

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/JPG/2023/053

Ms. Madhurima Dey Complainant

vs

Heritage Nursing Home & diagnostic Centre..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/04/2023	<p>The complainant, a young girl of 26 years of age being advocate by profession working as a law officer of a public sector bank, visited the CE for CT Scan. She was attended by the male technicians who asked her to disrobe and put on a gown for CT Scan. According to her, she was absolutely uncomfortable with the gown as it was too thin. Moreover, there was no female attendant or technician in the room. The male technicians, although left the room when she was asked to change her robe, went to the console having a glass divider between the two rooms.</p> <p>The so called changing place shown to her, was having a mirror and a curtain. She was not comfortable</p>

Handwritten signature and date:
13/04/23

with the mirror as it might have reflection outside.

With great difficulty, she could change her robe and got the CT Scan done.

Soon after the procedure, she narrated her ordeal to her friend Mr. Somraj Paul, also an Advocate practicing in Kolkata High Court. Mr. Paul immediately rang up the hospital. His phone was picked up by Mr. Nandy, appearing for the CE. Mr. Nandy initially asked him to give sometime to investigate. On the follow up phone, Mr. Nandy was not at all apologetic. On the contrary, he was trying to defend the technician team. Hence this complaint.

We received this complaint on March 14, 2023. We asked for response. The CE did not formally send any response save and except sending a hand written copy of the letter of the concerned technician.

We have gone through the letter. The said letter also did not have any regret for the incident.

The incident is not only unfortunate but also

		<p>shocking. In an identical situation, we passed an order on March 13, 2023 in case no.37 of 23 (Ms Arpita Basu vs. Fortis Hospital) where we directed the CE to be cautious enough when examining or doing any procedure in case of female patient so that her modesty is duly honoured.</p> <p>The said order was duly reported in the print media as well as electronic media.</p> <p>Even at the hearing we do not find any repentance on the part of the CE. It seems, they are not aware of their obligation to make appropriate arrangement for changing robe particularly in case of female patients.</p> <p>We impose a penalty of Rs.20,000/- to be paid to Siliguri Bhawna Society for the welfare of the inmates of the home.</p> <p>The CE is also directed to send a letter of apology to the complainant at once.</p> <p>We would request CMOH, Darjeeling, Dr. Tulsi Pramanik to make a thorough investigation in the CE and advise proper modification in the procedure room so that</p>
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there would be no such recurrence in future.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated
WJ
Secretary
West Bengal Clinical Establishment
Regulatory Commission