

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: WMID/2019/000705

Mr. Soumendu Dey..... Complainant

vs

Spandan Advance Medicare Pvt. Ltd.. .....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	2.	15/01/2020	<p>The complaint would pertain to user of medicine beyond the expiry date. The Clinical Establishment is present. They unequivocally admit the fault. However, they would term it as a mistake that we are unable to accept. The videography has been done. Since the Clinical Establishment has admitted the fault, there is no need of watching videography. According to the Clinical Establishment, no damage was caused as the mistake was detected before the medicine could be administered. Complainant would strenuously deny. Even if we give full credence to what the Clinical Establishment would say, we fail to appreciate how they could keep such medicine in their pharmacy.</p> <p>No amount of compensation could be sufficient compared to the heinous crime that the Clinical Establishment has committed.</p> <p>We direct payment of Rs. 10,000,00/- as compensation out of which Rs. 5,00,000/- be paid to the complainant and the balance Rs.5,00,000/- be paid under "Corporate Social Responsibility(CSR)"Ramakrishna Mission for being used for the welfare of the residents of Ekalabya Vidyapith, Jhargram. The Clinical</p>



Establishment would however, be entitled to get the benefit under CSR, if permissible.

The Clinical Establishment is directed to pay the said sum within a period of one month from date and file before of compliance. We also direct the CMOH Paschim Medinipore to keep a direct vigil so that this unpleasant incident does not recur.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Sri. Binod Kumar, IAS, Vice-Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Smt Madhabi Das - Member

*Authenticated*  
*[Signature]*

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