

REPORT OF THE OMBUDSMAN ON A
COMPLAINT BY MR. MAURICE ARJOON
ARISING OUT OF PROSECUTION FOR A
FRAUD AT THE NEW BUILDING SOCIETY
LTD.

Hon. Justice Winston Moore
Ombudsman

COMPLAINT BY MAURICE ARJOON
TABLE OF CONTENTS

<u>SUBJECT HEADINGS</u>	<u>PAGE</u>
Written Complaint	1-4
Jurisdiction.....	4-5
Letter to Dr. Luncheon.....	5
Letter to DPP and her reply.....	5-6
Police File	6-7
Review of Police File – The Fraud.....	7-9
Report of Investigating Rank.....	9-16
Bank Book.....	16-17
The Forged Power of Attorney.....	17-18
Forged Passport.....	18-19
Conclusions.....	18-24
Thank you Note.....	24-25
<u>ATTACHMENTS</u>	<u>ANNEX</u>
Unsigned Statement of Ashley Legall.....	A
Forged Power of Attorney.....	B
Passport Application by Compton Chase.....	C
Passport Application by Rabindranauth Rao.....	D
Dr Nanda Gopaul's reply.....	E
Preliminary Report by Deputy Commissioner (Ret) Mr. Henry Chester.....	F
Final Report by Mr. Henry Chester	G

COMPLAINT BY MAURICE ARJOON

WRITTEN COMPLAINT

Mr. Maurice Arjoon made a written complaint dated January 16, 2014 to this Office alleging a multiplicity of wrongs done to him and two senior managers of the New Building Society Ltd (NBS).

Mr. Arjoon claimed to have been a former Director/Secretary, Chief Executive Officer of the NBS where he was employed at the Management, then Executive/Directorship level for nearly 30 years with an unblemished record until the events complained of.

Mr. Arjoon stated:

“On June 1st, 2007 two Managers and I were deliberately and maliciously charged for an alleged fraud which the Police and the Director of Public Prosecutions (DPP) as well as the Board of Directors of NBS knew we did not commit, and which was also confirmed by several investigations at the NBS. After 3 ½ years of blatant delays in the criminal court and without providing a shred of evidence of any wrongdoings my case was finally dismissed (and that of the Managers a year later), despite the fact that the DPP had stated in a letter to the Board that she had Strong and Compelling evidence against us. This totally untrue statement was subsequently repeated by DPP to the Chancellor (ag).

(Emphasis above and below reproduced as in original complaint)

Mr. Arjoon claimed that he brought a proceeding in the High Court against the DPP through the Attorney General alleging malicious prosecution.

This proceeding was dismissed by the Honourable Madam Justice Dawn Gregory. Mr. Arjoon filed an appeal which is still to be heard.

The following are excerpts from Mr. Arjoon's complaint:

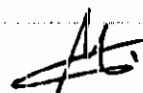
“At the time of the trumped up charges I was six months away from retirement when I would have been entitled to receive a lucrative monthly pension and substantial benefits. Despite my exemplary performance record

with never even a warning letter and the fact that over five months of investigation at NBS which the Board was fully aware of and which never linked me to any wrong doings whatsoever, the NBS Board terminated my services stating fraud and negligence and serious misconduct, **none** of which is correct.”...

“I believe that an Independent Investigation will also reveal that persons from the Central Islamic Organisation of Guyana (CIOG) including the DPP did not want to take action against the perpetrators identified, and that the wrongful charge and subsequent termination of services were instituted to take over the NBS and as “punishment” for certain decisions and/or recommendations I made which was in the interest of the NBS but was deemed unfavourable to the **President of Guyana and certain Directors of the NBS**. Based on my own investigation, credible information received, and what has since been officially revealed in court, stated below is a list of the persons involved – directly and/or indirectly – and their participation in this evil Injustice, for which the attachments support the allegations made herein. May I also mention that while the NBS is supposed to be a Private Company, it is run by persons aligned to the Government and/or the CIOG.”...

“In 2006, at an NBS Board meeting three Directors voted for an investment of G\$2B in the Berbice Bridge, while three voted zero investment. I recommended that the Directors be guided by the Financial Institutions Act in determining the quantum to invest in the Berbice Bridge, to which they **all** agreed without any objection thus \$350M was invested (then). Less than 2 hours later, Nanda Gopaul telephoned me and said that as President Jagdeo did not get the \$2B for the Berbice Bridge he – the President will “deal with me!”

- After the wrongful charge in June 2007, certain Directors of NBS subsequently confided that the President called them to a meeting at Office of the President where the Chairman and Vice Chairman lied that the police said they had evidence against me and the 2 Managers, and the President asked of the Board “Why do you have them there then?” and that this is the main reason they agreed to fire us.



- Further, when written to in January 2008 by my spouse, with information attached that the DPP wrongfully charged me and the two Managers, the President quickly confirmed the DPP in her previously acting position. Then, amendments to the NBS act were rushed through parliament and hastily assented to by the President, to make it impossible for NBS members to call special meetings in the event of wrongdoings.
- In November 2010 – before the criminal charges were dismissed – President Jagdeo asked a family member of mine if I was willing to accept full pension and benefits in return for dropping the lawsuit. Given that I was told the civil matter would be drawn out for years, I decided to accept and the President arranged for me to meet Dr. Nanda Gopaul at the Office of the President who admitted that I did no wrong and agreed for Legal Fees to be paid by NBS and that I can get full pension and benefits. Surprisingly, NBS Lawyer Ashton Chase sent a letter advising approximately half of my monthly pension and lump sum due, stating this was agreed to after discussion at the highest level!(This was refused)”...

“In 2007, Dr. NK Gopaul was the Vice Chairman of NBS as well as the Permanent Secretary in the Office of the President. After the wrongful charge, Police (Inspector Wintz) subsequently said to me that they never had any evidence but that it was “Gopaul and Mc Doon who helped the DPP place the trumped up charges against me and two Mangers”! Certain NBS Directors also subsequently confided that “Mc Doom and Gopaul deceived them into believing the police had evidence against us and that we were guilty and also negligent, and, with the added pressure from President Jagdeo they were coerced into agreeing to our dismissal.”...

“Dr Ashni Singh is the Minister of Finance under whose jurisdiction are all Financial Institutions including the NBS. Consequently, a request was made in June 2007 by the 3 victims to conduct an investigation. The letter and attachments (see copy under “request for investigations”) was taken to him by hand by my son and daughter and before collecting the envelope, Dr. Singh told them “let me assure you that your father is absolutely innocent!”



Weeks later, a team of Bank of Guyana (BOG) officers conducted an investigation, but I (nor the 2 Managers) were interviewed by them. One of the BOG officers later confided that the BOG report confirmed the innocence of the CEO and 2 Managers, however, while the CIOG/muslim involvement was evident that was not included in the report (for fear of retaliation) but Dr. Singh and the Governor of the BOG were apprised of this fact. Dr. Singh never replied to the letter other sources from the BOG revealed that this BOG report confirmed that the 3 officers were innocent but that they were told to "duck" the report.

I myself subsequently spoke to Dr. Singh about the wrongful charges and the non-payment of my pension/benefits and his response was that he was surprised I have not received my pension and benefits but said to me: "you can hold your head high."

JURISDICTION

The Ombudsman has jurisdiction to investigate any action taken by any department of Government or by the President, Ministers, officers or members of such a Department being action taken in exercise of the administrative functions of that department. Article 192 (1) of the Constitution of Guyana.

Mr. Arjoon's complaint included allegations against Dr. Nanda Gopaul, at the time, Permanent Secretary of the Office of the President who allegedly relayed a threat from President Bharrat Jagdeo to Mr. Arjoon. According to Mr. Arjoon, the threat resulted from a perception that his advice, at a meeting of the Board of Director of the NBS, resulted in a decision to invest only \$350 million of NBS funds in the Berbice Bridge instead of \$2 billion anticipated by the President.

Mr. Arjoon further alleged that Dr. Ashni Singh, Minister of Finance, ordered an investigation by the Bank of Guyana of a fraud at the New Building Society Ltd. of which Mr. Arjoon was the Director/Secretary, Chief Executive Officer and that the report was deliberately suppressed by Dr. Singh to the detriment of Mr. Arjoon.

Mr. Arjoon alleged that against this background, he and two senior managers of the NBS were wrongfully charged for criminal offences for a fraud at the NBS.

I concluded that I have jurisdiction to investigate whether Mr. Maurice Arjoon suffered injustice as a result of the actions of public officials in the discharge of the functions of their respective offices.

During the course of my investigation, I saw a note which listed an exhibit that was supposed to be in the Police file headed: "eleven pages of notes at minister meeting".

This document which was missing from the Police file suggests the intervention of a minister of Government in the Police investigation of the NBS fraud.

LETTER TO DR. LUNCHEON

I wrote to Dr. Roger Luncheon, Head of the Presidential Secretariat, drawing his attention to the allegations made by Mr. Arjoon against Dr. Nanda Gopaul, Permanent Secretary in the Office of the President at the time of the events complained of, and Dr. Ashni Singh, Minister of Finance and in particular asked for their respective comments as follows:

1. Whether Dr. Nanda Gopaul did call Mr. Arjoon as alleged and what did he tell him.
2. Whether Dr. Ashni Singh did order an investigation by the Bank of Guyana of the NBS, as a result of the allegation of fraud, and whether the report of the investigation was deliberately suppressed to the detriment of anyone.

Dr. Nanda Gopaul replied through the Head of the Presidential Secretariat denying communicating any threat to Mr. Arjoon and in fact claimed that he and Mr. Arjoon had very cordial relations up to the time Mr. Arjoon was dismissed by the NBS.

To date no response has been received from Dr. Ashni Singh.

LETTER TO DPP AND HER REPLY

I also wrote Mrs. Shalimar Ali-Hack, Director of Public Prosecutions, suggesting that the Police investigation into the NBS fraud be re-opened and assessed by a fresh mind.

The DPP replied that she would be willing to so advise the police if there was new/additional evidence, of which none was available.

The DPP further stated that Mr. Arjoon and the other persons charged were discharged of the preliminary inquiry because the account holder from whose account money was withdrawn, migrated and never returned to complete her testimony in the Magistrate's Court.

Excerpts from the DPP's letter are stated as follows:

"It seems that Mr. Arjoon is using the fact of the discharge to support his allegation that there was no evidence against him. There were three (3) charges and they were all discharged. The reason for the discharge is the account holder from whose account the money was withdrawn, by a Power of Attorney in her absence, migrated and did not testify in two (2) of the charges. She testified in chief for the other one (1) charge but never returned to court to complete her testimony. Owing to her not testifying the persons charged, including Mr. Arjoon, were discharged.

Consequent to the money being withdrawn from her account and the account being closed she brought a civil action against New Building Society and New Building Society settled with her. She received all her money which was stolen from the account and then migrated and never returned to Guyana to testify and complete here testimony resulting in all the accused being discharged.

POLICE FILE

The DPP and I had further discussions on the telephone resulting in my suggesting to her that I be afforded the opportunity to read the complete Police file on the NBS fraud, a suggestion to which the DPP was not opposed.

I accordingly requested a copy of the complete Police file from the Commissioner of Police.

I did receive a Police file during May, 2014.

I contemplated seeking the assistance of Mr. Henry Chester, retired Deputy Commissioner of Police, to review the Police file.

I did retain Mr. Chester for this task after seeking and obtaining written confirmation from the Commissioner of Police, Mr. Seelall Persaud, that he had no objection to the retention of Mr. Chester.

Having reviewed the file sent, Mr. Chester observed that the file received was not the complete Police file.

Some of the deficiencies from the Police file were pointed out to the Commissioner and a second file was received as a result.

Among the missing documents from the Police file was a listing at Number 1 under list of Exhibits referred to as "eleven pages of notes at Minister meeting."

This document was also missing from the second file provided to this Office, a fact that was pointed out in a second letter to the Commissioner with my observation that a special effort be made to locate the missing document in view of the allegations made by Mr. Arjoon.

I eventually received a letter from the Commissioner with an attachment from O.C. Fraud to the effect that the "eleven pages..." were not found and a note that the Investigating Rank, Asst. Supt. Paul Wintz, had died.

The review of the Police file showed the following:

REVIEW OF POLICE FILE

THE FRAUD

On the morning of 31st October, 2006 a man claiming to be Compton Chase presented a Guyana Passport in his name and a General Power of Attorney to Amrita Prashad, an employee of the NBS, at the NBS Head Office for the purpose of making a withdrawal of \$15,000,000 from the account of Bibi Shamila Khan. He did not present a bank book for the account.

Passport details:

No. - 1026665

Issued – 15th November, 2002

Name – Compton Chase

Date of Birth – 9th August, 1935.

Power of Attorney

Principal

Bibi Shamila Khan of 2970 Jane Street, Toronto, Ontario M1K2J9, Canada formerly of 38 Sukhai Street, Better Hope, East Coast Demerara, Guyana.

Attorney

Compton Chase of 100 Cedar Court, Lamaha Gardens, Georgetown, Guyana executed on 12th September, 2006 before Tyrone Ramroop at the Guyana Consulate, Toronto, Ontario, Canada and witnessed by Parbattie Persaud and Sanita Singh.

Registered at the Deeds Registry in Georgetown on 20th September, 2006 and numbered 6947 of 2006.

Amrita Prashad extracted the Index Card for Save and Prosper account #4745 in the name of Bibi Shamila Khan.

The person claiming to be Compton Chase told Ms. Prashad that the account holder was in Canada and could be reached on telephone No. 647-868-9552.

Prashad took the documents to Imran Bacchus another employee of NBS who recorded particulars from Chase's Passport and the Power of Attorney on the index card.

Prashad then took the documents to NBS Supervisor Kumar Ragobar who examined them and referred her to Operations Manager, Kent Vincent because the amount of the withdrawal was above the limit (\$1 million) he, Ragobar, could have authorised.

Operations Manager Kent Vincent examined the documents and in particular compared the signature on the Power of Attorney with that on the index card, was

apparently satisfied and he took the documents to Mr. Maurice Arjoon, Chief Executive Officer.

Mr. Arjoon instructed Vincent to contact Bibi Shamila Khan to verify the withdrawal request and the Power of Attorney.

Vincent instructed NBS telephone operator to make the call to the telephone number provided by Chase, to Bibi Shamila Khan, which she did and made a record of the call in a book for recording outgoing overseas telephone calls.

REPORT OF INVESTIGATING RANK

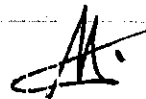
The following are excerpts from a report by the Investigating rank:

16"... There was no telephone Cumber (sic) for Bibi Shamila Khan recorded on the index card, as a result he gave the telephone number supplied by Compton Chase to the telephone operator with instructions to contact Bibi Shamila Khan.

17. The telephone operator placed the call, and shortly after connected a female who identified herself as Bibi Shamila Khan to Kent Vincent. He identified himself and requested from the female her passport number, date of birth, date of issue and last local address which proved to be correct as per index card. He also asked her if she had made anyone her Power of Attorney and she told him that Compton Chase has been appointed by her, and she had authorized the withdrawal of \$15,000,000.00 from her account which had an approximate balance of \$69,000,000.00, which was also correct. He then asked her about her passbook and she told him that it had been misplaced and asked the procedure of getting a new one. He told her that the society required her to send a signed conformation of the transaction by fax and she could mention the lost passbook, which she promised to do the following day. Kent Vincent then went to the counter where he identified Compton Chase by the photograph in the passport, he told Chase that he had spoken to Bibi Shamila Khan and was awaiting a fax to confirm the transaction asking him to return the following day.

