

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: WBCERC/SOU/25/2024-25

Mr. Goutam Mukherjee Complainant

vs

Saroj Gupta Cancer Centre.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/06/2024	<p>The complaint would relate to hospital negligence. Admittedly, 80 years old female patient was at stage four cancer. She was admitted for palliative care. With the consent of the patient family esophageal stent was inserted that resulted in bleeding along with saliva as complained by the complainant, the son of the patient. However, we do not find any noting in the medical record.</p> <p>Dr. Arnab Gupta, the Director of the CE, is candid enough to admit, there had been lack of documentation. However, he would rely upon Nursing Register that would have regular noting.</p> <p>Pertinent to note, Nursing Register was not shared</p>

		<p>with us. The last noting in BHT was at 10 pm after stenting.</p> <p>The complainant would contend, they came to know about the deterioration only on when they called up the CE. No information was shared by the CE with them.</p> <p>The complainant would also complain, since the patient became critical she should have been transferred to ICU set up that was not done.</p> <p>They were not properly counselled before stenting with regard to the risk involved therein.</p> <p>He would also demand CCTV footage to know what treatment the patient got after her stenting.</p> <p>We have considered the response.</p> <p>We fully agree with the response when the CE would contend, the treatment area could not have any CCTV footage. The complaint came after a considerable period. Hence, the corridor CCTV forage has disappeared</p>
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in course of time.

The stenting was done with consent taken from the complainant. Hence, it would not be proper to say that they were not properly counselled.

The patient was under palliative care. Treating doctor was the right person to decide whether the patient would be sent to critical care unit or not. We can not comment on that. However, once we find, there was a lack of documentation 10 pm onwards we cannot absolve the CE from such responsibility. We fully agree, the Nursing Register could explain the situation. However, that was not shared with us.

The complainant would submit, they were prepared for the unfortunate demise of his mother. Yet, they must be satisfied, till the last moment the patient had proper treatment and care.

Even if we agree what the CE would contend that the patient was taken care of, it must be properly documented in the medical record. There had been



irregularity on that score.

The CE is a philanthropic organisation. We impose a token compensation of Rs. 10,000/- to be paid to the complainant on sharing of his bank details.

We hope and trust, in future, they would be cautious enough so that they could avoid this type of unpleasant complaint.

With these observations, we dispose of the complaint.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

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Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission

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