

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: KOL/2018/000480

Mr. Abhijit Sarkar..... Complainants

vs

The Calcutta Medical Research Institute.....Respondent/ Respondents

ORDER SHEET

| Office Note | Order No. | Date | Order |
|-------------|-----------|------------|---|
| | 1. | 28/11/2019 | <p>This is a very unfortunate incident where an octogenarian patient was slapped as complained by his son, the complainant aforementioned. The patient was in ICU as per the advice of the doctor. The complainant gave his consent for arrangement of bedside private nurse for keeping close vigil on the patient particularly, considering his advanced age. He has paid for the private nursing staff as would appear from the tax invoice issued by the Sangeeta Nurses Centre on September 12, 2018. The incident happened on September 18th, 2018. The complainant would produce audio clip of the version of the next bed patient who corroborated the incident. The Hospital Authority would submit, it was a total misunderstanding as the private staff, although not directly engaged by them, was taking oral care of the patient and in the said process there might have some injury. However, the concerned staff denied. According to her version, she noticed such injury. The same was not caused by her.</p> <p>The complainant came up for our consideration on March 20, 2019. The Hospital Authority tried to convince us, it was not their responsibility as the said private nursing staff was directly engaged by the patient party.</p> <p>By our order dated March 20, 2019 we categorically rejected such</p> |



contention and asked the Hospital Authority to file an affidavit as to steps taken by them. Accordingly, an affidavit is filed. We are not at all convinced. According to the Hospital Authority, they discontinued the service of the concerned Ayah Centre and engaged another Ayah Centre for such purpose. The concerned private nursing staff is no more in the pay roll of the Hospital or the present nursing agency engaged by the Hospital. The Hospital Authority is however conspicuously silent as to what steps had taken as against the concerned nursing staff.

The representative of the Clinical Establishment is present before us. She would admit, no police complaint was made by them. She is not in a position to provide whereabouts of the concerned nursing staff namely Ms. Ranu Aich. She would ask for a day's time to provide such information.

The incident happened almost 14 months ago. If the Hospital could not do it so long it would not be possible for them to provide so within a day's time.

The incident is unfortunate. We do not find any appropriate word to condemn such incident that too, in the Clinical Establishment having 400 bed infrastructure in the city of Kolkata.

The complainant is present. He would say, the police has already initiated proceeding on the basis of his complaint. The concerned Investigating Officer has informed him, the Police Authority tried thrice to get appropriate information about the private nursing staff from the Clinical Establishment. However, no such information was shared.

We direct the Officer in Charge, Alipore Police Station to expedite the process of investigation. We also direct the Clinical Establishment to extend all cooperation to the Police Authority. We impose a penalty of Rs. 50,000/- against the Clinical Establishment for such unfortunate incident. Such payment must be made within a period of one month from the date.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Authenticated
[Signature]

ARSHAD HASAN WARSI
Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Joint Secretary
Health & F.W. Department