18. The following day 2006-11-01 Kent Vincent received a call from the said female who claimed to be Bibi Shamila Khan. She asked if he received the fax which he said he did but it was not clear, and she would have to send another, she did so and Vincent collected same. (See copies of faxes dated 31st October, 2006 in file). Shortly after Compton Chase entered the bank, and spoke to Imran Bacchus who in turn spoke to Kent Vincent, he referred the transaction to Maurice Arjoon, who after examining the documents, and fax gave verbal approval. Vincent made a note of this approval on the fax. Kent Vincent then instructed Imran Bacchus to process the transaction which was done and two cheques #067065408 in favour of M. Kryshundayal for \$10,225,000.00 and cheque # 067065409 in favour of Compton Chase for \$4,775,000.00 as requested by Compton Chase were prepared and taken to Kent Vincent along with accompanying documents. He again checked then signed the two cheques, after which he took them to Maurice Arjoon who signed the said cheques as the second signatory. These two cheques were handed over to Compton Chase along with an indemnity form for Bibi Shamila Khan to sign and return in order to be issued with a duplicate passbook, also his passport and original Power of Attorney a duplicate of which was kept by the society. It must be mentioned that Imran Bacchus prepared the withdrawal slip (see copy of withdrawal slip on cheques in file).

19. On the 17th November, 2006 the said woman identifying herself as Bibi Shamila Khan allegedly telephoned Kent Vincent via New Building Society Operator and informed him that she needed another withdrawal and sent a fax to the effect with instructions that Compton Chase would be making the withdrawal of \$22,664,000.00 in two cheques \$20,500,000.00 payable to M. Hussain and \$2,164,000.00 payable to Compton Chase. Shortly after Compton Chase entered the society and presented his passport and Power of Attorney to Imran Bacchus informing him that he needed to make a withdrawal \$22,664,000.00, and he should go to Kent Vincent, who was aware of the transaction. Bacchus followed the procedure and took the documents to Kent Vincent who again sought and gained the approval from



Maurice Arjoon, which he made a note of a fax (see fax in file). Imran Bacchus was then instructed to process the transaction and prepared the withdrawal slip as per instructions on the fax, same was signed by Compton Chase, he then prepared cheque number 067065891 for \$20,500,000.00 for M. Hussein and 067065892 for \$2,164,000.00 for Compton Chase and took them to Kent Vincent who signed the cheques as the first signatory and Kisson Boldeo signed as the second signatory, after which the cheques were handed over to Compton Chase. (See copies of withdrawal slip and cheque in file). On the 20th November, 2006 Compton Chase returned to New Building Society with the cheque payable to M. Hussain and requested that it be deposited into Bibi Shamila Khon's account, and two cheques be made out to M. Hussain for \$10,200,000.00 and Daniram for \$10,300,000.00 for the amount of \$20,500,000.00. He wrote those instructions on the back of the withdrawal slip dated 2006-11-17, and the two cheques #067065524 for \$10,200,000.00 in favour of M. Hussain and cheque # 067065525 for \$10,300,000.00 in favour of Daniram prepared by Bacchus those two cheques were signed by Kent Vincent and Kisson Baldeo, after which they were given to Compton Chase (see copies of cheques in file).

20. Sometime prior to the 8th December, 2006 the said woman who again identified herself as Bibi Shamila Khan allegedly called Kent Vincent via the New Building Society operator and informed him that she wanted to close her account and would send a fax to that effect conforming the closure. On the 8th December, 2006 she again called Kent Vincent who verified that the fax had been received (see copy of fax dated 7th December, 2006). The said day Compton Chase went to New Building Society where he presented his passport and Power of Attorney to Imran Bacchus and indicated that he wished to close the account. It must be noted at this time that fax allegedly sent by Bibi Shamila Khan instructed that the final balance be made payable to G. Romotar. Imran Bacchus followed the procedure and took the Power of Attorney, passport and index card to Kent Vincent, who authorised the preparation of the cheques, Imran Bacchus prepared the withdrawal form

which Compton Chase signed after which he prepared cheque #06706643 for \$17,800,000.00 in favour of G. Ramotar and cheque #067066464 for \$14,430,384.00 in favour of G. Ramotar. These cheques were signed by Kent Vincent, who took them along with the documents and the fax to Nizoodeen Mohamed for the second signature, he referred the transaction to Maurice Arjoon. The transaction was taken to Arjoon who signed cheque # 06706643 for \$17,800,000.00, and upon realising that the indemnity not been submitted by Bibi Shamila Khan, instructed that the cheques be withheld until it was received by New Building Society.

21. The said day Kent Vincent allegedly placed a call through the operator to Bibi Shamila Khan informing her of the need for the indemnity form (sic) the cheques could be released. The said day Bibi Shamila Khan called back to say she was not getting through with the fax, and would send the identity (sic) form via email which she did address to Kent Vincent, who sought approval to release the cheques. Maurice Arjoon gave the approval on the remaining cheque # 067066464 was countersigned by Kisson Baldeo, after which according to Kent Vincent they were handed over to Compton Chase thus closing Bibi Shamila Khan's account (see copy of fax dated 206-12-07 (sic) in file).

22. Imran Bacchus further claimed that on 8th December, 2006 it was he who took the two cheques to Maurice Arjoon after they had been signed by Kent Vincent, Arjoon then signed the one cheque and not seeing the indemnity did not sign the second cheque and instructed Bacchus to inform Vincent to hold the cheques pending the identity (sic) form. This was done and the cheques and documents were left with Vincent. Imran Bacchus then went out and upon returning was told by Mrs. Baldeo that she had torn out two cheques and left them with head cashier Tracy Duncan-Clarke. He also mentioned that it was he who took the cheques to Maurice Arjoon and at no time did Kent Vincent instructed him to take them to Nezam Mohamed for the second signature. On Monday 11th December, 2006 Bonita Baldeo told Imran Bacchus that an indemnity form had not been received and instructed him to collect the two cheques from Mrs. Duncan-Clarke, the

withdrawal form from the vault and the cheque book from the Customer Service Department, and take them to Kent Vincent, along with the index card of Bibi Shamila Khan, Kent Vincent told him to go to Maurice Arjoon for the second signature but when he went to Mr Arjoon's office, the secretary Mrs. Chichester went in and spoke to Arjoon, then came out and told Bacchus that Arjoon had instructed that he take the transaction to Mr. Baldeo for the second signature, which he did and same was done, he then went downstairs but did not see Compton Chase as a result he left the cheques with Duncan-Clarke and returned the remaining documents to their respective places. He could not remember if it was he who handed over the cheques to Compton Chase.

23. Farouk Razack the owner of Swiss House Cambio and his two employees Mohamed Hussain and Mouldarlall Kryshundayal, along with Vishrakand Narine and Ganesh Ramotar of L. Mohabeer and Sons Cambio were contacted and statements obtained from them in relation to the transaction done in their names. They all with the exception of Farouk Razack admitted that they receive cheques from their employer who instruct them to go to the bank and encash the cheques which have already been made out in their names. They would on each occasion encash the cheque and return the cash to their employer. Farouk Razack claimed that it is a norm that customers including banks would telephone him and request to purchase foreign currency, he would in turn instruct the customer to write a cheque in one of his employees name and when the customer presents the cheque, he would send the employee in whose name the cheque is prepared to encash same at the respective bank on their return with the cash Guyana currency he would instruct that the equivalent in foreign currency be handed over to the customer. During November, 2006 the New Building Society telephoned telling him that a customer requested to purchase \$100,000.00 US. He told the employee of the New Building Society that it would take some time to accumulate that amount of US dollars. Shortly after a Negro man fitting the description of Compton Chase went to his cambio with a cheque for the

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equivalent of \$100,000.00 US, however he did not have that amount of US currency, and this was communicated to the man who promised to return.

24. Sometime after the New Building Society again called and enquired from Razack if he had equivalent of \$50,000.00 US dollars to sell to the said customer to which he said yes and instructed the caller to prepare the cheque for the equivalent of the said sum in M. Kryshundayal's name. Shortly after Compton Chase presented the cheque which Kryshundayal encashed at the bank. On his return with the cash Razack had not accumulated the US currency and Chase took the Guyana currency instead. Chase subsequently called Razack and request to purchase \$50,000.00 US and Razack told him to prepare a cheque in M. Hussain's name which he did and Hussain was sent to cash the cheques, Chase again collected the Guyana currency instead of US currency, both Mouldorlall (sic) Kryshundayal and Mohamed Hussain corroborated Farouk Razack's story.

25. Vishrakand Narine claimed that in November, 2006 a customer went to L. Mohabeer and Son and requested to purchase \$100,000.00 US he told the customer to prepare a cheque in the name of G. Ramotar. Later the said day the said customer returned with a cheque for the equivalent of \$50,000.00 US made out in the name of G. Ramotar. He handed the said cheque to G. Ramotar to encash at the bank. G. Ramotar claimed that he took the said cheque to the bank, encashed same and handed over the cash to L. Mohabeer his employer.

26. Upon examination of the documents uplifted from the New Building Society it was observed that Power of Attorney # 6947/2006 dated 12th September, 2006 was headed Republic of Guyana, County of Demerara and stated that Bibi Shamila Khan of 2970 Jane Street, Ontario, Toronto M1K2J9 Canada formerly of 38 Sukhai Street, Better Hope, East Coast Demerara, Guyana, personally appear before Tyrone Ramroop, Counsel General of Guyana, Ontario, Canada, and nominated Compton Chase of 100 Cedar Court, Lamaha Gardens, Georgetown, Guyana to be her Power of Attorney. The said Power of Attorney was signed by Bibi Shamila Khan and witnessed

by Parbattie Persaud and Sunita Singh. It was stamped Notarised Public Counsel General of Guyana, Ontario, Canada and signed Tyrone Ramroop, it also bore two round Deeds Registry of Guyana Stamps, and two oval shaped stamps, Counsel General of the Republic of Guyana, Toronto Canada dated 15th September, 2006. The Power of Attorney was also stamped with a stamp saying that a true copy of the original was registered at the Deeds Registry, Georgetown 20th October, 2006 and signed D. Bowman...

30. Fax dated 17th November, 2006 at 10:45 hours addressed to the Manager New Building Society and Attention Mr. Kent Vincent again confirmed a prior conversation and authorised Compton Chase to withdraw \$22,664,000.00 from Save and Prosper account #4745, \$20,000,000.00 to M. Hussain \$2,164,000.00 to Compton Chase, signed Bibi Shamila Khan. This fax was also dated 16th November, 2006 and had a notation referred to Mr. Arjoon ok signed Kent Vincent dated 2006-11-17.

31. Fax dated 7th December, 2006 at 14:34 hours addressed to the Manager New Building Society and Attention Mr. Kent Vincent confirmed a prior conversation between Bibi Shamila Khan and Kent Vincent regarding the closing of Save and Prosper account #4745 and the final balance to be paid to G. Ramotar, the Power of Attorney Compton Chase would negotiate on her behalf. The fax was also dated 7th December, 2006 and signed Bibi Shamila Khan. It also had a notation "spoke with Ms. Khan" via telephone signed Kent Vincent dated 2006-12-08. Kent Vincent claimed he received a call from Bibi Shamila Khan on 2006-12-08 asking if he receives the fax which he said he did. Compton Chase subsequently went to New Building Society and they (sic) said day, as was done before, the transaction was process the cheques prepared, both signed by Kent Vincent and one by Maurice Arjoon who insisted that the indemnity submitted before the second cheque was signed.

32. Kent Vincent then place a coll through the operator to Bibi Shomila Khan in Canada at 11:57 hours which lasted three minutes (see telephone printout and operator's telephone book in file) during which he told her of

the instructions passed by Maurice Arjoon, and she promised to fax the identity (sic) form the said day. Late that day she telephoned Vincent, telling him that she was not getting through on the fax machine, he told her to use Linden Branch of New Building Society fax which she tried but did not get through. She then sent the indemnity form to Kent Vincent via email at 4:03 p.m (see copy in file) after which permission was granted to pay and the second cheque counter signed by Kissoon Baldeo then handed over to Compton Chase who was at New Building Society."

Deputy Commissioner of Police (Ret) Mr. Henry Chester assisted me in reviewing the Police files. He produced an interim and then a final report of his investigation. Both reports are annexed to this report. Mr. Chester noted what he considered lapses in the investigation by the Police.

It is a fact that Ashley Legall who had assumed the name of Compton Chase on the forged Power of Attorney, stated his correct home address (85 Durban Street Lodge) when he visited the NBS to make the first withdrawal.

There is a note at paragraph 37 of the report of the investigating rank that "*Lot 85 Durban Street was checked where one Beaufort Adams was contacted and questioned, he claimed he knows no one named Compton Chase and no one by that name lives there*".

The mention of Lot 85 Durban Street is rather careless. Durban Street passes through three wards-Werk-en-Rust, Wortmanville and also Lodge. The report failed to specify which section of Durban Street was visited.

BANK BOOK

The above transactions resulted in withdrawals of all of the money in and closure of account no. 4745 in the name of Bibi Shamila Khan.

Dr Zainool Safi and his wife Bibi Shamila Safi nee Khan went to the NBS on 3rd January, 2007 to update their joint account and (Bibi Shamila) to close a joint account in the names of herself and her sister. The bank book was presented for updating.

Mrs. Safi withdrew all of the money from the joint account held by herself and her sister.

The NBS staff told the Safis that, because of the large number of books presented to the Society at that time for updating, (just after Christmas) the Safis would have to leave the book, to be uplifted at a later date.

The NBS issued an acknowledgement slip as proof of the deposit of the book.

Dr. Safi claimed that when he examined the book on his return to the NBS on 19th January, 2007, he discovered to his horror that all the money in the account was withdrawn.

After a preliminary investigation the withdrawals were treated as fraudulent and Police investigations commenced.

THE FORGED POWER OF ATTORNEY

The Consulate is not concerned with the preparation and content of the document, in this case a Power of Attorney. The Consulate is only concerned with the authentication of documents originating from within Canada that are presented at the Consulate for authentication.

Mr. Tyrone Ramroop before whom the Power of Attorney was allegedly signed and who allegedly authenticated the Power of Attorney, denied signing it.

The Consul General, Danny Doobay, denied that the Power of Attorney was authenticated at the Consulate General in Toronto and pointed out all the false stamps and other false features on the forged document.

I now record my own observations.

The heading of the Power of Attorney is wrong. It is headed Republic of Guyana, County of Demerara.

This heading is supposed to state country and province or county where the document is executed so that the heading Republic of Guyana and County of

Demerara should only apply to documents executed within Demerara, Guyana. This type of error is however not unusual.

Secondly, the document was prepared as if it was intended to be executed before a Notary Public. No problem with that.

However if such a document is presented to a Guyana Consulate to be executed by a Consular Officer, the stamp showing the designation of the Consular Officer should normally supersede or be placed over the words Notary Public. This was not done.

Thirdly, Tyrone Ramroop identified himself in an Affidavit as a Consul attached to the Consulate General of Guyana in Ontario.

The forger(s) designated Tyrone Ramroop as Consul General twice on the Power of Attorney.

Fourthly, the certificate attached to the Power of Attorney absurdly reads:

I, Tyrone Ramroop, Consul General, Consulate General of the Republic of Guyana, in the City of Ontario in the Province of Canada, do hereby certify... (underscoring mine).

FORGED PASSPORT

The Police record shows a passport application by a Compton Chase of 29 Norton Street, Wortmanville, Georgetown, born 9th August, 1935, issued 11th July, 1983, passport No. 370126. The identity of the applicant was verified by Charwin C.F. Burnham.

The number of the passport presented to Amrita Prashad of the NBS – No. 1026665 – is the number of a passport issued to one Rabindranauth Rao on 15th November, 2002. His address is Bush Lot Village, Corentyne and his identity was verified by Rohan Chandisingh, a principal of a private school.

It appears who ever forged the passport used in the fraud either had access to the genuine passports issued to Compton Chase and Rabindranauth Rao or had assistance from someone with access to the passport information.



I so conclude because the date of birth of the real Compton Chase – 9th August, 1935 appears as the date of birth of “Compton Chase” on the forged Passport. The Passport number on the forged passport-102665 and the date of issue 15th November, 2002 are the same as stated on the passport application by Rabindranauth Rao.

