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Request for documents and comment

Dr K K Aggarwal <emedinews@gmail.com>

Fri, Jul 24, 2015 at 8:02 AM

To: Andrew.MacAskill@thomsonreuters.com, Ajay Kumar <drajaypatna@rediffmail.com>

Bcc: Ketan Desai <ketanalka@gmail.com>

Dear Andrew,

This has reference to your email and further query.

I had spoken to Dr. Ajay Kumar, Past National President of IMA and Council Member, WMA in this regard.

1. In May 2010 on the basis of allegations of corruption, disproportionate assets (DA) case was registered against Dr. Ketan Desai and his family members. After two years of prolonged and detailed investigations on 31st May, 2012, the CBI had filed 'Closure Report' stating that all the assets, properties accounts etc. of Dr. Desai and his family members were found to be entirely from their known and legal sources. The CBI did not find anything which was not legally accounted for. It may be significant and important that the CBI at the relevant time in 2010, while undertaking its investigation, had found only Rs. 53,660/- (about 900 \$) in cash from all the premises of Dr. Desai and his family at Delhi and Ahmedabad. This amount of cash was not seized by the CBI.

2. Under the Indian law, if nothing incriminating is found by the CBI and its investigation results into filing of a Closure Report, the same is required to be considered by the competent court for its acceptance. On 15th December, 2012 after number of hearings and scrutiny the Competent Court had accepted the Closure Report of CBI and released all properties, assets accounts etc. of Dr. Desai and his family members.

3. It was never the case of CBI that there was any occasion for the CBI to make any allegation that Dr. Ketan Desai was "caught red handed" while accepting any bribe. The only allegation was of disproportionate assets. Closure of DA case and its acceptance by the competent court means the allegations of corruption and acquisition of disproportionate assets there from i.e. making assets, properties etc. from bribe money against Dr. Ketan Desai were not substantiated / proved and were dropped.

4. Once the competent court accepted the closure report of CBI in December 2012, IMA had informed World Medical Association in 2013 that based on the DA closure report the charges / allegations of corruption and acquisition of assets, properties etc. from bribe money against Dr. Desai are not proved and he

should be allowed to assume the office of President of WMA to which he had stood democratically elected. The copy of the closure report of CBI and its acceptance by the competent court were also given to WMA.

5. Subsequently, IMA also wrote to CBI regarding other cases against Dr. Ketan Desai and a copy of the reply received from the CBI was also forwarded to WMA in 2014.

6. Let me take this opportunity for re-emphasizing and making it abundantly clear that IMA is a responsible body representing more than 2,50,000 doctors and will not do anything which may have the slightest possibility of causing any ambiguity much less to mislead/misguide anyone by not providing correct information not only to WMA but to any other organisation / entity. I had personally gone through all the correspondence of IMA with WMA, CBI and MCI and crosschecked with all judgments and various documents and found that all that has been communicated to WMA in relation to Dr. Desai are true and entirely based on facts.

7. I am also emailing the present communication to Dr. Ajay Kumar who is Council Member to WMA representing IMA. Should you wish to seek any clarification / confirmation from him, you would be most welcome to do so.

With regards,

Dr K K Aggarwal

HSG IMA

Copy to Dr Ajay Kumar Past President IMA

IMA Council Member WMA

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