



INDIAN MEDICAL ASSOCIATION TAMILNADU

NEWS LETTER No. 11

Request and guidelines to observe protest day against W. Bengal Clinical Establishments Act on April 27, 2017

Dear Sir/ Madam,

The Central Working Committee of IMA, during its 217th meeting held at Kolkata on April, 15th and 16th 2017, has condemned and opposed the West Bengal Clinical Establishment (Registration, Regulation and Transparency) Act 2017. The hostility displayed by this Act on doctors, health care workers and the hospitals is unacceptable. All the state branches unanimously decided to voice their concern regarding the national repercussions of the Act. The Central Working Committee dedicated the major part of its sitting to this issue and closed sine die hours before schedule in protest. The CWC also decided to observe a **National Black Day on Thursday 27.04 .2017.**

Accordingly, all the state branches are hereby directed to inform all their members through their local branches to observe the National Black Day on 27. 04. 2017 against the West Bengal CEA. The observation shall be a peaceful demonstration of our solidarity with the suffering doctors of West Bengal.

The following actions may be taken up at state and local branches level: -

1. **Black badges** to be worn by all members.
2. All hospitals and clinics to display black cloth in their notice board with explanation.
3. We have enclosed a copy of letter to be email id of the Chief Minister Ms Mamata Banerjee is cm@wb.nic.ino be emailed

Though not exhaustive the following are our core concerns regarding the West Bengal CEA which are against the natural justice in our country. We need to protest as any state governments mayadop it and cause grave concern to the Medical practice.

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.
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.

Thanking you

Yours sincerely

Dr T.N.Ravisankar
State President, IMA

Dr. N. Muthurajan
Hony. Secretary, IMA TNSB

The e mail id of the Chief Minister Ms. Mamata Banerjee is :cm@wb.gov.in, cm@wb.nic.in

Memorandum to the Hon .Chief Minister of West Bengal

(Please print and arrange signatures of all IMA members of Branch and then submit to Hon'ble Chief Minister of W.Bengal)

To

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.

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



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CEA OF WEST BENGAL**
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