its authorities to abuse the law or use it unfairly."

In Suman Gupta and Ors. v. State of J. & K. and Ors. ([1983] 3 SCR 985), the Supreme Court also considered the scope of discretionary powers and observed:

"We think it beyond dispute that the exercise of all administrative power vested in public authority must be structured within a system of controls informed by both relevance and reason - relevance in relation to the object which it seeks to serve, and reason in regard to the manner in which it attempts to do so. Wherever the exercise of such power affects individual rights, there can be no greater assurance protecting its valid exercise than its governance by these twin tests. A stream of case law radiating from the now well known decision in this Court in Maneka Gandhi v. Union of India has laid down in clear terms that Article 14 of the Constitution is violated by powers and procedures which in themselves result in unfairness and arbitrariness. It must be remembered that our entire constitutional system is founded in the rule of law, and in any system so designed it is

impossible to conceive of legitimate power which is arbitrary in character and travels beyond the bounds of reason.'

In Union of India v. Kuldeep Singh (AIR 2004 SC 827), the Supreme Court again observed:

***"When anything is left to any person, judge or Magistrate to be done according to his discretion, the law intends it must be done with sound discretion, and according to law. (See** Tomlin's Law Dictionary.)*

In its ordinary meaning, the word "discretion" signifies unrestrained exercise of choice or will; freedom to act according to one's own judgment; unrestrained exercise of will; the liberty or power of acting without control other than one's own judgment. But, when applied to public functionaries, it means a power or right conferred upon them by law, of acting officially in certain circumstances according to the dictates of their own judgment and conscience, uncontrolled by the judgment or conscience of others. Discretion is to discern between right and wrong; and therefore, whoever hath power to act at discretion, is bound by the rule of reason and law."

Discretion, in general, is the discernment of what is right and proper. It denotes knowledge and prudence, the discernment which enables a person to judge critically of what is correct and proper united with caution; nice soundness of judgment; a science or understanding to discern between falsity and truth, between wrong and right, between shadow and substance, between equity and

colourable glosses and pretences, and not to do according to the will and private affections of persons. When It is said that something is to be done within the discretion of the authorities, that something is to be done according to the rules of reason and justice, not according to private opinion; according to law and not humour. It is to be not arbitrary, vague, and fanciful, but legal and regular. And it must be exercised within the limit, to which an honest man, competent to the discharge of his office ought to confine himself (per Lord Halsbury, L.C., in Sharp v. Wakefield). Also see S.G. Jaisinghani v. Union of India { [1967] 65 ITR 34 (SC) }.

The word "discretion" standing single and unsupported by circumstances signifies exercise own judgment, skill or wisdom as distinguished from folly, unthinking or haste; evidently therefore a discretion cannot be arbitrary but must be a result of judicial thinking. The word in itself implies vigilant circumspection and care; therefore, where the legislature concedes discretion it also imposes a heavy responsibility.

Mandal Vikas Nigam Ltd. v. Girja Shankar Pant and Ors (AIR 2001 SC 24). while examining the legality of an order of dismissal that had been passed against the General Manager (Tourism) by the Managing, Director. In this context, while considering the doctrine of principles or natural justice, the Supreme Court observed:

> *"It is a fundamental requirement of law that the doctrine of natural justice be complied with and the same has, as a matter of fact, turned out to be an*

integral part of administrative jurisprudence of this country. The judicial process itself embraces a fair and reasonable opportunity to defend though, however, we may hasten to add that the, same is dependent upon the facts and circumstances of each individual case.... It is on this context, the observations of this Court in the case of Sayeedur Rehman v. The State of Bihar ([1973] 2 SCR 1043) seems to be rather apposite."

The omission of express requirement of fair hearing in the rules or other source of power is supplied by the rule of justice which is considered as an integral part of our judicial process which also governs quasi-judicial authorities when deciding controversial points affecting rights of parties.

H) If a statute provides for a thing to be done in a particular manner, then it has to be done in that manner and in no other manner and following other course is not permissible A decision of the King's Bench Division in the case of Denby (William) and Sons Limited v. Minister of Health [(1936) 1 KB 337] may be considered Swift, J. while dealing with the administrative duties of the Minister has the following to state:

" 'Discretion' means when it is said that something is to be done within the discretion of the authorities that that something is to be done according to the rules of reason and justice, not according to private opinion : Rooke's case (1598) 5 Co Rep 99b 100a; according to law, and not humor. It is to be, not arbitrary, vague, and fanciful, but legal and regular. And it must be exercised within the limit,

to which an honest man competent to the discharge of his office ought to confine himself.

When the Statute provides for a particular procedure, the authority has to follow the same and cannot be permitted to act in contravention of the same. It has been hither to uncontroverted legal position that where a statute requires to do a certain thing in a certain way, the thing must be done in that way or not at all, Other methods or mode of performance are impliedly and necessarily forbidden."

The aforesaid settled legal proposition is based on a legal maxim "Expressio unius est exclusio alterius", meaning thereby that if a statute provides for a thing to be done in a particular manner, then it has to be done in that manner and in no other manner and following other course is not permissible his maxim has consistently been followed, as is evident from the cases referred to above. A similar view has been reiterated in Haresh Dayaram Thakur v. State of Maharashtra and Ors (AIR 2000 SC 266)."

16.4. That Hon'ble Supreme Court in the case of **Haji T.M. Hassan Rawther Vs. Kerala Financial Corporation (1988) 1 SCC 166,** it is ruled as under;

9…. "Now, obviously where a corporation is an instrumentality or agency of government, it would, in the exercise of its power or discretion, be subject to the same constitutional or public law limitations as government. The rule inhibiting arbitrary action by government which we have discussed above must apply equally where such corporation is dealing with the public, whether by way of giving jobs or entering into contracts or otherwise, and it

cannot act arbitrarily and enter into relationship with any person it likes at its sweet will, but its action must be in conformity with some principle which meets the test of reason and relevance.

That State action must not be arbitrary but must be based on some rational and relevant principle which is non-discriminatory: it must not be guided by any extraneous or irrelevant considerations, because that would be denial of equality.

It be under authority of law or in exercise of executive power without making of law. *The State cannot, therefore, act arbitrarily in entering into relationship, contractual or otherwise with a third party, but its action must conform to some standard or norm which is rational and non-discriminatory."*

10…. "Every action taken by the government must be in public interest; the government cannot act arbitrarily and without reason and if it does, its action would be liable to be invalidated. *If the government awards a contract or leases out or otherwise deals with its property or grants any other largesse, it would be liable to be tested for its validity on the touchstone of reasonableness and public interest and if it fails to satisfy either test, it would be unconstitutional and invalid."*

It is wanting in reasonableness or is not informed with public interest.

Where it is so satisfied, it would be the plainest duty of the court under the Constitution to invalidate the government action. This is one of the most important functions of the

court and also one of the most essential for preservation of the rule of law.”

16.5. In the case of **Ramana Dayaram Shetty Vs. International Airport Authority of India (1979) 3 SCC 489,** it is ruled as under;

> ***“10…. “The Law of the Constitution” or the definition given by Hayek in his “Road to Serfdom” and “Constitution of Liberty” or the exposition set forth by Harry Jones in his “The Rule of Law and the Welfare State”, there is as pointed out by Mathew, J., in his article on “The Welfare State, Rule of Law and Natural Justice” in “Democracy, Equality and Freedom” [Upendra Baxi, Ed. : Eastern Book Co., Lucknow (1978) p. 28] “substantial agreement in juristic thought that the great purpose of the rule of law notion is the protection of the individual against arbitrary exercise of power, wherever it is found”. It is indeed unthinkable that in a democracy governed by the rule of law the executive Government or any of its officers should possess arbitrary power over the interests of the individual. Every action of the executive Government must be informed with reason and should be free from arbitrariness. That is the very essence of the rule of law and its bare minimal requirement. And to the application of this principle it makes no difference whether the exercise of the power involves affectation of some right or denial of some privilege.”***

16.6. In the case of **Kumari Shrilekha Vidyarthi Vs. State of U.P. (1991) 1 SCC 212,** it is ruled as under;

> ***“Constitution of India - Article 14 - Arbitrariness - Reason based decision necessary –***

27…. <u>Every holder of a public office by virtue of which he acts on behalf of the State or public body is ultimately accountable to the people in whom the sovereignty vests. As such, all powers so vested in him are meant to be exercised for public good and promoting the public interest. This is equally true of all actions even in the field of contract. Thus, every holder of a public office is a trustee whose highest duty is to the people of the country and, therefore, every act of the holder of a public office, irrespective of the label classifying that act, is in discharge of public duty meant ultimately for public good</u>.

28…. <u>The ultimate impact of all actions of the State or a public body being undoubtedly on public interest, the requisite public element for this purpose is present also in contractual matters.</u>

***21. <u>The Preamble of the Constitution of India resolves to secure to all its citizens Justice, social, economic and political; and Equality of status and opportunity. Every State action must be aimed at achieving this goal</u>**. Part IV of the Constitution contains 'Directives Principles of State Policy' which are fundamental in the governance of the country and are aimed at securing social and economic freedoms by appropriate State action which is complementary to individual fundamental rights guaranteed in Part III for protection against excesses of State action, to realise the vision in the Preamble. This being the philosophy of the Constitution, can it be said that it contemplates exclusion of Article 14 — non-arbitrariness which is basic to rule of law — from State actions in contractual field when all actions of the State are meant for public good and*

expected to be fair and just? ***We have no doubt that the Constitution does not envisage or permit unfairness or unreasonableness in State actions in any sphere of its activity contrary to the professed ideals in the Preamble.*** *In our opinion, it would be alien to the constitutional scheme to accept the argument of exclusion of Article 14 in contractual matters.*

22. There is an obvious difference in the contracts between private parties and contracts to which the State is a party*. Private parties are concerned only with their personal interest whereas the State while exercising its powers and discharging its functions, acts indubitably, as is expected of it, for public good and in public interest.* ***The impact of every State action is also on public interest****. This factor alone is sufficient to* ***import at least the minimal requirements of public law obligations and impress with this character the contracts made by the State or its instrumentality.***

23. *Thus, in a case like the present,* ***if it is shown that the impugned State action is arbitrary and, therefore, violative of Article 14 of the Constitution, there can be no impediment in striking down the impugned act irrespective of the question whether an additional right, contractual or statutory, if any, is also available to the aggrieved persons.***

26…. ***"Public law principles designed to protect the citizens should apply because of the public nature of the body, and they may have some role in protecting the public interest****".*

29. *It can no longer be doubted at this point of time that* ***Article 14 of the Constitution of India applies also to***

matters of governmental policy and if the policy or any action of the government, even in contractual matters, fails to satisfy the test of reasonableness, it would be unconstitutional. *(See Ramana Dayaram Shetty v. International Airport Authority of India [(1979) 3 SCC 489 : (1979) 3 SCR 1014] and Kasturi Lal Lakshmi Reddy v. State of Jammu and Kashmir [(1980) 4 SCC 1 : (1980) 3 SCR 1338]). In Col. A.S. Sangwan v. Union of India [1980 Supp SCC 559 : 1981 SCC (L&S) 378] while the discretion to change the policy in exercise of the executive power, when not trammelled by the statute or rule, was held to be wide, it was emphasised as imperative and implicit in Article 14 of the Constitution that a* ***change in policy must be made fairly and should not give the impression that it was so done arbitrarily or by any ulterior criteria. The wide sweep of Article 14 and the requirement of every State action qualifying for its validity on this touchstone, irrespective of the field of activity of the State, has long been settled****. Later decisions of this Court have reinforced the foundation of this tenet and it would be sufficient to refer only to two recent decisions of this Court for this purpose.*

30…. *"****Every action of the State or an instrumentality of the State, must be informed by reason. ….actions uninformed by reasons may be questioned as arbitrary in proceedings under Article 226 or Article 32 of the Constitution****." The basic requirement of Article 14 is fairness in action by the State and we find it difficult to accept that the State can be permitted to act otherwise in any field of its activity, irrespective of the nature of its functions*

when it has the uppermost duty to be governed by the rule of law. Non-arbitrariness, in substance, is only fair play in action. We have no doubt that this obvious requirement must be satisfied by every action of the State or its instrumentality in order to satisfy the test of validity.

***31....** It is sufficient to quote from the judgment of Mukharji, J. (as the learned Chief Justice then was) the following extract : (SCC p. 305, para 25)*

".... Where there is arbitrariness in State action, Article 14 springs in and judicial review strikes such an action down. Every action of the executive authority must be subject to rule of law and must be informed by reason. So, whatever be the activity of the public authority, it should meet the test of Article 14....."

(emphasis supplied)

***33.** No doubt, it is true, as indicated by us earlier, that there is a presumption of validity of the State action and the burden is on the person who alleges violation of Article 14 to prove the assertion. **However, where no plausible reason or principle is indicated nor is it discernible and the impugned State action, therefore, appears to be ex facie arbitrary, the initial burden to prove the arbitrariness is discharged shifting onus on the State to justify its action as fair and reasonable**. If the State is unable to produce material to justify its action as fair and reasonable, the burden on the person alleging arbitrariness must be held to be discharged. The scope of judicial review is limited as indicated in Dwarkadas Marfatia case [(1989) 3 SCC 293] to oversee the State action for the purpose of satisfying that it is not vitiated by the vice of arbitrariness and no more.*

The wisdom of the policy or the lack of it or the desirability of a better alternative is not within the permissible scope of judicial review in such cases. It is not for the courts to recast the policy or to substitute it with another which is considered to be more appropriate, once the attack on the ground of arbitrariness is successfully repelled by showing that the act which was done, was fair and reasonable in the facts and circumstances of the case. As indicated by Diplock, L.J., in Council of Civil Service Unions v. Minister for the Civil Service [(1984) 3 All ER 935] the power of judicial review is limited to the grounds of illegality, irrationality and procedural impropriety. ***In the case of arbitrariness, the defect of irrationality is obvious***.

48…. It is in consonance with our commitment to openness which implies scrutiny of every State action to provide an effective check against arbitrariness and abuse of power. We would much rather be wrong in saying so rather than be wrong in not saying so. Non-arbitrariness, being a necessary concomitant of the rule of law, it is imperative that all actions of every public functionary, in whatever sphere, must be guided by reason and not humour, whim, caprice or personal predilections of the persons entrusted with the task on behalf of the State and exercise of all power must be for public good instead of being an abuse of the power.

16.7. The 72nd Parliamentary committee report:- A parliamentary standing committee in India produced a scathing report regarding illegal trials which were conducted by the NGO PATH, that were funded by the Gates Foundation.

There were serious lapses in the trial which amounted to a gross violation of the human rights of the subjects involved.

Back then, it accused the ICMR of gross misconduct and conflict of interest. Here is an excerpt from the report :

"**It was unwise on the part of ICMR to go in the PPP mode with PATH, as such an involvement gives rise to grave Conflict of Interest. The Committee takes a serious view of the role of ICMR in the entire episode and is constrained to observe that ICMR should have been more responsible in the matter. The Committee strongly recommends that the Ministry may review the activities of ICMR functionaries involved in PATH project.**

The Committee from its examination has found that DHR/ICMR have completely failed to perform their mandated role and responsibility as the apex body for medical research in the Country. Rather, in their over-enthusiasm to act as a willing facilitator to the machinations of PATH they have even transgressed into the domain of other bodies/ agencies which deserves the strongest condemnation and strictest action against them"
http://164.100.47.5/newcommittee/reports/EnglishCommittees/Committee%20on%20Health%20and%20Family%20Welfare/72.pdf"

16.8. In view of the abovesaid factual and legal position of the act bringing black listed entities PATH, PHFI, Bill & Milanda Gates foundation in a decision making process of health related issues of 135 crore Indians and halting the economy of the nation and playing with life and liberties of the citizen is not permissible under any count and therefore it is punishable as criminal conspiracy as defined under section 120(B) of Indian Penal Code.

17. As per Supreme Court judgment the honest members of body or Task Force who opposed the wrong, illogical and irrational decisions of the Task

Force should not be prosecuted. But the members who did not opposed the unlawful activities should be arrested and don't deserve bail.

17.1. In the case of **Rajendra Ramdas Chaudhary Vs. State of Maharashtra MANU/MH/0111/2009**, it is ruled as under;

> ***"Charges framed against Board Directors under Sections 406, 408, 409, 420, 465, 468, 471, 120-B, 201, and 34 of IPC - Held, the board members who don't oppose the fraudulent resolutions/recommendations of the main accused then such directors should also be held to be involved in the conspiracy and they should not deserve bail.***
>
> *An economic offences is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national Economy and National Interest, as was aptly stated in state of Gujrat v. Mahanlal Jitamalji Porwal and Anr. A.I.R. 1987 SC 1321.*
>
> *15. The Supreme Court in the case of Narinderjit Singh Sahni and Anr. v. Union of India and Ors. reported in MANU/SC/0644/2001 : AIR2001SC3810 has observed that if accused facing a charge under Sections 406, 409, 420 and 120-B is ordinarily not entitled*

to invoke the provisions of Section 438 of the Criminal Procedure Code unless it is established that such criminal accusation is not a bona fide one.

16. In the case of Ram Narain Poply v. Central Bureau of Investigation with Pramod Kumar Monocha v. Central Bureau of Investigation with Vinayak Narayan Deosthali reported in MANU/SC/0017/2003 : 2003CriLJ4801 the Supreme Court has observed thus: 382. The cause of the community deserves better treatment at the hands of the Court in the discharge of its judicial functions. The Community or the State is not a persona non granta whose cause may be treated with disdain. The entire community is aggrieved if economic offenders who ruin the economy of the State are not brought to book. A murder maybe committed in the heat of moment upon passions being aroused. An economic offences is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national Economy and National Interest, as was aptly stated in State of Gujrat v. Mahanlal Jitamalji Porwal and Anr. A.I.R. 1987 1321."

18. Misuse and fraud on power by corrupt, intellectually dishonest members of task force in giving recommendations, suggestion and in

formulating rules which will cause wrongful gain to vaccine companies and having dangerous impact of various losses to citizen including loss of life and life time disabilities, loss of business and livelihood:-

18.1. That, the disqualified members of the Task Force gave unlawful, irrational, nonsensical and abrupt recommendations and suggestions of masking, vaccinations RTPCR Tests, Lockdown et al.

18.2. The frivolity, intellectual dishonesty and absurdity of the said recommendations and suggestions can be ex-facie seen in following paragraphs.

18.3. DISHONESTY AND FRAUD IN BRINGING MASK MANDATE:-

18.3.1. There are no scientific proofs that the mask can prevent the Covid-19 infection.

18.3.2. The Health Minister two replies as below are sufficient proof of it:-

(i) In reply dated **19.05.2021** to **Shri. Amit Chauhan** RTI Application No. **INCMR/R/E/21/00355**, it is specifically pointed out as under'

> ***4. Use of masks by general public***
>
> ***4.1. Persons having no symptoms are not to use mask***
>
> *Medical masks should not be used by healthy persons who are not having any symptoms because it create a false sense of security that can lead to neglecting other essential measures such as washing of hands.*
>
> *Further,* ***there is no scientific evidence to show health benefit of using masks for non-sick persons in the community.*** *In fact erroneous use of masks or continuous use of a disposable mask for longer than 6 hours or repeated use of same mask may actually*

increase risk of getting an infection. It also incurs unnecessary cost.

(ii) In reply dated **27th May, 2021** to **Mr. Sourav Bysack** Being RTI Application No. **F.No. Z.28016/133/2021-DM CELL** it is made clear that mask are not mandatory.

