

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/PAB/2024/108

Mr. Sayan Kumar Saha Complainant

vs

Tata Medical Centre..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	24/05/2024	<p>The complaint would principally pertain to medical negligence. The patient initially enrolled himself with Tata Medical Centre in 2012. He was advised surgery. However, there was rush and no immediate date could be given to the patient for surgery.</p> <p>The patient left Tata Medical Centre and went for treatment elsewhere. He had surgery outside the State and regular follow-up outside the State including Tata Memorial Hospital, Mumbai.</p> <p>During covid, he came back to Kolkata.</p>



		<p>According to the complainant, in 2021, they approached Tata Medical Centre when they were refused appointment.</p> <p>Records would reveal, on August 11, 2022 the patient visited Tata Medical Centre when he was evaluated by Dr Pratik Jain.</p> <p>We find from the records, although Dr Jain evaluated the status of the patient he ultimately advised, “review in primary treating centre for yearly follow-up.” The same advice was repeated on August 11, 2023. Ultimately, the patient was advised surgery however, they went for second opinion where it was found, it was belated and the surgery was not at all possible. The patient was advised chemo-therapy and ultimately he breathed his last.</p> <p>The complainant would question the delayed</p>
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		<p>decision for surgery when they came back in 2021 at Tata Medical Centre.</p>
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This is a question to be decided by the appropriate forum. The complainant would be free to approach appropriate forum questioning the treatment protocol.

We however feel, repeated advices given in August 2022 and August 2023 for “reviewing with the primary centre” should not be the right approach.

The patient was originally seen by Tata Medical Centre. He was under follow up in 2012 when surgery was decided. The patient went outside as Tata Medical Centre could not give an early date of surgery. Hence, such old patient, when came back in 2021 or 2022, as the case may be, should not have been advised to go back to his

primary consultant.

We hope and trust, Tata Medical Centre would reconsider their attitude and would not repeat such advice in case of any other patient.

With this observation we dispose of this complaint.

Sd/-
The Hon'ble Chairperson

Sd/-
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-
Dr. Maitrayee Banerjee – Member

Sd/-
Smt Madhabi Das – Member

Authenticated
[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission

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