

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2023/048

Mr. Debanjan Guha Complainant

vs

AMRI, Dhakuria Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	31/03/2023	<p>The complaint would relate to excessive billing.</p> <p>At the outset, we express our strong displeasure when we come to know, the CE failed and neglected to furnish a copy of the response to the complainant.</p> <p>The complainant has submitted his complaint with us. We have asked for response. CE has submitted their response. Hence, the complainant is entitled to know the stand of the CE. The complainant is deprived of such right. Dr. Khan, representing CE, would assure us, there would be no recurrence in future.</p> <p>Coming back to the merits we find, the complainant has a serious grievance as against the excessive billing</p>



that too, without any prior financial counselling by the CE.

The CE would contend, the admission was under insurance hence, they have billed as per TPA rate. Out of Rs. 1,63,847/- the TPA sanctioned Rs. 1,06,215/-. The CE also gave some deductions that could take care of the minor deductions that the TPA has made. At the end of the day the complainant had to pay Rs. 50,859/- that would include substantial sum of Rs. 45,710/- on account of OT charges. Pertinent to note, the CE has billed Rs. 55,000/- on account of OT charge that would be higher than the fees of the plastic surgeon and the anaesthetist involved in the surgical process.

Dr. Khan has tried to explain, it was a special super speciality surgery that would involve precision equipments and the OT charge was fixed accordingly. We are not impressed at all.

Since the admission was covered under mediclaim it would be proper to permit the parties to ventilate their



respective stand before the appropriate authority being Ombudsman Insurance.

We direct the CE to make a fixed deposit of Rs. 45,710/- in the name of the complainant and handover the original fixed deposit receipt against an undertaking of the complainant, he would not encash the same until disposal of the proceeding before the Ombudsman to be initiated in terms of the liberty granted by us.

The entire process must be done within a period of three weeks from date.

In case CE fails to make the fixed deposit within the time stipulated, the entire sum of Rs. 45,710/- would become payable with interest at the rate of 7 percent per annum until realisation.

In case despite fixed deposit being made the complainant fails to lodge his complaint with the Ombudsman Insurance within fortnight thereafter the CE would be at liberty to encash the fixed deposit and in such event the complainant would be bound to handover



the original fixed deposit back to the CE duly endorsed in favour 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/-

Smt Madhabi Das – Member

Authenticated

WJ
Secretary
West Bengal Clinical Establishment
Regulatory Commission