"Use of mask/face cover has been advised to all in various SOPs/Guidelines issued by MoHFW. ***However as per these guidelines/SOPs its use has not been explicitly made mandatory."***

18.3.3. But then also everywhere in ads or in Television the peoples are forced to wear masks. This shows the malafides of the members of Task force who are formulating such guidelines or deciding the policies.

18.3.4. Wearing of mask is damaging the lungs as oxygen intake is becoming law. It is also having death causing side effects.

18.3.5. Needless to mention here that the mask mandate campaign is designed by Bill Gates Foundation as stated by NITI Aayog. It is advocated by Dr. V.K. Paul member of NITI Aayog.

Link:-

https://www.livemint.com/news/india/niti-aayog-launches-behaviour-change-campaign-as-india-unlocks-11593095513900.html

18.4. FRAUD AND DISHONEST DECISIONS OF RTPCR TEST OF ASYMPTOMATIC PERSONS:-

18.4.1. The RT-PCR test is not designed to tell whether someone has an active Sars-Cov-2 infection or not.

18.4.2. The inventor of the RT-PCR test, Kary Mullis, who won the Nobel Prize for his invention, said that the test doesn't tell you that you're sick. Portugese Court Rules PCR Tests "Unreliable" & Quarantines "Unlawful"!

18.4.3. The label of the RT-PCR test mentions it is for research purpose only.

18.4.4. FDA (U.S Food and Drug Administration) mentions that the RT-PCR test is only capable of checking the presence of genetic material of coronaviruses in one's body.

18.4.5. A CDC document mentions that the RT-PCR test may not indicate the presence of infectious viruses or that 2019-nCoV is the causative agent for clinical symptoms.

18.4.6. FDA document clearly states that the RT-PCR test cannot diagnose the cause of a sickness or death. "This test cannot rule out diseases caused by other bacterial or viral pathogens"

18.4.7. Peer-reviewed scientific journal "Clinical Infectious Diseases", states that At 25-30 cycles, the false-positive rate of the RT-PCR test is 30%-80% (10% increase at every cycle)

18.4.8. At 30-35 cycles, the false-positive rate is 80% - 97%

18.4.9. At 35 cycles & above, the false-positive rate is 97%-99.9%

18.4.10. The Honorable Chief Justice of Rajasthan High Court, Indrajeet Mahanty, tested positive on Aug 15, 2020 and then tested negative twice later on Aug 16, 2020.

18.4.11. The RT-PCR test can show positive long after the symptoms, because it is so sensitive, that it can pick up non-infectious viral fragments in those who have already dealt with the virus and are not contagious anymore.

18.4.12. The WHO warned that high cycle thresholds on RT-PCR tests will result in false positives.

18.4.13. The WHO confirmed that RT-PCR tests should be used where clinical signs and symptoms are present, and they can yield false-positive results at high amplification cycles.

18.4.14. The package inserts accompanying RT-PCR test kits, state that the test should be administered only to patients with signs and symptoms suggestive of COVID-19.

18.4.15. The Tanzanian President questioned the validity of theRT-PCR test after a goat & papaya tested positive!

18.4.16. RT-PCR tests in the light of information available and reproduced in the petition and also in the light of judgment given by the Portugal Court of Appeals in the case between **Margarida Ramos De Almedia, (1783/20.7TPDL.1-3)** and then take a decision of relying on the test for taking decisions of lockdown or other restrictions.

18.4.5. Giving order of around 15000 Crores to experimental vaccines by ignoring **(i)** the alternate safe medicines such as Ivermectin, Vitamin D, Ayurvedic, Naturopathy, Medicine Approved by A.P. High Court.

(ii) Deliberately ignoring, suppressing the data of Natural Immunity developed in Covid- Curved persons and giving blanket recommendations of vaccinating everyone.

19. Intentionally & deliberately suppressing the result of sero survey which proved that around 70% of Indians have got natural immunity due to contract with Covid Sars-2 and they are the safest person and they cannot be asked to follow restrictions or to take vaccines because the immunity developed due to contract with corona (Covid-19) is more than 13 times better than the immunity developed due to vaccines.

19.1. That, the recent **Sero Survey** conducted in June & July 2021 had shown that there are around 70 % people in India with antibodies developed.

The details are published in Indian Express on 26th July, 2021.

Link:- https://indianexpress.com/article/explained/explained-icmr-covid-fourth-serosurvey-findings-7413949/

19.2. But then also many restrictions were imposed upon public. Lockdown recommended and their daily life and livelihood was affected due to such wrong decisions. It cause a great loss to India's economy.

20. Fraudulently, corruptly & malafidely running the false narratives and conspiracy theories of asymptomatic patients without any scientific data and proofs.

20.1. That, the disqualified members of the Task force and PHFI members sponsored by toxic philanthropist Bill & Milinda Gates Foundation done earlier and also doing now the criminal offences of running the false narratives and conspiracy theories of Asymptomatic patients.

20.2. As Dr Anthony Fauci of the US National Institute of Allergy and Infectious Diseases stated in March 2020:

> "*In all the history of respiratory-borne viruses of any type, asymptomatic transmission has never been the driver of outbreaks. The driver of outbreaks is always a symptomatic person*".

Source: https://www.youtube.com/watch?v=vrAvjU2LBkg&t=2s

20.3. According to Dr Mike Yeadon, Ex Vice President of Pfizer: "In order to be a good source of infectious virus, say it's me, I have to have a lot of virus in my airway. I can't infect you at a distance if I've got a tiny amount, that's because the worlds full of pathogens all the time, and you're able to fight them off routinely minute by minute, throughout your whole life. You have to have an amount- over an amount- such that it becomes an infective dose. That only

happens when you're in close contact with someone that's emitting lots of virus, and in order to be emitting lots of virus, you have to have a lot of them in your body. If you have a lot of viruses in your body, you will have symptoms. Its simply not possible for you to have a high viral load, and for that virus to be attacking you when you have no symptoms; and for your immune system to be fighting back and protecting you, and for you to have no symptoms. Its simply not possible. There might be a brief period of a few hours, when the virus is growing quickly, the body is just starting to respond, you might not notice, you might not feel a 100 percent ideal yet, that's called pre-symptomatic and yeah I guess its possible that a few people will infect it that way. But the idea that transmission & a major contributor to epidemic spreading occurred in a person that was full of virus and had no symptoms - its just bunk.& just one other thing that I think will chime with people, that we are very good at noticing whether someones a health threat to us, usually a respiratory health threat to us. When you come up to a person, a relative, or a stranger without trying, you scan them, and you're aware if their gaze is normal, if their head is normal, are they looking at you clear eyed, or do they look hunched and a little bit ill, and without thinking about it, if you think they're ill, you'll skirt around them, in essence, socially distance unconsciously. & so the two things I've just said there, in order to be a good infectious source you have to be full of virus and you will be symptomatic. The only chance you will encounter someone like that in your community would be I think still averted because if you saw someone stumbling around full of flu or a cold you'd think "oh my god, Ive got to get around this person". So its my contention, that there was almost no transmission in the community because there weren't symptomatic people they would be feeling ill if they were in that situation so there are hardly any infectious contacts in the general community, and you know what, that explains why lockdowns systematically across the world havent done anything. & that's because the places where you do encounter symptomatic infectious people are where they have no choice to be there either hospitals, care homes or

occasionally your own domestic environment. Everywhere else you simply wont find infectious sources so when you lock down and smash the economy and civil society, of course you don't lower transmission - it wasn't taking place there obviously not. So that's where I'm at on asymptomatic transmission.

20.4. STUDIES ON ASYMPTOMATIC TRANSMISSION

20.4.1. As far as the scientific literature goes, the evidence is clear: truly asymptomatic transmission (when separated from pre-symptomatic transmission) is very rare. This position is supported by a large study from the city in China where the SARS-CoV-2 outbreak originated. Published in Nature.

20.4.2. Communications on November 20, the study is titled "Post- lockdown SARS-CoV-2 nucleic acid screening in nearly ten million residents of Wuhan, China". Researchers in Wuhan did a city-wide screening between May 14 and June 1 using reverse transcription polymerase chain reaction (RT-PCR) assays to detect viral RNA fragments in residents. Among eligible residents, which was those aged six years or older, 92.9 percent participated, which amounted to 9,899,828 people. With this intensive screening program, there were positive test results for 300 individuals who were asymptomatic. Among these, 63 percent also tested positive for antibodies to SARS-CoV-2, offering additional evidence that they had indeed been infected. Nevertheless, contact tracing of 1,174 close contacts of asymptomatic individuals with evidence of infection revealed none who also tested positive. The researchers also tried to culture virus from asymptomatic individuals who tested positive, but the results indicated that there was "no 'viable virus' in positive cases detected in this study".

20.4.3. Consequently, despite testing positive for viral RNA, none of these individuals appeared capable of transmitting the virus to others. As the authors stated, "there was no evidence of transmission from asymptomatic positive persons to traced close contacts."

20.4.4. Following this study, An open was published in the British Medical Journal titled : "Evidence of asymptomatic spread is insufficient to justify mass testing for Covid-19". Source :
https://www.bmj.com/content/371/bmj.m4436/rr-10

20.4.5. Here studies following up on 17, 91, and 455 close contacts of asymptomatic cases, respectively, found no evidence for asymptomatic transmission—an attack rate of "0%". A fourth study following up on 305 contacts of 8 asymptomatic cases identified one secondary case, for an attack rate of "0.3%". A fifth study following up on 119 contacts of 12 asymptomatic cases likewise identified one secondary case, for an attack rate of "0.8%". a sixth and seventh study respectively "indicated an asymptomatic secondary attack rate of 1% and 1.9%". An eighth followed up on 106 contacts of 3 asymptomatic cases and found 3 secondary cases, for an attack rate of "2.8%". The ninth and largest study followed up on 753 contacts of asymptomatic index cases and identified one secondary case, for a secondary attack rate of "0.13%".Together, the nine studies reported secondary attack rates of "zero to 2.8%", which compared with secondary attack rates for symptomatic cases of "0.7% to 16.2%", which suggests that people who are infected with SARS-CoV-2 but never develop COVID-19 "are responsible for fewer secondary infections than symptomatic and pre-symptomatic cases."

20.4.6. In other words, just because a person receives a positive RT-PCR test does not mean that they should be considered infectious, and pursuing policies based on the opposite assumption—as public health officials in India and other countries have been doing—is a waste of precious resources.

Source:
https://www.nature.com/articles/s41467-020-19802-w
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7392450/
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7195694/
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7219423/

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3566149

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7392433/

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7188140/

https://www.medrxiv.org/content/10.1101/2020.05.03.20082818v1

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7588541/

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7906723/

20.5. Misinformation & pseudoscience on asymptomatic & PR symptomatic transmission spread by CDC

20.5.1. A pre-symptomatic case of COVID-19 is an individual infected with SARS-CoV-2, who has not exhibited symptoms at the time of testing, but who later exhibits symptoms during the course of the infection. An asymptomatic case is an individual infected with SARS-CoV-2, who does not exhibit symptoms during the course of infection. there are studies that estimate that individuals who are pre-symptomatic, meaning that they do go on to develop disease symptoms, are responsible for a large proportion of community spread. The estimates reported matter-of-factly by the media come from modelling studies that have serious methodological flaws and limitations biasing results artificially toward a higher proportion of pre-symptomatic spread.

20.5.2. Model outputs are dependent upon the input assumptions. One key lesson from the pandemic is that findings from models may have little bearing on reality. Estimates from modelling studies do not represent real life pre-symptomatic transmission events.

20.5.3. Take, for instance, the modelling study from the CDC titled: "SARS-CoV-2 Transmission from People Without COVID-19 Symptoms" published in JAMA Network Open in January 2021. This study has been used by the authorities & mainstream media to support the purposefully false claim that "approximately 50% of transmission" is "from asymptomatic persons". As already noted, that proportion mostly referred to pre-symptomatic transmission. Furthermore, that estimate depended on the assumption that before the person

developed symptoms, there was a highly infectious virus incubation period. The incubation period is the time from infection until the development of symptoms. The reference cited as the basis for that assumption is the Nature Medicine modelling study titled "Temporal dynamics in viral shedding and transmissibility of COVID-19" was published in April 2020, but that study has numerous methodological flaws and limitations that give reasonable cause for questioning that assumption. The first thing to note about it is that the study authors, as they point out, "did not have data on viral shedding before symptom onset". They only had "viral load" data from patients who were already in the hospital and after those patients' symptoms had already developed. This introduced the problem of patient "recall bias" as to when their symptoms actually started. This was an issue with data from other studies estimating the incubation, as well. (In simple terms, instead of the researchers themselves knowing when the patients' symptoms started, they had to rely on the patient's memory for when they started.) The authors acknowledged that recall bias would likely tend toward overestimation of the incubation period, which would in turn bias their findings toward an estimated proportion of pre- symptomatic transmission that is "artificially inflated."

20.4.5. In addition to an estimated mean incubation period, their calculations also depended on an estimate from another study of the mean serial interval, which is the time from symptom onset in a person who transmits the virus until symptom onset in the person to whom the virus was transmitted. If the mean serial interval is shorter than the mean incubation period, it "indicates that a significant portion of transmission may have occurred before infected persons have developed symptoms." Their data on the serial interval was based on "settings with substantial household clustering" while lockdown measures were in place in China. As the corresponding author, Eric Lau, acknowledged, more frequent and intensive contact within households "results in shorter serial intervals". This in turn results in a greater proportion of estimated pre symptomatic transmission and limits the generalizability of their findings to the

broader community setting in the absence of "stay-at-home" orders and other lockdown measures. (In simple words, these findings are based on families that have to cluster together in their houses for a long period of time during lockdowns, & hence their results cannot be applied to the general population which is not under movement restrictions. The irony here is that estimates of pre- symptomatic transmission are used in order to justify lockdowns & movement restrictions, yet it is the same lockdowns & movement restrictions which make the estimate of pre-symptomatic spread higher in these studies!) Consequently, as noted in a systematic review of estimates on asymptomatic and pre-symptomatic transmission published on the preprint server medRxiv on June 17, it is "not possible to ascertain if the difference between calculated serial interval and incubation period are true differences, or an artefact of rounding error." It's also important to note with respect to their data on "viral loads" that when the authors of the modelling study use the term "viral shedding", they don't mean that patients were shown to be expelling infectious virus into the environment around them which was measured via a Gold Standard viral culture test. They mean that RT-PCR tests were used to detect SARS-CoV-2 RNA in patients' nasal cavity or throat. We know through the evidence discussed earlier in the article that at RT-PCR CT>30, the likelihood of being able to culture a virus goes down to 20% (80 percent false positives).

Source:

https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2774707

https://www.nature.com/articles/s41591-020-0869-5

https://www.medrxiv.org/content/10.1101/2020.06.11.20129072v2

20.6. WHO's Statement On Asymptomatic Transmission:-

20.6.1. The WHO observed in a guidance document about modes of SARS-CoV-2 transmission published on July 9, 2020 titled "Transmission of SARS-

CoV-2: implications for infection prevention precautions": "individuals without symptoms are less likely to transmit the virus than those who develop symptoms." (Note that this statement includes pre-symptomatic as well as asymptomatic individuals.)

Source:https://www.who.int/news-room/commentaries/detail/transmission-of-sars-cov-2-implications-for-infection-prevention-precautions

20.7. STUDY AND REASONING ON DANGEROUS VIRUSES FOUND IN HEALTHY PEOPLE:-

20.7.1. We know from past studies, that many healthy asymptomatic humans harbour multiple viruses associated with diseases in them. For example, in a study titled "Blood DNA virome in 8000 humans" published in Plos Pathogens by A Moustafa et al., March 2017, in 8240 healthy individuals, none of whom were ascertained for any infectious disease, the researchers found that with a lower bound of 2 viral copies per 1,00,00 cells, 42% of healthy individuals had sequences of 94 different viruses, including sequences from 19 human DNA viruses, proviruses and RNA viruses (herpesviruses, anelloviruses, papillomaviruses, three polyomaviruses, adenovirus, HIV, HTLV, hepatitis B, hepatitis C, parvovirus B19, and influenza virus.) HIV was found to be 5 times more prevalent than Hepatitis C & Influenza in this healthy cohort of 8200 people.

20.7.2. If this study group is representative of the human population, there would be around 432 million healthy people with HIV in their bloodstream worldwide. Another study published in the journal BioMed Central Biology, titled:

> *"Metagenomic analysis of double-stranded DNA viruses in healthy adults" by KM Wylie et al., in September 2014, scientists found that in 102 healthy adults aged 18 to 40, at least one virus was*

detected in 92 percent of the people sampled, and some individuals harboured 10 to 15 viruses. Herpesvirus 6 or 7 was found in 98 percent of individuals, & certain strains of Papillomavirus were found in about 75 percent of samples. Adenoviruses which are associated with the common cold & pneumonia were also very common. This study was also referenced in an Economic Times article from 2014 titled "Healthy Humans carry viruses too". Another experiment conducted by researchers at the University of Pennsylvania found that healthy human lungs are a home to a family of 19 newfound viruses – which are present at higher levels in the lungs of critically ill people. This study is titled "Redondoviridae, a Family of Small, Circular DNA Viruses of the Human Oro- Respiratory Tract Associated with Periodontitis & Critical Illness" published in Cell Host & Microbe in May 2019 by AA Abbas et al. These Redondoviruses found are known to be associated with human diseases. This paper also admits a crucial fact: "Global virome populations, I.e., "the virome" are still mostly uncharacterized", meaning that scientists haven't yet done adequate research on many people to figure out what kinds of viruses are present in healthy people' bodies."

SOURCE:

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5378407/

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4177058/

https://economictimes.indiatimes.com/magazines/panache/healthy-humans-carry-viruses-too/articleshow/42716248.cms

https://www.sciencedirect.com/science/article/pii/S1931312819301714

21. Conspiracy and fraud to suppress the economical and highly effective medicines and remedies such as Ivermectin, Vitamin-D, Hydroxychloroquine, Naturopathy, Ayurvedic et. al. to show that there is no remedy and medicines to cure corona and this was done to serve their

ulterior purposes of getting emergency use authorization (Eua) to the vaccines whose clinical trials are not completed and there were no proofs of its efficacy and its side effects were not studied properly as mandated in medical science.

21.1. As explained in para No. 29.

22. Attempt to violate fundamental rights of citizens by forcing them to take vaccines and committing offences under section 323, 336, 115, 302, 304 etc., of I.P.C.

22.1. That, the disqualified members of the Task Force in their interviews and at every point of time tried their level best for forcing everyone to take vaccines.

22.2. Due to support from said members many Governments, non-government and private authorities asked their employees to get Vaccinated and restricted the movements and livelihood of the people. Few examples are:

i) Direction dated **25th August, 2021** issued by Shri. Dr. Manohar Agnani, Additional Secretary directing vaccination of all Teachers.

ii) Circular issued by Aasam Government____(Quashed by Hon'ble High Court **Re:Dinthar Aizawl Vs. State 2021 SCC OnLine Gau 1313.**

iii) Circular by Meghalaya Government quashed by High Court. **Registrar General of Meghalaya Vs. State of Meghalaya 2021 SCC OnLine Megh 130.**

iv) Circular, Order, SOP by Maharashtra Government challenge in **Writ Petition No. 3110 of 2021** filed by Mr. Feroz Mithiborwalla & **Writ Petition (St.) No. 13364 of 2021** filed by Mr. Yohan Tengra. Both the petition are converted in PIL by the order dated **7.09.2021** passed by the Hon'ble Bombay High Court.

