

Case Reference: INT/KOL/2024/123

Mr. Pradipta Sen..... **Complainant**

vs

Kriya Pathlab, Howrah.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	12/09/2024	<p>This complaint would mostly relate to an unfortunate situation where a female patient aged about 43 years went for a TMT Test in the concerned Diagnostic Centre.</p> <p>When she was taken to the TMT room she was astonished to note, although a female attendant was present the chest leads would be fixed by the male technician as the female attendant did not have the expertise to perform the said job.</p> <p>The lady was extremely uncomfortable. She wanted to consult her husband, the complainant above named. He was not allowed to go in.</p> <p>Mr. Tapas Sarkar, the manager of the diagnostic centre would submit, the lady could have objected right at</p>

JS

MF

the moment when she felt uncomfortable. In any event, she or her husband did not make any contemporaneous complain.

The complainant would strenuously object to such submission. According to him, the lady felt uncomfortable and narrated her ordeal while going back home. The complainant made a phone call immediately when the diagnostic centre wanted a written complaint that was submitted on the next day.

The learned advocate appearing for the diagnostic centre would try to justify the conduct of the CE. According to her, the lady should have objected at the time of the procedure. There was no bad intention on the part of the technician. The lead could be fixed only by expert. The female attendant was physically present. Since she was not trained the male technician did it.

We are not at all impressed by the submission of the Learned Advocate appearing for the CE. We rather appreciate the stand taken by Mr Tarak Sarkar, representing the diagnostic centre. He is quite apologetic.

SB

TS

He would assure, whatever suggestions would be given by the Commission in this regard, would be strictly followed.

We dispose of the complaint by directing the CE to tender unqualified apology to the lady by physically approaching her at her residence and also by handing over a letter of apology.

Henceforth, they must arrange for female technician and/ or assistant to assist female patient.

So long it is not done, they must inform all the female patients well in advance that the test would be done by a male technician in presence of a female attendant who may not be competent to do the procedure or helping the patient in such process.

Such communication must be recorded in writing.

The diagnostic centre is also directed to send a letter of compliance to the Commission at the earliest.

The complaint is disposed of accordingly.

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

Authenticated


Secretary
West Bengal Clinical Establishment
Regulatory Commission