

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: PAB/2018/000430**

**Mrs. Jharna Banerjee ..... Complainant**

**vs**

**Gouri Devi Hospital & Research Institute (A unit of Rahul Foundation). ..... Respondent/  
Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	21/08/2019	<p>We have heard the parties at length on the last occasion, as well as today. Dr. Singh, the treating doctor as well as the concerned nursing staff are present before us. They have apprised us of the nature of treatment that was meted out to the patient. The experts present in the panel have examined the medical records. Although, Dr. Singh would strenuously contend, the patient party was duly counselled about the condition of the patient, nature of the treatment and the risk involved in it, we are not fully satisfied on the said score. However, the allegations of medical negligence would be within the complete domain of West Bengal Medical Council. In our prima facie view, such complain sounds logic. We refer the issue to the West Bengal Medical Council for their adjudication.</p> <p>The complainant would seriously allege misbehaviour of the</p>



		<p>paramedical staff particularly, the administrative staff Mr. Sankar Roy. He is also present before us. Mr. Roy would also agree with us, the patient party did not have any prior enmity with him yet, they have very serious allegation against him. We deprecate such conduct and caution Mr. Roy.</p>
--	--	---

We have examined the pharmacy bill. The entire bill was not submitted to us by the hospital. Even on perusal of the pharmacy bill we find, 45 Meropenam at the rate of Rs.2733/- were supplied from the pharmacy, out of which 3 were returned and a sum of Rs.1, 14,786/- was charged on account of Meropenam. The said medicine is easily available in the market in the range of Rs.900/- to Rs.3, 500/-. The concerned executive could not satisfy us as to why a particular brand was used costing about Rs.2733/- per ample. Moreover, there are unnecessary referral that is apparent from the medical records. The hospital would contend, a sum of Rs.1,35,755/- is due. We feel, interest of justice would be subserved if we direct the Hospital Authority not to claim such amount. The patient would not be required to pay any sum over and above what is already paid to the hospital.

The patient party would also allege, the inhuman treatment was meted out to the patient when the patient's penis was found to have been tied with rope. Dr. Singh has clarified, at the time of catheterization medical tape was used for catheter care and the patient party might have misunderstood. We accept such explanation

and do not wish to make any comment on it.

The complaint is disposed of accordingly.

The original medical records handed over by Mr. Soumen Chatterjee, Executive of the clinical establishment, is returned to him; however, a copy be kept on record. The same may be sent to the West Bengal Medical Council for their appropriate action.

In case, the West Bengal Medical council holds as against the treating doctor and if occasion so arises the complainant would be free to approach us again for appropriate compensation against the establishment.

Sd/-

Hon'ble Chairperson

Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Gopal Krishna Dhali, Member

Sd/-

Dr. Madhusudan Banerjee, Member

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