23. Misappropriation of around thousands of crores on vaccines and RTPCR tests.

23.1. That, the total requirement of vaccines to India is around 200 Crores vaccine (2 doses).

23.2. Government of India had paid more than Rs.15000 Crore in advance to vaccine companies.

23.3. The amount spent on non-reliable **RTPCR Tests** on Asymptomatic persons is much times higher than the amount spent on vaccines because that **'Tests'** was asked to be done many times and even the vaccinated people were asked to get RTPCR Test done.

23.4. As explained in other paras of this notice the entire expense is nothing but an misappropriation of public fund.

24. Conspiracy to bring vaccine mandate for children's to give wrongful profit of thousands of crores to vaccine companies:-

24.1. That, as per opinion of experts there is no risk of corona in children.

Many children already contracted with corona and antibodies are developed in the children.

24.2. That in the letter dated 6th July, 2021 to Hon'ble Prime Minister of India sent by **Prof. Bhaskaran Raman, of IIT Bombay** it is pointed out as under;

> ***"C: Negligible risk of Covid-19 for children***
>
> *The risk of Covid-19 in children is much lower than in adults, and is also much lower than other (already small) risks they face in daily life anyway.*
>
> ***1.*** *Raj Bhopal reports, based on a study of 137 million children and adolescents in the US and Europe that Covid-19 in this age group is less than half as risky as seasonal influenza, and over 20 times less risky than death by "unintentional injury" [NCBI, Dec 2020]. Link: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7361085/*

2. Among the nearly 2 million children in Sweden (where schools have been open throughout), there was not a single death due to Covid-19. [NEJM, Jan 2021].
Link: https://www.nejm.org/doi/full/10.1056/NEJMC2026670

3. As per Mumbai's Covid-19 dashboard data, the Covid-19 IFR (Infection Fatality Rate) for under-19 is miniscule: about 0.003%. In comparison, the infant mortality rate in India is about 3% (1,000 times greater) and the infant mortality rate in Japan is 0.18% (60 times greater). In other words, school-age children are at a negligibly lower risk from Covid-19 compared to other threats.
Link: https://tinyurl.com/schoolsc19

Indeed, the indirect proof that children are not affected significantly by Covid-19 is that vast body of literature (a subset is given below) studying whether children spread Covid-19, a question which would not have been so important had children been themselves vulnerable to the disease."

F: Covid-19 vaccines for children: little benefit for huge risk

1. As mentioned earlier, the risk posed by Covid-19 for children is miniscule in absolute terms as well as relative to other risks they face anyway.

2. Writing in the British Medical Journal (May 2021), scientists opine "Covid vaccines for children should not get emergency use authorization". And, "Unlike for adults, the rarity of severe covid-19 outcomes for children means that trials cannot demonstrate that the balance of the benefits of vaccination against the potential adverse effects are favorable to the children themselves."
Link: https://blogs.bmj.com/bmj/2021/05/07/covid-vaccines-for-children-should-not-get-emergency-use-authorization/

3. Along the same lines, various experts have opined that the risk benefit analysis for school-age children simply does not justify a Covid-19 vaccine for children.

Reference-1: "Letting children catch Covid may be safer than giving them vaccine, say experts",

https://www.telegraph.co.uk/news/2021/06/30/letting-children-catch-covid-may-saferexposing-vaccine-risk/

Reference-2: "Inventor of MRNA vaccines says people should not be forced to take experimental COVID vaccines because risks aren't known and under 18s and those who've had virus shouldn't take it",

https://www.dailymail.co.uk/news/article-9719891/Inventor-mRNA-vaccines-says-young-adults-teens-not-forced-COVID-vaccine.html

4. In the UK, various doctors have written an open letter expressing grave concerns over plans to vaccinate children. Reference: "COVID-19 child vaccination: safety and ethical concerns", https://www.hartgroup.org/open-letter-child-vaccination/

5. In the USA, there are growing concerns over a link between heart inflammation and Covid-19 vaccines for teen-agers and young adults.

Reference-1: "A link between Covid-19 vaccination and a cardiac illness may be getting clearer"

https://edition.cnn.com/2021/06/09/health/myocarditis-covid-vaccination-link-clearer/index.html

Reference-2: "Eight chest pain cases detected in San Diego adolescent boys after vaccination",

https://www.kusi.com/eight-chest-pain-cases-detected-in-san-diego-adolescent-boysafter-vaccination/

24.3 A copy of said letter is annexed herewith at **'Annexure A'.**

24.4. However, it seems that, the dishonest officials of Task Force and other bureaucrats have been suppressing those facts and data and are hellbent upon to anyhow mandate vaccination to the children so that the vaccine manufacturer Company can get fixed customers and have a fixed assured income of thousand of crores. Such corruption needs to be investigated forthwith and guilty should be booked.

25. All the report and recommendation of the ICMR and other bodies cannot be the basis for any conclusion or recommendations because they are based on the result of test of RT-PCR at 35 CT which is having false positive rate of 97%. Therefore, any recommendation about efficacy of vaccines or lockdown or anything is not permissible on the basis of the results of RT-PCR Test.

25.1. The relevant aspect of RTPCR Test is already discussed in para 16.4.

25.2. In the case of **Margarida Ramos De Almeida 1783/20.7T8PDL.L1-3 dated 11th November, 2020** the Portuguese Court of Appeal has clarified as under;

> *"17. In fact, the only element that appears in the proven facts, in this regard, is the performance of RT-PCR tests, one of which had a positive result in relation to one of the applicants.*
>
> ***i.** Now, given the current scientific evidence, this test is, by itself, unable to determine, without a reasonable margin of doubt, that such positivity corresponds, in fact, to the infection of a person by the SARS-CoV-2 virus, by several reasons, of which we highlight two (in addition to the issue of the gold standard which, due to its specificity, we will not even address):*
>
> *Because this reliability depends on the number of cycles that make up the test;*

Because this reliability depends on the amount of viral load present.

ii. *In fact, the RT-PCR (Polymerase Chain Reaction) tests, molecular biology tests that detect the RNA of the virus, commonly used in Portugal to test and enumerate the number of infected (after nasopharyngeal collection), are performed by amplification of samples , through repetitive cycles.*

From the number of cycles of such amplification, the greater or lesser reliability of such tests results.

iii. *And the problem is that this reliability proves, in terms of scientific evidence (and in this field, the judge will have to rely on the knowledge of experts in the field) more than debatable.*

This is what results, among others, from the very recent and comprehensive study Correlation between 3790 qPCR positive samples and positive cell cultures including 1941 SARS-CoV-2 isolates , by Rita Jaafar, Sarah Aherfi, Nathalie Wurtz, Clio Grimaldier, Van Thuan Hoang, Philippe Colson, Didier Raoult, Bernard La Scola, Clinical Infectious Diseases, ciaa1491, https://doi.org/10.1093/cid/ciaa1491,https://academic.oup.com/cid/advance-article/doi/10.1093 /cid/ciaa1491/5912603 , published at the end of September this year, by Oxford Academic , carried out by a group that brings together some of the greatest European and world experts in the field.

This study concludes [2], in free translation:

"At a cycle threshold (ct) of 25, about 70% of the samples remain positive in cell culture (ie were infected): at a ct of 30, 20% of the samples remain positive; in a ct of 35, 3% of the samples remained

positive; and in a ct above 35, no sample remained positive (infectious) in cell culture (see diagram).

This means that if a person has a positive PCR test at a cycle threshold of 35 or higher (as is the case in most laboratories in the US and Europe), the chances of a person being infected are less than 3%. The probability of the person receiving a false positive is 97% or higher".

***iv.** What follows from these studies is simple -the eventual reliability of the PCR tests carried out depends, from the outset, on the threshold of amplification cycles they support, such that, up to the limit of 25 cycles, the test reliability will be around 70%; if 30 cycles are performed, the degree of reliability drops to 20%; if 35 cycles are reached, the degree of reliability will be 3%.*

***v.** In the present case, the number of amplification cycles with which PCR tests are carried out in Portugal, including the Azores and Madeira, is unknown, since we were unable to find any recommendation or limit in this regard.*

saw. In turn, in a very recent study by Elena Surkova, Vladyslav Nikolayevskyy and Francis Drobniewski, accessible inhttps://www.thelancet.com/journals/lanres/article/PIIS2213-2600(20)30453-7/fulltext , published in the equally prestigious The Lancet, Respiratory Medicine , refers (in addition to the multiple issues that the Lancet itself). The accuracy of the test raises, regarding the specific detection of the sars-cov 2 virus, strong doubts regarding compliance with the so-called gold standard) that (free translation):

"Any diagnostic test must be interpreted in the context of the actual possibility of the disease, existing before its realization . For Covid-19, this decision to perform the test depends on the prior

assessment of the existence of symptoms, previous medical history of Covid 19 or the presence of antibodies, any potential exposure to this disease and no likelihood of another possible diagnosis. " [3] "One of the potential reasons for presenting positive results could be the prolonged shedding of viral RNA, which is known to extend for weeks after recovery in those who were previously exposed to SARS-CoV-2. However, and most importantly, there is no scientific data to suggest that low levels of viral RNA by RT-PCR equate to infection, unless the presence of infectious viral particles has been confirmed by laboratory culture methods .

In summary, Covid-19 tests that accuse false positives are increasingly likely in the current epidemiological climate scenario in the UK, with substantial consequences at the personal, health system and societal level ." [4]

***18.** Thus, with so many scientific doubts, expressed by experts in the field, which are the ones that matter here, as to the reliability of such tests, ignoring the parameters of their performance and with no diagnosis made by a doctor, in the sense of the existence of infection and risk, it would never have been possible for this court to determine that AH___ was a carrier of the SARS-CoV-2 virus, nor that SH__SWH__ and NK_ had been exposed to high risk."*

26. Parliamentary Committee's 72nd report exposing corruption by ICMR and other officials involved in conspiracy to help vaccine syndicate sponsored by Bill and Melinda Gates Foundation and also responsible for offences of murder of female children. Supreme Court judgment upholding by the evidentry value of Report Parliamentary Committee.

26.1. That, the 'toxic philanthropist' and 'vaccine Syndicate' Mr. Bill Gates, through his foundation 'Bill & Melinda Gates Foundation' had sponsored a vaccine trial in India by name 'Program for Appropriate Technology in Health

(PATH)'. In the said program, they have malafidely, unauthorisedly, illegally and unlawfully conducted trials of HPV vaccines i.e. Human Papilloma Virus (HPV) on female school children in India.

26.2. The said program was funded by Bill & Melinda Gates Foundation.

26.3. Said illegal act has resulted into death of 8 female children in states of Gujarat and Andhra Pradesh in the year 2010.

26.4. Government of India constituted a parliamentary committee of 31 members to enquire the matter.

26.5. The committee submitted its 72nd report on 30th August, 2013 in Rajya Sabha.

26.6. In the said enquiry report, it is specifically concluded that the program was to serve the ulterior, commercial interests of vaccine manufacturer to include the said vaccine in universal immunization programme which would have generated windfall profit for the manufacturer(s) by way of automatic sale year after year, without any promotional or marketing expenses.

26.7. The committee also concluded that the officers of Indian Council of Medical Research (ICMR), in an unauthorized manner, had signed Memorandum of Understanding (MoU) in 2007 even before the vaccines were approved for use in the country, which actually happened in the year 2008.

The decision of ICMR of committing itself to promote the drug for inclusion in the Universal Immunization Programme (UIP) without an independent study regarding its utility was strongly objected. It was suggested that the investigation should be done by the premier investigation agency i.e. C.B.I. and appropriate legal action be taken against them.

26.8. A copy of **72nd Report of Parliamentary Committee** dated **30.08.2013** is annexed herewith at **'Annexure - B'.**

27. Recommendation of the Parliamentary Committee asking for investigation and legal action against Bill Gates and officials of ICMR.

27.1. That the recommendations are as under;

> *"**7.13.** Coming to the instant case, it is established that PATH by carrying out the clinical trials for HPV vaccines in Andhra Pradesh and Gujarat under the pretext of observation/ demonstration* ***project has violated all laws and regulations laid down for clinical trials by the Government. While doing so, its sole aim has been to promote the commercial interests of HPV vaccine manufacturers who would have reaped windfall profits had PATH been successful in getting the HPV vaccine included in the UIP of the Country. This is a serious breach of trust by any entity as the project involved life and safety of girl children and adolescents who were mostly unaware of the implications of vaccination. The violation is also a serious breach of medical ethics. This act of PATH is a clear cut violation of the human rights of these girl children and adolescents.*** *It also deems it an established case of child abuse. The Committee, therefore, recommends action by the Government against PATH. The Committee also desires that the National Human Rights Commission and National Commission for Protection of Children Rights may take up this matter from the point of view of the violation of human rights and child abuse. The National Commission for Women should also suomotu take cognizance of this case as all the poor and hapless subjects are females.*
>
> ***7.14**. The Ministry of Health and Family Welfare should without wasting time report the violations indulged in by*

PATH to international bodies like WHO and UNICEF so as to ensure that appropriate remedial action is initiated by these agencies worldwide.

***7.15.** The Committee also desires that the Ministry of Health and Family Welfare may take up the matter through the Ministry of External Affairs with the US Government so as to ensure that appropriate action is taken against PATH under the laws of its country of origin in case of any violations of laws there.*

6.26.** The Committee observes that the wrongful use of the NRHM logo for a project implemented by a private, foreign agency as well as the identification of this project with the UIP has adversely affected and damaged the credibility of the programme as well as that of the NRHM. The Committee, therefore, recommends that **such practices of diverting public funds for advancing interests of a private agency should never be allowed in future. The Committee strongly recommends that strict action should be taken against those officials responsible for such lapses.

***6.27.** Besides, the Committee notes that no information had been provided to Indian authorities about funding of the project except that it was reportedly funded by Bill and Melinda Gates Foundation and that the vaccines had been donated by the manufacturers. The information regarding financial investments of ICMR and State Governments in the project was not provided, though the States clearly provided cold chain and manpower for immunization. The Committee, accordingly, observes that it might have been more prudent if the National Technical Advisory group on Immunization*

(NTAGI) had been brought into the picture right in the beginning to review and give its views on the study prior to its approval and implementation.

7.11. *The Committee is concerned that if PATH can set up an office in India so easily without getting the required mandatory approvals/permissions, then individuals and entities inimical to the interest of the country can do the same. The Committee expresses its concern that paper and shell companies can be easily registered in many jurisdictions and then set up a place of business in India as "Liaison offices" with no questions being asked.* ***It is surprising that security and intelligence agencies did not raise an eyebrow on the way a foreign entity entered India virtually incognito through the backdoor.*** *The Committee desires that such incidents should not be allowed in future. The Government should tighten the rules lest one day foreign citizens, with deep roots in organizations/nations inimical to India, set up offices in the country to engage in anti-national and/or unlawful activities.*

6.29. *Considering the above lapses and irregularities committed by PATH during the course of conducting the trials on hapless tribal children in Andhra Pradesh and Gujarat, the Committee is convinced that the authorities concerned did not exercise due diligence in scrutinizing the publicity material of PATH. Blurring the distinction between the UIP and PATH project due to the involvement of the State Governments in the project and ignoring the financial contribution of ICMR and the State Governments are very serious issues. The Committee, therefore, recommends that the Ministry should investigate into the above acts of*

omissions and commissions and take necessary action against those who are found responsible for breach of rules and regulations.

2.5. *The Committee finds the entire matter very intriguing and fishy. The choice of countries and population groups; the monopolistic nature, at that point of time, of the product being pushed; the unlimited market potential and opportunities in the universal immunization progammes of the respective countries are all pointers to a well planned scheme to commercially exploit a situation. Had PATH been successful in getting the HPV 4 vaccine included in the universal immunization programme of the concerned countries,* ***this would have generated windfall profit for the manufacturer(s) by way of automatic sale, year after year, without any promotional or marketing expenses.*** *It is well known that once introduced into the immunization programme it becomes politically impossible to stop any vaccination. To achieve this end effortlessly without going through the arduous and strictly regulated route of clinical trials, PATH resorted to an element of subterfuge by calling the clinical trials as "Observational Studies" or "Demonstration Project" and various such expressions. Thus,* ***the interest, safety and well being of subjects were completely jeopardized by PATH by using self-determined and self-servicing nomenclature which is not only highly deplorable but a serious breach of law of the land.*** *The Committee is not aware about the strategy followed by PATH in the remaining three countries viz. Uganda, Vietnam and Peru. The Government should take up the matter with the Governments of these countries through*

diplomatic channels to know the truth of the matter and take appropriate necessary action, accordingly. The Committee would also like to be apprised of the responses of these countries in the matter.

3.18. *The Committee feels that there was serious dereliction of duty by many of the Institutions and individuals involved. The Committee observes that ICMR representatives, instead of ensuring highest levels of ethical standards in research studies, apparently acted at the behest of the PATH in promoting the interests of manufacturers of the HPV Vaccine. 7 3.19 It was unwise on the part of ICMR to go in the PPP mode with PATH, as such an involvement gives rise to grave Conflict of Interest. The Committee takes a serious view of the role of ICMR in the entire episode and is constrained to observe that ICMR should have been more responsible in the matter. The Committee strongly recommends that the Ministry may review the activities of ICMR functionaries involved in PATH project.*

6.10. *The Committee notes that once this matter was taken up by it, the Government appointed an Inquiry Committee on 15 April, 2010 to inquire into 'alleged irregularities in the conduct of the studies using HPV vaccines by PATH in India'. The Committee has noted the serious conflict of interest of members of this Inquiry Committee with the subject matter. The Committee, therefore, strongly deprecates the Government for appointing a committee to inquire into such a serious matter in such a casual manner even without ascertaining as to whether any of the members of the said Inquiry Committee were having any conflict of interest with the subject matter of inquiry.*

6.17. *The Committee, accordingly, concludes that most, if not all consent forms, were carelessly filled-up and were incomplete and inaccurate. The full explanation, role, usefulness and pros and cons of vaccination had not been properly communicated to the parents/guardians. The Committee observes that there is a gross violation of the consent and legal requirement of consent which had been substantiated by the experts. The Committee takes a serious view of the violations and strongly recommends* ***that on the basis of the above facts, PATH should be made accountable and the Ministry should take appropriate action in the matter including taking legal action against it for breach of various laws of the land and possible violations of laws of the Country of its origin.***

6.29. *Considering the above lapses and irregularities committed by PATH during the course of conducting the trials on hapless tribal children in Andhra Pradesh and Gujarat, the Committee is convinced that the authorities concerned did not exercise due diligence in scrutinizing the publicity material of PATH. Blurring the distinction between the UIP and PATH project due to the involvement of the State Governments in the project and ignoring the financial contribution of ICMR and the State Governments are very serious issues. The Committee, therefore, recommends that the Ministry should investigate into the above acts of omissions and commissions and take necessary action against those who are found responsible for breach of rules and regulations."*

27.2. That, the evidentry value and legality of the above report and its use as per **section 74** of the Evidence Act is again confirmed by the Constitution Bench of

the Supreme Court in the case of **Kalpana Mehta Vs. Union Of India (2018) 7 SCC 1.**

The above order is passed after hearing the Bill Gates entity **'PATH'.**

27.3. Even otherwise, as per Section 35 of the Evidence Act, and as per the law laid down by the **Full Bench in P.C. Reddiar's case AIR 1972 SC 608,** it is clear that the findings of compensation to public can be based on above said report.

27.4. On the basis of the findings of above mentioned Committee and considering all other material available on record, it is sufficient to draw a conclusion that the accused Bill Gates is a habitual offender and he along with his organized crime syndicate, needs to be punished forthwith by constituting a special court or Tribunal headed by former CJI R.M. Lodha or any other deserving Judge with special provisions of disposing of each claim within 2 months fixed as maximum time limit and allowing only one appeal before a special Bench of the Supreme Court and that too be decided within 3 weeks of filing.

