

Office of the West Bengal Clinical Establishment Regulatory Commission

1<sup>st</sup> Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.

Phone:- (033) 2262-8447 , Email: [wbcerc@wb.gov.in](mailto:wbcerc@wb.gov.in) Website: [www.wbcerc.gov.in](http://www.wbcerc.gov.in)

Case Reference:WBCERC/PAB/283/2025-26

Mr. Santosh Bhagat..... Complainant

vs

Mission Hospital, Durgapur.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	18/03/2026	<p>The complaint would relate to billing in a case of planned surgery.</p> <p>The patient was admitted on April 11, 2025 at 10.53 pm. According to the CE, the patient did not have any OPD visit hence, they had to diagnose the disease through proper investigation.</p> <p>As per the record, an estimate was given to the patient on April 12, 2025 for Rs. 1,38,500/-.</p> <p>The relevant extract is quoted below:-</p>

Sl no	Service Description	Code	Charges	Remarks
1	IPD packages		138500	03 DAYS GENERAL WARD PKG, MEDICINE AND CONSUMABLES LIMIT 10K, INVESTIGATION ON ACTUAL BASIS
	CYSTOSCOPY & RGP	UROL1015	25000	
	DJ STENTING	UROL1026	13500	
	URSL WITH LASER	UROL0002	100000	
	Total(Approx)		138500	

*Note: This is a primary estimation only (not a final one), it may change, due to adverse condition of the patient/if the specialty of treatment changes if the patient undergoes some additional procedure/expensive investigations/required blood component/expensive pharmacy item etc. The treatment cost incurred before of after the estimation period (if any) will be charged on*

*actual basis.”*

As per the package, the patient would get three days accommodation, medicine and consumable within the limit of Rs. 10,000/-. He would however, be obliged to bare the investigation cost on actual basis.

It further appears from the estimate that the planned surgery was broken into three parts; cystoscopy & rgp, dj stenting and URSL with lesser.

Our medical members are of the opinion, surgery as planned, would practically amount to one single surgery. Be that as it may, the total amount agreed by the parties, was Rs. 1,38,500/-. It was clearly written, the treatment cost incurred **before or after** the estimate period will be charged on actual basis.

The patient was admitted on April 11, 2025 at



10:53 pm. The package was agreed upon on the very next day with an estimated period of three days. Pertinent to note, the patient had undergone surgery on April 14, 2025 and he was discharged on April 15, 2025. The patient was charged Rs. 1,95,859/- that would include three days accommodation for 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> April Pharmacy cost and consumable, although within Rs. 10,000/-, were charged. Doctor visits were separately charged upto April 13, 2025.

The patient was admitted for four days out of which three days were charged separately although three days stay had already been included in the package.

The CE is represented online. The billing executive, Mr. Vivekananda Pal would submit, the estimation sheet had a back page which has not been shared with us. Soon after the hearing, they

have sent a back page that has a noting "the package starts from the day of surgery". Even if for argument sake if we take it into account that would be inconsistent with the first page that would clearly mention that the CE would only be entitled to the cost of treatment **before or after the estimated period** over and above the package cost.

We find serious lapses on the part of the CE in maintaining a transparent process of billing.

We direct the CE to refund the excess amount realised from the complainant after retaining the package cost of Rs. 1,38,500/- and the amount already billed for treatment on April 11, 2025.

The said amount must be refunded at once on receipt of the bank details from the complainant.

Needless to mention, the amount should be accompanied by a modified bill to be made in

terms of the forgoing order.

Our medical member would opine that in case of a surgery of the like nature, it could not have been broken into three parts.

We impose a penalty of Rs. 25,000/- to be paid to Ramakrishna Vivekananda Mission, Barrackpore.

The CE is also directed to change their billing system keeping due regard to the observation made in the forgoing judgment and order of the Commission and submit a compliance through an affidavit sworn by the Unit Head of the CE.

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/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

SmtMadhabi Das – Member

*Authenticated*

*[Signature]*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission