

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:INT/SLG/2022/202

Ms. Sudipa Dhar..... **Complainant**

VS

Maharaja Agrasen Health Care Centre..... **Respondent/ Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	16/11/2022	<p>This complaint would relate to Swasthya Sathi refusal. It is an admitted position, the patient was critically ill and was admitted through Emergency dead at night, upon deposit of a sum of Rs.10,000/-. Within 24 hours, the complainant, being the wife of the patient, produced Swasthya Sathi Card that was refused.</p> <p>The refusal is admitted by the CE in their written response dated November 10, 2022. They would take the plea, Swasthya Sathi quota was full.</p> <p>Mr. Biswajit Sarkar, Manager, Corporate Section, would represent the CE. According to him, they are 120 bed hospital. On that particular day, 12 patients were</p>

		<p>admitted under Swasthya 'Sathi. So quota was full. Pertinent to note, no proof of such statement has been produced for our consideration.</p> <p>The CE would further contend, the patient was admitted as a cash patient and was billed Rs. 74,318/-. With the intervention of the Mayor of Siliguri Municipal Corporation a sum of Rs. 34,318/- has already been discounted.</p> <p>The complainant is present online. She would contend, once the factum of production of Swasthya Sathi Card within 24 hours of admission, has been admitted by the CE she would be entitled to free treatment under the Scheme that was denied. The complainant would contend, the CE also took the plea that there had been huge outstanding from the State Government.</p> <p>Mr. Sarkar would express his ignorance about the same. He would contend, no such statement was personally made by him. He is not aware of any such conversation allegedly made between the complainant</p>
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and any one of the CE.

Mr. Sarkar would also contend, the factum of vacancy could be verified from the Swasthya Sathi portal and if time is given he would be able to produce the relevant extract of the status on the said date.

It is a complex issue. We, however, wish to look at it from a different angle.

The complaint was made on November 1, 2022. It was mailed to the CE asking for their response on November 4, 2022. The CE sent reply on November 10, 2022. They had time to disclose relevant documents in support of their contention. They did not do so. Moreover, they were specifically asked by our office to submit response with a copy to the complainant that they failed.

Ultimately, the patient was treated as a cash patient. Substantial discount has been given by the CE with the intervention of the Mayor as referred to above. We do not find any scope to interfere on that score. However,

we impose a token penalty on the CE on two counts referred to above where the CE has faulted.

We direct payment of Rs. 10,000/- to the complainant. The complainant would share her bank details with the CE. CE would transfer the amount in his account within a week from the date of communication of the bank details.

The complaint is disposed of.

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/-

Smt Madhabi Das – Member

Authenticator
W.B.

Secretary
West Bengal Clinical Establishment
Regulatory Commission