28. Earlier attempts to bring false pandemic.

28.1. [a] Earlier attempt by accused who official to declare false pandemic:

[b] The H1N1 swine flu pandemic was "fake," and its threat to human health was hyped, and that who's policies were influenced by vaccine manufacturers who benefited from the pandemic virus.

28.2. Swine flu, Bird flu 'never happened': Probe into H1N1 'false pandemic'.

Link:-https://youtu.be/3haectEvDq0

28.3. Dr. BM Hegde has said that H1N1 pandemic was a health scare, a myth created by big Pharma to sell the drug Tamiflu and the H1N1 lab test. He says that the Dr. Auster Hoss who created this pandemic scare for a mere USD

10000 and was known as Dr Flu who was criminally prosecuted and was in jail. He also said that the WHO Chief had connived with the big pharma.

There is indeed a European commission investigation into this, but most of the related news seem to have been removed, except a few official TV news channels.

Refer the article titled "European Parliament to Investigate WHO and **"Pandemic" Scandal by F. William Engdahl"**

Link :- **https://healthcare-in-europe.com/en/news/european-parliament-to-investigate-who-pandemic-scandal.html**

28.4. The Council of Europe member states will launch an inquiry in January 2010 on the influence of the pharmaceutical companies on the global swine flu campaign, focusing especially on extent of the pharma's industry's influence on WHO. The Health Committee of the EU Parliament has unanimously passed a resolution calling for the inquiry.

28.5. The step is a long overdue move to public transparency of a "Golden Triangle" of drug corruption between the WHO, the Pharma industry and academic scientists that has permanently damaged the lives of millions and even caused deaths.

28.6. The parliament motion was introduced by Dr. Wolfgang Wodarg, former SPD Member of the German Bundestag and now chairman of the Health Committee of PACE (Parliamentary Assembly of the Council of Europe). Dr. Wodarg is a medical doctor and epidemiologist, a specialist in lung disease and environmental medicine, who considers the current "pandemic" Swine Flu campaign of the WHO to be "one of the greatest medicine scandals of the Century."1][1]

28.7. The text of the resolution just passed by a sufficient number in the Council of Europe Parliament says among other things, "In order to promote their patented drugs and vaccines against flu, pharmaceutical companies

influenced scientists and official agencies, responsible for public health standards to alarm governments worldwide and make them squander tight health resources for inefficient vaccine strategies and needlessly expose millions of healthy people to the risk of an unknown amount of side-effects of insufficiently tested vaccines. The "bird-flu" campaign (2005/06) combined with the "swine-flu" campaign seem to have caused a great deal of damage not only to some vaccinated patients and to public health budgets, but also to the credibility and accountability of important international health agencies."

28.8. The Parliamentary inquiry will look into the issue of "false pandemic" that was declared by WHO in June 2009 on the advice of its group of academic experts, SAGE, many of these members have been documented to have intense financial ties to the same pharmaceutical giants such as GlaxoSmithKline, Roche, Novartis, who benefit from the production of drugs and untested H1N1 vaccines. They will investigate the influence of the pharma industry in creation of a worldwide campaign against the so-called H5N1 "Avian Flu" and H1N1 Swine Flu. The inquiry will be given "urgent" priority in the general assembly of the parliament.

28.9. In his official statement to the Committee, Dr. Wodarg criticized the influence of the pharma industry on scientists and officials of WHO, stating that it has led to the situation where "unnecessarily millions of healthy people are exposed to the risk of poorly tested vaccines," and that, for a flu strain that is "vastly less harmful" than all previous flu epidemics.

28.10. Wodarg says the role of the WHO and its pandemic emergency declaration in June needs to be the special focus of the European Parliamentary inquiry. For the first time, the WHO criteria for a pandemic was changed in April 2009 as the first Mexico cases were reported, to consider not the number of cases of the disease and not the actual risk of a disease, as the basis to declare "Pandemic." By classifying the swine flu as pandemic, nations were compelled to implement pandemic plans and also the purchase swine flu vaccines. Because

WHO is not subject to any parliamentary control, Wodarg argues it is necessary for governments to insist on accountability. The inquiry will also to look at the role of the two critical agencies in Germany issuing guidelines on the pandemic, the Paul-Ehrlich and the Robert-Koch Institute.

28.11. William Engdahl is author of Full Spectrum Dominance: Totalitarian Democracy in the New World Order.

He may be contacted through his website www.engdahl.oilgeopolitics.net

28.12. William Engdahl is a frequent contributor to Global Research (Global Research Articles by F. William Engdahl)

Link: https://www.globalresearch.ca/author/f-william-engdahl

28-B-1. The H1N1 swine flu pandemic was "fake," and its threat to human health was hyped, and that WHO's policies were influenced by vaccine manufacturers who benefited from the pandemic virus.

Ray Moynihan who is *an award-winning health journalist, author, documentary-maker and academic researcher in his opinion titled as* **" Was the swine flu a fake pandemic? " has explained the frauds of WHO in a dignified language.** The Council of Europe report found "overwhelming evidence that the seriousness of the pandemic was vastly overrated". WHO rapidly moved towards declaring "pandemic level 6" in June, 2009, when swine flu presented "relatively mild symptoms". The declaration of the pandemic was only made possible by "changing the definition" and by "lowering the threshold for its declaration." "pharmaceutical companies had a strong vested interest in the declaration of a pandemic" The membership list of the WHO's 16-member "Emergency Committee", instrumental in declaring the pandemic, remains secret - a lack of transparency strongly attacked by the report.

British Medical Journal, (*BMJ*) published its own journalistic investigation, revealing that specialists with financial links to the drug industry were intimately involved in WHO pre-pandemic planning. For example, the WHO

guidance for anti-viral medicines, including Roche's Tamiflu, "was authored by an influenza expert who at the same time was receiving payments from Roche."

https://www.abc.net.au/news/2010-06-11/34926

The article reads thus;

> *"It's a year since the World Health Organization (WHO) officially declared a global pandemic of swine flu, triggering health emergencies across the planet.*
>
> *But instead of accolades, the WHO and authorities everywhere are facing an avalanche of disturbing questions about the handling of the swine flu, and the influence of vested interests.*
>
> *To put the key question most crudely: was the world wrongly persuaded to believe it was in the grip of a ghastly and severe pandemic by decision-making bodies unduly influenced by pharmaceutical companies hoping to sell billions of dollars worth of vaccines and anti-viral drugs?*
>
> *A report just out from the Council of Europe has come to some devastating conclusions. The declaration of a pandemic lead to a "waste of huge sums of public money", a "distortion of priorities" in public health services, the "provocation of unjustified fear" and the "creation of health risks through vaccines and medications" that may not have been sufficiently tested.*
>
> *Clearly any untimely death is a tragedy, but from early on it looked like H1N1 was a relatively moderate strain of influenza, though it could be unusually harmful for certain groups. And the global death toll is in the thousands not the predicted millions. But governments in many places have been left with contracts for millions of doses of vaccines now going to waste.*

A series of investigations have been launched into how authorities handled swine flu, with the damming Council of Europe report one of the first completed. It originated from a motion tabled in the 47 nation Parliamentary Assembly titled, "Faked pandemics- a threat for health."

It identifies three key problems: first, WHO's excessive response and pandemic declaration; second, excessive secrecy surrounding decision-making; and third, the possibility of undue influence by drug companies through financial ties to key decision-makers.

The report explains that the WHO description of the definition of a "pandemic" was actually changed in May 2009, after the first cases of swine flu were reported. The change seems to have removed the requirement that a virus's impact be severe, before a pandemic was declared.

The report cites concerns within the scientific community that the WHO rapidly moved towards declaring "pandemic level 6" in June, 2009, when swine flu presented "relatively mild symptoms". It went on to state that the declaration of the pandemic was only made possible by "changing the definition" and by "lowering the threshold for its declaration."

But it was this all-important declaration which triggered pre-pandemic planning that would prove highly lucrative to industry: "pharmaceutical companies had a strong vested interest in the declaration of a pandemic" the report states.

At the same time, the membership list of the WHO's 16-member "Emergency Committee", instrumental in declaring the pandemic,

remains secret - a lack of transparency strongly attacked by the report.

Last week the British Medical Journal, (BMJ) published its own journalistic investigation, revealing that specialists with financial links to the drug industry were intimately involved in WHO pre-pandemic planning. For example, the WHO guidance for anti-viral medicines, including Roche's Tamiflu, "was authored by an influenza expert who at the same time was receiving payments from Roche." BMJ also exposed the identities of three members of the secret "Emergency Committee", including one with financial ties to the pharmaceutical industry.

As part of the call for a major clean-up, both the BMJ and the Council of Europe want health decision-making bodies to be entirely free of members with financial ties to drug makers.

Chairman of Australia's Influenza Specialist Group (ISG) Alan Hampson, says such a reform is "unnecessary", and "unachievable", because so many experts have ties to drug-makers. As an example, the ISG is 100 percent funded by drug and device companies, yet chair Alan Hampson says he sits on a number of committees offering advice to the Australian government, including on swine flu.

The WHO strongly rejects that decisions were unduly influenced, though it has commenced a high-level external investigation. Even Australia has a review, though not an external public inquiry.

The Council of Europe report found "overwhelming evidence that the seriousness of the pandemic was vastly overrated" at the outset. Indeed, very early on there was a private view among elites that

> *even if swine flu wasn't so serious, it was a good test run.* ***The exercise has certainly proved lucrative to industry, but at what cost to the credibility of agencies supposed to be protecting public health, not promoting private wealth.***"

28-B-2. WHO's chief accuser of late is Wolfgang Wodarg (pictured above left), a German physician and former member of the German Parliament for the Social Democratic Party, who has called the pandemic a "fake"—because the virus isn't very different from existing strains—and who has suggested that big pharma coaxed WHO into declaring a pandemic so that it could produce and sell vaccine. "WHO in cooperation with some big pharmaceutical companies and their re-defined pandemics and lowered the alarm-threshold," Wodarg says in a **statement** on his Web site.

Wodarg-whose **resume** says he studied medicine in Berlin and Hamburg and was trained in epidemiology at Johns Hopkins University—is also a member of the Parliamentary Assembly of the Council of Europe, and on 18 December he and other members of that group's Social, Health and Family Affairs Committee signed a **motion** that bluntly stated:

> *In order to promote their patented drugs and vaccines against flu, pharmaceutical companies have influenced scientists and official agencies, responsible for public health standards, to alarm governments worldwide. They have made them squander tight health care resources for inefficient vaccine strategies and needlessly exposed millions of healthy people to the risk of unknown side-effects of insufficiently tested vaccines.*

The pandemic definition was changed to hasten the declaration of a pandemic on its Web site, the Parliamentary Assembly also announces that the topic of "Fake pandemics, a threat to health" will become a prominent discussion topic during its **winter session**, held from 25–29 January in Strasbourg, France.

During a closed-door session on 26 January, members will hear WHO representatives, the pharmaceutical industry, and experts, according to the Web site, but the scope of the inquiry is as yet unclear.

In an **interview** with the French communist magazine l'Humanité (**English translation**), Wodarg says he also wants to study the role of scientific organizations like the French Pasteur Institute or the Robert Koch Institute in Germany, which he says should have advised their governments more critically about the decision to purchase vaccines. "In some countries, the institutes did just that," he says. "In Finland or Poland, for example, critical voices were raised to say: "We don't need that."

Link: https://www.sciencemag.org/news/2010/01/facing-inquiry-who-strikes-back-fake-pandemic-swine-flu-criticism

29. Fake Epidemics Created in the Past due to RT-PCR Misuse:-

29.1. We have had many episodes in the past where, based on wrong use of the RT-PCR, false epidemics of diseases have been created. A striking case of this has been highlighted in a New York Times article from 2007, titled **"Faith in Quick Test Leads to Epidemic that Wasn't"**, [20] explaining how a fake whooping cough (also known as pertussis) epidemic was created in 2006. A lady called Dr. Brooke Herndon started coughing nonstop for 2 weeks in Mid-April of 2006. Because of this, an infectious disease expert at the hospital called Dr. Kathryn Kirkland, thought that could be the start of a whooping cough epidemic. By the end of April, few others at the hospital started coughing. Based on this fear that a whooping cough epidemic had started, the hospital tested nearly 1000 healthcare workers with the RT-PCR test, out of that 142 people were told they had the disease. These people were given antibiotics & vaccines **(1445 health care workers took antibiotics & 4524 health care workers took the vaccine)**. Many beds at the hospital including ICU beds, were reserved solely for whooping cough patients. (Similar to what is happening now.

29.2. After 8 months, healthcare workers were shocked to receive an email saying that this whole episode was a false alarm. Epidemiologists at the hospital decided to take extra steps to confirm if what they were seeing really was pertussis. **Doctors sent 27 samples from patients they thought had pertussis to the American CDC. There scientists tried to grow the bacteria, & they concluded that there was no pertussis in any of the samples.** They also tested 39 samples from patients who had tested positive and had not got themselves vaccinated, but only one of those cases showed an increase in antibody levels indicative of pertussis.

Epidemiologists & infectious disease specialists say the problem here was that they placed too much faith in a quick & highly sensitive molecular test that led them astray.

29.3. Dr. Trish M Perl, an epidemiologist at John Hopkins at the time, mentioned that "such pseudo-epidemics happen all the time. This case was one of the largest, but by no means an exception". She also mentioned that "national data on pseudo-epidemics caused by an overreliance on molecular tests like the RT-PCR is not kept."

Dr. Perl also admitted the following: "It's a problem; we know it's a problem. **My guess is that what happened at Dartmouth is going to become more common.**"

29.4. And here we are, with the exact same thing having happened with the Covid-19 pandemic! The institution this lady was working for, John Hopkins, is now hosting the official coronavirus cases & deaths data, & **their own epidemiologists knew years ago that this very data cannot be relied upon since it is mainly based on RT-PCR tests.**

29.5. Dr. Mark Perkins, an infectious disease specialist & chief scientific officer at the Foundation for Innovative New Diagnostics, a nonprofit supported by the Bill & Melinda Gates foundation, said the following at the

time: "You're in a little bit of no man's land with the new molecular tests (RT-PCR). All bets are off on exact performance."

29.6. At that time, Dr. Elizabeth Talbot said **"Neither coughing long & hard nor even whooping is unique to pertussis infections, and many people with whooping cough have symptoms like those of common cold: a runny nose or an ordinary cough". The exact same problem exists today with Sars-Cov-2 symptoms.**

29.7. At the end of the whole episode, Dr. Kirkland said: "**We were left in a very frustrating situation about what to do when the next outbreak comes**". **And yet the same quick unreliable tests have been used in the current Covid-19 situation with very little concern for false positives, showing that the medical community has not learnt from their past mistakes!**

29.8. Dr. Cathy A Petti, an infectious disease specialist at the University of Utah, said the story had one clear lesson: "**The big message is that every lab is vulnerable to having false positives. No single test result is absolute and that is even more important with a test result based on the RT-PCR."**

29.9. At the time of this happening in 2006, the excuse the doctors had used back then is that the RT-PCR is quick & that culturing the bacteria will take two weeks. They do not have this excuse now, for the following reason. According to a study published in **"Osong Public Health & Research Perspectives, Korea Centers for Disease Control & Prevention" titled "Traditional and Modern Cell Culture in Virus Diagnosis" published in Jan 2016 by A Hematian et al., [21] they admit the following: "With the recent advances in technology, cell culture is considered a gold standard for virus isolation"**. This proves our point that virus culture is the gold standard. The paper also admits: **"The time required for identification of viruses showed a significant decrease: from 5-10 days (traditional methods) to 24 hours (novel methods)".** This means that now no such excuse for time exists and that virus culture can be performed within 24 hours using novel methods.

30. [A] National Technical Advisory Group on Immunization (NTAGI) recommendations vitiated in view of law laid down by Hon'ble Supreme Court in A. K. Kraipak's case (supra) because of having disqualified members.

[B]Dishonesty and falsity in NTAGI's declaration on conflict of interest.

30.1. That in a letter dated **20.01.2021** the Ministry of Health & Family Welfare of Government of India Immunization Division regarding Minutes of the meeting **National Technical Advisory Group on Immunization (NTAGI)** held on **10th December, 2020** had mentioned about declaration by members regarding their conflict of interest. It reads thus;

> *"All participating NTAGI members and invited attendees had duly filled and signed the confidentially agreement, and declared conflict of interest (if any), and shared these with the NTAGI Secretariat. No conflict of interest was noted."*

30.2. The falsity of above declaration is clear from the very fact that the following members are having conflict of interest:

Sr. No.	Name	Designation
1.	Dr. Sunil Kumar	Director General of Health Service
2.	Dr. Gagandeep Kang	Professor, CMC Vellore
3.	Dr. K. Srinath Reddy	President, Public Health Foundation of India
4.	Dr. Samiran Panda	Scientist 'G' ICMR, New Delhi
5.	Dr. Nivedita Gupta	Scientist 'F' ICMR, New Delhi
6.	Dr. N. K. Arora	Chair COVID – 19 Working Group, Executive Director, INCLEN International
7.	Dr. Balram Bhargava	Secretary, Department on Health Research

		& DG - ICMR

30.3. Hon'ble Supreme Court had ruled that even if there is a single member who is partial and interested and there are other members who are impartial then also it vitiates and invalidate their recommendations, suggestions and all actions.

Constitution Bench of the Supreme Court of India made it clear that ***If the decision of the selection board is held to have been vitiated, then the final recommendation made by the Commission must also be held to have been vitiated. The recommendations made by the Commission cannot be disassociated from the selections made by the selection board which is the foundation for the recommendations***

In **R. Vs. Commissioner of pawing (1941) 1 QB 467**, William J. Observed;

> *"I am strongly dispassed to think that **a Court is badly constituted of which an intrested person is a part, whatever may be the number of disintrested peraons. We cannot go into a poll of the Bench."***

30.4. In **A.K. Kraipak Vs. Union of India (1969) 2 SCC 262**, it is ruled as under;

> ***"15.** It is unfortunate that Naqishbund was appointed as one of the members of the selection board. It is true that ordinarily the Chief Conservator of Forests in a State should be considered as the most appropriate person to be in the selection board. He must be expected to know his officers thoroughly, their weaknesses as well as their strength. His opinion as regards their suitability for selection to the All-India Service is entitled to great weight. But then under the*

circumstances it was improper to have included Naqishbund as a member of the selection board. He was one of the persons to be considered for selection. It is against all canons of justice to make a man judge in his own cause. It is true that he did not participate in the deliberations of the committee when his name was considered. But then the very fact that he was a member of the selection board must have had its own impact on the decision of the selection board. Further admittedly he participated in the deliberations of the selection board when the claims of his rivals particularly that of Basu was considered. He was also party to the preparation of the list of selected candidates in order of preference. At every stage of his participation in the deliberations of the selection board there was a conflict between his interest and duty. Under those circumstances it is difficult to believe that he could have been impartial. The real question is not whether he was biased. It is difficult to prove the state of mind of a person. Therefore what we have to see is whether there is reasonable ground for believing that he was likely to have been biased. We agree with the learned Attorney General that a mere suspicion of bias is not sufficient. There must be a reasonable likelihood of bias. In deciding the question of bias we have to take into consideration human probabilities and ordinary course of human conduct. It was in the interest of Naqishbund to keep out his rivals in order to secure his position from further challenge. Naturally he was also interested in

safeguarding his position while preparing the list of selected candidates.

