

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:WBCERC/NOR/93/2025-26

Pijush kanti Ray Complainant

vs

Neheru Memorial techno Global Hospital, Barrackpore.....Respondent/
Respondents


ORDER SHEET

Office Note	Order No.	Date	Order
	1.	02/07/ 2025	<p>The complaint would relate to refusal to do hysterectomy under Swasthya Saathi mode.</p> <p>The CE has given their response indicating that since the patient could not produce the relevant history for past one year it was not possible to block the card through Swasthya Saathi portal for this operation. Hence, the patient was operated on cash mode and a sum of Rs. 27,449/- was billed. The CE would also contend, had past one year history been produced they could have successfully blocked the Swasthya Saathi card to give treatment to the patient under the said mode.</p> <p>We have enquired from the department. The department has submitted a detailed note relating to such</p>



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surgery referring to the Apex court decision in the case of Dr. Narendra Gupta Vs. Union of India dated April 05, 2023 that would support the contention of the CE.

According to the said note, such surgery should be discouraged unless it is absolutely necessary.

To make it an exception, past records were to be looked into that were conspicuously absent here.

We find, even if the patient was admitted under Swasthya saathi mode the hospital could have charged to the extent of Rs. 18,000/-.

The surgery has already been done hence, we direct refund of the differential amount being Rs. 9,449/- to the patient upon sharing of her bank details.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Smt Madhabi Das – Member

Authenticated