



পশ্চিমবঙ্গ পশ্চিম বঙ্গাল WEST BENGAL

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Memorandum of Understanding

Between

Indian Institute of Technology

Kharagpur, India

And

S. E. Railway Hospital, Kharagpur

(BNR EUROPEAN HOSPITAL)

ক্রমিক নং 13758
তাং - 4 FEB 2019
নাম স্বী / শ্রীমতী chief medical supt.
সাং SER- Krl থানা Khliri
পোঃ Khoragpur বক
এস.ডি ও অফিস খজাপুর
ভেডার - বিনোদ কুমার দাস

Preamble

Indian Institute of Technology Kharagpur (IITKGP) founded in 1951, is the first of the IITs to be established and is an institute of National Importance as recognised by the Government of India. Apart from excellence in undergraduate and post-graduate programmes, IITKGP has a long history in cutting-edge research and development. Considerable amount of interdisciplinary research is currently underway involving various departments, Centres and Schools in IITKGP.

South-Eastern Railway hospital is a 340-bed general hospital located at Kharagpur close to IITKGP offering OPD, Diagnostic and In-patient services to the community for decades, with reputation. The hospital provides different types of clinical services, generally of a secondary tier nature, through its team of doctors and paramedics. It has good civil and medical infrastructure.

S. E Rly. Hospital has been in existence for long and over the years has provided curative treatment services to a large number of patients. This hospital has completed more than 120 years of service to the nation. Previously this hospital was known as BNR EUROPEAN HOSPITAL.

Of late, due to increasing complexities in patient care and diagnosis, the Hospital feels that it needs to be able to provide super-speciality care and offer high-end diagnostic services to its patients.

Developing such expensive infrastructure may not be possible at the Hospital in the short term.

In addition to having the School of Medical Science & Technology (SMST), IIT Kharagpur is also in the process of establishing a 400-bed super-speciality teaching-cum-research hospital ("IIT Hospital") within its premises which is expected to be operational in phases starting from early 2019. The hospital will be equipped with state-of-the-art diagnostic facilities and offer high-quality treatment to the people through its team of specialist & super-specialist doctors.

SMST is pursuing multiple research projects in its research laboratories which frequently requires exposure to hospitals to access patient-related data, images and laboratories where various diagnostic tests are conducted.

Apart from SMST, various other departments within IIT Kharagpur are also involved in similar medical technology research requiring clinical exposure.

For the purpose of research, SMST & IIT Kharagpur, in general, works together with multiple Co-Principal Investigators which may be individuals or organisations of different nature.

It is on this backdrop that SE Rly. Hospital, Kharagpur and SMST, IIT Kharagpur approached each other for a tie-up arrangement which will be mutually beneficial in improving academic, research and clinical activities.

After visiting the hospital and detailed discussion, following areas of collaboration are being proposed in first phase.

Coordination

Prof. Suman Chakraborty, Department of Mechanical Engineering and Prof. (Dr.) Satadal Saha, Visiting Professor, School of Medical Science & Technology shall be the co-ordinator(s) from IITKGP. Dr. A. Mandal, CMS/SER/KGP, Dr. S. A. Nazmi ACMS, Kharagpur, Dr. R. K. Behera, ACMS/Surgeon/KGP, Dr. A. K. Jaiswal, Sr. DMO(SG)/Physician/KGP, Dr. J. B. Sahoo, Sr. DMO, Kharagpur shall be the co-ordinators from SE Railway Hospital. The participants and Co-ordinators may change from time to time as decided by appropriate authorities of the respective institutions.

Broad scope

Diagnostic Services – IITKGP and SE Rly. Hospital may provide diagnostic services support to each other through various facilities available mutually. Cost and other technical considerations of this will be worked out at a later date.

Specialist Medical Consultation– IITKGP and SE Rly. Hospital may provide specialist doctors' services to each other through the specialists available in each facility mutually. Cost and other technical considerations of this will be worked out at a later date.

Research Collaboration–Subject to appropriate clearances from a duly constituted "Ethics Committee" IIT Kharagpur and S.E Rly. Hospital, Kharagpur may take up joint research projects, except Drug Trials. Such participation will be considered on a case-to-case basis. In such events SE Railway Hospital will make accessible to researchers from IIT patient data,

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samples, images and laboratory results in line with specific research requirement. Transmission of any such data will be handled with utmost confidentiality and in accordance with all laws and policies governing such health data transmission. All costs related to conduct of such research will be appropriated as per the prevailing norms of the respective institutions.

IITKGP and SE Railway Hospital will collaborate in development of newer technologies either as products or services.

Clinical Collaboration - SE Rly. Hospital, Kharagpur may provide opportunities to physician faculties, post-graduate physician students and undergraduate medical students of IIT Kharagpur for undertaking clinical exposure, patient contact, teaching and validation studies in its in-patient and out-patient wards and clinics, laboratories and other areas after ensuring that all such activities adhere to all standards mentioned above;

Mutual exchange program involving physician faculties, medical professionals, doctors, other researchers/faculties and students from time to time will be encouraged to enrich knowledge and for higher training;

Similarly, if doctors from SE Railway Hospital approaches IITKGP with a specific research proposal, IIT KGP will give it due consideration and after consideration of technical and ethical aspects may agree to a Joint program where IITKGP's research facilities may be used;

Academic collaborations – IIT KGP may give support to SE Rly Hospital, wherever possible, for conducting Post-Graduate training in various medical disciplines in its premises and in continuing conduct of such academic programmes.

Medical services – SE Rly. Hospital assures that it will provide emergency medical services to all patients referred to by IIT Kharagpur, including students, faculties, staff and family members. The hospital will also extend complete In-patient services, subject to facilities being available, to such patients on a priority basis. The patients from IIT Kharagpur will adhere to payment policies that are in place at SE Rly. Hospital. IIT Kharagpur will assure to expedite shifting of patients admitted to SE Rly. Hospital to higher centres, if required, with their own arrangement.

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More similar areas of co-operation may appear at a future date, and all such situations should be considered favourably in the spirit of progress and collaboration and included as annexures to this MOU, after due consideration and assessment.

Intellectual Property

Each institution will adhere to the Intellectual Property laws of India. Any IP arising out of such studies will be considered on a case-to-case basis and will be a matter for the Principal Investigator from IIT and Hospital authorities to discuss and deliberate where IITKGP's policies will be of overriding importance.

Any Background Intellectual Property (BGIP) shall remain the sole and exclusive property of the Party to whom it belonged prior to the commencement of this MoU. If one Party receives any BGIP from the partner under a clearly defined non-disclosure agreement, necessary and reasonable care will be taken to protect the intellectual property received.

Publication

Any paper, publication arising out of such collaboration will be considered on a case-to-case basis.

Financing

Both sides will bear their own costs incurred for the project. As such, IIT Kharagpur is a not-for-profit organisation and there will be no direct commercial, benefit that would accrue to either side through the research programmes.

Confidentiality

No Party shall divulge in any manner, electronic or otherwise, any data arising out the joint research projects to any third party except with prior written consent of the other Party.

Non-discrimination

IITKGP and SE Railway Hospital agree not to discriminate against any person because of age, sex, national origin, race, ancestry, color, religion, creed, disability or handicap, and sexual orientation. Neither party shall impose criteria for any joint activity that would violate the principles of non-discrimination.

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Publicity

Parties can make public announcement of the broad collaboration but under no circumstances, will the specific detail of any particular research project will be made the subject of public knowledge in any forum, including respective websites, except with prior written consent of the other Party.

Tenure

This MOU will be effective from the date of signing and remain in force for a period of 05 (five) years from the date of signing of agreement.

Renewal

The tenure of this MOU can be extended for a further variable period through mutual discussion and agreement.

Joint Venture

None of the clauses in this MOU mean or construe any form of Joint Venture association between the Parties.

Termination

This MoU may be terminated:

- a. on either party giving the other party 3 months' prior written notice;
- b. on written notice by one of the Parties if the other Party has committed a breach of this MoU.

However, specific commitments made prior to such intimation and ongoing activities shall continue to be honoured by both the partners till logical conclusion.

Indemnity

Till such time as the clinical results arising out of the tests conducted through use of the new innovative technologies are used for treatment of a patient, IIT Kharagpur will not be held responsible in any manner for any mishap or negligence claims made by patients and SE Rly. Hospital will indemnify IIT Kharagpur from any such claim.

Technology – commercialisation and transfer

Any successful technology arising out of any joint research program may be commercialised through transfer to a third party. IITKGP's rules in both these matters will prevail.


Legal status

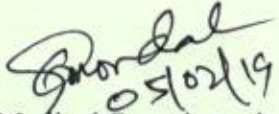
This document is a statement of intent to foster genuine and mutually beneficial co-operation and is not legally binding on both the parties. Any dispute shall be resolved through mutual discussion.

This MOU signed on this 5th Day of February, Two Thousand and Nineteen by and between within IIT Kharagpur, represented by Prof. & Head, SMST, IIT, Kharagpur, hereinafter referred to as Party of the First Part is a specialised centre within IIT Kharagpur offering education and research opportunities in the field of frontier areas of medical science & technology and has multiple innovations to its credit

AND

South-Eastern Railway hospital, represented by Chief Medical Superintendent, South Eastern Railway, Kharagpur hereinafter referred to as Party of the Second Part is a 340-bed general hospital offering OPD, Diagnostic and In-patient services to the community for decades, with reputation.


Professor & Head,
SMST, IIT, Kharagpur
5/2/2019


Chief Medical Superintendent
S.E. Railway / Kharagpur