16. *The members of the selection board other than Naqishbund, each one of them separately, have filed affidavits in this Court swearing that Naqishbund in no manner influenced their decision in making the selections. In a group deliberation each member of the group is bound to influence the others, more so, if the member concerned is a person with special knowledge. His bias is likely to operate in a subtle manner. It is no wonder that the other members of the selection board are unaware of the extent to which his opinion influenced their conclusions. We are unable to accept the contention that in adjudging the suitability of the candidates the members of the board did not have any mutual discussion. It is not as if the records spoke of themselves. We are unable to believe that the members of selection board functioned like computers. At this stage it may also be noted that at the time the selections were made, the members of the selection board other than Naqishbund were not likely to have known that Basu had appealed against his supersession and that his appeal was pending before the State Government. Therefore there was no occasion for them to distrust the opinion expressed by Naqishbund. Hence the board in making the selections must necessarily have given weight to the opinion expressed by Naqishbund.*

21. *It was next urged by the learned Attorney General that after all the selection board was only a*

recommendatory body. Its recommendations had first to be considered by the Home Ministry and thereafter by the UPSC. The final recommendations were made by the UPSC Hence grievances of the petitioners have no real basis. According to him while considering the validity of administrative actions taken, all that we have to see is whether the ultimate decision is just or not. We are unable to agree with the learned Attorney-General that the recommendations made by the selection board were of little consequence. Looking at the composition of the board and the nature of the duties entrusted to it we have no doubt that its recommendations should have carried considerable weight with the UPSC. ***If the decision of the selection board is held to have been vitiated, it is clear to our mind that the final recommendation made by the Commission must also be held to have been vitiated. The recommendations made by the Union Public Service Commission cannot be disassociated from the selections made by the selection board which is the foundation for the recommendations*** *of the Union Public Service Commission. In this connection reference may be usefully made to the decision in Regina v. Criminal Injuries Compensation Board Ex parte Lain."*

31. Direction for enquiry as to under what provision of law the government had given a funding of 100 of Crores Rupees to PHFI. And enquiry as to where and how the said funds were utilized. ('Annexure – C')

32. Deliberate attempt to suppress the most effective Three Step Fluid Diet given by world's renowned naturopath Dr. Biswaroop Roy Chaudhary

which is verified by Government of India's Aayush Ministry's National Institute of Naturopathy Pune and having far better result than vaccines and having no side effects and Zero deaths.

32.1. That the world renowned Naturopath Dr. Biswaroop Roy Choudhary's Three-step Fluid diet is found to be effective on Lacs of people.

32.2. The said remedies are proven to be

i) Highly effective,

ii) No Side effects,

iii) No deaths,

iv) Easily available to anyone, (Anyone can use it at home)

v) Coming free of cost.

32.3. The National Institute of Naturopathy, under Ministry of Ayush Mantralaya, Government of India visited the centre at Ahmadnagar and after thorough investigation had prepared a report giving their recommendations for using said treatments for covid-19 patients with mild or severe symptoms.

The excerpts from report are as under;

"The enquiry report submitted by National Institute of Naturopathy of Ministry of AYUSH, Government of India regarding result of successful treatment of Covid-19 patients without any side effects.

This is a report of some initial data gathered across a single center of Ahmednagar district; where people availed only Naturopathy treatment voluntarily for a week's time period from their day of COVID confirmation and were successfully treated.

None of the cases took any medication for long term due to other systemic illnesses- like Diabetes, HTN or arthritis etc.

None of the cases took any medication for COVID.

No case reported of any untoward incident or adverse reaction to their fasting experience in Nature cure regime.

Overall it can be concluded that; in all these cases; Nature cure therapy was successful as a regimen for the COVID cases. This can serve as model for the successful handling of all mild to severe cases of COVID and also as a preventive intervention in all the future cases."

32.4. A copy of said report is annexed herewith at **'Annexure - D.'**

32.5. Under the circumstances the act of task force members and other authority to ignore these results and force, everyone to go for vaccination is a clear case of 'cheating', 'fraud on power' and 'misappropriation of public funds' by the State authority. It is an offence under section 409 of IPC.

Full Bench of Honorable Supreme Court in the case of **Vijay Shekhar versus union of India (2004) 4 SCC 666**, had ruled as under;

"No public body can be regarded as having statutory authority to act in bad faith or from corrupt motives, and any action purporting to be of that body, but proved to be committed in bad faith or from corrupt motives, would certainly be held to be inoperative."

It is also well settled that misrepresentation itself amounts to fraud.

"No judgment of a Court, no order of Minister, can be allowed to stand if it has been obtained by fraud. Fraud unravels everything."

A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to believe and act on falsehood. ***It is a fraud in law if a party*** *makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad.*

fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine including res judicata."

A power is exercised maliciously if its repository is motivated by personal animosity towards those who are directly affected by its exercise. Use of a power for an 'alien' purpose other than the one for which the power is conferred is mala fide use of that power. Same is the position when an order is made for a purpose other than that which finds place in the order. The ulterior or alien purpose clearly speaks of the misuse of the power

The misuse in bad faith arises when the power is exercised for an improper motive, *say, to satisfy a private or personal grudge or* ***for wreaking vengeance of a Minister*** *as in S. Pratap Singh v. State of Punjab, (1964) 4 SCR 73.*

"9. *This Court in Express Newspapers Pvt. Ltd. & Ors. v. Union of India & Ors. (AIR 1986 SC 872) at para 118 has held thus :*

"Fraud on power voids the order if it is not exercised bona fide for the end design. *There is a distinction between exercise of power in good faith and misuse in bad faith. The former arises* ***when an authority misuses its power in breach of law, say, by taking into account bona fide, and with best of intentions, some extraneous matters or by ignoring relevant matters. That would render the impugned act or order ultra vires. It would be a case of fraud on powers.*** *The misuse in bad faith arises when the power is exercised for an improper motive, say, to satisfy a private or personal grudge or for wreaking vengeance of a Minister as in S. Pratap Singh v. State of Punjab, (1964) 4 SCR 733 : (AIR 1964 SC 733). A power is exercised maliciously if its repository is motivated by personal animosity towards those who are directly affected by its exercise. Use of a power for an 'alien' purpose other than the one for which the power is conferred is mala fide use of that power. Same is the position when an order is made for a purpose other than that which finds place in the order. The ulterior or alien purpose clearly speaks of the misuse of the power and it was observed as early as in 1904 by Lord Lindley in General Assembly of Free Church of Scotland v. Overtown, 1904 AC 515, 'that there is a condition implied in this as well as in other instruments which create powers, namely, that the power shall be used bona fide for the purpose for which they are conferred'. It was said by Warrngton, C.J. in Short v. Poole Corporation, (1926) 1 Ch 66 that :*

"No public body can be regarded as having statutory authority to act in bad faith or from corrupt motives, and any action purporting to be of that body, but proved to be

committed in bad faith or from corrupt motives, would certainly be held to be inoperative."

In Lazarus Estates Ltd. V. Beasley, (1956) 2 QB 702 at Pp. 712-13 Lord Denning, LJ. said :

"No judgment of a Court, no order of Minister, can be allowed to stand if it has been obtained by fraud. Fraud unravels everything."

(emphasis supplied)

See also, in Lazarus case at p.722 per Lord Parker, C.J. :

"'Fraud' vitiates all transactions known to the law of however high a degree of solemnity."

All these three English decisions have been cited with approval by this Court in Pratap Singh's case."

10. *Similar is the view taken by this Court in the case of* ***Ram Chandra Singh v. Savitri Devi and Ors. (2003) 8 SCC 319*** *wherein this Court speaking through one of us (Sinha, J.) held thus :*

"Fraud as is well known vitiates every solemn act. Fraud and justice never dwell together. Fraud is a conduct either by letter or words, which induces the other person or authority to take a definite determinative stand as a response to the conduct of the former either by word or letter. ***It is also well settled that misrepresentation itself amounts to fraud. Indeed, innocent misrepresentation may also give reason to claim relief against fraud.*** *A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to*

believe and act on falsehood. It is a fraud in law if a party makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad. A collusion or conspiracy with a view to deprive the rights of others in relation to a property would render the transaction void ab initio. Fraud and deception are synonymous. fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine including res judicata."

33. The misleading campaign that, the vaccines are only solution and are completely safe, is a clear offence of luring the people to take vaccines by making Misrepresentation and is a punishable offence under section 420, 120(B), 34 etc., of Indian Penal Code. Government is bound to pay compensation to such people who vaccines due to misleading advertisement.

33.1. That, in many Print and social media and also at many places the false narratives are being run with **'logo'** of Ministry of Health to the effect that'

(i) vaccines are completely safe

(ii) vaccines are the only solution and complete protection from **Covid-19.**

33.2. That, all the above claims are absolutely false and it's falsity is proved from Government's own record.

33.3. From the veriousresearch and also from the record it is clear that:

(i) The vaccines are not safe and having many death causing side effects.

(ii) Vaccines are not the solution or protection against Covid-19. The person taking vaccines can get corona, he can spread corona or he can die due to corona.

(iii) Vaccine are neither solution nor the only solutions.

There are many much better remedies such as, Ivermactin, Vitamin D, Naturopathy, Anandaiah's ayurvedic preparations et al.

(a) Recently Hon'ble Andhra Pradesh High Court approved the use of Anandaiah's ayurvedic herbal medicines in the case between **Ponnekanti Mallikarjuna Rao Vs. State of Andhra Pradesh 2021 SCC OnLine AP 1463,** where it is ruled as under;

> ***"3.*** *In view of the facts and circumstances and in view of the categorical statement made by the learned Special Government Pleader, Mr. Anandaiah, Ayurvedic Practitioner, is permitted to administer his ayurvedic preparations so far as 'P, F and L' are concerned to the needy people forthwith and the respondents are directed not to interfere with the said activity and to ensure that covid guidelines are followed.*
>
> ***4.*** *List the matter on 03.06.2021 for analysis report so far as ayurvedic preparation 'K' is concerned and also suggestions with regard to eye drops."*

(b) National Institute of Naturopathy, under Ayush Mantralay of Government of India also recommended for Naturopathy's Three-Step Fluid Diet formulated by World renowned naturopath Dr. Biswaroop Roy Choudhary.

Details are mentioned in para 30 of this notice.

33.4. Under these circumstances the misleading advertisements to lure and cheat public by suppressing other relevant facts and side effects makes the Government to be liable to pay compensation to every citizen who relying on the misrepresentation approached the centre and took the vaccines. Hence the consent of said people is obtained by fraud and misrepresentation.

33.5. Hon'ble **National Consumer Disputes Redressal Commission New Delhi** in the case of **Ajay Gautam Vs. Amritsar Eye Clinic & Ors. 2010 SCC OnLine NCDRC 96,** had ruled as under;

> ***5...*** *The Commission requested the Director, Rajendra Prasad Centre for Opthalmic Sciences (All India Institute of Medical Sciences), New Delhi to constitute a Board of doctors of the relevant disciplines in order to examine the medical record of patient and give its opinion on the following points:*
>
> *1. Whether the PRK surgery was advisable in this case, according to the standard medical?*
>
> *2. Whether the PRK procedure was conducted in this case according to the standard medical protocol in this regard.*
>
> *3. Whether the post-operative care given in this case was also regarding to the standard requirement in this behalf?*
>
> *4. Whether the post PRK vision of 6/9 (without glasses) in the left eye of the patient and the inability of this vision to be further corrected even with glasses was on account of the PRK procedure and, if so, whether this was indicative of any deficiency in the PRK procedure?*

7. Since it was alleged on behalf of the appellant that no consent of the complainant was obtained by the doctor before conducting the PRK surgery, we called upon the opposite party-doctor to produce the consent form which he claimed to have got signed from the complainant before undertaking the procedure. However, respondent-doctor reported that the said consent form obtained from the complainant was not available in his records but still he could file photocopies of consent form obtained from other patients who had undertaken PRK surgery at his hospital in order to show that he had been obtaining valid consent from the patients before performing the surgery.

10. *Now, it is to be seen if the opposite party-doctor was entitled to publish such an advertisement or whether it was unethical on his part to do so. In this context, we may notice the injunction of the Medical Council of India under Regulation no. 6.1 of the Code of Ethics Regulations, 2002, which reads as under:*

"Chapter 6

6. UNETHICAL ACTS:

A physician shall not aid or abet or commit any of the following acts, which shall be construed as unethical -

6.1 Advertising:

6.1.1 Soliciting of patients directly or indirectly, by a physician, by a group of physicians or by institutions or organisations is unethical. A physician shall not make use of him/her (or his/her name) as subject of any form or manner of advertising or publicity through any mode either alone or in conjunction with others which is of

such a character as to invite attention to him or to his professional position, skill, qualification, achievements, attainments, specialities, appointments, associations, affiliations or honours and/or of such character as would ordinarily result in his self aggrandizement. A physician shall not give to any person, whether for compensation or otherwise, any approval, recommendation, endorsement, certificate, report or statement with respect of any drug, medicine, nostrum remedy, surgical, or therapeutic article, apparatus or appliance or any commercial product or article with respect of any property, quality or use thereof or any test, demonstration or trial thereof, for use in connection with his name, signature, or photograph in any form or manner of advertising through any mode nor shall he boast of cases, operations, cures or remedies or permit the publication of report thereof through any mode. A medical practitioner is however permitted to make a formal announcement in press regarding the following:

1. On starting practice.

2. On change of type of practice.

3. On changing address.

4. On temporary absence from duty.

5. On resumption of another practice.

6. On succeeding to another practice.

7. Public declaration of charges.

6.1.2 Printing of self photograph, or any such material of publicity in the letter head or on sign board of the consulting room or any such clinical establishment shall be regarded as acts of self advertisement and unethical

conduct on the part of the physician. However, printing of sketches, diagrams, picture of human system shall not be treated as unethical".

Clearly the doctor violated the above mentioned Regulation which by itself was unethical conduct and hence constitute deficiency in service.

Moreover, the contents of the advertisement appear to be prima facie misleading to the reader inasmuch as it gives an impression that any defective vision could be corrected to the normal vision of 6/6 at respondent no. 1-hospital by the use of the excimer laser machine acquired by the respondent no. 1 & 2. The complainant states that having come across such a misleading advertisement, he contacted respondent no. 2-doctor who also gave assurance and promised that defect in his eye would be fully corrected and cured and only thereafter he agreed to undergo the PRK surgery at the hands of the respondent-doctor. The respondent-doctor denies that he had given any such assurance/promise. The expert medical opinion received from the Rajendra Prasad Centre for Opthalmic Sciences would clearly show that such a claim as was published in the above mentioned advertisement was untenable altogether and, therefore, amounted to representation by the respondent-doctor which could not have been fulfilled.

The respondent-doctor also claimed that he had explained the implications of such a surgery and had obtained the consent of the complainant. As noticed above, the doctor and the hospital have failed to produce the consent form which the complainant had purportedly

signed before undergoing the PRK surgery. However, reliance is placed on the format of other consent forms obtained from other patients which contain some admissions on the part of the patients that they had been explained the implications of the procedure.

11. *Having considered the matter in its entirety, we are of the opinion that the finding of the State Commission that the complainant has failed to establish any negligence/deficiency in service on the part of the respondent-doctor and hospital in giving him the treatment by way of PRK surgery is justified on record and needs no interference. However, it has also been established on record that the doctor and the hospital are guilty of adopting unfair trade practice within the meaning of section 2(1)(r) of the Consumer Protection Act, 1986 as well as violating the Code of Ethics Regulations (Regulation no. 6.1) by publishing misleading advertisement. They are also held guilty of not having been able to produce/maintain the record, i.e., consent form said to have been signed by the complainant before undertaking PRK surgery. The complainant is entitled to some reasonable compensation on these two counts."*

12. *In our view, it would meet the ends of justice if respondents no. 1 & 2 are called upon to pay lumpsum compensation of Rs. 1,00,000/- to the complainant on these counts and a direction is given to respondent no. 1 and the doctor to forthwith withdraw any such advertisement in electronic, print or any other media and desist from doing so in future.*

> ***13.*** *In the result appeal is partly allowed and respondent no. 1 & 2 i.e. hospital and doctor are hereby directed to pay lumpsum compensation of Rs. 1,00,000/- to the complainant and also to give an undertaking before this Commission that he will not publish any such advertisement in future within a period of four weeks from the date of receipt of order. However, in case the amount is not paid within the prescribed period, it will carry interest @ 12% p.a.*"

33.6. Hon'ble Supreme Court in the case of **Bhanwar Kanwar Vs. R.K.Gupta (2013) 4 SCC 252,** had granted compensation of Rs. 15 Lakhs to the patient for loss suffered due to misrepresentation made by the Hospital.

It is ruled that;

> ***"19.*** *The National Commission has already held that* ***Respondent 1 was guilty of unfair trade practice and adopted unfair method and deceptive practice by making false statement orally as well as in writing. In view of the aforesaid finding, we hold that both Prashant and the appellant suffered physical and mental injury due to the misleading advertisement, unfair trade practice and negligence of the respondents. The appellant and Prashant thus are entitled for an enhanced compensation for the injury suffered by them.*** *Further, we find no reason given by the National Commission for deducting 50% of the compensation amount and to deposit the same with the Consumer Legal Aid Account of the Commission.*
>
> ***20.*** *We, accordingly, set aside that part of the order passed by the National Commission and enhance the amount of compensation at* ***Rs 15 lakhs for payment in favour of the appellant with a direction to the respondents to pay the***

amount to the appellant within three months. *The appeal is allowed but there shall be no separate order as to cost.*

34. Co- Conspirator, Social & main stream media's role to help the accused to complete their sinister plan:-

34.1. That the social media, Twitter, You-Tube, Facebook etc. had worked in tandem with the vaccine syndicate to run only on narratives.

34.2. They formulated their own rules prohibiting and to discourage the public, scientists, experts and even **'Noble Loureautes'** to put their view against vaccines and in favor of any other remedies or solutions. Their posts were deleted.

On the other hand, they (YouTube) published their video titled as **'know from experts'**. In the said video the false, misleading information is given to the viewers. This was done to support Vaccine agenda. In the said videos they deliberately suppressed the correct information that the vaccines are not completely safe. The misinformation and false narratives the social media and more particularly by the YouTube is an offence u/s 420, 468, 52, 120(B), 34 of IPC and under Information Technology Act, 2000.

34.3. Section 54 of the Disaster Management Act, 2005 read thus;

*"**54.** Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine. —Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine."*

34.4. This act of deleting discussion and other information was against our Constitutional mandate of Right to Speak & Right to know. In **Secretary General, Supreme Court of India Vs. Subhash Chandra Agarwal ILR (2010) 2 Del 1,** it is ruled as under;

> ***"31.*** *The Charter of the United Nations, which was set up in 1945, in its preamble clearly proclaims that it was established in order to save succeeding generations (of humanity) from the scourge of war and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person. The right to information was recognised at its inception in 1946, when the General Assembly resolved that:"freedom of information is a fundamental human right and the touchstone for all freedoms to which the United Nations is consecrated". [UN General Assembly, Resolution 59(1), 65th Plenary Meeting, 14th December, 1946].*
>
> ***32.*** *The Universal Declaration of Human Rights of 1948 adopted on 10th December in Article 19 said:*
>
> *"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."*
>
> ***33.*** *The International Covenant on Civil and Political Rights (ICCPR) was adopted in 1968. Article 19 of the Convention reads as follows:*
>
> *(1) Everyone shall have the right to hold opinions without interference;*
>
> *(2) Everyone shall have the right to freedom of expression, this right shall include freedom to seek, receive and impart*

information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of his choice."

