

2-3
Office of the West Bengal Clinical Establishment Regulatory Commission

1st Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.

Phone:- (033) 2262-8447 , Email: wbcerc@wb.gov.in Website: www.wbcerc.gov.in

Case Reference: WBCERC/KOL/169/2025-26

Arvind Kumar Jayaswal Complainant

vs

Fortis Hospital.....Respondent/ Respondents

AND

Case Reference: WBCERC/KOL/176/2025-26

Arvind Kumar Jayaswal Complainant

vs

Institute of Neurosciences, Kolkata.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	26/11/2025	<p>These two complaints would relate to treatment of a 87 year old female patient who initially attended the first establishment (Fortis) on December 25, 2024 with so much of co-morbidities.</p> <p>The patient was advised admission by the Emergency however, the admission was delayed as the complainant could not pay Rs. 50,000/- as asked for by the CE. The complainant had Rs. 30,000/- with him. He assured, the balance amount would be paid within a day however, the CE did not agree.</p> <p>Mr. Shahin Biswas, representing the CE, would submit that the admission might have been delayed however, they continued treatment at the Emergency. Hence no suffering was made to the patient.</p> <p>We are not at all impressed.</p>



We find from the record, there had been about three hours delay in getting the patient formally admitted. Such delay is not properly explained by the CE.

We deprecate this practice. In a case of Emergency admission if the patient wants to be admitted with a sum that might be below the amount fixed by the CE as advance CE cannot refuse admission. We impose a penalty of Rs. 5,000/- on this score on Fortis.

We have considered the bill raised by the Fortis. We find, they charged bio-medical waste and laundry 14 times @ Rs. 165/- amounting Rs. 2310 /-. This is totally unethical.

Biomedical waste is a generalised item and not a dedicated service to a particular patient. As per the condition of the license that the CE is enjoying, they must keep the hospital completely free from infection and maintain hygiene as per protocol. Biomedical waste and

laundry have important rule to play for which a patient cannot be separately charged.

We direct the CE to refund the amount that has been realised from the complainant on this count. They would also change their programming by deleting those two items from their billing system and inform the Commission accordingly.

We hope and expect, they would refund the amount charged from other patients for last one year and submit a report of compliance with the CE.

We find, a sum of Rs. 5,419/- has been charged in excess for investigation. Medicine and Consumables should have been discounted for Rs. 9,156/-.

Fortis is directed to refund an aggregate sum of Rs. 17,485/- to the complainant on sharing of his bank details.

INK

The patient was advised ventilation however, the treating doctor counselled the complainant that considering her age and criticality of the situation the patient should not be put on ventilation. He insisted that the complainant should withdraw his consent for ventilation.

We appreciate the doctor's counselling. A good doctor would have a duty towards the patient and / or her relatives to properly counsel. The doctor has rightly counselled him and we appreciate such effort.

The complainant would also have a grievance that the CE asked him to get the Endoscopy done outside as they do not have such facility.

INK is a Uni-speciality hospital treating neuro patients. They might not have the facility for Endoscopy and as such the patient was advised to do Endoscopy

outside. We do not find anything wrong in it.

For one month stay at the CE, the patient was reasonably billed and we do not find any scope to interfere however, we find that the medicine and consumable have been charged at MRP that is violative of our direction.

The CE would contend, they allowed purchase of medicine and consumable from their pharmacy and the patient got 17 percent discount on the medicine purchased directly from INK pharmacy.

We appreciate such gesture however, the medicine and consumable billed by the CE at MRP cannot be conceived of. Medicine was billed for Rs. 1,69,507/- that would attract 10 percent discount amounting to Rs. 16,951/- whereas the consumable was billed for Rs. 78,486/- attracting 20 percent discount amounting to Rs. 15,698/-.

We direct INK to refund the said amount aggregating to Rs. 32,449/- to the complainant on sharing of his bank details.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission