

Office of the West Bengal Clinical Establishment Regulatory Commission  
1<sup>st</sup> Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.  
Phone:- (033) 2262-8447 , Email: [wbcerc@wb.gov.in](mailto:wbcerc@wb.gov.in) Website: [www.wbcerc.gov.in](http://www.wbcerc.gov.in)

Case Reference: NPG/2018/000345

Shyamal Kumar Madhu..... Complainant

vs

AMRI Hospitals Mukundpur (Vision Care Hospital)..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	3.	26/06/2019	<p>The complaint would relate to an unfortunate death of a girl child aged about 13 years suffering from dengue (Virulent Type). She was admitted in AMRI Hospitals Saltlake on December 4, 2017. She was admitted under Dr. Soumyabrata Acharyya. After maintaining the conservative protocol she was transferred to AMRI Hospital Mukundupur as per advice of Dr. Acharyya. However, Dr. Acharyya continued to act as consultant physician. She was admitted in PICU where she was under treatment of Dr. Acharyya for about seven days. She breathed her last on December 15, 2017.</p> <p>We have heard the parties at length. The father of the child, the petitioner, would not accuse the clinical establishment as such. He was also not critical about the doctors. He was, however, doubtful about the nature of treatment. According to him, the medicines so applied would really demonstrate a highly aggressive treatment that too, for a young child of 13 years. Hence, he is not sure whether such</p>

an aggressive protocol was apt in the case in hand. He would also make serious allegation about the billing process. However, this objection as to the billing would relate to use of medicines for which he has made his comment as indicated above.

The experts in our panel, have examined the medical records to enquire into the details of the treatment. Dr. Acharyya is present. He has explained the conservative protocol that he maintained in the process of treatment. The medical expert present in the panel, are unanimous of the view, there would be hardly any scope to interfere as against the medical establishment.

With regard to the treating doctors we would feel, The West Bengal Clinical Establishment Act 2017 would not empower us to go into details of the nature of the treatment by the doctors. The petitioner would be free to approach the West Bengal Medical Council for the said purpose.

The petitioner would submit, the delay in approaching the West Bengal Medical Council should not debar him to do so.

The petitioner has approached us with his complaint on the bonafide belief. We would be dealing with the same. However, the same is not within our domain. The West Bengal Medical Council should examine such complain ignoring such delay.

AMRI Hospital Salt Lake billed him for Rs.18, 000/- approximately for two days and AMRI Hospital Mukundapur billed him for Rs.2.82 lacs for the rest of the period. We have examined the bill in detail.

We do not find any scope to interfere.

The complaint is thus disposed of.

Before parting with, we would be failing in our duty if we overlook two of the complaints that the petitioner is making:

- i) While his child was in PICU, he saw people going inside the centre without any restriction that might cause further infection to the patients admitted in PICU.
- ii) On December 7, 2017 when she was transferred to AMRI Hospital, Mukundapur and admitted in PICU Dr. Dipanwita Chatterjee was involved in the process of treatment. She could not counsel the parents properly. They were hurt by her behaviour. Dr. Chatterjee is absent; Medical Superintendent Dr. Sumit Khan intervenes and informs us, he has already talked to Dr. Chatterjee. He assures this Commission, Dr. Chatterjee would express regret for the same. We would hope and expect, Dr. Chatterjee would do so.

AMRI Hospital Mukundapur would also seriously consider the other complaint of the parents with regard to maintaining of the Hygienic protocol in PICU so that no such incident happens in future.

Sd/-

Hon'ble Chairperson

			<p>Sd/- Dr. Sukumar Mukherjee, Member Sd/- Dr. Gopal Krishna Dhali, Member Sd/- Dr. Madhusudan Banerjee, Member</p>
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*Authenticated*  


**ARSHAD HASAN WARSI**  
WBCS (Ex)  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission  
&  
Joint Secretary  
Health & F.W. Department