India has ratified the ICCPR. Section 2(d) read with 2(f) of the Protection of Human Rights Act, 1993 clarifies 'human rights' to include the rights guaranteed by the ICCPR.

34. *The Convention of the Organisation of American States and European Convention on Human Rights also incorporate specific provisions on the right to information.*

Right to Information as a Constitutional Right

35. *The development of the right to information as a part of the constitutional law of the country started with petitions by the print media in the Supreme Court seeking enforcement of certain logistical implications of the right to freedom of speech and expression such as challenging government orders for control of newsprint, bans on distribution of paper etc. It was through the following cases that the concept of the people's right to know developed.*

36. *In Benett Coleman v. Union of India, (1972) 2 SCC 788 : AIR 1973 SC 106, the Court held that the impugned Newsprint Control Order violated the freedom of the press and therefore was ultra vires Article 19(1)(a) of the Constitution. The Order did not merely violate the right of the newspapers to publish, which was inherent in the freedom of the press, but also violated the right of the readers to get information which was included within their right to freedom of speech and expression. Chief Justice Ray, in the majority judgment, said:*

"It is indisputable that by freedom of the press is meant the right of all citizens to speak, publish and express their views.

The freedom of the press embodies the right of the people to read." *(para 45)*

37. *In a subsequent judgment in Indian Express Newspaper (Bombay) Private Ltd. v. Union of India, (1985) 1 SCC 641 : AIR 1986 SC 515, the Court held that the independence of the mass* ***media was essential for the right of the citizen to information.*** *In Tata Press Ltd. v. Maharashtra Telephone Nigam Ltd., (1995) 5 SCC 139,* ***the Court recognized the right of the public at large to receive 'commercial speech'."***

34.5. It is also against the Article 18 of the Universal Declaration on Bioethics and Human Rights, 2005

Article 18 – Decision-making and addressing bioethical issues

1. Professionalism, honesty, integrity and transparency in decision-making should be promoted, in particular declarations of all conflicts of interest and appropriate sharing of knowledge. Every endeavour should be made to use the best available scientific knowledge and methodology in addressing and periodically reviewing bioethical issues. 2. Persons and professionals concerned and society as a whole should be engaged in dialogue on a regular basis. **3. Opportunities for informed pluralistic public debate, seeking the expression of all relevant opinions, should be promoted.**

34.6. That their act was also an obstruction to fundamental duties of the citizen as enshrined under **Article 51 (A)** of the Constitutional of India.

In **State of Maharashtra Vs. Sarangdharsingh Shivdassingh Chavan (2011) 1 SCC 577,** it is ruled as under;

"52… Every citizen must do his duty towards the nation as well as the fellow citizens because unless

everyone does his duty, it is not possible to achieve the goals of equality and justice enshrined in the Preamble.

53. *Part IV-A of the Constitution was enacted with a fond hope that every citizen will honestly play his role in building of a homogeneous society in which every Indian will be able to live with dignity without having to bother about the basics like food, clothing, shelter, education, medical aid and the nation will constantly march forward and will take its place of pride in the comity of nations."*

34.7. In **Aniruddha Bahal Vs. State 2010 SCC OnLine Del 3365** it is ruled as under;

> ***"Duty of a citizen under Article 51A(h) is to develop a spirit of inquiry and reforms - Constitution of India mandates citizens to act as agent provocateurs to bring out and expose and uproot the corruption - Sting operation by citizen - the sting operation was conducted by them to expose corruption - The intention of the petitioners was made clear to the prosecution by airing of the tapes on T.V channel that they want to expose corruption - Itt is a fundamental right of citizens of this country to have a clean incorruptible judiciary, legislature, executive and other organs and in order to achieve this fundamental right, every citizen has a corresponding duty to expose corruption wherever he finds it, whenever he finds it and to expose it if possible with proof so that even if the State machinery does not act and does not take action against***

the corrupt people when time comes people are able to take action

Chanakaya in his famous work 'Arthshastra' advised and suggested that honesty of even judges should be periodically tested by the agent provocateurs. I consider that the duties prescribed by the Constitution of India for the citizens of this country do permit citizens to act as agent provocateurs to bring out and expose and uproot the corruption

I consider that one of the noble ideals of our national struggle for freedom was to have an independent and corruption free India. ***The other duties assigned to the citizen by the Constitution is to uphold and protect the sovereignty, unity and integrity of India and I consider that sovereignty, unity and integrity of this country cannot be protected and safeguarded if the corruption is not removed from this country. - I consider that a country cannot be defended only by taking a gun and going to border at the time of war. The country is to be defended day in and day out by being vigil and alert to the needs and requirements of the country and to bring forth the corruption at higher level.*** *The duty under Article 51A(h) is to develop a spirit of inquiry and reforms. The duty of a citizen under Article 51A(j) is to strive towards excellence in all spheres so that the national constantly rises to higher level of endeavour and achievements I consider that it is built-in duties that every citizen must strive for a corruption free society and must expose the corruption whenever it comes to his or her knowledge and try to remove corruption at all levels more so at higher levels of management of the State.*

34.8. In **Indirect Tax Practitioners Association Vs. R.K. Jain (2010) 8 SCC 281,** it is ruled as under;

> *Voltaire expressed a democrat's faith when he told, an adversary in arguments: "I do not agree with a word you say, but I will defend to the death your right to say it". Champions of human freedom of thought and expression throughout the ages, have realised that intellectual paralysis creeps over a society which denies, in however subtle a form, due freedom of thought and expression to its members..*
>
> *A person like the respondent can appropriately be described as a whistleblower for the system who has tried to highlight the malfunctioning of an important institution and there is no reason to silence such person.*
>
> *Intellectual advances made by our civilisation would have been impossible without freedom of speech and expression. At any rate, political democracy is based on the assumption that such freedom must be jealously guarded .*
>
> ***Though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple;***
>
> ***whoever knew Truth put to the worse, in a free and open encounter?... Who knows not that Truth is strong, next to the Almighty; she needs no policies, no stratagems, no licensings to make her victorious; those are the shifts and defences that error makes against her power ...."***

A whistleblower is a person who raises a concern about wrongdoing occurring in an organization or body of people. Usually this person would be from that same organization.

15. In the land of Gautam Buddha, Mahavir and Mahatma Gandhi, the freedom of speech and expression and freedom to speak one's mind have always been respected. After independence, the Courts have zealously guarded this most precious freedom of every human being. Fair criticism of the system of administration of justice or functioning of institutions or authorities entrusted with the task of deciding rights of the parties gives an opportunity to the operators of the system/institution to remedy the wrong and also bring about improvements. Such criticism cannot be castigated as an attempt to scandalize or lower the authority of the Court or other judicial institutions or as an attempt to interfere with the administration of justice

"Freedom of the Press is the Ark of the Covenant of Democracy because public criticism is essential to the working of its institutions. Never has criticism been more necessary than today, when the weapons of propaganda are so strong and so subtle. But, like other liberties, this also must be limited."

Krishna Iyer, J. agreed with C.J. Beg and observed:

"Poise and peace and inner harmony are so quintessential to the judicial temper that huff, "haywire" or even humiliation shall not besiege; nor, unveracious provocation, frivolous persiflage nor terminological inexactitude throw into palpitating tantrums the balanced cerebration of the judicial mind. The integral yoga of shanti and neeti is so much the

cornerstone of the judicial process that criticism, wild or valid, authentic or anathematic, shall have little purchase over the mentation of the Court. I quite realise how hard it is to resist, with sage silence, the shafts of acid speech; and, how alluring it is to succumb to the temptation of argumentation where the thorn, not the rose, triumphs. Truth's taciturn strategy, the testimony of history says, has a higher power than a hundred thousand tongues or pens. In contempt jurisdiction, silence is a sign of strength since our power is wide and we are prosecutor and judge."

What the respondent projected was nothing but true state of the functioning of CESTAT on administrative side and to some extent on judicial side.By doing so, he had merely discharged the constitutional duty of a citizen enshrined in Article 51A(h).

34.9. Hence, all their acts are unconstitutional, illegal and unlawful and having death causing consequences upon the 135 Crores Indians.

34.10. In addition to abovesaid offences the accused print and social media persons stopping prohibiting or deleting the information are also liable for punishment under section 12 of Contempt of Courts Act, 1971 r/w Article 129 and 215 of Constitution of India for acting in wilful disregard and defiance of binding precedent of Hon'ble Supreme Court and various High Courts in India.

34.11. In **Priya Gupta v. Addl. Secy. Ministry of Health and Family Welfare, (2013) 11 SCC 404**, the Supreme Court held as under:-

*"**19.** It is true that Section 12 of the Act contemplates disobedience of the orders of the court to be wilful and further that such violation has to be of a specific order*

or direction of the court. ***To contend that there cannot be an initiation of contempt proceedings where directions are of a general nature as it would not only be impracticable, but even impossible to regulate such orders of the court, is an argument which does not impress the court. As already noticed, the Constitution has placed upon the judiciary, the responsibility to interpret the law and ensure proper administration of justice. In carrying out these constitutional functions, the courts have to ensure that dignity of the court, process of court and respect for administration of justice is maintained.*** *Violations which are likely to impinge upon the faith of the public in administration of justice and the court system must be punished, to prevent repetition of such behaviour and the adverse impact on public faith. With the development of law, the courts have issued directions and even spelt out in their judgments, certain guidelines, which are to be operative till proper legislations are enacted. The directions of the court which are to provide transparency in action and adherence to basic law and fair play must be enforced and obeyed by all concerned. The law declared by this Court whether in the form of a substantive judgment inter se a party or are directions of a general nature which are intended to achieve the constitutional goals of equality and equal opportunity must be adhered to and there cannot be an artificial distinction drawn in between such class of cases. Whichever class they may belong to, a contemnor cannot build an argument to the effect that the*

disobedience is of a general direction and not of a specific order issued inter se parties. Such distinction, if permitted, shall be opposed to the basic rule of law.

23. *... The essence of contempt jurisprudence is to ensure obedience of orders of the Court and, thus, to maintain the rule of law. History tells us how a State is protected by its courts and an independent judiciary is the cardinal pillar of the progress of a stable Government. If over-enthusiastic executive attempts to belittle the importance of the court and its judgments and orders, and also lowers down its prestige and confidence before the people, then greater is the necessity for taking recourse to such power in the interest and safety of the public at large. The power to punish for contempt is inherent in the very nature and purpose of the court of justice. In our country, such power is codified..."*

(Emphasis supplied)

34.12. In **New Delhi Municipal Council Vs. M/S Prominent Hotels Limited 2015 SCC Online Del 11910,** it is ruled as under;

"22. *Consequences of the Trial Court disregarding well settled law;*

22.4. In Baradakanta Mishra Ex-Commissioner of Endowments v. Bhimsen Dixit, (1973) 1 SCC 446, *the appellant therein, a member of Judicial Service of State of Orissa refused to follow the decision of the High Court. The High Court issued a notice of contempt to the appellant and thereafter held him guilty of contempt*

which was challenged before the Supreme Court. The Supreme Court held as under:-

"15. ***The conduct of the appellant in not following previous decisions of the High Court is calculated to create confusion in the administration of law. It will undermine respect for law laid down by the High Court and impair the constitutional authority of the High Court.*** *His conduct is therefore comprehended by the principles underlying the law of Contempt. The analogy of the inferior court"s disobedience to the specific order of a superior court also suggests that his conduct falls within the purview of the law of Contempt. Just as the disobedience to a specific order of the Court undermines the authority and dignity of the court in a particular case, similarly the deliberate and mala fide conduct of not following the law laid down in the previous decision undermines the constitutional authority and respect of the High Court. Indeed, while the former conduct has repercussions on an individual case and on a limited number of persons, the latter conduct has a much wider and more disastrous impact. It is calculated not only to undermine the constitutional authority and respect of the High Court, generally, but is also likely to subvert the Rule of Law and engender harassing uncertainty and confusion in the administration of law".*

(Emphasis supplied)"

22.1. *If the Trial Court does* ***not follow the well settled law, it shall create confusion in the administration of***

justice and undermine the law laid down by the constitutional Courts. The consequence of the Trial Court not following the well settled law amounts to contempt of Court. *Reference in this regard may be made to the judgments given below.*

22.2. *In East India Commercial Co. Ltd. v. Collector of Customs, Calcutta, AIR 1962 SC 1893, Subba Rao, J. speaking for the majority observed reads as under:*

—31.....This raises the question ***whether an administrative tribunal can ignore the law declared by the highest Court in the State*** *and initiate proceedings in direct violation of the law so declared. Under Art. 215, every High Court shall be a Court of record and shall have all the powers of such a Court including the power to punish for contempt of itself. Under Art. 226, it has a plenary power to issue orders or writs for the enforcement of the fundamental rights and for any other purpose to any person or authority, including in appropriate cases any Government within its territorial jurisdiction. Under Art. 227 it has jurisdiction over all Courts and tribunals throughout the territories in relation to which it exercises jurisdiction.* ***It would be anomalous to suggest that a tribunal over which the High Court has superintendence can ignore the law declared by that Court and start proceedings in direct violation of it. If a tribunal can do so, all the subordinate Courts can equally do so,.....***

We, therefore, hold that the ***law declared by the highest Court in the State is binding on authorities, or tribunals under its superintendence, and that they***

cannot ignore it either in initiating a proceeding or deciding on the rights involved in such a proceeding. If that be so, the notice issued by the authority signifying the launching of proceedings, contrary to the law laid down by the High Court would be invalid and the proceedings themselves would be without jurisdiction."

34.13. Section 12 of the Contempt of Courts Act, 1971 read thus;

"12. Punishment for contempt of court.—

(1) Save as otherwise expressly provided in this Act or in any other law, a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both: —(1) Save as otherwise expressly provided in this Act or in any other law, a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both\:" Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the court. Explanation. —An apology shall not be rejected merely on the ground that it is qualified or conditional if the accused makes it bona fide.

(2) Notwithstanding anything contained in any other law for the time being in force, no court shall impose a sentence in excess of that specified in sub-section (1) for any contempt either in respect of itself or of a court subordinate to it.

(3) Notwithstanding anything contained in this section, where a person is found guilty of a civil contempt, the court, if it considers that a fine will not meet the ends of justice and

that a sentence of imprisonment is necessary shall, instead of sentencing him to simple imprisonment, direct that he be detained in a civil prison for such period not exceeding six months as it may think fit.

(4) Where the person found guilty of contempt of court in respect of any undertaking given to a court is a company, every person who, at the time the contempt was committed, was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the contempt and the punishment may be enforced, with the leave of the court, by the detention in civil prison of each such person: Provided that nothing contained in this sub-section shall render any such person liable to such punishment if he proves that the contempt was committed without his knowledge or that he exercised all due diligence to prevent its commission.

(5) Notwithstanding anything contained in sub-section (4), where the contempt of court referred to therein has been committed by a company and it is proved that the contempt has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the contempt and the punishment may be enforced, with the leave of the court, by the detention in civil prison of such director, manager, secretary or other officer. Explanation.—For the purposes of sub-sections (4) and (5),—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm."

34.12. That, few print media & electronic media like Times of India, The Hindu, NDTV also played a crucial role in completion of conspiracy of vaccine syndicates. The relevant proofs are given in the annexures enclosed.

34.13. Section 10 of the Evidence Act reads thus;

Section 10 in The Indian Evidence Act, 1872

10. Things said or done by conspirator in reference to common design.—*Where there is reasonable ground to believe that two or more persons have conspired together to commit an offence or an actionable wrong, anything said, done or written by any one of such persons in reference to their common intention, after the time when such intention was first entertained by any one of them, is a relevant fact as against each of the persons believed to so conspiring, as well for the purpose of proving the existence of the conspiracy as for the purpose of showing that any such person was a party to it. Illustration Reasonable ground exists for believing that A has joined in a conspiracy to wage war against the 1[Government of India]. The facts that B procured arms in Europe for the purpose of the conspiracy, C collected money in Calcutta for a like object, D persuaded persons to join the conspiracy in Bombay, E published writings advocating the object in view at Agra, and F transmitted from Delhi to G at Kabul the money which C had collected at Calcutta, and the contents of a letter written by H giving an account of the conspiracy, are each relevant, both to prove the existence of the conspiracy, and to prove A's complicity in it, although he may have been ignorant of all of them, and*

although the persons by whom they were done were strangers to him, and although they may have taken place before he joined the conspiracy or after he left it. Comments Existence of conspiracy If prima facie evidence of existence of a conspiracy is given and accepted, the evidence of acts and statements made by anyone of the conspirators in furtherance of the common object is admissible against all; Jayendra Saraswati Swamigal v. State of Tamil Nadu, AIR 2005 SC 716. Object Section 10 has been deliberately enacted in order to make acts and statements of a co-conspirator admissible against the whole body of conspirators, because of the nature of crime; Badri Rai v. State of Bihar, AIR 1958 SC 953. Significance of "common intention" The words "common intention" signify a common intention existing at the time when the thing was said, done or written by the one of them. It had noting to do with carrying the conspiracy into effect; Mirza Akbar v. Emperor, AIR 1940 PC 176.

35. Act of stopping, hiding, removing, suppressing, concealing and twisting material facts from any patient/citizen and leaving him no option but to adopt the option of dangerous vaccines is an preparation of offence mass murder of the people at large as defined under section 115, 511 of IPC.

35.1. Needless to mention here that, the act of stopping, hiding, removing, suppressing, concealing and twisting material facts from any patient/citizen and leaving him no option but to adopt the option of dangerous vaccines is an preparation of offence as defined under section **511 of IPC** and if any person dies due to your such acts of commission and omission then you people will be liable for offence of murder of said person as defined under section 115 & 302 of IPC. Law is made clear in the case of **Airedale N.H.S. Trust v. Bland, (1993) 2 WLR 316 : (1993) 1 All ER 821**, where it is ruled as under ;

"6……..If the patient had been capable of deciding whether or not she wished to be treated, and had either not been asked for her consent or had refused it, the doctors would have been criminally liable since consent is normally an essential element in proper medical treatment. ……..

7. Murder. It has been established for centuries that consent to the deliberate infliction of death is no defence to a charge of murder. Cases where the victim has urged the defendant to kill him and the defendant has complied are likely to be rare, but the proposition is established beyond doubt by the law on duelling, where even if the deceased was the challenger his consent to the risk of being deliberately killed by his opponent does not alter the case.

Again, as has been pointed out (Skegg, Law, Ethics and Medicine (1984), p.169 et seq.) if the switching off of a ventilator were to be classified as a positive act, exactly the same result can be achieved by installing a time-clock which requires to be reset every 12 hours: the failure to reset the machine could not be classified as a positive act. In my judgment, essentially what is being done is to omit to feed or to ventilate: the removal of the nasogastric tube or the switching off of a ventilator are merely incidents of that omission: see Glanville Williams, Textbook of Criminal Law , p.282; Skegg , pp.169 et seq.

A. Criminal liability/murder

It is the submission of the Official Solicitor that the withdrawal of artificial feeding would constitute murder. The Official Solicitor has been criticised for using emotive language in this case. In my judgment this criticism is misplaced: much the most difficult question is indeed whether the proposed course of action is, in law,

murder notwithstanding the best motives from which everyone concerned is acting.

Murder consists of causing the death of another with intent so to do. What is proposed in the present case is to adopt a course with the intention of bringing about Anthony Bland's death. As to the element of intention or mens rea, in my judgment there can be no real doubt that it is present in this case: the whole purpose of stopping artificial feeding is to bring about the death of Anthony Bland.

