

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: HOW/2019/000551

Mr. Jogendra Kumar Ganoria Complainant

vs

Shree Jain Hospital & Research Centre..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	12/06/2019	<p>The complaint would relate to deficiency in service of the clinical establishment. The complaint reveals:-</p> <p>(i) At the time of admission of the patient, the petitioner mentioned his mobile number and described himself as the authorised representative of the patient, so that in case of any necessity the hospital may contact him. The hospital authority however, disturbed the visitors during visiting hours by asking for medicine and other things that caused humiliation to the petitioner.</p> <p>(ii) The petitioner would also contend, the hospital authority is forcing the petitioner as well as other patient party to purchase medicine from their pharmacy that too, at MRP.</p> <p>(iii) As the patient did not have sufficient fund for his treatment, on his prayer the Government through Chief Minister Relief Fund and the Governor's Relief Fund helped the patient by sending money directly to the hospital that the hospital authority misused.</p> <p>To elaborate his argument, the petitioner would contend, the hospital charged for the same dialysis procedure differently to make illegal gain from</p>

			<p>the State Fund that came to the hospital for the patient's treatment.</p> <p>We have considered the rival contention. In our view, the hospital authority must be cautious in dealing with the patient party. Once the petitioner already gave his mobile number and instructed the hospital authority to inform him in case of necessity, they must contact him and him only. The hospital authority is trying to impress upon us, they had to resort to the other process as the petitioner was not available on phone. We are not impressed. The hospital authority must be cautious in future in this regard.</p> <p>On the issue of different rates of dialysis and misuse of State Fund, we permit the petitioner to approach the appropriate authority that extended such financial support.</p> <p>This leaves us with the solitary issue of medicine cost. We are in full agreement with the patient party, the hospital authority should either give appropriate discount that is available in the market to the patient party or give them option to purchase medicine from outside. It has not been done in this case. We direct the hospital authority to refund 10% of the medicine cost to the patient party within a month from this date.</p> <p>At this juncture, the petitioner is candid to say, he has come to the Commission to ventilate his grievance and not to make any financial benefit. The hospital representative expresses their difficulty to find out the exact amount and prays for a lump sum. We direct them to pay a sum of Rs.3000/-. The amount of refund be paid to the Ramkrishna Sarada Mission Matri Bhavan within a month from date.</p> <p>The complaint is disposed of accordingly.</p> <p>Sd/- Hon'ble Chairperson</p>
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Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Gopal Krishna Dhali, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Authenticated
[Signature]

ARSHAD HASAN WARSI
WBCS (Ex)
Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Joint Secretary
Health & F.W. Department