

Office of the West Bengal Clinical Establishment Regulatory Commission

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Memo No. 1054 /WBCERC/2025

Date: 08/09/2025

Circular

- 1) Whereas the West Bengal Clinical Establishment Regulatory Commission has been empowered under section 38(i) and (ii) of the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017 to monitor the functioning of clinical establishments and also regulate and supervise functions of the Clinical Establishments.
- 2) Whereas Section 7 (2) (k) of the said Act prescribes that there should be no delay in releasing the dead body of patients or service recipients to their representatives due to billing or other issues including inability to pay the treatment cost. Provided that the Clinical Establishment shall have the right to recover the cost and dues from the representative of the service recipients in due course.
- 3) Whereas the Section 7 of the said Act describes the licensing conditions and any violation of the same makes the license of the Clinical Establishment liable to be cancelled.
- 4) Whereas it has come to the notice of the Commission that the licensing conditions is not being followed in letter and spirit by the CEs and the release of the dead body is delayed or withheld to realise the dues and also in case of medi-claim it is withheld till approval is accorded by the insurance for the bills.
- 5) Whereas the Commission has taken a serious view of such cases of delaying / withholding of the release of the dead body for reasons as mentioned above.

Now, therefore, to ensure release of dead body in full compliance of the provisions of the Act and the licensing conditions, it is directed that the Clinical Establishments shall release the dead body as early as possible and in any case it shall be released within 5 (five) hours after the death of the patient / service recipients. The reason of any delay beyond this period should be properly documented and the Commission should be kept informed of the same. However, it will not apply to the cases therein the representative of such deceased patient prays in writing for keeping the body in morgue for a certain time beyond this period on genuine ground and accepted by the Clinical Establishments.

Secretary

West Bengal Clinical Establishment
Regulatory Commission

Memo No. 1054/ 1(4)/WBCERC/2025

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Copy to:

1. The Licensee / CEO / Medical Superintendent of Clinical Establishments in the State of West Bengal (All)
2. Hon'ble Chairperson, West Bengal Clinical Establishment Regulatory Commission for kind information.
3. Director Health Services, West Bengal for kind information and necessary action.
4. Senior P.A to the Principal Secretary, Health and Family Welfare Department for kind information of the Principal Secretary.

Secretary

West Bengal Clinical Establishment
Regulatory Commission