As to the guilty act, or actus reus, the criminal law draws a distinction between the commission of a positive act which causes death and the omission to do an act which would have prevented death. In general an omission to prevent death is not an actus reus and cannot give rise to a conviction for murder. But where the accused was under a duty to the deceased to do the act which he omitted to do, such omission can constitute the actus reus of homicide, either murder (Rex v. Gibbins and Proctor (1918) 13 Cr.App.R. 134) or manslaughter (Reg. v. Stone [1977] Q.B. 354) depending upon the mens rea of the accused. The Official Solicitor submits that the actus reus of murder is present on two alternative grounds, viz. 1. the withdrawal of artificial feeding is a positive act of commission; or 2. if what is proposed is only an omission, the hospital and the doctors have assumed a duty to care for Anthony Bland (including feeding him) and therefore the omission to feed him would constitute the actus reus of murder."

35.2. The abovesaid law is made a law of India as per Supreme Court judgment in **Common Cause case (2018) 5 SCC 1,** It is also followed recently in **Meghalaya Vs. State of Meghalaya 2021 SCC OnLine Megh 130** which is regarding the corona vaccines.

36. <u>Chronology of offences committed by accused as per their conspiracy to commit mass murders i.e. genocide for creating market for unapproved vaccines by accused Bill And Melinda Gates Foundation and other vaccine syndicates.</u>

36.1. The Pharma Syndicates and vaccine manufactures hatched a conspiracy to gain an assured, ever growing customer base by creating a situation of corona pandemic which would scare the people to the hilt and this fear and panic amongst the masses would set the tone for introduction of a vaccine which would be touted as the 'only' panacea to combat COVID-19. Thus, pharma companies would cash in on the widespread fear to achieve their ulterior purpose of gaining a fixed market for their vaccines.

36.2. <u>AS A PART OF SAID CONSPIRACY FOLLOWING STEPS WERE TAKEN</u>;

i) The toolkits, narratives and conspiracy theories were created.

ii) Work assigned to co-accused for managing Main Stream Media (MSM), Social Media, Scientists, Physicians, Experts, Heads of the States, Bureaucrats, Government's Health Departments

iii) By involving media, scientists and others in the conspiracy, the Syndicate managed to lend credibility amongst the masses by constantly hammering messages and news around the mounting number of corona positive patients and the deaths. The obvious result was that people believed what they watched on MSM and talks of scientists/physicians and fell prey to the fear mongering agenda of the Syndicate. The prolonged lockdowns resulted in strained finances due to loss of their livelihoods of many people. Several people were left to die only to create extreme panic and fear. This was done in order to create a convincing and conducive situation to apply for **Emergency Use Authorization** (EUA) for

vaccines, trials of which are still in progress and results are not yet available. Thus, there is inadequate data regarding safety, efficacy and side effects of vaccines.

iv) However honest Allopathy, Ayurvedic doctors, Naturopathists have successfully treated the patients from Covid-19 and they have data of millions of patients. Honest scientists have given their genuine and correct opinions on the subject. [Please see **'Annexure - E.'**]

v) During this period the most effective, safe, affordable and easily available allopathic drug which has proved to be an effective early treatment drug is **'Ivermectin', Vitamin D**. The relevant scientific data and practical results including the testimony on oath in US Senate of Dr. Pierre Kory of FLCCC and experiences shared by several other doctors is at **'Annexure - F.'**

vi) The said data was helpful for all the mankind and for the welfare of the common man. But the same was disadvantageous to the vested interests of vaccine companies. Therefore, the accused managed to underplay, hide and defame the said results with the help of new narratives-conspiracy theories.

The best examples can be seen from the guidelines of YouTube called **'Covid-19 medical misinformation policy'** which has following specific points;

> ***"COVID-19 medical misinformation policy***
>
> ***What this policy means for you***
>
> ***If you're posting content***
>
> *Don't post content on YouTube if it includes any of the following:*

***Treatment misinformation**:*

- *Content that recommends use of Ivermectin or Hydroxychloroquine for the treatment of COVID-19*
- *Claims that Ivermectin or Hydroxychloroquine are effective treatments for COVID-19*

***Prevention misinformation**: Content that promotes prevention methods that contradict local health authorities or WHO.*

- *Content that recommends use of Ivermectin or Hydroxychloroquine for the prevention of COVID-19*
- *Claims that COVID-19 vaccines do not reduce risk of contracting COVID-19*

Examples

Here are some examples of content that's not allowed on YouTube:

- *Claims that hydroxychloroquine saves people from COVID-19"*

vii) The malafides of accused officials of **World Health Organization** (WHO) and others are writ large as can be seen from the very fact that while there were very limited, proven medicines and uncertainty over sufficiency of vaccines, then their vehement opposition to 'Ivermectin' which is proven to be an effective drug in prevention and treatment of COVID-19, is itself a sufficient reason to hold that said act was for furthering the interests of

Vaccine Syndicate and letting people die so that Governments might permit the vaccines under **Emergency Use Authorization (EUA)**, even when there were no sufficient studies regarding the safety and efficacy of vaccines.

viii) The above guidelines of YouTube and other social media like Twitter, Facebook et al are against the authentic, scientific data provided by the scientists and experts and the same is accepted by Government of India and has proven to be effective. This implies that the YouTube guidelines are a part of conspiracy of accused.

ix) The conspiracy came into the light recently when the leaked emails of accused Dr. Anthony Fauci revealed his connection with Mark Zuckerberg – who owns Facebook, Whatsapp and Instagram. A detailed investigation and their Narco Analysis Test would bring the whole truth to the surface.

x) Evidences proved that, the media hype around the second wave was a part of their sinister plan as can be seen clearly from the very facts that the **irrelevant pictures of dead bodies in river Ganga in the State of Uttar Pradesh were circulated in MSM and social media to defame the Uttar Pradesh and Central Government.**

xi) The conspirators, who controlled the media, targeted and defamed select State Governments in India and spread misinformation to create fear, anxiety, hatred in the minds of common public against the Ruling party in Central Government of India and few Chief Ministers of the States

xii) In furtherance of said conspiracy the Accused Dr. Fauci of USA has provided unsolicited and his ill-advice to India. The same was given publicity by MSM. His interviews were arranged by the:

i) The Hindu and ii) NDTV

(Dr. Faucci suggested for more & more vaccinations.)

Both the media houses are known for their agenda against the democratic government at the Centre.

These media houses depicted a sad, miserable picture of India across the world despite the fact that India was doing much better than any other country, particularly better than America where Dr. Faucci was in charge.

xiii) It seems that, the entire exercise was done only because Central Government of India has allowed the use of 'Ivermectin' and therefore the interest of vaccine Syndicate were hurt and they wanted to defame, overshadow the effectiveness of said effective medicine so as to create market for their harmful vaccines to fulfil their future plans.

xiv) As a part of said conspiracy, accused Dr. Soumya Swaminathan, without any proofs, gave a statement that in India Covid deaths are under-reported. The conspiracy can be easily proved from the very fact that all these narratives including urgency of oxygen and its propaganda disappeared from media news channels and newspapers when on 25.05.2021 Police started investigation in the **'Toolkit'** as exposed by Mr. Sambit Patra, Spokesperson of BJP. Police went to the office of the twitter at Delhi and served notice asking information.

Following news article's excerpts are sufficient to explain the issue of **ToolKit**

The Economic Times

Dt. 25.05.2021

On Monday, the Delhi Police's Special Cell sent a notice to Twitter India in connection with the probe into a complaint about the alleged "COVID toolkit", asking it to share information based on which it had classified a related tweet by BJP spokesperson SambitPatra as "manipulated media", officials had said.

The BJP has accused the Congress of creating a "toolkit" on how to tarnish the image of the country and Prime Minister Narendra Modi over the handling of the COVID-19 pandemic. However, the Congress has denied the allegation and claimed that the BJP is propagating a fake "toolkit" to defame it.

Last week, Twitter labelled as "manipulated media" a tweet by Patra on the alleged "toolkit". Twitter says it "may label Tweets that include media (videos, audio, and images) that have been deceptively altered or fabricated".

Biswal said the Delhi Police is inquiring into a complaint in the toolkit matter.

"It appears that Twitter has some information which is not known to us and on the basis of which they have classified it (Patra's tweet) as such. This information is relevant to the inquiry. The Special Cell, which is conducting the inquiry, wants to find out the truth. Twitter, which has claimed to know the underlying truth, should clarify," he said.

The government had earlier asked Twitter to remove the "manipulated media" tag as the matter is pending before law enforcement agency, and made it clear that the social media platform cannot pass judgment when the issue is under investigation.

BJP leaders, including Patra, have posted numerous tweets to attack the Congress over the purported "toolkit".

Read more at:

Link:https://economictimes.indiatimes.com/news/politics-andnation/tw o-congress-leaders-get-delhi-police-notices-to-join-probe-in-covid-toolkit-case/articleshow/82937577.cms?utmsource=contentofinterest&utmmedi um=text&utmcam paign=cppst

xv) Recent interim report by the Supreme Court audit team is said to have pointed out that, Delhi Government exaggerated the City's oxygen needs by four times during the peak of the second wave.

Link:-https://www.thehindu.com/news/national/delhi-govt-exaggerated-oxygen-needs-by-4-times-during-second-wave-peak-report/article34962693.ece

If it is true, then there is also a need for Narco Analysis & Lie Detector Test of Shri Arvind Kejriwal & concerned accused officials of Delhi Government to find out the connection between Vaccine Syndicates.

xvi) The accused came in direct opposition to State Government of Goa, India after **9th May, 2021** when State Government of Goa

declared that in order to prevent Covid-19 they will use Ivermectin for prophylactic purpose. In Goa also BJP party is in power.

xvii) On **9thMay, 2021**, the State Government of Goa announced the use of 'Ivermectin' for treatment of Covid-19.

On the very next day i.e. on **10thMay, 2021** accused Dr. Soumya Swaminathan tweeted as under;

> *"Safety and efficacy are important when using any drug for a new indication. @**WHO recommends against the use of Ivermectin for #COVID19** except within clinical trials https://t.co/dSb DiW5tCW*
>
> *- Soumya Swaminathan (@doctorsoumya) May 10, 2021"*

xviii) Indian Bar Association has issued a Legal notice dated **25.05.2021. The** accused Dr. Soumya Swaminathan, having perceived adverse atmosphere, **deleted the said tweet as she had no scientific and legally admissible data to prove her stand.**

xix) Each time and particularly from following specific instances, it is sufficiently proved that the accused more particularly Dr. Soumya Swaminathan does not possess any authentic and scientific evidences but she tried her level best to spread information with sole purpose to help the vaccine syndicate by giving false alarms. The instances exposing the malafides of Dr. Soumya Swaminathan are as follows;

i) When the earlier Notice was served on her on 25.05.2021, she has neither replied to the notice nor has she approached any court of law against us. On the contrary, she chose to delete the controversial tweet advising against the use of Ivermectin for COVID-19;

ii) When the Health Secretary of the State Government of Goa relying on affidavit of Under Secretary of Union of India made their submission on oath before Hon'ble High Court, with specific allegations against WHO that there are reports which have ***observed that the analysis by WHO on this medicine (IVERMECTIN) is flawed and that the mortality rate is actually much lower if the said medicine is used for early treatment as well as prophylaxis,*** neither of the accused chose to produce any proof to counter the said report. As a result, Hon'ble High Court has refused to accept the advisory of WHO.

iii) When All India Institute of Medical Science (AIIMS) had published a statement on 24.05.2021 that there is no evidence to predict the third wave and its effect on children, she did not give any **"Evidence"** in support of her statement dated 25.05.2021 which was contrary to the said statement of AIIMS.

After she was served with legal notice on 25.05.2021, by Indian Bar Association, she feared of being exposed and being summoned in Court of Law and therefore she took a U turn and stated that there is no sufficient evidence to suggest that children would be affected in the third wave.

Same stand is taken by the co-accused Tedros in his tweet dated 10thJudne 2021.

xx) The agenda of misinformation by accused is also exposed in the statement published in Press Bureau of India on June 8, 2021

"It is a piece of misinformation that subsequent waves of the COVID-19 pandemic are going to cause severe illness in children. There is no data - either from India or globally

- to show that children will be seriously infected in subsequent waves."

xxi) Dr. Sanjeev Ray the Chief of Research Team of Covaxin in his interview dated **12th June 2021**, given to **Navbharat Times** express his views on the basis of scientific evidence and accused such person (Dr. Soumya Swaminathan & Ors.) that they are having vested interests behind such agenda. **['Annexure- G']**

Link:-

https://epaper.navbharattimes.com/imageview_37204_24504_4_16_12-06-2021_6_i_1_sf.html

xxii) So it is crystal clear that accused do not have scientific evidence except jugglery of words and they are intellectually dishonest people who are playing with the lives and livelihood of the common people across the world by running false narratives and conspiracy theories.

xxiii) The conspiracy against other effective drug Hydroxychloquine is exposed by American Frontline Doctors **(AFLD)** in their White Paper on **'Covid-19, Experimental Vaccine candidates?'**

Link:- https://img1.wsimg.com/blobby/go/99d35b02-a5cb-41e6-ad80-a070f8a5ee17/SMDwhitepaper.pdf

xxiv) Experts Report on non-requirement of vaccines to the person who developed antibodies due to their body contact with Covid-19 ex-facie proved the false narratives of Vaccine Syndicate, in collaboration with WHO Director-General Dr. Tedros, Chief Medical Advisor to the President of USA Dr. Anthony Faucci etc.

xxv) That, the authentic and huge data of cure from Covid-19 with the help of scientifically proved therapies of Naturopathy and Ayurvadic as claimed by Dr. Biswaroop Roy Chowdhury, Baba

Ramdev and of Anandaih's 'K' medicines which is approved by Andhra Pradesh High Court were suppressed, neglected, defamed with the help of false narratives without any scientific reason to counter it. The officials of WHO and some government officials, Task Force members, media houses joined the conspiracy and they are liable for severe punishment as that of main accused.

xxvi) All the persons advocating the mass vaccinations by suppressing the above-mentioned scientific data and running narratives to help the vaccine Syndicate needs to be interrogated and the guilty needs to be punished.

xxvii) After publishing of above report, the accused came with new narrative that one dose of vaccine Covishield is sufficient for such person with antibodies. However, no specific discussion or direction were given in this regard.

Link:-

https://www.indiatoday.in/coronavirus-outbreak/story/single-dose-of-vaccine-sufficient-covid-recovered-patients-study-1814668-2021-06-14

xxviii) The other managements of conspirators in media, doctors and bureaucracy to amend the policies/rules to not to report the death caused due to side effects of vaccines and also to not to report the in effectiveness of the vaccines as there were severe deaths even after taking two doses of vaccines is ex-facie clear from the following data;

xxix) **CONCEALMENT AND SUPPRESSION OF DEATH BY VACCINES**:- There have been thousands of cases of deaths and serious adverse following vaccination by both **COVAXIN and COVISHEILD** reported in the newspapers in India till first week

of May 2021. However, the official data shows that there are only 180 deaths following immunization till March 29th 2021. Therefore, there appears to be a significant discrepancy between deaths reported in the newspapers and the official government figure.

The below link has a compiled data 4847 deaths as on 14th September, 2021 newspaper reports reporting deaths alone after administration of vaccine. This list is updated regularly.

Link:-

https://drive.google.com/file/d/1uikc1a6_KDzUx7HNLrfwaI1NJRt0D_YP/view?usp=sharing

xx) Alarmed by the rise in deaths and serious adverse events following immunization, **Tamilnadu Medical Practitioner's Association** wrote a letter dated **27.04.2021** in this regard highlighting the concerns. The true copy of the letter written by Tamilnadu Medical Practitioner's Association dated **27.04.2021** is at **'Annexure – H'.**

The letter is reproduced asunder:

"Dear friends,

All of you must be concerned about the reported deaths after taking the Covid vaccine. Though the Adverse Effects Following Immunisation (AEFI committee) comforts public and the profession by saying they're unrelated to the vaccine, we have to take it with a grain of salt

124 cases died and 305 cases hospitalised in India following Covid vaccination were analysed:

Died (124) **Hospitalised (305)**

Within 3 days	***93***	***276***
4th to 7th day	***18***	***15***
8th to 28th day	***11***	***13***
After 28 days	***02***	***01***

If they are due to reasons other than vaccination, they should be evenly distributed during every week following vaccination, but 75% death occurred and 90% were hospitalised during the first 3 days. Hence let us not take it for granted and find out if we can prevent complications.

I feel this may be due to thrombogenic property of the vaccine, which contains attenuated or dead virus. This can lead to coronary or cerebrovascular events, especially if there has been some pre-existing disease in those vessels.

Applying this logic, to all those who called me for the advice before vaccination, I started anticoagulant and antiplatelet agent (rivaroxaban 10mg and asprin 75mg) two days before the vaccination and continued it for 8 days after, with no major adverse effects reported in 125 patients.

This may not be strictly randomised, controlled study, but we are desperate in preventing post-vaccine deaths and should be able to assure our patients about their safety. I invite comments from our colleagues, whether we should pursue this 'theory' to the next step (sending our recommendation to the ICMR and AEFI committee for their comments and future action). Let

Tamil Nadu doctors take the lead in this terrible situation."

xxi) Reporting on the deaths and serious adverse events following immunization, **The Wire Science** in an article **(link:** https://science.thewire.in/health/617-serious-adverse-events-after-vaccina tion-reported-in-india-until-march-29) titled "**617 Serious Adverse Events After Vaccination Reported in India until March 29**" dated **09.04.2021**, reported the following:

"As of March 29, 2021, at least 617 serious adverse events following immunisation (AEFI) had been reported from around the country, according to a presentation made before the National AEFI Committee two days later. Of these 617, ***at least 180 people (29.2%) died,*** *and of these, complete documents were available only for 35 people (19.4%).*

....

The Government of India has been drawing flak for some time after it stopped publishing AEFI reports after February 26, around 40 days after the start of India's COVID-19 vaccination drive, and after a seemingly to concerns about AstraZeneca's shot, called 'Covishield' in India.

According to the slides presented on March 31, prepared by the Immunisation Technical Support Unit at the health ministry and which TheWire Science has seen, the ministry has ascertained the type of AEFI for492 reports. Of them, 63 people didn't require hospitalisation, 305 people required hospitalisation and 124 people died. A little more than half of those who died did so due to acute coronary syndrome, which refers to any conditions that suddenly and

significantly reduce blood flow to the heart, including heart attacks.

However, according to the presentation, complete documents were available for only 35 people. These documents refer to case reporting forms and case investigation forms that the corresponding healthcare workers must file at the district level for each case. Article:

THE VAERS REPORT

xxii) 4863 (as on 24th May 2021) persons died and 195000 persons had adverse events after vaccination in USA (Dec 2020 to May 2021)

xxiii) The US government has set up The Vaccine Adverse Event Reporting System (VAERS) for reporting of all deaths happening post vaccination. This system reported 4863 deaths and 195000 serious adverse events were reported out of 257 million doses of vaccination in the USA. The link to VAERS is as under: https://www.cdc.gov/coronavirus/2019-ncov/vaccines/safety/adverse-events.html

xxiv) Despite such reporting mechanism, the reporting of serious adverse events remainsgrossly under reported in the USA. In a separate 2011 study titled "Electronic Support for Public Health-Vaccine Adverse Event Reporting System" commissioned by Department of Health and Human Services (U.S.A) and performed by Harvard Consultants, concluded that *"fewer than 1 % of vaccine adverse events are reported"*. The link of this report can be found at: https://digital.ahrq.gov/sites/default/files/docs/publication/r18hs017045-lazarus-final-report-2011.pdf

xxv) It is seen from the above that with 1% adverse effect recording in USA with 257 million doses, 4863 deaths have been reported, and in India Govt has reported only 180 deaths with 190 million doses. This shows that in India AEFIs are grossly not reported/ not recorded by GOI.

xxvi) Please read the article titled as **'Death By Vaccine – The Greatest Scandal of 21st Century'.**

Link:-https://greatgameindia.com/death-by-vaccine-scandal/amp/?__twitter_impre ssion=true&s=09

xxvii) The report given by Dr. Tess Lawrie of United Kingdom regarding immediate stopping the vaccines by exposing serious side effects is sufficient to expose the vaccines syndicates criminal conspiracy.