CONCLUSIONS

In my opinion, it is clear that the senior management of the NBS accepted the passport and power of attorney presented by “Compton Chase” as genuine documents. It is also clear that on this basis, Mr. Kent Vincent accepted the Canadian telephone number supplied by “Chase” as the telephone number of Bibi Shamila Khan and believed that the person he spoke to by telephone was Bibi Shamila Khan.

The standard required for conviction of a criminal offence is proof beyond a reasonable doubt for every element of the offence – the acts as well as the mental ingredients.

Without intending any disrespect to anyone, I would state that carelessness, most species of negligence, foolhardiness or even stupidity are not the standard of proof of guilt for a criminal offence. I do not hereby state any finding or conclusion that anyone at the NBS should be blamed for any of these.

It follows therefore that if Mr. Kent Vincent honestly and genuinely believed that he was dealing with Bibi Shamila Khan, his actions cannot be regarded as criminal and this is the crucial issue that any court would have to grapple with before it could make a finding of guilt.

I am therefore at a loss to fathom why the three senior managers were placed before the Court before the arrest of the person calling himself Compton Chase.

I can find in the Police file no evidence that would lead any fair minded person to conclude that any one of the three senior managers was guilty of fraud.

I cannot substitute my own judgement for that of the DPP. I also note the constitutional provision that the DPP is subject to the direction of no one.

I however wrote the DPP, letter dated 29th August, 2014 which stated:

Dear Director of Public Prosecutions,

Review of Police file- NBS fraud

I have reviewed the Police file on the NBS fraud with the assistance of Mr. Henry Chester, retired Deputy Commissioner of Police.

I noted the following excerpt from paragraph 39 of a memorandum dated 13th April, 2007 from the investigating rank to the Officer in Charge, Fraud Squad:

"Taking all the aforementioned into consideration, it would appear that this fraud was perpetrated with the help of, Kent Vincent, Maurice Arjoon and Kissoon Baldeo all employees of the New Building Society who have the inside knowledge that Bibi Shamila Khan's account was dormant and used the opportunity to conspire with "Compton Chase" to steal the said money."

Criminal charges for conspiracy to defraud were thereafter instituted against Mr. Maurice Arjoon and two senior managers of the NBS.

However, after Ashley Legall, who had assumed the name of Compton Chase in a Power of Attorney was arrested on or about 4th October, 2007, he gave an unsigned statement in which he named one Mohan Shibdeen. From the information provided by Legall, it could be concluded that Shibdeen was the master mind of the fraud. Legall implicated one Imran Khan and one Kumar, two employees of the NBS.

It turned out that the two employees, Imran Bacchus and Kumar Ragobar were supervisors at the NBS.

Legall also stated that Mohan Shibdeen was involved in the back track business of taking people out of the country illegally and that he had assisted him in this business.

From what I have read from the Police file, I conclude the Ashley Legall is a low level street hustler, not very smart and who did not have the mental nimbleness to remember the address on the Power of

Attorney. He actually stated his correct home address on the NBS documents.

I am writing to enquire whether you would agree that the information provided by Legall warranted a review of the earlier conclusion that the fraud was perpetrated with the help of Maurice Arjoon and the other two senior managers.

Even if it was decided to press with the prosecution of the three senior managers, would you agree that the information provided by Legall ought to have been disclosed to the defence?

I would be grateful for your comments on the above.

Best regards.

(Signed) Winston Moore
Ombudsman

c.: Commissioner of Police

To date I have not received any answer from the DPP.

After his arrest, Ashley Legall who posed as Compton Chase gave a statement to the Police which he did not sign.

This statement, if true or only partially true, implicated one Mohamed Shibdeen, Legall and two employees of NBS as perpetrators of the fraud.

The choice of Canada as the supposed residence of Bibi Shamila Khan was no accident.

The record at the NBS shows that then Ms. Khan had obtained a so called "visa letter" from the NBS to support her application for a Canadian visa and this, as well as the amount of money in her account, would have been known to the NBS staff.

The mastermind of the fraud chose the supposed address for Bibi Shamila Khan- 2970 Jane Street, Toronto, Ontario M1K2J9- for a very good reason. Information provided by Interpol Ottawa to Interpol Georgetown through the Ministry of Foreign Affairs shows that the address is a valid one. It is a high rise building with many apartments so that checking for Bibi Shamila Khan would pose a problem.

The fact that no withdrawal was ever made from the account would also have made the account an attractive target for fraud.

I stated above that it is difficult for me to fathom why the three senior managers were charged in the first place.

It is even more difficult for me to understand why fresh charges were instituted against these three senior managers, Ms. Amrita Prashad (together with Legall and company) after Ashley Legall had made a statement to the Police naming a person whom he claimed he had assisted in the back track business, who appeared to be the mastermind.

The rush to the conclusion that the three top managers had orchestrated a massive fraud from the account of a depositor with their own organisation, is an area that angels would fear to tread, not to mention that Mr. Arjoon, the CEO was 6 months away from retirement.

The humiliation and trauma suffered by these persons and their families must have taken a toll on their health, not to mention the effects of these events on the morale of the NBS staff.

The missing exhibit indicates interference that was highly irregular. The fact that this document was removed from the Police file is not surprising.

Dr Ashni Singh, Minister of Finance, has to date not commented on the allegation by Mr. Arjoon that he deliberately suppressed the Bank of Guyana Report.

I refrain from stating any finding on anything allegedly said by former President Bharrat Jagdeo.

I can only observe that persons who hold high political offices, and are burdened with weighty affairs of state, who are only human after all, need to be very careful what they say in expressing frustration in the presence of subordinates.

Those who studied English History in High School during the Colonial era, might recall some outstanding events from which important lessons were taught.

The outburst of King Henry II during the 12th Century to some of his barons- "would someone not rid me of that meddling priest" – impelled a number of the barons to murder Archbishop Thomas Beckett in Canterbury Cathedral, to the later regret of the King.

Cardinal Wolsey who had overzealously served King Henry the 8th, lamented when he fell from power:

"Had I but serv'd my God with half the zeal

I serv'd my King, he would not in mine age

Have left me naked to mine enemies".

Shakespeare's play King Henry VIII Act 3, Scene 2

Underlings sometimes improperly invoke the name or office of the powerful when they seek to oppress others.

I have no jurisdiction to pronounce on the action of the NBS Board in firing the managers and I therefore refrain from any comment.

I however trust that the three senior managers and Ms. Amrita Prashad who clearly appear to me to have suffered grave injustice when they were charged, would receive their due.

The complaint before me was made by Mr. Maurice Arjoon alone.

Having taken into account the following:

- i) The Statement by Mr. Arjoon that he received a call from Dr. Nanda Gopaul which he interpreted as a threat;
- ii) The reference in the Police file to an exhibit listed as: " eleven pages of notes of Minister meeting";
- iii) The fact that this document was removed from the Police file;
- iv) The fact that I can find no credible evidence of wrongdoing by any of the senior managers;

- v) The matters contained in the statements of Ashley Legall;
- vi) The fact that the prosecution proceeded after said statement which clearly identified the perpetrators of the fraud who were persons other than the senior managers.

I am of opinion, and I so find, that Maurice Arjoon, Kent Vincent, Kisson Baldeo and Amrita Prashad have all suffered injustice, notwithstanding the fact that they were all discharged by Magistrates at the various Preliminary inquiries.

I have no jurisdiction over civil proceeding before any court.

Mr. Arjoon has civil matters pending before the Court. I do not know whether anything disclosed in or by this report has any relevance to any of those pending proceedings.

I intend to distribute copies of this report as follows:

- a) Dr. Roger Luncheon, Head of the Presidential Secretariat, for transmission to his Excellency the President, Mr. Donald Ramotar, Dr. Ashni Singh, Hon. Minister of Finance and Dr. Nanda Gopaul, former Permanent Secretary, Presidential Secretariat.
- b) Mr. Anil Nandlall, Hon. Attorney General
- c) Mrs Elizabeth Harper, Director-General, Ministry of Foreign Affairs
- d) Mrs. Shalimar Ali-Hack, Director of Public Prosecutions
- e) Mr. Seelall Persaud, Commissioner of Police
- f) Mr. Maurice Arjoon, Complainant

THANK YOU NOTE

I am grateful for the cooperation and/assistance provided to me in this investigation by the following persons:

- i) Dr. Roger Luncheon, Head of the Presidential Secretariat
- ii) Mr. Seelall Persaud, Commissioner of Police
- iii) Mrs. Shalimar Ali-Hack, Director of Public Prosecutions
- iv) Mrs. Elizabeth Harper, Director-General Ministry of Foreign Affairs
- v) Mr. Henry Chester, Deputy Commissioner of Police (Ret)

I always believe the aim of criticism is to improve performance and not to destroy.
Any criticism contained in this report has been made with that in mind.

Dated 7th day, November, 2014.


OMBUDSMAN

EXHIBIT 'A'

(11) 1

PPS 1-7

Criminal Investigation Dept

Backdam Police Station

4 . 10 . 2007

Ashley Regall, M.M.R, 51 years
States,

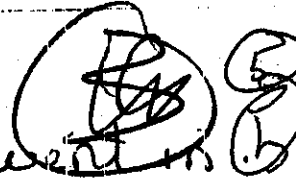
I am unemployed and reside
at flat 85 D'Urban Street, Lodge
with reputed wife and one child I
have known Mohan Shideen
for the past four years. I knew
where he is living at Da Silva
Street, New Town. When I get to
know him he was involved in
the Back Track Business of taking
people out of the country illegally.
We became close and I usually
take the persons who he is sending
out to another country to ensure
they reach safely. Sometimes in "

August 2006 Mohan called me to
his home. He told me he has a
plan to get some money from
the New Building Society and
that all I have to do is to
produce a Power of Attorney and
a passport he will give me to
a man in the Bank and the
man will pay me the money. He
told me he already has an
arrangement with a man in the Bank.
I asked him if this will be
any problem for me and he said
no. He told me the name I
will use is Compton Chase.
Because he told me there will
be no problem I agreed to his
suggestion. He told me that a

3

Power of Attorney will be made in the name Compton Chase and he will give me a Passport in the name Compton Chase with my photograph inserted. Once when I visited Mohan's home I met Imran Khan and Mohan told me that when I go into the Bank, I will give the man, Imran Khan the passport and Power of Attorney and that Imran Khan will look after everything. On October 31st 2006, I went to Mohan's home and he gave me a Power of Attorney No 6947/2006 from Bibi Shamika Khan and Guyana Passport No. 102665 in the name of Compton Chase bearing my

The name Compton Chase in the
Passport. He took me to the Bank
and he remained outside. I went
into the Bank and straight to
Mohan Khan. I gave him the
Passport and Power of Attorney. He
collected it and told me he
will get back to Mohan. I went
back to Mohan and he told
me when the cash is ready he
will call me. On November 11th ~~11th~~
about 8:00 AM Mohan called me
on my telephone # and told
me I must be ready to go
to the Bank at 1:00 PM. About
2:30 PM I went to Mohan's
home and he drove me to the
Jew Building Society. He

remained outside and I ~~went in~~ 

I went straight to Imran Khan

and he collected the passport

and he told me to sit and

wait, the cheque is being prepared

About 1 hour after Imran called

me and caused me to sign

Exemption Chase two times on a

N.B.S card. ~~He~~ ~~Having~~ Imran

Khan gave me NBS Cheque No.

067065409 drawn for \$4,775,000.00

There was another cheque prepared and

Kumar asked me if I wanted it in

U.S dollars and I told him yes.

I waited in the Bank and a

Cambio man from Swiss House

came and spoke Kumar. Me and

the Swiss House man went to

Swiss House and the man gave

Some ^(b) U.S. currency. I gave the U.S. currency to Mohan who was waiting for me in front of the High Court. The said day I cashed the cheque in the name of Compton Chase at the Republic Bank. This was my payment. On November 17th 2006 Mohan took me to the said bank. I went to Imran Khan and he caused me to sign four times on a NBS withdrawal card. He did not give me the cheque. A man from Swiss House Cambio came and I accompanied him to Swiss House. The man gave me a large sum of U.S. currency which I gave to Mohan who was waiting in his car outside the bank. On November 20th 2006

Mohan again took me to the ~~(P)~~ Bank.
I went to Imran Khan and he ~~(4)~~
caused me to sign two places on
a N.B.S withdrawal Slip. A man
from h. Mohabir's Cambio came
and ~~I~~ accompanied him to the
Cambio where he gave me a
large sum of U.S. Currency which
I gave to Mohan.

EXHIBIT 'B'

FOs 1-4

R.N.O. 7833665

All Fees

Reg Fee. \$ 20.00

Stamp Duty \$ 100.00

Copy(s) \$ 20.00

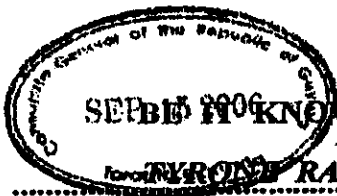
\$ 140.00

REPUBLIC OF GUYANA

COUNTY OF DEMERARA

09/17/2006

GENERAL POWER OF ATTORNEY



020/10/06

SEBBI KHAN that on this 12th day of September, 2006, BEFORE ME

TYRONNE RAMROOP

A NOTARY PUBLIC

personally came and appeared :-

CONSUL GENERAL OF GUYANA
ONTARIO, CANADA.

BIBI SHAMILA KHAN (hereinafter referred to as "the APPEARER") of 2970 Jane Street, Toronto, Ontario, M1K 2J9, Canada

Formerly of 38 Sukhai Street, Better Hope, East Coast Demerara, Guyana.

WHICH APPEARER stated and declared that she has nominated, constituted and appointed :-

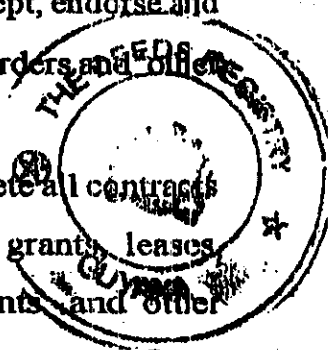
COMPTON CHASE (hereinafter referred to as "the ATTORNEY") of Lot 100 Cedar Court, Lamaha Gardens, Georgetown, Guyana.

to be in Guyana during the presence therein and/or absence therefrom of the Appearer the true and lawfully Attorney hereby giving and granting unto him as Attorney General Power of Attorney to represent the APPEARER in certain circumstances, matters and things and more particularly for the specifically purposes hereafter set out, that is to say :-

1. To open, draw on or otherwise operate all currency deposit or other account(s) at any bank, society, company or corporation (whether or not any such account is in the name of the APPEARER(s) solely or jointly or is in credit or becomes or is already overdrawn) and to make, drawn, sign, accept, endorse and negotiate bills of exchange, promissory notes, cheques, money orders and other negotiable instruments.

2. To enter into, sign, seal, execute, deliver and complete all contracts and agreements of whatever nature or kind, all transport, grants, leases, mortgages, cancelments of mortgage, transfers, assignments and other conveyances of whatever nature or kind, all bonds, guarantees and indemnities (whether as principal or surety) all releases, discharges, trust deeds, deeds and other documents of the like nature and all affidavits, applications, articles, authorities, declarations, memoranda, notices or other instruments or writings of whatever nature or kind.

3. To purchase, take on lease, hire, subscribe for or otherwise acquire to sell, demise, let or otherwise depose of and to mortgage, pledge or otherwise deal with all movable and immovable property of whatever description and for all



or any of the aforesaid purposes to receive, accept and pass transports, leases, surrenders, transfers and assignments thereof to receive, accept, cancel, annual and transfer mortgage of every description and to appear before any judge,

4. To apply for, take out, renew, transfer and accept transfer of all concessions, licences, patents, promissory, policies, privileges and trade marks of whatever nature or kind and the registration or recording thereof and to oppose the granting of any of the same.

5. To present the attorney(s) as holder(s) or owner(s) of every kind of property or as voter(s) and to attend and vote at all meetings or elections of whatever nature or kind and to appoint one or more proxies or representatives or do whatever may be necessary for of these purposes.

