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**Re- Appeal Case:**

**Pramanik Diagnostic Centre ..... Complainant**

**vs**

**ADM (Health), Malda and Adjudicating Authority.....Respondent/  
Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	11/02/2026	<p>The appeal would relate to suspension of license of a diagnostic centre who under the guise of diagnostic centre, is being run for treatment of in-patient as well. The proprietor of diagnostic centre is a rural doctor without having any valid qualification for treating a patient.</p> <p>On surprise inspection, the license was suspended hence, this appeal.</p> <p>The authority imposed penalty of Rs. 10 lacs. However, the CE was given opportunity to rectify the deficiency.</p>

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We admitted the appeal on November 19, 2025 when we permitted the appellant to deposit fifty per cent of the penalty amount and remove the deficiency.

The appellant has now sent a letter dated January 21, 2026 for final hearing of the appeal as according to him, the deficiency have been taken care of.

Mr. Pramanik, would contend, very recently on February 6, 2026 CMOH, Malda has made a thorough inspection.

The CMOH, Malda is present online. According to him, although the deficiencies are taken care of to a substantial extent the Patient Registrar visiting the diagnostic centre, are not updated. Those are required to be updated at once.

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The CMOH, Malda is also of the opinion, Day Care centre is ready for use however, there is no sufficient man power and resource person to do the day-care treatment to the patient.

Mr. Pramanik would admit so. According to him, at the present moment he does not want to run the same. He wants to run the diagnostic centre as a mid-level one. He would also undertake, henceforth no in-patient service would be given.

He would pray for reduction of the penalty amount to the extent of fifty percent.

We have also heard the ADM (Health), Malda, CMOH, Malda and his team.

It appears that subsequently the authority has relaxed the suspension and permitted the diagnostic centre to function as such.

Considering the entire backdrop and

considering the fact that the diagnostic centre is catering the need of the rural people we allow the appeal to the extent by reducing the penalty amount from Rs. 10,00,000/- to Rs. 7,50,000/-.

The CE is directed to strictly follow the guidelines that the CMOH, Malda has indicated and would be indicating from time to time.

The day care centre must not be open without a proper clinic license to be obtained.

The Patient Register must be up-dated upon intimation to the CMOH, Malda.

We abundantly make it clear, the CE must not venture to give any Emergency treatment or in-patient treatment without any appropriate infrastructure and proper qualified medical person.

The CMOH, Malda would keep a strict vigil

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on the diagnostic centre either by himself or through his team and in case of any irregularity the diagnostic centre must be closed down immediately.

With regard to the payment of penalty, we permit the diagnostic centre to pay it by five equal monthly instalment of Rs. 50,000/- payable from 1st April, 2026 and thereafter on the first day of each succeeding month.

In case of default of any one instalment the CMOH, Malda would forthwith suspend the license until the defaulted amount is paid off.

Before we part with, we would be failing in our duty if we do not appreciate the commendable service given by the District Health Team under the leadership of ADM (Health), Malda and CMOH, Malda in keeping strict vigil over the

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private health sector running in the district.

We are often receiving appeals from the order of suspension from this particular district that would show how strict the administration is.

We hope and expect, all other districts in the State would do the same.

Copy of this order be sent to the Principal Secretary, Health, State of West Bengal for his information as well as District Magistrate of all the other districts of the State for necessary action.

The appeal 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*

Secretary  
West Bengal Clinical Establishment  
Regulatory Commission