Link:- https://theexpose.uk/2021/06/24/crimes-against-humanity-uk-government-release-21st-report-on-adverse-reactions-to-the-covid-vaccines/

xxviii) The Pharma Syndicate and more particularly the vaccine manufacturer's GAVI etc. were never interested to serve humanity. They are not doing the business with honest and ethical spirit. Their only agenda was to hijack the common sense of the people and make money which will be at the cost of lifes of people. They are guilty of genocide i.e. mass murders with cool mind and taking help of science media and corrupt bureaucrats, political leaders etc.

xxix) **None of the vaccine manufacturers are found to be honest to humanity and to their respective nations.** Their dishonesty can also be seen from the very fact that they neither informed the world

as to what is their formula to treat the people nor agreed for patent waiver.

On the contrary they tried to make their business prosper at the cost of deaths of common people and taking bread and butter of majority of peoples across the world.

xxx) **DUTY AND OBLIGATIONS OF STATE MACHINERY TO PROSECUTE ACCUSED**:

That it is obligation of the State to prosecute the offenders of humanity.

[Neeharika Infrastructure Pvt. Ltd. Vs. State 2021 SCC OnLine SC 315]

So, without wasting a moment, it is just and necessary that all the criminals, who are offenders against entire humanity should be booked.

xxxi) **NEEDS TO ISSUE ARREST WARRANTS THOUGH INTERPOL: -**

That, most of the accused such as Bill Gates, Dr. Soumya Swaminathan, Dr. Tedros et al are residing outside India.

If time is given to them, then they will use their power and money to influence witnesses, run narratives, murder activists, and can manage to avoid the course of justice and investigation being done in a fair and transparent manner.

They are guilty of mass murders and they will subject to death penalty. In such cases, they don't deserve the bail facility as per Indian law.

Any mercy with these people will be injustice to the entire humanity.

If any public servant avoids the arrest, then such officer also needs to be made accused as per **Section 201,218 etc. of Indian Penal Code**.

xxxii) **NEEDS FOR ATTACHMENT OF THE PROPERTIES OF ACCUSED:-**

The conspiracies of accused are being exposed everywhere in the world.

Majority of the people are likely to initiate proceedings against them. American Republican senators have brought the bill to **'Fire Dr. Anthony Faucci'.**

If we roughly calculate the interim compensation to be recovered for India, then it will at least be Rupees 70 to 80 Lac Crores around 1076.318 Trillion US Dollars.

The accused will not be able to compensate each victim across the world even after selling their entire properties.

Therefore, it is just and necessary that in order to secure the prospective rights of victims who are signatory to this complaint be secured by attaching all their movable and immovable properties including their bank accounts.

Indian law specifically mandate for such action.

This is also necessary for stopping further crimes by the accused by using their money power.

xxxiv) Hence a thorough investigation through a Special Investigation Team (SIT) having expert officers from RAW, CBI, IB, ED with Doctors, Scientists those are unconnected with accused and their NGOs, trusts such as Bill & Milinda Gates Foundation etc., is must and urgently required.

xxxv) Proper protection to witnesses needs to be ordered and a systematic planning to make few accused as an approver to expose remaining other accused forthwith is also necessary.

xxxvi) Close watch on media needs to be ordered.

37. You are therefore called upon to:-

37.1. To forthwith stop the contempt of law laid down by Hon'ble Supreme Court and follow the law and binding precedents of Constitution Bench of Hon'ble Supreme Court, and Hon'ble High Courts more particularly in the case of ;

(i) Mineral Development Ltd. Vs State **(1960) 2 SCR 609.**

(ii) A.K. Kraipak Vs. Union of India **(1969) 2 SCC 262,**

(iii) State of Punjab Vs. Davinder Pal Singh Bhullar **(2011) 14 SCC 770,**

(iv) Suresh Palande Vs. Govt. of Maharashtra **2015 SCC OnLine Bom 6775.**

37.2. AND TO FORTHWITH;

Remove the persons/bureaucrats, members of the Task Force etc. from any decision-making process related with remedies and solutions regarding Covid-19 pandemic, who are directly or indirectly connected with any entity, NGO or Board that receives funds from Bill & Melinda Gates Foundation, Rockefeller Foundation, PATH, PHFI, where sole agenda is to reap profits for the vaccine manufacturers;

37.3. Issue immediate direction as per law laid down by the Constitution Bench of Hon'ble Supreme Court in the case of **Mineral Development Ltd. Vs State (1960) 2 SCR 609,** there by directing to all authorities not to follow, the illegal, unconstitutional, unscientific and nonsensical circulars and orders based on the

recommendations and suggestions regarding vaccination, masks, RT-PCR test etc., issued by these disqualified members;

37.4. Issue directions for forthwith removal and withdrawl of all the false, misleading and illegal advertisements, caller tunes, Questions and Answers (FAQs) published by the Ministry of Health and Family Welfare on the basis of recommendations given by members who are in the disqualified category as per law laid down by Hon'ble Supreme Court.

37.5. Immediate direction to protect the rights of covid cured citizens who are safest person as their immunity is proved to be 13 times better than fully vaccinated people and the citizen who are covid cured or having natural immunity developed due to contract with corona are entitled for relief from covid appropriate behavior before vaccinated people.

37.6. Issue directions for enquiry and then issue specific directing to all the authorities to not to allow to take part in any of the meetings or decision making process the following person who are in the category of disqualified:

(i) Prof. K. Shrinath Reddy,

(ii) Dr. Cherry Gagandeep Kang,

(iii) Dr. Balram Bhargava,

(iv) Shri. V.K. Paul,

(v) Dr. Soumya Swaminathan **,**

(vi) Dr. Randeep Guleria,

(vii) Dr. K. Vijay Raghvan,

(viii) Dr. N.K. Arora ;

and others as mentioning in para 14 of this notice**.**

37.7. Direction to prohibit the members of ICMR, PATH, PHFI, Bill Gates etc., who found prima facie guilty by the Parliamentary committee in 72nd Report and bsed on the evidences given in this notice from participating any board or body dealing with the corona management.

37.8. Direct prosecution u/s 51(b) of Disaster Management Act, 2005 against all the entities and all the persons who are directly or indirectly forcing the people to take vaccines or restricting their entries on the ground of non-vaccination.

37.9. Directions to authorities to not to publish misleading advertisements, slogans and publish correct fact that vaccines are not completely safe but having many side effects and vaccines are not solution or there is no guarantee that citizens will not get corona and the person taking vaccine may die due to corona.

37.10. Directions to authorities to issue circulars to all State Governments and Central Government entities to not to conduct RTPCR/RAT Test of asymptotic and healthy persons.

37.11. Direction to authorities to not to draw any conclusions or not to take any policy decisions of lockdown or quarantine on the basis of RTPCR/RAT Test and only use the Gold Standard test of **'Virus Culture'** for taking any policy decisions or recommendations etc.

37.12. Give directions to all authorities to issue circulars, advertisements et. al to make public aware that:

(a) Natural immunity caused due to Contract with Covid-19 is more than13 times better than the person fully vaccinated and such people are most safest persons. They will not get corona again and they cannot spread infection.

(b) Wearing mask is voluntary and there is no scientific proof that masks can prevent infection. And the healthy or asymptomatic

people need not to wear mask. Also publish the scientific studies regarding damage caused to the lungs and also other side effects of wearing masks.

37.13. Give wide publicity & proper support to the following result oriented remedies and treatments which are having far more efficacy than vaccines and not having no side effects with zero deaths as compared with many side effects and deaths due to vaccines:-

i) Naturopathy's - Three step Fluid Diet as formulated by Dr. Biswaroop Roy Choudhary and verified by National Institute of Naturopathy, Pune.

ii) Anandia's Ayurvedic 'K' medicine as verified & approved by the State Government of Andhra Pradesh and confirmed by the Hon'ble Andhra Pradesh High Court.

iii) Ayurvedic & yoga treatment as suggested by Baba Ramdev.

37.14. Directions for forthwith stopping any marketing agenda, comments, advertisements regarding vaccination of Children as there is no need in vaccinating children, but marketing division of pharma mafia is trying to mislead the people at large.

38. Needless to mention here that if you failed to prevent offences and to prevent contempt of Hon'ble Supreme Court and Hon'ble High Courts then you will also become an accused in view of section 218, 201, 120(B) etc., of IPC and you will also be liable for action under contempt as per law laid down in **Re: M.P. Dwivedi (1996) 4 SCC 152.**

39. In **Re: M.P. Dwivedi** (supra) it is ruled that when the offences of contempt of courts judgment is brought to the notice of higher authority then it is their paramount duty to take action against the guilty. Failure to take action or any attempt to undone illegality should make the concern person liable for punishment under contempt.

In **T.N. Godavarman Thirumulpad v. Ashok Khot** (supra) the concerned Cabinet Minister and Chief Secretary were sentenced to 1 month's imprisonment for their act of commission and omission in an offence of contempt of directions given by the Hon'ble Supreme Court.

40. I hope and expect that you will act in the interest of humanity, law and our Constitution of India.

JAI HIND

Sincerely,

Adv. Mangesh B. Dongre

INDIAN DOCTORS FOR TRUTH
First Do No Harm

An Initiative By:
Awaken India Movement- AIM

mail2aim@protonmail.ch
awakenindiamovement.com

PMOPG/E/2021/0588364

8.12.21

To,
The Hon'ble Prime Minister of India

Sub: Petition to improve and make functional, AEFI Reporting and it's active Monitoring in India

Dear Sir,

We, Indian Doctors for Truth are alarmed that there is practically no proper protocol to report Adverse Event Following Immunization (AEFI) in India, as mass vaccination drive for Covid vaccines is implemented.

Following the 11 deaths of health care and frontline workers that were reported from across the country after administration of Serum Institute's Covishield vaccine, the issue of AEFI reporting was raised by two-dozen scientists including Virologist, Dr Jacob T John in a letter to Health Minister Dr. Harsh Vardhan and Drugs Controller General of India (DCGI) V.G. Somani, dated 31st January 2021. Despite the warning, no action was taken, although Dr. N. K. Arora is the Working Group chairman of National Technical Advisory Group on Immunization (NTAGI) and as a member of National AEFI Committee, he himself had raised the issue about the absence of a proper mechanism in May 2021.

Briefing the press, Dr NK Arora had said, "As of now, monitoring the vaccine recipient up to 72 hours post-vaccination is the norm. It should be done in at least 28 days. There must be a proper mechanism to report AEFI on the CoWin app and all the data should be available in

the public domain," adding that severe AEFIs were reported in less than 0.5 percent of recipients out of seven crore vaccinated people assessed so far. This translates to 5 severe cases out of 1,000 vaccinations.

Dr. Shailesh Mohite, superintendent of Mumbai's civic-run BYL Nair Hospital, said, "If someone dies within a day or two of the anti-COVID vaccination, it is usually being reported. But there is no protocol available to document or report the deaths days later." No AEFI assessment is complete without knowledge of background rates of adverse effects, according to Dr. Anupam Singh from Santosh University, Ghaziabad

Most cases of serious AEFIs are not being documented or reported to authorities. "The government's silence over such incidents and non-transparency with regards to AEFI data are adding to vaccine hesitancy. Proper investigation of serious AEFIs and gene sequencing of samples of such vaccine recipients can help find whether the new variants are evading existing vaccines," experts say.

Though some advisory might exist on paper, "there is so much chaos that nobody knows who to approach in the system and how," says Shobhit, son of a victim.
https://thedialogue.co.in/article/kxmSPNKRrW2UjCjY6Lqk/post-vaccination-deaths-raise-concerns-in-india-government-and-vaccine-makers-silent-?s=08

However, *in the absence of proper reporting mechanism and proactive approach of authorities to trace vaccinated people after they leave the vaccination site, such a claim may not be reflecting the true picture and full magnitude of AEFI and it is possible several cases of AEFI may be going unreported or undetected,* says Vineeta Pandey, while writing about her first hand struggle to get her 21 yr old son's AEFI.
Reporting of vaccination adverse effects made hugely difficult, going unreported (asianage.com)

Dr Arora keeps reassuring but does not implement what the experts in our country recommend. For example, in February in response to the concerns raised by experts he had

said, *"The causality assessment by the National AEFI Committee will be on a rolling basis. This is because we want everyone to know if the vaccine caused the deaths."*

The importance of a robust AEFI reporting system was summed up by Dr. Jacob John, Virologist, when he said, "The sequence (death following vaccination) is not an evidence of consequence. Causality association is through exclusion. The time relationship of the deaths with vaccination should be explained, for which alternative cause of death should be established through investigation in each case. Only then can the vaccine be exonerated. *If you can't find any cause of death in a young person, then you have to attribute the cause of death to the vaccine."*
Vaccine death reports will be published, says adverse events panel expert - The Hindu

On 16 March 2021, a group of doctors, lawyers and journalists wrote to the central government asking for an *"urgent investigation of deaths and serious adverse events following administration of COVID-19 vaccine."*
Covid-19 vaccines: Investigate adverse events and make reports public, say health experts - The Hindu Business Line

Karnataka has scored poorly in investigating deaths following Covid-19 immunisation. The Centre's data shows that more than 30 percent of severe adverse events following immunisation (AEFI) cases in the state resulted in deaths. However, post-mortems were done only in seven of the 40 deaths reported till 20 July 2021.

The absence of proper protocols, strict guidelines and awareness about AEFI, has resulted in loss of AEFI data critical to current third phase efficacy trials. Sources confirmed that the health ministry attributed the trend to *delays in verification by district officers, incomplete investigations and causality assessment reports including a low percentage of post-mortems or delay in sending reports. Infrequent meetings of AEFI committees, inadequate capacity at the district level and lack of awareness about Thrombosis Thrombocytopenia Syndrome (TTS) are also affecting reportage.*
https://www.deccanherald.com/state/top-karnataka-stories/karnataka-lax-in-probing-deaths-following-covid-19-vaccinations-1052248.html

And whereas after the analysis by EMA, many countries have either completely stopped using Astrazeneca vaccine or restricted its use below a certain age, no such analysis could be done for AstraZeneca (Covishield) in India.

According to The Hindu, *the EMA included only six deaths from India after vaccination with Covishield because of a massive backlog in processing assessments in India, according to Malini Aisola, co-convenor of All India Drug Network (AIDN). In addition, Dr Gagandeep Kang also said in an interview with Karan Thapar for The Wire, that while the risk is low, the issue has been compounded by the Indian government's secretive deliberations on the matter.*
617 Serious Adverse Events After Vaccination Reported In India Until March 29 - The Wire Science

There have been multiple reports of people dying of blood clots following the vaccine or other injuries in the media.

"Patient Dies of Covid Vaccine-induced Blood Clot, 7 Other Cases Reported: Delhi's Sir Ganga Ram Hospital" https://www.news18.com/news/india/delhi-7-cases-one-death-of-covid-vaccine-induced-thrombotic-thrombocytopenia-reported-in-sir-ganga-ram-4336937.html

"Rare neurological disorder documented following COVID-19 vaccination,"
"Seven cases were reported from a regional medical center in Kerala,"
"The frequency of Guillain-Barré syndrome in these areas was estimated to be up to 10 times greater than expected."
https://medicalxpress.com/news/2021-06-rare-neurological-disorder-documented-covid-.html

April, 2021: "India reviewing 700 serious post-vaccine adverse events."
http://timesofindia.indiatimes.com/articleshow/81979541.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

The National AEFI Committee has assessed only 363 of severe or serious AEFIs till 18th October 2021, of which only 4 cases of death were found to be directly linked to Covid Vaccine Product Related. Though 3 out of 4 were cases of anaphylaxis, there was one case where the diagnosis given was "Right transverse sinus thrombosis with right temporal haemorrhagic infarct, right posterior frontal haemorrhagic infarct with thrombocytopaenia". We beg to ask the question, is it really possible that we have only one confirmed case Vaccine-Induced Immune Thrombotic Thrombocytopenia (VITT), when 16 countries have banned or age-restricted Astrazeneca (Covishield) Covid vaccine for the same reason?!

Thus in the absence of proper protocol such reports do not generate confidence in people and doctors alike. Other moderate AEFIs like severe rashes, severe headache, are not even reported. As doctors we have seen many cases going unreported.

In the EU, anyone can report post-vaccine illness directly to the national authority or vaccine makers. The patient volunteers are followed up for at least six weeks post-vaccination and tracking of even long-term effects, says European Medicines Agency (EMA) rules for COVID vaccines. In the US there is an online system of reporting VAERS. Given the scale of vaccination in India, why isn't there a proper AEFI reporting mechanism in India?
In the US, we can see 18,853 deaths as per the official US VAERS database (a total of 894,143 Adverse Event reports till 12/11/21). In Europe, in just 27 countries, 31,014 death reports are available in the official European Union database Eudra Vigilance (a total of 2,890,600 Adverse Event reports till 20/11/21). What are the equivalent numbers in a huge country such as India? It is unbelievable that a country of our size with the largest Covid Vaccination drive on this planet has only 2116 AEFIs which also includes death. The following link itself provides media reports of over 10,600 deaths that have occurred post vaccination in India.
https://drive.google.com/file/d/1uikc1a6_KDzUx7HNLrfwaI1NJRt0D_YP/view?usp=sharing

Regretfully, almost 12 months after the frenzied rollout of the third phase of the Covid-19 vaccine, there have been no guidelines issued or protocol designed for the proper surveillance of AEFIs. Absence of information pertaining to safety makes it impossible for both doctors and patients to make informed decisions based on the risk/benefit profile of the vaccine. It

also compounds the difficulty in diagnosing and treating AEFIs. The need for an Active Surveillance System cannot be more emphasized.

Looking at the current system of AEFI reporting, we demand immediate implementation of the following steps.

1. Immediate development of AEFI Online reporting system on the lines of VAERS system in US, with retrospective effect from the beginning of the vaccination drive.
2. Wide publicity of this system for the general public, including doctors to know the existence of the system.
3. Easy and Open public access to AEFI reports with rolling weekly updates.
4. Compulsory post-mortem of all sudden deaths post covid-19 vaccination, where obvious cause of death is not found or where cause of death is blood clotting in one part of the body (to rule out clotting in other parts of the body).
5. Immediate setting up of Vaccine Courts at State level to adjudicate on compensation payable to victims of vaccine injury/death.

We urge you to kindly look into the matter and expedite the setting up of an AEFI reporting system by MoHFW, including an advisory for diagnosis, treatment and reporting of adverse events occurring post Covid-19 vaccination.

Thanking You For Your Concern,

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Dr. Ajay Gupta, MBBS, MS-Ortho (AIIMS), New Delhi
Dr Lenny Da Costa, MBBS DGM FINEM FCMT, Goa
Dr. Tarun Kothari, MBBS, MD, New Delhi
Dr. Banu Prakash A.S., Neurosurgeon, MBBS, MS, MCh.NS, PGIMER, Bangalore
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