6. To ask for, demand, collect, recover and receive the whole or any part, share or interest of the Appearer(s) in all money security for money dividends, interest debts, goods, effects, chattels and other movable or immovable property of whatever nature or description now or at any time(s) belonging, due, owing, payable or deliverable to the Appearer(s) individually or as aforesaid or jointly or in common with any other persons to settle, adjust and compromise all accounts and claims and to give and grant good and effectual receipts, acquaintances, releases and discharges thereof.

7. To institute, commence, present, prosecute, carry on or defend at law in equity in insolvances winding-up or otherwise all actions, appeals, applications, causes, oppositions, suits, arbitrations or other proceedings of whatever nature touching the movable or immovable property of the Appearer(s) or any part thereof or any shares or interest or touching anything in which the Appearer(s) may be anywise concerned or in the enforcement or protection of any rights or the settlement of any dispute or for the recovery of damages for any breach of contract or wrong or to settle or compromise any such proceedings or consent to judgement therein and to appear in any Court and before any tribunal or judicial or other officer(s) whatsoever.

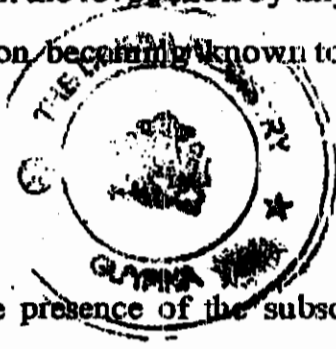
8. To take all lawfully proceedings and remedies by way of distress seizure ejectment or otherwise for the recovery of rent in arrears or of property or for the eviction of tenants or trespassers or by way of mandamus interdict attachment sequestration or any extraordinary proceedings or remedy whatsoever and to appoint and retain agents bailiffs, counsel and solicitors for all or any of the said or any purposes.

9. In particular but without prejudice to the generality of the foregoing powers.

10. And in general in and about the premises to do, perform, transact and accomplish all and whatever shall or any be requisite or necessary and whatever further the Appearer(s) may from time to time direct by letter(s),

cable(s), or written instructions (in proof whereof the affidavit or statutory declaration of the Attorney(s) may be accepted) as fully and effectually to all intents and purposes as the Appearer(s) could do if personally present.

AND THE APPEARER FURTHER STATED AND DECLARED AND AGREED to ratify, allow and confirm all and whatsoever the Attorney(s) or any Attorney who may be acting in the premises shall or any lawfully do or cause to be done in and about the premises under and by any virtue of these presents including in such ratification and confirmation whatsoever shall be so done between the revocation by any means of this Power and the time of such revocation becoming known to the Attorney(s) or the Attorney for the time being.



THUS DONE AND PASSED

Aforesaid *DATUM UT SUPRA* in the presence of the subscribing witnesses.

Bibi Shamila Khan
BIBI SHAMILA KHAN

WITNESSES :-

1. *Arlette Bernard*
2. *Sumita Singh*



AND IN MY PRESENCE
Syona Ramroop
A NOTARY PUBLIC
CONSUL GENERAL OF GUYANA
ONTARIO, CANADA.

A TRUE COPY of the original which was registered in the Deeds Registry of Georgetown, Demerara, Guyana on the 10th day of October, 2006
[Signature]
Assistant Sworn Clerk and Notary Public
2006/10/20

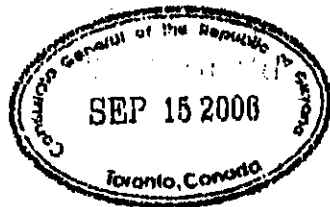
I, TYRONE RAMROOP, *CONSUL GENERAL*, CONSULATE
GENERAL OF THE REPUBLIC OF GUYANA, in the City of Ontario
in the Province of Canada, do hereby certify that on the 15th Day of
September, 2006 there appeared a female person who identified
herself to be:

*****BIBI SHAMILA KHAN*****



The individual described in and who executed the foregoing instrument
and who acknowledged to me that she executed the same.

In testimony whereof I have hereunto set my hand and affixed my seal
of the office at the Guyana Consulate, Ontario, Canada, the day
and year above written.



AND IN MY PRESENCE

Tyrone Ramroop
A NOTARY PUBLIC
CONSUL GENERAL OF GUYANA
ONTARIO, CANADA.

Price: 50 cents

No. 755698

APPLICATION FOR A GUYANA PASSPORT

FOR USE BY PERSONS 16 YEARS OF AGE AND OVER

To be completed in ink in applicant's own handwriting

370/16

16.05.9
27/11/9

PLEASE READ INSTRUCTIONS ON LAST PAGE BEFORE COMPLETING APPLICATION

SURNAME IN BLOCK CAPITALS <i>CHASE</i>		Nationality G.I. No.	
FIRST NAME <i>COMPTON</i>		Sex M <input checked="" type="checkbox"/> F <input type="checkbox"/>	
MIDDLE NAME(S)		Marital Status S <input type="checkbox"/> M <input type="checkbox"/> W <input type="checkbox"/> D <input type="checkbox"/>	
MAIDEN SURNAME if applicant is a woman who is or has been married		Age last birthday	
Address <i>29 NORTH STREET WARRAMBLE</i>		Date of Birth <i>14/11/50</i>	Place and country of birth <i>GUYANA</i>
Occupation <i>WELDER</i>	Parents' Name <i>Paul Chase</i>	Parents' Address <i>WARRAMBLE</i>	
Height Centimetres <i>157.5</i>	Colour of hair <i>Black</i>	Colour of eyes <i>Brown</i>	Visible distinguishing marks <i>NONE</i>
		Citizen by Birth <input checked="" type="checkbox"/> Descent <input type="checkbox"/> Registration <input type="checkbox"/> Naturalization <input type="checkbox"/>	

MARRIED WOMEN APPLYING FOR A SEPARATE PASSPORT (PLEASE ALSO COMPLETE SECTION (A))

Place of marriage	Date of Marriage	Husband's or former husband's name	Nationality
-------------------	------------------	------------------------------------	-------------

PERSONS BORN IN (A) ANY BRITISH COMMONWEALTH COUNTRY OR IN SOUTHERN IRELAND, IN A BRITISH PROTECTORATE, PROTECTED STATE OR MANDATED OR TRUST TERRITORY OR (B) IN ANY FOREIGN COUNTRY MUST COMPLETE A OR B BELOW

A If applicant's birth was registered as a citizen of Guyana abroad, state:

Name of Consulate	Date of Registration	Place and Date of father's birth
-------------------	----------------------	----------------------------------

B Particulars of applicant's father:

Place of Birth	Date of Birth	No. of Certificate
----------------	---------------	--------------------

Previously travelled on passport issued at *REGISTRATION* *18.07.19* *GUYANA* and Place of Issue *GUYANA*

Sign your name on the slip which will be detached and affixed to the passport when issued.

Specimen signature of wife if to be included on the passport.

Signature of Applicant

Signature of wife if to be included

4. TO BE COMPLETED WHEN APPLYING FOR A JOINT PASSPORT

SURNAME OF WIFE		Age last birthday	
FIRST NAME		National Reg. No.	
MIDDLE NAME(S)		Place and Date of Birth	
NAME BEFORE MARRIAGE			
Height	Colour of hair	Colour of eyes	Visible distinguishing marks
Place and Date of marriage	If married after 26th May, 1966 Nationality		If not a Citizen at date of marriage
A. If married more than once Particulars of previous marriage			Date of Registration
			Registration No.
			Place of Registration
Signature			

5. NAMES OF CHILDREN UNDER SIXTEEN YEARS TO BE INCLUDED IN PASSPORT

Given Names	Surname	Country of Birth	Date of Birth			Sex and Relationship
			Day	Month	Year	

6. Particulars of Travel

Countries to be visited

Purpose of journey

Date of departure

7. TO BE COMPLETED WHEN APPLYING FOR A PASSPORT TO REPLACE ONE WHICH HAS BEEN LOST OR IS NOT AVAILABLE FOR PRESENT USE

Particulars of previous passport which has been lost or is not available for present use

No. issued at on

Bearer's Name

Circumstances in which passport was lost destroyed or other reasons for its non-availability

Place and date of loss

Has loss been reported to the Police, if so, state where and when

I certify that the above is true and correct and I undertake in the event of the passport being issued to return it immediately to the Passport Office, to the Guyana Civil Service, or to a British Consulate for cancellation.

Signed Date

8. **DECLARATION:** I, the undersigned, hereby apply for the issue of a passport in this application is correct to the best of my knowledge and belief, that I have not lost the status of Citizen of Guyana.



- A: that I have not previously held or applied for a passport of any description
- B: that all previous passports granted to me have been surrendered other than passport/travel document No. 2207, which is now attached and that I have made no other application for a passport since the attached passport or travel document was issued to me.

Signature: *[Handwritten Signature]* Date: *21/10/83*

A - applies to persons applying first time for a passport.

9 **GUARANTOR:** *CAROLYN C.F. BURNHAM* certify that the applicant has been known personally to me for *12* years and that to the best of my knowledge and belief the facts stated on this form are correct.

Profession: *Public Administration*

Signature: *[Handwritten Signature]*

Address: *722 George Street, Georgetown, Guyana*

FOR OFFICIAL USE

DEL	
REMARKS	
REASON	
FEES/GRANTS	
OLD PASSPORT	<i>2</i>
REMARKS/NAT. CODE	
REMARKS	

By off 83-06-13



*Johnston
83-06-13
M. J. G.*

APPLICATION FOR A GUYANA PASSPORT

IMPORTANT Read instructions carefully before completing the form.

INSTRUCTIONS

(A) The charge for a Passport is \$50.00 which must be paid in Revenue stamps (not more than three) at the time of application. Where the husband and wife are included on a joint passport, the charge covers both.

HOW TO COMPLETE FORM

(B) Males (married or single) and women who have NOT been married (18 years of age or over). Complete Sections 1, 6 and 8 and if appropriate to their own application Section 3. A married man who wishes to include his wife in his passport should complete also Section 4, his wife signs that section in the space provided. A passport which includes particulars of the holder's wife is not available for the wife's use when she is travelling alone. Married women who are not Citizens of Guyana cannot be included on husband's passport.

(C) Married women of any age (including widows and women whose marriage has been terminated). If a separate passport is required, complete Sections 1, 2, 6 and 8 and if appropriate to their own application, Section 3 and 4.

(D) Children under 16 years of age will normally be included (without extra charge) on the passport of the parent who, in completing the application form, must also enter particulars of the children under Section 5. The consent of the legal guardian is required for the inclusion of a child on the passport. Application for the addition of children on an existing passport should be made by completing a Child Addition Form.

Should a separate passport be required for a child under 16 to reside or travel abroad, application by or with the written consent of the legal guardian should be made on Form "B".

(E) Signing the form. The application form must be signed in Section 8 by the applicant (and in Section 4 by the wife if to be included in the passport). Section 9 should be completed by the person verifying the declaration who should be a Minister of Government, Justice of the Peace, Minister of Religion, Medical or Legal Practitioner, Sen or Civil Servant, Senior Police Officer, or any person of similar standing acceptable to the Passport Office who is personally acquainted with the applicant.

A member of the applicant's immediate family is not acceptable as a guarantor.

The guarantor must himself be a Citizen of Guyana.

DOCUMENTS TO BE PRODUCED

(F) NOTE: Any applicant (other than a naturalised/registration person) who surrenders with this application a previous passport establishing his/her identity and nationality will not normally be required to produce any other documents unless the applicant's name or status has been changed or unless the applicant was born outside the Territory of Guyana on or after 26th May. (See the notes).

(G) Males (married or single) and women who have not been married should produce birth certificates and certificates of naturalisation or registration. If a wife is included on his passport, he should produce his own birth certificate and her birth certificate and where necessary, her certificate of registration or naturalisation.

(H) Married women (including widows and women whose marriage has been terminated) applying for a separate passport should produce a current certificate of marriage together with marriage certificate and husband's birth certificate.

Women who are Registered Citizens of Guyana by reason of marriage must also produce the husband's (or former husband's) birth certificate or other evidence of his Citizenship of Guyana. When a woman's marriage has been dissolved applicants are required to produce the final decree of divorce or annulment.

(I) Children under 16 to be included in the passport. The Child's birth certificate must be presented. If the applicant is not the legal guardian, a letter of consent from the father or other legal guardian or guardians is required.

16 years of age and under 21. Documents as for males and single women (see paragraph 1) and the written consent of the legal guardian is also required, except where the applicant is married or a member of the Defence Force or Police Service.

NOTE: Where an Order has been made by the High Court or in Chambers or by a Magistrate possessing the custody of a child such Order must be produced.

(J) Change of Name. If the applicant has changed his or her name the deed poll recording the change and birth certificate must also be submitted.

(K) Persons born outside the Territory of Guyana as non-citizens on 26th May, 1966 and all persons claiming Guyana Citizenship by naturalisation or registration must complete Section 3 and are required to produce documentary evidence in support of the statements made therein.

PHOTOGRAPHS

(L) Two copies of a recent photograph of the applicant (also of his wife where a joint passport is applied for) must be included with the application. These photographs must be taken full face without hat and the photographs must not be retouched. The size of the photographs must not be more than 2 1/4 inches by 2 inches or less than 2 inches by 1 1/4 inches. The photographs must be printed on normal thin photographic paper and must not be glazed on the reverse side. The photographs must be attached to the application form by means of a paper strip which encloses the heads of the photographs and is a full length of the applicant. The strip must be attached to the application form by means of a paper strip which encloses the heads of the photographs and is a full length of the applicant.

When a separate passport is issued for one of the wife or children, the photograph must be attached to the application form by means of a paper strip which encloses the heads of the photographs and is a full length of the applicant.

EXHIBIT 'D' PGS 1-4

Price \$200.00

No 1048997

3970
375
1002-10-2H

APPLICATION FOR A GUYANA PASSPORT

FOR USE BY PERSONS 18 YEARS OF AGE AND OVER

To be completed in ink in applicants own handwriting

PLEASE READ INSTRUCTIONS ON LAST PAGE BEFORE COMPLETING APPLICATION

National I.D. No. 182096

Sex

M F

Marital Status

S M W D

Age last birthday

36 years

SURNAME IN BLOCK CAPITALS

RAO

FIRST NAME

MAHENDRANAATH

MIDDLE NAME (S)

LO 26665

MAIDEN SURNAME if applicant is a woman who is or has been married

Address - Green Hill Village, Berbice

Date of Birth 14th May, 1966

Place and country of birth Bagatelle, Guyana

Nationality GUYANESE

Occupation

MUSICIAN

Parents' Name

MARIE

Parents' Address

Green Hill car

Height

Centimetres

Cm 169

Colour of hair

BLACK

Colour of eyes

BROWN

Visible distinguishing marks

NONE

Citizen by

Birth Descent
Registration
Naturalisation

MARRIED WOMEN APPLYING FOR SEPARATE PASSPORT (PLEASE ALSO COMPLETE SECTION 4A)

Place of marriage

N/A

Date of Marriage

Husband's or former husband's name

Nationality

PERSON BORN IN (A) ANY BRITISH COMMONWEALTH COUNTRY OR IN SOUTHERN IRELAND, IN A BRITISH PROTECTORATE, PROTECTED STATE OR MANDATED OR TRUST TERRITORY OR (B) IN ANY FOREIGN COUNTRY MUST COMPLETE A OR B BELOW

A If applicant's birth was registered as a Citizen of Guyana abroad, state:-

Name of Consulate

N/A

Date of Registration

Place and Date of father's birth

B Particulars of applicant's father:

If born in Guyana

Place of Birth

Date of Birth

N/A

If Citizen of Guyana by Naturalisation or REGISTRATION

No. of Certificate

Date and Place of Issue

Sign your name on the slip which will be detached and affixed to the passport when issued.

Specimen signature of wife if to be included on the passport

Signature of wife if to be included

4 TO BE COMPLETED WHEN APPLYING FOR A JOINT PASSPORT

SURNAME OF WIFE		Age last birthday	
FIRST NAME		National Reg. No.	
MIDDLE NAME (S)		Place and Date of Birth	
NAME BEFORE MARRIAGE			
Height	Colour of Hair	Colour of eyes	Visible distinctions
	N/A		
Place and Date of marriage	If married after 26th May, 1966 Nationality		If not a Citizen at date of marriage
	N/A		Date of Registration
A If married more than once Particulars of previous marriage			Registration No.
N/A			Place of Registration

Check was made by
 A.C. 19015
 07.11.73

Signature.....

5 NAMES OF CHILDREN UNDER SIXTEEN

Given Names	Surr.
	N/A



SPORT	Date	Sex and Relationship
	Day	

6 Particulars of Travel

Countries to be visited COMMONWEALTH, USA

Purpose of journey VACATION

Date of departure NEXT TWO WEEKS

7 TO BE COMPLETED WHEN APPLYING FOR A PASSPORT TO REPLACE ONE WHICH HAS BEEN LOST

Particulars of previous passport which has been lost or is not available for present use.

No. issued at on

Bearer's Name N/A

Circumstances in which passport was lost destroyed or other reasons for its non-availability

Place and date of loss

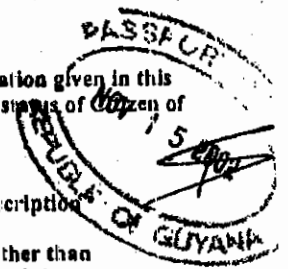
Has loss been reported to the Police, if so, state where and who

I certify that the above particulars are correct and undertake in the event of the passport coming again into my possession to return it immediately to the authorities. All copies of photographs included with the application become the property of the Government of Guyana when it is lodged.

Where a joint passport is applied for one copy of the bearer's photograph should be similarly certified.

Signed.....

8. DECLARATION: I, the undersigned, hereby apply for the issue of a passport. I declare that the information given in this application is correct to the best of my knowledge and belief, that I have not lost the status of citizen of Guyana.



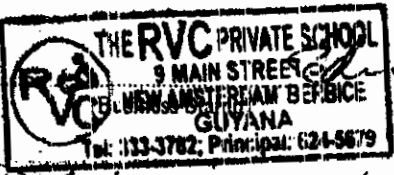
- A: that I have not previously held or applied for a passport of any description
- B: that all previous passports granted to me have been surrendered other than passport/travel document No. which is now attached and that I have made no other application for a passport since the attached passport or travel document was issued to me.

Signature: Makinromantia Rao Date:

A - applies to persons applying first time for a passport.

9. GUARANTOR: I, P. Rohan Chandra Singh certify that the applicant has been known personally to me for 10 years, and that to the best of my knowledge and belief the facts stated on this form are true and correct.

Signature: [Handwritten Signature]
Rank of Profession:



Address: 6, Colony CD, N/A

Date: 2022/10/22

FOR OFFICIAL USE

Baa - 10H
Dwa - H W J
Reg - 66 - 05 - 16
Fu - N.S
hw - MARIE

I hereby certify that I have read and verified the information given in this application and that the applicant has not previously held or applied for a passport or other travel document. I have not received any information that the applicant has been convicted of a crime.

Signature: Makinromantia Rao
APPLICANT

Signature: [Handwritten Signature]

DOCUMENTS PRODUCED	
BIRTH CERTIFICATE	1
MARRIAGE CERTIFICATE	1
AFFIDAVIT	1
DEED OF	1
SIGNATURE	1
RECOMMENDATION	1
PHOTOGRAPHS	2
OLD PASSPORT	1
REAL/...	1
...	...

Signature: [Handwritten Signature]
Date: 2022-10-24

APPLICATION FOR A GUYANA PASSPORT

IMPORTANT:- Read instructions carefully before completing the form.

INSTRUCTIONS

(A) The charge for a Passport is \$1,000.00 which must be paid in Revenue stamps (not more than three) at the time of application. Where the husband and wife are included on a joint passport, the charge covers both. The applicant is required to present himself and any child or children to be endorsed upon submitting this application on the first occasion.

HOW TO COMPLETE FORM

(B) Males (married or single) and women who have NOT been married (16 years of age or over). Complete Sections 1, 6 and 8 and if appropriate to their own application Section 3. A married man who wished to include his wife in his passport should complete also Section 4, his wife signing that section in the space provided. A passport which includes particulars of the holder's wife is not available for the wife's use when she is travelling alone. Married women who are not Citizens of Guyana cannot be included on husband's passport.

(C) Married women of any age (including widows and women whose marriage has been terminated). If a separate passport is required, complete Sections 1, 2, 6 and 8 and if appropriate to their own application, Sections 3 and 4(a).

(D) Each child under 16 years of age will normally be included (at the cost of \$10.00) on the passport of the parent who, in completing the application form, must also enter particulars of each child under Section 5. The consent of the legal guardian is required for the inclusion of a child on the passport. Application for the addition of children on a existing passport should be made by completing a Child Addition Form.

Should a separate passport be required for a child under 16 to reside or travel abroad, application by or with the written consent of the legal guardian should be made on Form "8".

(E) Signing the form. The application form must be signed in Section 8 by the applicant (and in section 4 by the wife if to be included in the passport). Section 9 should be completed by the person verifying the declaration who should be a Minister of Government, Justice of the Peace, Minister of Religion, Medical or Legal Practitioner, Senior Civil Servant, Senior Police Officer, or any person of similar standing acceptable to the Passport Office who is personally acquainted with the applicant.

A member of the applicant's immediate family is not acceptable as a guarantor.

The guarantor must himself be a Citizen of Guyana.

DOCUMENTS TO BE PRODUCED.

(F) NOTE:- Any applicant (other than a naturalised/ registration person) who surrenders with this application a previous passport establishing his/her identity and nationality will not normally be required to produce any other document unless the applicant's name or status has been changed or unless the applicant was born outside the Territory of Guyana as constituted on 26th May. (See (iv and v))

(i) Males (married or single) and women who have not been married should produce birth certificate or certificate of naturalisation or registration. If a married man wishes to include his wife on his passport he should produce the marriage and her birth certificate and, where relevant, her naturalisation or registration certificate.

(ii) Married women (including widows and women whose marriage has been terminated) applying for a separate passport should produce documents specified in (i) above together with marriage certificate and husband's birth certificate.

Women who are Registered Citizens of Guyana by reason of marriage must also produce the husband's (or former husband's) birth certificate or other evidence of his Citizenship of Guyana. Where a previous marriage has been dissolved applicants are required to produce the final decree of divorce or annulment.

(iii) Children: Under 16 to be included in the passport. The Children's birth certificates must be presented also two recent photographs for Each Child. If the applicant is not the legal guardian a letter of consent from the father or other legal guardian or guardians is required.

Under 18 years of age. Documents as for males and single women (see paragraph (i) above); the written consent of the legal guardian is also required, except where the applicant is married or a member of the Defence Force or Police Service.

NOTE:- Where an Order has been made by the High Court or in Chambers or by a Magistrate regarding the custody of a child such Order must be produced.

(iv) Change of Name. If the applicant has changed his or her name the deed poll recording the change and birth certificate must also be submitted.

(v) Persons born outside the Territory of Guyana as constituted on 26th May, 1966 and all persons claiming Guyana Citizenship by naturalisation or registration must complete Section 3 and are required to produce documentary evidence in support of the statements made therein.

PHOTOGRAPHS

(G) Two copies of a recent photograph of the applicant (also of his wife where a joint passport is applied for) must be included with the application. These photographs must be taken full face without hat and the photographs must not be mounted. The size of the photographs must not be more than 2 1/4 inches by 2 inches or less than 2 inches by 1 1/4 inches. The photographs must be printed on normal thin photographic paper and must not be glazed on the reverse side. The guarantor is also required to endorse the words: "I certify that this is a true likeness of the applicant Mr., Mrs., Miss....." and add his signature. All copies of photographs included with an application become the property of the Government of Guyana when it is lodged.

Where a joint passport is applied for one copy of the wife's photograph should be similarly certified.

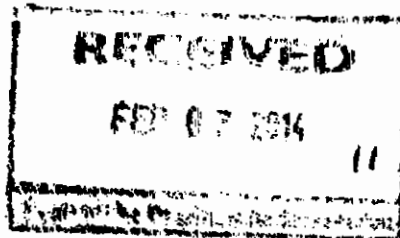


Ministry of Labour, Human Services & Social Security

Office of the Minister of Labour

1 Cornhill & Water Streets, Stabroek, Georgetown, Guyana.
Tel: 592-226-6115, 592-226-6076 Fax: 592-227-1308

7th February, 2014



Dr. Roger Luncheon
Head of the Presidential Secretariat
Office of the President
Shiv Chanderpai Drive,
Bourda Georgetown.

Dear Dr. Luncheon,

Re: Correspondence from Ombudsman concerning complaints by Mr. Maurice Arjoon.

Your memorandum dated 30th January, 2014 on the above the subject refers.

I would be grateful if you will pass this correspondence to His Honour Hon. Justice Winston Moore, Ombudsman of Guyana on the complaints made by Mr. Maurice Arjoon former C.E.O of New Building Society.

1. The issue of dismissal of Mr. Arjoon is currently before Hon. Justice Royolds in the High Court. The plaintiff, Mr. Arjoon is claiming wrongful dismissal and is currently on the witness stand.
2. I deny ever making any threatening telephone calls to Mr. Arjoon on any matter whatsoever.
3. Mr. Arjoon and I along with other Board members shared a very cordial relationship up to the time of his dismissal and even socialized together on several occasions after the initial Berbice Bridge Investment.
4. The NBS Board accepts the decision of its members and invested the sum of \$350M on the Berbice River Bridge based on a decision by the Board. No bitterness or rancour amongst members prevailed during or after the deliberations on this matter. Threats could therefore not have been made to Mr. Arjoon while a harmonious relationship continued.
5. Long after the departure of Mr. Arjoon from NBS, the society made further investment in the Berbice River Bridge through the purchase of bonds owned by CLICO. It was the most lucrative investment ever made by NBS and was never in violation of the rules of the society or the Financial Institutions Act.
6. At no point in time during any investment over the last decade was there any risk to the society's financial well being. In fact, since 2008 the society grew by leaps and bounds increasing its asset

Handwritten signature

base, its funds, liquidity and profit margin by record level. We also constructed and now occupy a modern state of the art billion dollar "Chief Office"(Headquarters) at North Road and Avenue of the Republic.

7. Almost all of the allegations contained in the documentation attached by His Honour , from Mr. Arjoon were subject to Public debate, newspaper reports and or Legal inquiry. I along with the directors of NBS deny them all including the issue of payment of a special prosecutor by the society. We did not aid, encourage, support or finance the charges laid against Mr. Arjoon and others.
8. The wrongful prosecution case brought by Mr. Arjoon against the DPP was dismissed in the High Court.
9. Mr. Arjoon was not dismissed for fraud but for serious misconduct. He approved successive large payments from one members account via a false Power of Attorney, without the presence of a passbook and other relevant documentation, and without the necessary checks and balances in violation of several of the Society's rules and procedures. This caused the society to have had to refund the member an amount in the vicinity of \$74M, which was illegally withdrawn from the account, following litigation by that member. This decision of the Board to dismiss Mr. Arjoon and others was a unanimous one. The Board then comprised of Messrs. Moea McDoom S.C(Chairman), N.K Gopaul(Vice chairman), Leon Rockcliffe, David Yhann Jnr, Steven Bovsll, and Seepaul Narine((Members).
10. Since this matter is sub-judice, I am not inclined to go into further detail but would kindly urge that the complaint be disregarded on this basis and on my denial of ever behaving at anytime in an unprofessional manner to Mr. Arjoon.
11. I would be pleased to offer any additional information should it be required.

Yours Sincerely,


.....
Hon. Dr. Nanda K. Gopaul M.P
Minister of Labour

EXHIBIT (F)

PRELIMINARY REPORT
BY: MR. HENRY CHESTER, DEPUTY
COMMISSIONER (RTD.)
DATED 23RD JUNE, 2014.

A 82 East La Penitence,

Georgetown,

Wednesday, October 29, 2014.

Honourable Justice Winston Moore,

Ombudsman,

39 Brickdam Stabroek,

Georgetown.

Sir,

FINAL REPORT – NEW BUILDING SOCIETY (NBS) FRAUD CASE

Reference the above mentioned subject, I refer to 'REPORT – NEW BUILDING SOCIETY (NBS) FRAUD CASE' dated Friday, June 11, 2014, and hereby submit this final report for your information and action as deemed necessary.

SUBMISSION OF ADDITIONAL POLICE FILES

On Tuesday, August 12, 2014, the Reporting Officer received from Your Honour, two additional files which were forwarded to you by the Police with respect to the NBS fraud case.

In the files were additional statements. Significantly, among them were statements from Messrs. Ashley Legall a/k Compton Chase, Mohan Sahibdeen, Matthew Langevine and Ms. Herwantie Ramsawack. There were further statements from Messrs. Imran Bacchus, Mauderlall Kryshundayal and Mohamed Hussain.

Apart from these statements, there was a report submitted by the late Detective Inspector Wintz dated September 4, 2007, in relation to the seizure by the Police of eight motor cars belonging to Mohan Sahibdeen.

In the last paragraph of Wintz's report it is stated as follows, "Taking the aforementioned into consideration it is suggested that the eight cars which are in custody at CID Headquarters since 2007-08-29 be returned to Mohan Sahibdeen, since there is no evidence to support that he acquired them through proceeds of a crime. In respect to the letter by Maurice Arjune, it is suggested that more investigations be done in an effort to locate M. Kryshundayal and Kumar Ragobar who are both vital to this investigation".

Nine minutes were seen, with the only one from the Director of Public Prosecutions (ag) dated September 6, 2007, which reads "Crime Chief, there is no evidence or legal reason to support the Police's retention of the motor vehicles. It is advised that they be returned to Mr. Sahibdeen".

EXAMINATION OF CONTENTS OF FILES

Ashley Legall a/k Compton Chase was arrested by Detective Sergeant 13130 Reid, at 4.00pm on Thursday, October 4, 2006, and taken to CID Headquarters Eve Leary. An extract of the diary entry reads "16:10 hrs. At 4.00pm D/Sgt. 13130 Reid arrested and brought to CID H/Q Ashley Legall MMR 51 years of 85 Durban Street pending obtaining money upon a forged instrument. No complaint was made against the arresting ranks. No marks of violence seen on the exposed parts of his body"

On the same page of the diary extract, it is recorded "17:04 hrs. D/Sgt. 13130 Reid told Ashley Legall that it is alleged that he on October 31st. 2006 at Georgetown in the Georgetown Magisterial District with intent to defraud uttered to a Staff at the New Building one forged Guyana Passport in the name of Compton Chase and a forged Power of Attorney purporting to be made by Bibi Sharnila Khan and that he on 1.11.06 obtained \$15,000,000.00 GC, on 17.11.06 obtained \$22,664,000.00 GC, on 20.11.06 obtained \$20,500,000.00 GC and on 8.12.06 obtained \$22,230,000.00 GC from the said Bank under, upon or by virtue of the said forged Passport and Power of Attorney. As he was about to respond he was cautioned. He replied "I will tell you what happened" me and me friend Mohan had an arrangement with Imran Khan who does work at the Bank. Mohan gave me a Passport in the name of Compton Chase with my photograph inside and a Power of Attorney. We had an arrangement to go to the Bank and Imran Khan will look after the transaction. Mohan tell me he gon call me and he call me and I only receive the cheque in Ashton Chase name. The other cheques the Cambio people from Swiss House and the one on King Street collect from Imran Khan and I collect the US money and gave Mohan. He was told of his rights and he said he will tell the truth but he will not sign to anything".

There is an unsigned and uncertified statement, by the rank who took same in the name of Ashley Legall dated 4.10.2007, with the address "Criminal Investigation Dept, Brickdam Police Station" (one would have to assume that the address should have read CID H/Q Eve Leary).

In the statement Legall related how he worked with Mohan Sahibdeen in the 'back track business' taking persons illegally out of the Country. He said that it was in August 2006, when Sahibdeen called him to his house in New Town Kitty and told him of his plan, to get some money from NBS and about the forged Passport and Power of Attorney with which he would be supplied.

He was told that Compton Chase was the name to be used by him. Legall said that he was subsequently introduced to Imran Khan (Bacchus), by Sahibdeen at his (Sahibdeen's) home, and it was Bacchus who facilitated him, with all the cheques he collected from the Bank. All monies received he said were handed

over to Mohan Sahibdeen. The only surms he got for himself was the four million (\$4,000,000.00) dollars cheque, which was written in his name and encashed by him.

According to diary extract dated Friday, October 5, 2007, it is recorded that at "14:40pm Det Sgt. 13130 Reid held a confrontation between Ashley Legall and Imran Bacchus. Legall repeated that he and Scientist who is Bacchus, had an arrangement to remove from New Building Society. He said he never had the Power of Attorney and he went to make the withdrawals and on three occasions Scientist dealt with the transactions. And when he collected the money he gave it to Mohan. Imran Bacchus said Legall did not give him any Power of Attorney and the first person to deal with him is A. Persaud. He said he carried out the correct procedure and gave him the cheque. Prior to him going to the Bank hed id not know him".

Diary extract of the same date reads that at "15:35 pm D/Sgt 13130 Reid held a confrontation between Ashley Legall and Mohan Sahibdeen. Ashley Legall repeated that he know Mohan for a number of years and that he and Mohan plot to remove some money from the New Building Society. He said Mohan gave him a Passport in Compton Chase name and a Power of Attorney which he registered at the Deeds Registry. He said he went to the Bank and the Cambio people came to the Bank and collect the cheque. He said he went to the Bank collected the equivalent in US and gave same to Mohan. Mohan replied " What this man is saying is not true, I have already give my statement to the Police, any further questioning I will answer after I am able to retain a Lawyer".

Prior to the arrest of Legall and the confrontation, Mohan Sahibdeen on September 30, 2007, had given an ordinary statement to the Police as a result of information they had received, about him purchasing motor cars for the establishment of a Taxi Service from the proceeds of the fraud at NBS.

In his statement he said that he opened his Taxi Service on March 13, 2007, but purchased seven cars from Trans Pacific Auto Sales between November 21 and December 11, 2006. On January 11, 2007, he purchased the eight motor car. He

also indicated that through the Bank of Baroda he had purchased two other cars from Prince Auto Sales, but those were later repossessed by the Company.

Sahibdeen said that he made down payments on the vehicles he purchased from Trans Pacific Auto Sales, from a United States five thousand (US\$5,000.00) dollars loan he got from his ex-wife in Canada, his life's savings, the rental of a Restaurant, a two million (\$2,000,000.00) dollars which was returned to him by one Norman Trotz through the Bank of Nova Scotia, for the purchase of a chicken farm which arrangement fell through and the sale of items from the said chicken farm.

He said that he never had a Bank account but earlier in the year (2007), he had opened one at the Bank of Baroda. He could not have remembered the amount he deposited. He was questioned about him knowing Imran Bacchus. He said that they met at the Razor Edge Barber Shop about five months ago and they were not close friends. He did not know Bacchus worked at NBS, until he saw the news that he (Bacchus) was involved in a fraud at NBS.

On the said day August 30, 2007, in another statement given by Imran Bacchus, he said that he knew Mohan Sahibdeen for about four to five months as the Operator of a Taxi Service which he used. They were on speaking terms but not friends. He said that Sahibdeen never approached him while he worked at NBS. His statement ended with the words 'Further I say not'.

Herwantie Ramsawack was the Secretary of Trans Pacific Auto Sales. She dealt with the transactions of the sale for the eight motor cars, on hire purchase agreements to Mohan Sahibdeen. She provided the Police with copies of the agreements and a print out of payments made by Sahibdeen.

In a letter dated March 8, 2007, a copy of which was signed by Mohan Sahibdeen, Mr. Matthew Langevine Manager of Scotia Bank Robb Street Georgetown, wrote to Sahibdeen on behalf of Norman Trotz repaying an indebtedness of the two million (\$2,000,000.00) dollars.

Maulderlall Kryshundayal on October 10, 2007, gave a further statement to the Police in which he said that he stopped working at Swiss House Cambio during the

month of January 2007, to pursue his own buying and selling of US currency. He said that sometime in March 2007, he saw a 'friend' who worked at NBS and asked him about the fraud at the Bank. He could not remember the name of the friend. Kryshundayal asked the person (who later turned out to be Kissoon Baldeo), about "a dougla looking guy that wears a spectacle". He (Kryshundayal) was subsequently taken to NBS by his Baldeo and on a monitor, he identified Imran Bacchus as the "dougla looking guy".

Kryshundayal said Bacchus did business with Swiss House Cambio and had brought a cheque during the month of November 2006, in his (Kryshundayal's) name to be cashed. He said that he had given a statement to the Police. He said that it was on November 1, 2006, when Bacchus took the cheque to Farouk Razack (who is now dead). Razack had called him to his Office and said that he should 'hurry' since Bacchus, to whom Razack pointed was waiting.

Upon Kryshundayal's return to Swiss House Cambio with the cash Bacchus was not there. He handed the money to Razack. He was subsequently questioned by the Police in the presence of Razack, and was shown the cheque bearing his signature which he identified. Kryshundayal further said that he often times saw Imran Bacchus and Kumar Ragobar, whom he knew also worked at NBS, at 'Mutt's' Liquor Bar in Campbellville.

On the said October 10, 2007, a further statement was taken from Mohamed Hussain another of Farouk Razack's employees at the time. He recalled that on November 20, 2006, he was at work when Razack about 13:30 hrs. received a telephone call and gave the caller his (Hussain's) name. After the call was terminated, Razack instructed him to go to Kumar Ragobar at NBS and collect a cheque to be encashed.

Hussain said that he knew Ragobar for three to four years. He subsequently went to NBS where he met Ragobar, who gave him a cheque in the sum of ten million, two hundred thousand (\$10,200,000.00) dollars, which was written in his (Hussain's) name. He encashed same and took the cash to Farouk Razack. The Police showed him the cheque bearing his signature, which he identified as the one given to him by Kumar Ragobar.

There are statements by Police ranks and extracts of telephone messages in search of Mahindranauth Rao, the legitimate holder of Guyana Passport number 1026665, which was recorded on the forged Passport submitted to NBS by Ashley Legall a/k Compton Chase. All efforts to locate him were unsuccessful. The Police were in possession of the Passport application forms with photographs, of both Rao and one Compton Chase by February 13, 2007, (statement seen from Sergeant Myrna Halley of the Immigration Department).

Interpol Ottawa, correspondence Reference IP10/2007 – 163452 seen in file Subject: Khan f/ns Bibi Shamila and Ramroop f/n Tyrone, read as follows
“Reference is made to the above noted subject. Could you please advise our bureau if you have the dates of birth for the subjects or any other means to identify the subjects. We cannot conduct proper searches with this information. Please advise which subject committed the fraud and supply more information on the fraud. Please quote our reference number IP10/2007 – 163452 in your reply to our bureau”.

GAPS IN POLICE INVESTIGATION

It should be noted, that no correspondence was seen in files of the request which was made to Interpol Ottawa, nor of any response to the request from Interpol Ottawa for additional information.

With the exception of the letter from Scotia Bank, there was no effort made to check out the story told by Mohan Sahibdeen, as to how he came by the funds between November 2006, and January 2007, to purchase the eight motor cars. The down payments he made on the vehicles amounted to over six million (\$6,000,000.00) dollars, with monthly instalments of over four hundred and twenty five thousand (\$425,000.00) dollars. The two million (\$2,000,000.00) dollars from Scotia Bank was not available to him during that period. It also leaves one to wonder, what could he have sold from the farm, which deal had fallen through and his money returned to him.

Sahibdeen supplied two telephone numbers to Trans Pacific Auto Sales, when he purchased his vehicles. The numbers were 625-3254 and 231-1382. He lived in Da Silva Street New Town Kitty according to Ashley Legall a/k Compton Chase. No effort was undertaken through the Telephone Company, to determine what telephone number if any, was at the Da Silva Street address and what calls to or from Canada were made from any of the numbers. What about similar telephone checks on local contacts between Sahibdeen and the persons who were charged with this crime?. There was none.

There is no evidence of searches carried out on any of the suspects homes, to recover any item of exhibit eg. Printing equipment, stamps and stamp pads, forged Passports, forged Powers of Attorney, large sums of cash etc.

Although the Police had the photograph of Mahindranauth Rao, there is no evidence that in their search for him the photograph was shown to anyone. Similarly, with the exception of Kent Vincent (who did not recognize it), the photograph of Compton Chase was not shown. It should also be noted that Compton Chase according to his Passport application, would have been 71 years of age at the time of the commission of this crime, since he was born in 1935. Rao would have been 40 years of age, born in 1966.

With the arrest of Ashley Legall a/k Compton Chase, his unsigned and uncertified statement, and the confrontation held with him and Sahibdeen and Bacchus, there is no statement in files from Detective Sergeant 13130 Reid who did the arrest and conducted the confrontations. Also none from Detective Sergeant 15897 Reid who was integral to these investigations. It should be mentioned that all ordinary statements taken by the Police, should be certified by the rank taking same, with reference to time, date and place taken.

No further Police Report is seen, after the arrest of Ashley Legall a/k Compton Chase, the confrontation held and the further statements taken from Kryshundayal and Hussain. This ought to have been done for the perusal of senior supervisory ranks (Crime Chief et al) and advise of the DPP (ag).

CONDUCT AND PROFERRED ADVISE OF DIRECTOR OF PUBLIC PROSECUTIONS

Reference Report dated Friday, June 11, 2014, by Reporting Officer at 'CONCLUSION', several questions remained unanswered. The conduct and involvement of the DPP (ag) Mrs. Shalimar Ali Hack and her husband Mr. Sheik Ul Hack, even before this matter was reported to the Police was troubling. Her prolific advise to the Police, prior to the charges which were laid against Messrs. Maurice Arjoon, Kent Vincent and Kissoon Baldeo was noted.

The only advise seen in these additional files from the DPP (ag) as indicated earlier, was for the Police to return the eight motor cars to Mohan Sahibdeen, after they were in Police custody for ten days. No advise from the DPP (ag) has been found with respect to the charges laid against the Accused Ashley Legall a/k Compton Chase, Mohan Sahibdeen (not Shamsudeen), Imran Bacchus and Arnrita Prashad, all of whom were before the Court. There is nothing to indicate when the joint charges were laid.

CONCLUSION

This was an extremely poorly investigated crime, if the word 'investigate' is appropriate to what occurred. The evidence clearly showed that the perpetrators of the fraud were Messrs. Mohan Sahibdeen, Ashley Legall a/k Compton Chase, Imran Bacchus and Kumar Ragobar.

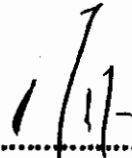
Bacchus and Ragobar used their inside information based knowledge, about the account which belonged to Bibi Shamila Khan and the workings of the system at NBS, to support the criminal enterprise of the Mastermind Mohan Sahibdeen.

Although the evidence of Ashley Legall a/k Compton Chase, was evidence against himself, digging deeper, would have negated Sahibdeen's 'fairy tale' as to how he came by the funds he acquired to purchase the cars for his Taxi Service. The

evidence of Maulderlall Kryshundayal and Mohamed Hussain, strongly implicated Imran Bacchus and Kumar Ragobar in this scheme. Professional Police work seemed to have taken flight during these investigations.

The 'eleven pages of notes at Minister meeting' listed as EXHIBITS, were not seen. In thoroughly perusing this matter, one would be in sympathy with Messrs. Maurice Arjoon, Kent Vincent, Kisson Baldeo and Ms. Amrita Prashad for believing, that the grievous wrong visited upon them by this prosecution, was based on either Religious or Political bias.

Yours Respectfully,


.....

Henry Chester DSM.

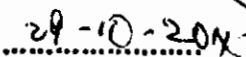

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Date

EXHIBIT 'G'

FINAL REPORT
BY: MR. HENRY CHESTER, DEPUTY
COMMISSIONER (RTD.)
DATED: 29TH OCTOBER, 2014.

A 82 East La Penitence,

Georgetown,

Monday, 23 June, 2014.

Honourable Justice Winston Moore,

Ombudsman,

39 Brickdam Stabroek,

Georgetown.

Sir,

REPORT – NEW BUILDING SOCIETY (NBS) FRAUD CASE

Reference the above mentioned subject, I have to report as hereunder for your information and further consideration, please.

THE TASK

By letter dated May 30, 2014 addressed to the undersigned party (Reporting Officer) by your Honour, the Reporting Officer was tasked with examining "the contents of the Police file" which was handed over, for the purpose of advising "whether there is sufficient reason to reopen the investigation of the NBS Fraud".

FILE SUBMITTED TO THE OMBUDSMAN BY THE POLICE

The file which was submitted to the Ombudsman by the Police, appeared to be a photocopied version of the Police investigation, in which three senior staffers of NBS namely Messrs. Maurice Arjoon, Kent Vincent and Kissoon Baldeo were charged. Following were the charges advised by the Director of Public Prosecutions Mrs. Shalimar Ali Hack:

Charge 1:

Statement of Offence

Conspiracy to Defraud contrary to common law.

Particulars of Offence

Maurice Arjoon and Kent Vincent on 1st. day of November, 2006 at the New Building Society Limited, Avenue of the Republic, Georgetown, in the Georgetown Magisterial district, County of Demerara, in Guyana, conspired together with each other and with other persons to effect the withdrawal of \$15,000,000 from the Savings and prosper account No. 4745 in the name of Bibi Shamila Khan at the New Building Society Limited in two cheques one for the sum of \$10, 225,000 in the name of M Kryshundayal and one for the sum of \$4,775,000 in the name of Compton Chase thereby defrauding the said Bibi Shamila Khan of the said \$15,000,000.

Charge 2:

Statement of Offence

Conspiracy to Defraud contrary to common law.

Particulars of Offence

Kissoon Baldeo and Kent Vincent on the 17th day of November 2006 at the New Building Society Limited, Avenue of the Republic, Georgetown, in the Georgetown Magisterial District, County of Demerara, in Guyana, conspired together with each other and with other persons to effect the withdrawal of \$22,664,000 from the Savings and prosper account No. 4745 in the name of Bibi Shamila Khan at the New Building Society Limited in two cheques one for the sum of \$20,500,000 in the name of M Hussain and one for the sum of \$2,164,000 in the name of Compton Chase thereby defrauding the said Bibi Shamila Khan of the said \$22,664,000.

Charge 3:

Statement of Offence

Conspiracy to Defraud contrary to common law.

Particulars of Offence

Kissoon Baldeo and Kent Vincent on the 20th day of November 2006 at the New Building Society Limited, Avenue of the Republic, Georgetown, in the Georgetown Magisterial district, County of Demerara, in Guyana, conspired together with each other and with other persons to effect the withdrawal of \$20,500,000 from the Savings and prosper account No.4745 in the name of Bibi

Shamila Khan at the New Building Society Limited in two cheques one for the sum of \$10,300,000 in the name of M. Hussain and one for the sum of \$10,300,000 in the name of Daniram thereby defrauding the said Bibi Shamila Khan of the said \$20,500,000. (Reporting Officer notes error in sum total).

Charge 4:

Statement of Offence

Conspiracy to Defraud contrary to common law.

Particulars of Offence

Maurice Arjoon and Kent Vincent on the 8th. Day of December 2006 at the New Building Society Limited, Avenue of the Republic, Georgetown, in the Georgetown Magisterial Jdistrict, County of Demerara, in Guyana, conspired together with each other and with other persons to effect the withdrawal of \$32,230,384 from the Savings and prosper account No. 4745 in the name of Bibi Shamila Khan at the New Building Society Limited in two cheques one for the sum of \$14,430,384 in the name of G Ramotar and one for the sum of \$17,800,000 in the name of G Ramotar thereby defrauding the said Bibi Shamila Khan of the said \$32,230,384.

