



Indian Medical Association

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To,

Dated.27.04.2017

Ms Mamata Banerjee
Hon'ble Chief Minister of West Bengal
Kolkata, W.Bengal

Respected Madam,

Indian Medical Association (IMA) is a pan India voluntary organization of modern medicine doctors. It has a membership of 2.75 lakh doctors spread over 30 State Branches and 1700 Local branches in almost all the districts of India.

We, the members of IMA, wish to convey to your good self that several clauses in the newly enacted West Bengal Clinical Establishment (Registration, Regulation and Transparency) Act 2017 are inappropriately severe and harsh on the medical profession and the hospitals. We are convinced that the enactment is also anti people and anti patient since it will eventually lead on to defensive practices and decrease in the number of hospitals in West Bengal.

Though not exhaustive the following are our core concerns:-

1. Clause 34 : anyone violating the conditions of registration and license shall be liable for imprisonment which may extend to three years.
2. The State Regulatory Commission, a body nominated by Government of West Bengal has been empowered with judicial powers to award compensations and jail terms to doctors, health care workers and managements.
3. Fixing of package rates and determining the charges for consultation and procedures in private hospitals is unacceptable and violates the constitution.

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4. The law prescribes a licensing procedure thereby creating a License Raj.

5. There is no reason why Government Hospitals should be exempted from a law to ensure quality.

6. Clauses of 7.3 (j) and 7.3 (k) provide for service without payment against the principles of natural justice.

7. The clauses regarding laboratory tests as well as for naming and shaming in clause 33(2) are highly arbitrary.

We on behalf of the medical profession in India are deeply disturbed over this draconian Act in West Bengal. We call up on you to amend the Act so that it does not harass doctors, health care workers and managements. Promotional clauses like exemption of family and group practices and aided hospitals may be introduced.

Thanking you

Yours sincerely

(Dr. P.K. Gupta)
President

(Dr. J.D. Rawat)
Hon. Secretary