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Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference: **WBCERC/HOW/83/2025-26**

Mr. Bikram Polley ..... Complainant

vs

Shree Jain Hospital & research Centre.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	28/07/2025	<p>The complaint would relate to unfortunate death of a new born baby who was under care of the Clinical Establishment.</p> <p>The baby died with head injury as appears from the post-mortem report. The incident was of 2022.</p> <p>The facts would reveal, Pallavi Polley was admitted in Shri Jain Hospital on March 21, 2022. She gave birth of a healthy baby boy on March 23, 2022. The boy was transferred to the NICU where</p>

he died on the third day of his delivery.

There had been discontent amongst the patient family.

Police authority intervened at the request of the CE. The body was sent for autopsy. According to the P.M. report, the boy died due to **effect of injuries noted therein, anti-mortem in nature.**

The CMOH, Howrah formed a medical board consisting of Dr. Narayan Chottopadhyay Superintendent, District Hospital, Howrah, Dr. Debasish Ghosh, Paediatrician, District Hospital Howrah, Dr. Sondipta Debnath Physician, District Hospital Howrah and Dr. Joydepta Chottopadhyay, District Hospital, Howrah.

The Medical Board submitted their opinion on November 1, 2022. The relevant extract is





quoted below:-

*“As per the post-mortem report prepared by Dr.ChittaRanjan Bhattacharya, Reference P.M. No- 327/22 dated 26/03/2022, who are opinion as to the final cause of death being ante mortem head injury, there is no scope of differing with the report which stand as it is. However under what circumstances the injuries found on the person of deceased actually took place is a matter of proper investigation.*

*As per the procedure and the protocol that was followed by Dr. MD, Kalamuddin, concerned neonatologist, we have gone through the bed tickets of the deceased and concluded that there were no irregularities or negligence preliminarily on the part of the concerned neonatologist in the ante mortem period”.*

According to the Medical Board, quoted supra, there had been no medical negligence on the part of the Neonatologist. The boy died due to head injury that has to be investigated by the proper authority.

The police started investigation. The investigation is still going on.

We are told, the complainant also filed a writ petition before the Hon'ble Calcutta High Court alleging police in action in the matter.

On July 18, 2025 the Sub-Inspector Subhendu Chakraborty, Shibpur Police Station asked for our intervention in the matter.

The relevant extract is quoted below:-

*“During further investigation, the CCTV footages of the concerned wards where the*

*deceased baby was kept and used to feed etc. were sought from the Hospital but they did not provide the same. Instead they had provided the Hard disk which was installed after the death of the baby in replacing the old one. On questioning they stated that the old Hard Disk was not functioning properly and that's why they had replaced the old one The Hospital Authority not cooperating in investigation and rather it seeming that they are suppressing the actual facts, which caused the death of the baby.*

*Under these circumstances, I seek your kind intervention and request you to kindly offer your views as to the actual cause of death of the baby as per medical science, considering all the points and circumstances mentioned in the history notes of the baby as well as the head injury noted in the*



*autopsy report of the deceased baby so that a report may kindly be supplied for your end for the purpose of investigation of this case and oblige”.*

The CE is represented by Ms Sannita Hazra, COO, Clinical Establishment. According to her, the death was really unfortunate. The police was called by the CE. Autopsy was done by the District Hospital. Police did not find any irregularity on the part of the Clinical Establishment or the doctors involved therein.

With regard to head injury, according to her, there was no sign of any head injury from outside. There might be initial injury caused at the time of delivery because of use of forcep during delivery. She would also inform us that no copy of the medical board report was shared with them. They always cooperated with the police

authority. They are defending the writ petition before the Hon'ble High Court which is pending.

We have considered the issue. The issue is really unfortunate. The case is pending for three years. According to Mr. Polley, the complainant, the earlier police investigating officer Mr. Biplab Das was very much active in the matter however, on his transfer, the matter did not progress any further.

We request the Commissioner, Howrah Commissionerate to form a special investigation team consisting of Mr. Subhendu Chakraborty, the present investigating Officer and Mr. Biplab Das, the earlier Investigating Officer headed by a Senior Officer of Inspector rank and try to conclude the investigation at the earliest.

Mr. Polley would also inform us that the

cctv footage of the incident was not shared by the hospital. He has already contacted the concerned establishment who was in-charge of cctv installation.

Let him share the details of the cctv concern with the police authority so that inputs could be have from the said organisation.

The complaint is thus disposed of accordingly with liberty to the complainant to approach us afresh as and when the investigation would result any positive logical conclusion.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

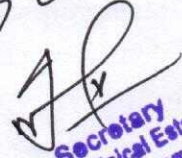
Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

*Authentic copy*

  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission