Office of the West Bengal Clinical Establishment Regulatory Commission
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Phone:- (033) 2262-8447 , Email: wbcerc@wb.gov.in Website: www.wbcerc.gov.in

Case Reference: INT/DJRZ/2023/107

Mr. Aritra Banik .... **Complainant**

vs

Neotia Getwel Healthcare Center..... **Respondent/ Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	10/07/2023	The complaint would relate to Medical negligence as well as hospital negligence. The patient suffered a bike accident. She was taken to nearby Nursing home. After giving first aid, the patient was shifted to higher setup. The CE admitted the patient at 8 pm on November 26, 2022. According to our esteemed member, Dr. Sukumar Mukherjee, the patient was too critical. Proper counselling should have been made about the condition of the patient and patient should not have been advised surgery. Dr. N. K Singh the concerned neurosurgeon is

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present online. According to him, the patient's condition was critical however, considering the patient condition he thought that the surgical intervention was the need of the hour . There was a chance of survival. It was properly explained to the complainant and complainant gave consent for surgery.

The surgery was done. However, the patient became seventy percent dead after the surgery.

The complainant would contend, when the patient was not officially declared dead there was scope for organ donation. He missed such opportunity due to lack of infrastructure. He would also contend, concerned CE makes advertisement claiming, they have appropriate infrastructure for advance treatment. They also organise organ donation campaign in collaboration with one NGO. Hence, they should have appropriate infrastructure.

The complainant would also make grievance as to interpolations done in various medical records. One particular medication was shown to have been given at 5

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			pm when the accident did not happen. Dr. Sarkar representing the CE, would admit, it was the mistake on the part of the concerned doctor. We are of the view, there was lack of counselling. The diagnosis is also in question. However, this issue could be appropriately dealt with by us had there been appropriate adjudication on medical negligence by the appropriate authority. The complainant is granted liberty to approach the appropriate authority on medical issues. In case he is successful therein he would be at liberty to approach us afresh. Before we part with, we express our strong displeasure as to the lackadaisical approach of the CE in maintaining medical records. The complaint is disposed of accordingly. Sd/- The Hon'ble Chairperson

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17/07/2023.

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/-
Sri. Tanmay Roy Chowdhury, IPS – Member

Sd/-
Smt Madhabi Das – Member

Authenticated
S. P.
17/07/2023.
Secretary
West Bengal Clinical Establishment
Regulatory Commission