The Reporting Officer dealt with the main actors and actions taken by the Police, which resulted in legal advice, to prosecute the named Officials.

FUNDS WITHDRAWAL SYSTEM AT NBS

The Society Offered to its members, several accounts which included Savings and Prosper. Members wishing to withdraw funds from a Savings and Prosper account were required to give a month's notice in writing. However, urgent withdrawals were facilitated with a penalty on interest. Withdrawal forms were required to be filled out and signed by the member or authorized representative.

If the sum to be withdrawn was below one hundred thousand (\$100,000.00) dollars, the member would proceed directly to the cashier and was paid in cash. Above one hundred thousand (\$100,000.00) dollars, the member would go to the Customer Service Section where a cheque was issued.

For a cheque to be issued the member would present some form of identification eg. National identification card, Passport, Drivers Licence or Power of Attorney. Supervisors were authorized to sign cheques to the limit of one million (\$1,000,000.00) dollars. Above this limit only identified senior Managers and Directors would sign and countersign withdrawal cheques.

Each cheque therefore, would require two signatures. Stringent cross checking was carried out by Clerks, Supervisors and Managers against the information stated on the index cards, written up at the time a member was first accepted. This would include name, signature and identification document which was submitted.

Several recordings in ledgers were done in the verification process. When senior Managers dealt with large sums of withdrawals, checks on the procedures carried out were gone over before they signed or countersigned the cheques.

In dealing with any Power of Attorney notwithstanding the breath of the power, contact was made by telephone, fax or email with the member by a senior Manager. The case being examined dealt with a Power of Attorney presented by one Compton Chase on behalf of Bibi Shamila Khan.

REVIEW OF THE POLICE FILE

On Tuesday 30, January 2007 Mr. Maurice Arjoon the Director/Secretary of NBS, reported to the Police an alleged fraud committed on the Society which involved the sum of sixty nine million, eight hundred and ninety four thousand three hundred and eighty four (\$69,894,384.00) dollars, withdrawn from the Savings and Prosper account number 4745 of Bibi Shamila Khan.

A Party of Policemen from the Criminal Investigation Department Headquarters Eve Leary, under Detective Assistant Superintendent Trevor Husbands visited NBS Headquarters where contact was made with Mr. Arjoon.

Four withdrawal slips, eight cheques and a general Power of Attorney of Bibi Shamila Khan to Compton Chase, among other documents were handed over to the Police. The Power of Attorney was purportedly notarized in Canada and attested to on Tuesday 12, September, 2006 by Officials at the Guyana Toronto Consulate. It was filed in the Deeds Registry Georgetown, Guyana, on Friday 20, October, 2006.

Statements obtained revealed that Compton Chase first approached the Society on Tuesday 31, October, 2006, with Power of Attorney 6497/2006. A young Clerk, Amrita Prashad age 17 years, with eight months working experience at the Society, called him up since he was next in line at the Customer Service area.

Chase presented his power with a request to withdraw fifteen million (\$15,000,000.00) dollars. He identified himself by producing Guyana Passport number 1026665. Prashad checked the photograph and name in the Passport with that on the Power of Attorney, they corresponded.

She asked Chase if the power was updated and this was confirmed by him. Prashad checked for the Deeds Registry stamp and saw that it was affixed along with the signature of the sworn Clerk. She then checked on the clause in the Power of Attorney authorizing Chase to operate the account, that was in order.

The Clerk then asked Chase about the member and was told that she was in Canada. Chase then gave Prashad Canadian telephone number 647-868-9552 for Bibi Sharnila Khan. She then proceeded to the index card tray, where she retrieved the index card of Khan.

Prashad took all the documents to a Supervisor, who told her that the amount for withdrawal was above his limit and that she should refer it to Mr. Kent Vincent, the Operations Manager. She went to Mr. Vincent as advised with all the documentation and related what had occurred. Vincent told her that he would have to refer the matter "higher up". She then went back to Chase and informed him that the transaction will take some time.

Chase indicated that he had to leave but would return. Upon Chase's return Prashad informed Mr. Vincent, who said that he would speak with Chase and did do so. The next day Wednesday 1, November, 2006 Compton Chase returned to NBS. He was approached by Prashad and he told her that he was there in connection with the previous day's transaction. She told him to wait and went to inform Mr. Vincent.

Shortly after, Prashad was told by Vincent to 'carry on' with the transaction. She said she had to assist Chase in filling out the withdrawal form since he did not know what to do, by telling him how it was to be done.

As Prashad went to her desk to prepare the cheques, she observed that the special instructions as to whose name the cheques were to be written was absent. She requested the assistance of one of her co-workers Mr. Imran Bacchus to whom she pointed out Chase, to request that he completed the section.

When the form was returned to her, she prepared two cheques one number 067065408 for ten million, two hundred and twenty five thousand (\$10, 225,000.00) dollars, in the name of M. Kryshundyai and the other number 067065409 for four million, seven hundred and seventy five thousand (\$4, 775,000.00) in the name of Compton Chase. She then took the cheques with all the documentation to Mr. Vincent for signing.

Prashad then proceeded to Mr. Maurice Arjoon, again with all the documentation, for him to countersign. This was done. The cheques were then handed over to Compton Chase.

On Friday 17, November, 2006, Compton Chase approached the Society for another withdrawal. As he stood in the queue he was attended by Mr. Imran Bacchus (who had assisted Ms. Prashad on November 1, 2006). Chase presented all of his documents as previously done and told Bacchus that he should refer it to Mr. Vincent. Bacchus informed Vincent who told him that he had spoken to Bibi Shamila Khan and that the matter had to be referred to Mr. Arjoon "because it was a large amount". Bacchus said that he told Chase to take a seat "until the go ahead was given".

Shortly after Bacchus said Ms. Bonita Baldeo a Supervisor, gave him all the documentation for Chase and told him Mr. Vincent said it was okay to prepare the cheques, since Mr. Arjoon had approved. Cheques numbers 067065891 for twenty million, five hundred thousand (\$20,500,000.00) dollars was prepared in the name of M. Hussain and 067065892 for two million, one hundred and sixty four thousand (\$2,164,000.00) dollars, in the name of Compton Chase.

On Monday 20, November 2006, upon Compton Chase's third visit to the Society Imran Bacchus again dealt with him on a request for the withdrawal of twenty million, five hundred thousand (\$20,500,000.00) dollars. Bacchus went through the same procedure. Cheques numbers 067065524 for ten million, two hundred (\$10,200,000.00) dollars, in the name of M. Hussain and 067065525 for ten million three hundred thousand (\$10,300,000.00), in the name of Daniram, were prepared by him and signed by Mr. Vincent, countersigned by Mr. Baldeo.

On Friday 8, December 2006, Imran Bacchus wrote cheques numbers 067066463 for seventeen million, eight hundred thousand (\$17,800,000.00) dollars, in the name of G. Ramotar, signed by Vincent, countersigned by Arjoon while cheque 067066464 for fourteen million, four hundred and thirty thousand, three hundred and eighty four (\$14,430,384.00) dollars, signed by Mr. Vincent countersigned by Mr. Baldeo to close the account of Bibi Shamila Khan upon the representation of Compton Chase.

With respect to the closing cheques. Bacchus said that it was Chase who told him to write them in the name of G. Ramotar. He (Bacchus) wrote the name as special instructions on the withdrawal form. Bacchus in relating his story said that after Mr. Vincent had signed the two closing cheques he took them to Mr. Arjoon for his counter signature, but Arjoon after signing cheque number 067066463 asked for the indemnity form which should have accompanied the documents, it was not there. Arjoon advised that there must be an indemnity form and did not sign cheque number 067066464. He instructed that the form must be obtained before payment was made.

On Monday 11, December 2006, Bacchus said that he was told by Ms. Baldeo that an email with the signed indemnity form had arrived from Bibi Shamila Khan. He retrieved all the documentation and compared the signature on the indemnity form with other records and accepted that they were that of Bibi Shamila Khan. The process was then completed by him. He cannot remember if it was he who subsequently handed over the cheques to Chase.

Mr. Kent Vincent was the Operations Manager of the Society. He had direct responsibility for the activities of Clerks, Cashiers and Supervisors, with respect to deposits and withdrawals of funds by members of the Society. He in the main concurred with the stories told by both Ms. Amrita Prashad and Imran Bacchus.

Vincent said that when Prashad on Tuesday 31, October 2006, presented all the required documents to him for the withdrawal of fifteen million (\$15,000,000.00), he looked at them and compared the signatures. He was satisfied that everything was in order. Because of the large sum to be withdrawn and the Power of Attorney which was notarized in Canada, he sought further advice from Mr. Maurice Arjoon.

In his presence Arjoon examined the Power of Attorney along with the index card and suggested to him (Vincent), that he contacted the holder of the account Bibi Shamila Khan to verify whether the Power of Attorney was genuine or not.

The index card had no local or foreign telephone number. It was Compton Chase who had provided telephone number 647-868-9552 to Amrita Prashad. Vincent through the Society's switch board caused the number to be called and spoke to a woman who identified herself as Bibi Shamila Khan.

The woman answered correctly, all the questions asked of her by Vincent: eg, account number, approximate balance and her Passport number. He had in his possession during the questioning of Khan the index card kept by the Society. Apart from this first occasion, Vincent spoke with this Bibi Shamila Khan on the other three occasions withdrawals were made, until the closure of the account.

Vincent saw and spoke to Chase during the transactions and recognized him with the photograph affixed to his Passport. Vincent as Operations Manager was the first to sign all the eight cheques for withdrawals obtained by Compton Chase, before second signatures were obtained.

The Operations Manager said that he first learnt about a problem with the account of Bibi Shamila Khan, on Friday 19, January 2007, from Mr. Nizam Mohamed the Assistant Secretary who was in his (Vincent) office. He had received a telephone call and the caller spoke with Mohamed.

On Monday 22, January, 2007, Mohamed showed Vincent a letter which he said he had received from Mr. Zainool Khan the husband of Bibi Shamila Khan, after he had attended a meeting at the Central Islamic Organisation (CIOG) Headquarters, Woolford Avenue.

Nizam Mohamed had proceeded on two weeks vacation leave on Monday 30, October 2006, he resumed on Monday 13, November 2006. He related in his statement that on Friday 19, January 2007, he was in Mr. Vincent's office discussing final year accounts, when Vincent answered his telephone and passed the phone to him. Mohamed said the person on the line was Mr. Sheik Moen Ul-Hack of the CIOG. He was told by Ul-Hack that Mr. Zainool Safi said the sum of thirty two million (\$32,000,000.00) dollars, was withdrawn from his wife's account and that they were not aware of the withdrawal.

Mohamed told Ul-Hack that he would check, and subsequently asked Vincent if he was aware of the transaction. Vincent told him that he was and that he had adhered to all the Society's procedures before the withdrawals were approved.

On Saturday 20, January 2007 as Mohamed was again in Vincent's office another telephone call came through for him, from Mr. Ul-Hack who requested a meeting with him at the CIOG to discuss the matter. After leaving work the same day Mohamed went to the CIOG Head Office where he met Mr. Ul-Hack, his wife Shalimar Ali-Hack (the Director of Public Prosecutions) and Zainool Khan Safi, to whom he was introduced as the husband of Bibi Shamila Khan.

According to Mohamed after a short discussion he was handed a fax by Ul-Hack allegedly sent by Bibi Shamila Khan, which authorized her husband to "look into the affairs of her account". He told all the persons present that he would have to refer the matter to the Director/Secretary of NBS.

On Monday 22, January 2006 he showed the fax to Mr. Vincent and told him they would have to see Mr. Arjoon. Mohamed had requested Mr Kumar Ragobar a Supervisor to retrieve all the documents which dealt with the transactions. After the meeting with Mr. Arjoon as Mohamed was leaving Arjoon's office he saw Safi. He returned to Arjoon's office and informed Arjoon who instructed him to give Safi a hearing.

Safi requested documents of the transactions and this was related to Arjoon, who said because Safi was not the account holder documents could not have been released to him.

Kumar Ragobar was the Accounts/Savings Supervisor. On Wednesday 3, January 2007 the Clerk Govind Singh presented to him a Savings book, index card, withdrawal form and a cancelled Guyana Passport in the name of Bibi Shamila Khan, for the closure of an account in her name Bibi Shamila Khan and that of Bibi A Khan. Ragobar said that he questioned Singh as to why Bibi Shamila Khan had presented a cancelled Guyana Passport and he indicated that she said she

had no other form of identification. He said that he checked the index card and observed that the number of the cancelled Guyana Passport number 613206 was recorded.

On Friday 19, January 2007 Govind Singh had informed Ragobar that a customer was misbehaving. Ragobar approached the person who told him that he had two savings books and one was closed for "thirty two million (\$32,000,000.00) dollars". Ragobar looked at the book and saw that it was in the name of Bibi Shamila Khan. After a brief conversation with the person, who said that he was Mohamed Khan Safi the husband of Bibi Sharnila Khan, Safi left saying that he would deal with the matter.

According to Ragobar it was later that day he was asked by the Assistant Secretary Mr. Mohamed, to retrieve all documentation dealing with the Bibi Shamila Khan transactions. The Clerk Govind Singh corroborated the story as told by Kumar Ragobar.

Mr. Kissoon Baldeo was the Assistant Mortgages Manager, he was one of the authorized signatories to unlimited amounts of cheque withdrawals at NBS. He was shown the eight cheques concerning this matter by the Police and recognized his signature on five of the cheques as being countersigned by him. He never knew nor saw Bibi Shamila Khan and Compton Chase.

During the conduct of the Police investigation into this alleged fraud, Baldeo reported to Mr. Arjoon that on Wednesday 7, March 2007, while walking in America street he was approached by Mr. Maulderlall Kryshundayal and asked about "the fraud at NBS". Kryshundayal said that he once worked at Swiss Bank Cambio and one of the cheques was payable to him. He fingered Mr. imran Bacchus as the person who had collected the foreign currency equivalent of the cheque he had encashed and which was handed over to his Boss Mr. Farouk Razac. From close circuit television monitors in Arjoon's office Kryshundayal had identified Bacchus.

In Maulderlall Kryshundayal's statement which he had given to the Police on Friday 2, February 2007, he said that he was employed at Swiss House Cambio as a Teller. His functions included collecting from and delivering to customers cash. He also encashed cheques at Banks written in his name, on behalf of his employer.

He recalled during the month of November 2006, a NBS cheque was written in his name, but could not remember the amount. The cashed sum was delivered to his Boss Mr. Razac. He could not have said who brought the cheque or what was the transaction. In light of what had transpired in Arjoon' office, subsequent Police action to locate Kryshundayal failed.

Mr. Farouk Razac owner of Swiss House Cambio, did name among his employees Mohamed Hussain and Maulderlall Kryshundayal, in whose names cheques related to Bibi Shamila Khan's transactions were written. He said that the main function of those employees was to go the

various Commercial Banks and change cheques for the Cambio. He also said that he would usually receive calls from several customers and Banks including NBS for sums of US currency.

Razac recalled that sometime during month of November 2006, he received a call from some unknown person at NBS indicating that a customer wanted one hundred thousand US (US\$100,000.00) dollars to purchase. He indicated to the caller that he could "get up the money". Shortly after he had spoken with the caller from the Society, he was told by one of his employees that the person who NBS had informed him about was there to purchase the US one hundred thousand (US\$100,000.00) dollars.

Razac saw the person from the monitor in his office and communicated to the customer through the employee that he did not have the cash. The customer left saying that he would return. He subsequently received another call from NBS which indicated that the said customer wanted US fifty thousand (US\$50,000.00) dollars to purchase. He said that he instructed the caller to write the cheque in the name of M. Kryshundayal. Shortly after the said customer who wanted the US hundred thousand (US\$100,000.00) dollars to purchase turned up.

