

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: Appeal Case No-3

Gour Seva Sadan ..... Complainant

vs

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

ORDER SHEET

Office Note	Order No.	Date	Order
	2.	30/04/2026	<p>This appeal would relate to an order of suspension issued by ADM(Malda)when on a surprise inspection various discrepancies could be found.</p> <p>Upon hearing all concerned ADM Health (Malda) directed suspension of licence however, permitted them to apply for lifting of order of suspension upon removal of the deficiencies.</p> <p>Being aggrieved, the appellant approached us assailing the order of the ADM Health, Malda.</p>



We heard the appeal on January 30, 2026 when we directed payment of the penalty amount of Rs. 5,00,000/- by monthly instalment of Rs.50,000/-. We also permitted the CE to remove deficiencies and directed CMOH (Health) to have an inspection after removal of the deficiencies.

The matter has now come up for consideration of the inspection report submitted by CMOH Malda.

We have perused the inspection report. Let a copy of the same be furnished to the appellant in course of this week. The inspection report suggested the following :-

- i) Proper emergency facilities with all related drugs, equipment and furniture.
- ii) Adequate trained HR with all relate



		<p>documents.</p> <ul style="list-style-type: none"><li>iii) Proper BMW management room.</li><li>iv) Railing of stair case.</li><li>v) Irregularities till found, to be rectified at the earliest.</li></ul> <p>CMOH, Malda present online, would submit, in absence of adequate paramedical staff the nursing home cannot be allowed to function. He would strenuously contend, unless the deficiencies pointed out as extracted above, are removed it would not be prudent to allow the nursing home to function.</p> <p>We direct the CE to remove all deficiencies quoted above and inform the CMOH accordingly so that CMOH could again visit the CE. Upon being satisfied, CMOH would be at liberty to lift</p>
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the order of suspension.

The representative of the CE would contend, they have already paid Rs. 1,00,000/-.

Let them continue to pay the instalments as directed by the earlier order dated January 30, 2026.

We make it clear if the deficiencies are removed the CMOH would consider reopening only upon payment of at least, 50 percent of the penalty amount. In that case the balance amount may be paid subsequent to the re-opening.

In default of payment of anyone instalment the outstanding amount would become immediately payable along with interest at the rate of 6 percent per annum until realisation.



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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/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Ms. Damayanti Sen, IPS- Member

*Authenticated*

*VF*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission

*SB*

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