

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: WBCERC/HOO/60/2024-25

Mr. Tarak Chakraborty **Complainant**

vs

Dr. B N Basu Memorial Clinic, Apollo Nursing Home and Ramkrishna Mission
Seva Pratisthan.....**Respondent/ Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	31/07/2024	<p>The complaint would relate to non - availability of medical records in a case of road traffic accident.</p> <p>The patient was admitted at the first CE where he had undergone surgery on his left leg and was discharged on September 8, 2022 as hemo - dynamically stable as contended by Dr. S. N. Maitra, the Medical Superintendent.</p> <p>The complainant is unwell. His son-in law, Mr. Kaushik Das, has represented the complainant.</p> <p>According to Mr. Das, they are quite in the dark as to why there had been a transfer after the first surgery and why the second surgery was necessitated for which they</p>

wanted relevant medical records that the first CE declined.

According to Mr Das, initially the CE took the plea the papers were misplaced during photocopying whereas before us, Dr Mitra would submit, they lost the papers during renovation.

Be that as it may, medical records are the precious documents belonging to the patient. It is the boundent duty of the CE to maintain and preserve it. It is true, two years time have passed in between that would however, not justify the loss of the precious documents.

It is now an admitted fact that the papers are lost as contended by the Dr. Mitra representing the first CE.

We impose a penalty of Rs. 50,000/-. We understand, CE is a 30 bedded nursing home. Hence, we feel, interest of justice would be sub-served if we permit the CE to pay it off by five monthly equal instalments. The first of such instalments will be paid on August 15, 2024 and thereafter on the 15th day of each succeeding

month.

It is made clear Mr Kaushik Das, the representative of the complainant has categorically submitted, he has no grievance as against the Ramakrishna Mission at present. He is not in a position to make any grievance at all against them in absence of concrete evidence.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Aulha Kato
[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission

[Signature]