Kryshundayal was sent to encash the cheque and he returned with the cash Guyana currency. Razac could not have supplied the US fifty thousand (US\$50,000.00) dollars and the customer, took the local currency and left.

Later the said month, Farouk Razac received a telephone call from someone who gave their name as Chase and requested to purchase US fifty thousand (US\$50,000.00) dollars. He told Chase to write the check for the Guyana currency equivalent in the name of his employee M. Hussain. Razac said that he sent Hussain to meet Chase and to encash the cheque, which was done. Chase later turned up at the Cambio and collected the Guyana currency.

Mohamed Hussain in his statement said that he was employed at Swiss House Cambio as a Manager, who would run the office from "time to time". His main function, however, was to meet customers and to collect and deliver cash or cheques. He said that sometime in the month of November 2006, he received instructions from Razac to meet Chase at NBS and to collect a cheque for encashment. He met Chase, having made two trips to NBS.

He was given a cheque for ten million, two hundred thousand (\$10,200,000.00) dollars, which he encashed. Hussain said that he brought the cash to the Cambio.

Ganesh Ramotar was employed with L. Mohabeer and Sons Cambio. His main task also was the delivery and collection of cash from customers, including receipt and encashment of cheques at Banks in the Georgetown area. He recalled sometime in November 2006, having received a

cheque from another employee of the Cambio Vishraykand Narine, with instructions to encash same. It was a NBS cheque but he could not remember for what sum. The cheque was written in his name. After it was encashed he returned with the cash and delivered it to his Boss Mr. Latchman Mohabeer. He did not know what the transaction was about. Narine corroborated the story told by Ramotar and remembered that the value of the cheque was for the equivalent of US fifty thousand (US\$50,000,00) dollars.

Mr. Zainool Khan Safi said that he had a joint Saving and Prosper account with his wife Bibi Shamila Khan and she, in her own name another Saving and Prosper account with NBS. He kept the Passbooks for both accounts. According to him his wife left Guyana on Tuesday 22, August 2006, for study in Jamaica. She returned to Guyana on Tuesday 12, December 2006, for the Christmas Holidays.

On Wednesday 3, January 2007, he and his wife visited NBS to update their Passbooks and his wife to close a joint account which was held with her sister Bibi A. Khan. Because of the volume of Passbooks the Society had to be updated, a Teller took the two Passbooks from him and issued him a slip. He was asked to return later for their collection. Safi said that he returned to the Society on Friday 19, January 2007, and the Passbooks were delivered to him. On checking the books he observed that the entire sum in his wife's Saving and Prosper account was withdrawn.

He queried the matter with the very Teller who delivered the Passbooks and was told he should speak with a Supervisor. The Supervisor told Safi that the account was closed based on a Power of Attorney issued by his wife. He said that was not possible and left the building.

Safi said that he spoke with a friend who told him that he had spoken to someone at NBS, who advised that a fax be obtained from his wife who was in Jamaica, authorizing him to handle the matter. He said that the fax was submitted to NBS, but that he was told since he was not a party to the account the matter could not have been discussed with him. He informed his wife that she would have to come to Guyana. On Monday 22, January 2007, he sought legal advice.

In the statement of Bibi Shamila Khan she said that she did have a Saving and Prosper account number 4745 with NBS and on Wednesday 3, January 2007, she and her husband went to NBS to update Passbooks and for her to close the joint account she held with her sister Bibi A. Khan. She repeated the story that the Passbooks had to be left at NBS. She said that she left Guyana on Tuesday 9, January 2007, for Jamaica to continue her study.

On Friday 19, January 2007, she learnt from her husband that her Saving and Prosper account was closed with all the monies withdrawn. She returned to Guyana on Saturday 27, January 2007, and consulted with her Attorney-at-Law. Bibi Shamila Khan accompanied by her Lawyer Mr. Datadin, went to NBS where they spoke with the Director/Secretary who informed them

about what had transpired which resulted in the closure of the account. She denied all knowledge of the transactions.

Bibi Shamila Khan said that she was not in Canada at the time the fraudulent Power of Attorney was notarized, since she was in Jamaica. The last time she said that she was in Canada was in December 2005, and returned to Guyana in January 2006. While in Canada she stayed with her parents at 79 Garthdale Court North York M3H Toronto and that the telephone number at that address was 416-638-7888.

At CID Headquarters on Thursday 1, February 2007, she was shown all the documentation bearing the signature Bibi Shamila Khan which she denied were hers. She did not know anyone by the name Compton Chase.

Qeona Bowman was the Legal Clerk employed at the Deeds Registry. In her statement she said that her function was to receive and process Powers of Attorney. Persons who requested same to be filed, would either appear in person or have someone do so on their behalf. She would check to see whether the documents had the required Notary Public stamp. If the document was notarized abroad she would check for the Consul General stamp and certification.

Bowman said that she would also ensure that the Power was signed by the person making it and witnesses. Persons presenting the document at the Registry were not required to present any form of identification. Having ensured that the document was in order she would then calculate the required fee to be paid, which would be written on the presented Power of Attorney and returned same to the presenter for payment to be made to the Cashier.

The document will then be returned to her by the Cashier and she would advise the person to return in two days. She would then enter into a Register the Power of Attorney with the name of the person who presented the document along with the date of filing. A Registry stamp would then be affixed to the Power of Attorney it would be signed and dated by her. The filing number will be recorded on the document. Two copies of the document were prepared, one to be handed to the presenter and one kept in the Registry.

On Tuesday 13, February 2007, the Police showed her Power of Attorney number 6947/2006 which she recognized as being certified by her. The document was notarized in Canada with all the necessary stamps, signatures and witnesses. According to her records it was received by her on Friday 20, October 2006, and appeared genuine. She said that she could not remember who the appearer was, but the person receiving the document signed the copy in the name Compton Chase. She said that preparation of a Power of Attorney in Guyana as the one in question, with it being notarized abroad was acceptable.

Mr. Maurice Arjoon was the Director/Secretary of NBS, with responsibility for the management of all aspects of NBS's operations. He was to implement all Board policies, ensuring that those policies conform with the rules of the Society. His statements to the Police corroborated statements given to the Police by Mr. Kent Vincent and other staffers who dealt with this issue. Apart from his core responsibilities he countersigned cheques for members. He remembered all the transactions and interaction with the Operations Manager. He said that with the last cheques presented to him for closure of Bibi Shamila Khan's account he had signed one of them when he realized that the indemnity form which was required was not presented. He caused payment to be withheld until the indemnity form was received.

On Monday 22, January 2007, he said he was informed by the Assistant Secretary Mr. Nizam Mohamed about a meeting he (Mohamed) had on Saturday 20, January 2007, at the CIOG Headquarters at which Mr. Zainool Khan Safi, Mr. Sheik Ul-Hack and Mrs. Ali-Hack (DPP), were present.

On the said Monday 22, January 2007, the Chairman of the Board of Directors Mr. Moeri Mc Doom had called Arjoon on the matter and he apprised him of the facts. Arjoon on Monday 29, January, 2007, received a letter from Attorney-at-Law Mr S. Datadin advising that he was the legal representative of Bibi Shamila Khan. Maurice Arjoon said that he had communicated with Mr. Danny Doobay Honorary Consul for Guyana in Toronto Canada, as to the authenticity of the Power of Attorney. On Tuesday 30, January 2007, he got confirmation from Doobay that the Power of Attorney was a forgery. Later the said day he reported the matter to the Police.

Mr. Trevor Husbands Detective Assistant Superintendent of Police and head of the Fraud Squad at CID Headquarters Eve Leary, accompanied by a party investigators visited NBS. He spoke with Arjoon and all documentation dealing with this matter were handed over. The investigation was spearheaded by Detective Inspector Paul Wintz (deceased).

Wintz in his statement said that on Wednesday 30, January 2007, he did go to NBS and spoke with the Director/Secretary. He uplifted all the documentation involved, with the sum of sixty nine million, eight hundred and ninety four thousand, three hundred and eighty four (\$69,894,384,00) dollars, withdrawn from the Saving and Prosper account 4745 of Bibi Shamila Khan on the strength of a forged Power of Attorney produced by one Compton Chase.

He said that he caused statements to be obtained from several employees of NBS and from Bibi Shamila Khan and her husband Zainool Khan Safi. He also uplifted Passport application form number 755698 in favour of Compton Chase and application form number 1048997 in favour of Mahindranauth Rao of Bush Lot Village Corentyne. Wintz travelled to the Corentyne in search of Rao without success. The Villagers knew no one by that name. He said that he conducted further investigations and later submitted a report.

Dwaka Persaud Detective Sergeant of Police (deceased), was a part of the Police team of investigators. In his statement he said that he interviewed and obtained statements from among others Messrs. Maurice Arjoon, Nizam Mohmed, Kent Vincent, Kissoon Baldeo and Imran Bacchus. On Friday 19, May 2007, Sergeant Persaud labelled two specimen signature of Bibi Shamila Khan DP2HQ and DP3HQ, placed them in an envelope and sealed it with Police seal number 13. He marked the said envelope DP2HQ to DP3HQ. He also labelled four fax letters purportedly signed by Bibi Shamila Khan DP4HQ, DP5HQ, DP6HQ and DP7HQ, placed them in an envelope and sealed it with Police seal number 13 (he did not say what mark if any he placed on the envelope). Persaud prepared the necessary form for handwriting Analysis and handed them over to Detective Inspector Carlton Charles the Analyst. On Wednesday 24, May 2007, Persaud received the said two envelopes with the results of the Hand writing analysis from Charles.

On Tuesday 13, June 2007, Persaud said that he took the statement given to the Police and signed by Bibi Shamila Khari and labeled it DP8HQ. He placed it in an envelope which he marked DP8HQ, and sealed it with Poice seal number 13. He then took the questioned Power of Attorney and labeled it DP9HQ, he placed it in an envelope which he marked DP9HQ and sealed it with Police seal number 13. He prepared the necessary form for Hand writing analysis and submitted both envelopes to the Analyst Detective inspector Charles. The results he said "are still outstanding"

Carlton Charles Detective Inspector and hand writing Analyst of the Guyana Police Force, in his statement established himself as an expert by enumerating his training. He said that on Friday 19, May 2007, he received from Detective Sergeant Persaud documents for analysis which were in two envelopes marked DP2HQ to DP3HQ and DP4HQ to DP7HQ, both sealed with Police seal number 13. He examined all the documents but the analysis was inconclusive since the faxes were of poor quality, he considered them replicas. He suggested in his report that the originals be submitted. Charles placed the exhibits back in their respective envelopes, sealed them with Police seal number 95 and delivered same to Detective Sergeant Persaud.

Myrna Hailey Sergeant of Police was attached to the Central Passport Office in charge of Records. As a result of instructions which she had received she carried out a check for Passport number 1026665 in the name of Compton Chase whose date of birth was given as 09-08-1935. Checks revealed an application form 1048997 in favour of Mahindranauth Rao with Passport number 1026665 issued to the said Mhindranauth Rao on Friday 15, November, 2002. Further checks discovered that Passport number 370126 was issued to Compton Chase on July 11, 1993 according to application form number 755698.

INTERACTION BY REPORTING OFFICER

On Monday 9, June 2014, the Reporting Officer contacted and spoke with Mr. Maurice Arjoon, former Director/Secretary of NBS at his home, Eccles East Bank Demerara. Arjoon said that during the three (3) years he appeared before the Magistrates' Court, before the charges laid against him and the other Accused were dismissed, other persons were also charged namely:

- (a) Ashley Legall a/k Compton Chase
- (b) Mohan Shamsudeen
- (c) Imram Bacchus and
- (d) Amrita Prashad.

On Tuesday 10, June 2014, the Reporting Officer met former Detective Assistant Superintendent Trevor Husbands at his home (Reporting Officer), East la Penitence Georgetown. Husbands said that he had little to do with the investigation which was spearheaded by deceased Detective Inspector Wintz, supported by deceased Detective Sergeant Dwaka Persaud. According to Husbands it was a "blow by blow" consultation between the DPP Mrs. Shalimar Ali-Hack and Inspector Wintz as the investigation was proceeding.

CONCLUSION

Re- NBS Fraud, there is NOTHING in this file to indicate that apart from Messrs. Maurice Arjoon, Kent Vincent and Kissoon Baldeo all senior Managers, other persons were prosecuted.

NOTHING in this file as to the arrest, interrogation and cautioning of the mastermind, Ashley Legall a/k Compton Chase.

NOTHING in this file to indicate that any search warrant was executed upon any premises of anyone, in relation to a fraud which involved in excess of sixty nine million (\$69,000,000.00) dollars.

One must ask oneself if this is the correct file submitted to the Ombudsman by the Police Re-NBS Fraud. Several things are unusual and not explored in this file, from a Police investigation which took four (4) months before charges were laid:

1. Striking similarity of all the signatures 'Bibi Shamila Khan'.

2. Why only two (2) handwriting specimen were taken from Bibi Shamila Khan, along with that from her signed statement.
3. Why Bibi Shamila Khan presented her cancelled Passport number 613206, to NBS on 03-01-07, when she had a current Passport.
4. Why no request to the Jamaican Police for her movements in and out of that Country.
5. Why no request to the Canadian Police for her movements in and out of that Country.
6. Why no follow-up for additional information (seen in file), as requested by Interpol Canada.
7. There was no acknowledgement from Inspector Charles that he did receive exhibits DPBHQ and DP9HQ, for Handing writing analysis.
8. There was no follow-up on Inspector Charles' request for original faxes to be submitted, after his inconclusive first examination of exhibits DP2HQ – DP7HQ.
9. Why the Police did not recommend charges in any of their reports.
10. There is no minute seen in file also with any recommended charges to the DPP, from Assistant Commissioner Law Enforcement (ACLE).
11. Under the 'INDEX OF STATEMENT' and 'EXHIBITS' in file there is:
 - (a) No listing of the name of the witness Vishrakand Narine.
 - (b) No listing of exhibits DP2HQ – DP3HQ, DP4HQ to DP7HQ.
 - (c) No listing of exhibits DPBHQ – DP9HQ and
 - (d) Listing at number 1. 'EXHIBITS' read "eleven pages of notes at Minister meeting" Those notes not seen in file.
12. What role did Mr. Sheik Ul-Hack played in the investigation. There is no statement from him.
13. The first minute seen in the 'Police' file dated 02-02-07 was from the DPP to ACLE, the second 05-02-07 and the third 14-02-07.
14. Why was the DPP giving short dates for the Police to respond to her advice.
15. What role did the DPP play in the meeting which took place at the CIOG on Saturday 20, January, 2007.
16. The first Police minutes seen in file was dated 16-04-07, from Detective Inspector Wintz to O/C Fraud Squad, then from O/C Fraud to ACLE dated the same day and from ACLE to DPP, dated the same day 16-04-07.
17. The last minutes seen before charges were laid was from ACLE to DPP dated 31-05-07, for advice and from DPP to ACLE dated the same day, which recommended that charges be laid.

It is the opinion of the Reporting Officer that Messrs. Maurice Arjoon, Kent Vincent and Kissoon Baldeo acted appropriately in the discharge of their duties. They followed the rules and

procedures of NBS. However, the error made was accepting the Canadian telephone number supplied by Compton Chase, to the young and inexperienced employee Amrita Prashad. This nonetheless does not make their action criminal.

There is not a thread of evidence in this file, to prove that those senior Officials, who were entrusted with property not their own, dealt wrongfully with it, which would have established the INTENT – that blame worthy state of mind known as MENS REA.

RECOMMENDATION

In The circumstances as narrated above, it must be considered the length of time, seven (7) plus years, since this alleged fraud occurred. It is recommended:

- (a) That the Police forward ALL the files with exhibits to the Ombudsman, Re-prosecution instituted against ALL the Accused persons in this alleged fraud, for further study and follow-up action.
- (b) Mr. Maurice Arjoon be advised Private Action as a form of redress. (X)

Yours Respectfully,

1/11-
.....
Henry Chester DSM

23-06-14
.....

Date