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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

**GOVERNMENT OF WEST BENGAL**

**LAW DEPARTMENT**

**Legislative**

**NOTIFICATION**

No. 629-L.—5th June, 2025.—The Governor having been pleased to order, under rule 66 of the Rules

of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

**Bill No. 7 of 2025**

**THE WEST BENGAL CLINICAL ESTABLISHMENTS (REGISTRATION,  
REGULATION AND TRANSPARENCY)  
(AMENDMENT) BILL, 2025.**

**A  
BILL**

*to amend the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017.*

WHEREAS it is expedient to amend the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017, for the purposes and in the manner hereinafter appearing;

West Ben.  
Act IV  
of 2017.

It is hereby enacted in the Seventy-sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

*The West Bengal Clinical Establishments (Registration, Regulation and Transparency) (Amendment) Bill, 2025.*  
*(Clauses 1 – 4.)*

Short title and commencement.

**1.** (1) This Act may be called the West Bengal Clinical Establishments (Registration, Regulation and Transparency) (Amendment) Act, 2025.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, specify.

Amendment of section 2 of West Ben. Act IV of 2017.

**2.** (1) In section 2 of the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017 (hereinafter referred to as the principal Act), for clause (h), the following clause shall be substituted:—

‘(h) “licensing authority” means the Registering Authority under section 5;’.

Substitution of new section for section 5.

**3.** For section 5 of the principal Act, the following section shall be substituted:—

“Authority for registration and license. 5. An officer of the Department of Health and Family Welfare of the State Government, not below the rank of Assistant Director of Health

Services shall be the Registering Authority as well as licensing authority in respect of clinical establishments for such area and for such services rendered by clinical establishments, as may be notified by the Department of Health and Family Welfare of the State Government.

Amendment of section 7.

**4.** In section 7 of the principal Act, in sub-section (3),—

(i) for clause (n), the following clause shall be substituted:—

“(n) that every clinical establishment shall immediately after coming into force of this Act, implement e-Prescription including Government directives regarding any modification of the same, maintain Electronic Medical Records of individual patients and provide a set of all medical records and treatment details along with the discharge summary at the time of discharge of the service recipient. Clinical establishments will maintain such records and other data in the software as may be notified by the State Government from time to time and all such records shall be furnished to the State Government electronically or physically, on demand by the Government;”;

(ii) for clause (o), the following clause shall be substituted:—

“(o) that every clinical establishment shall strictly follow the fixed rates and charges including the package rates for investigation, bed charges, operation theatre procedures. It shall ensure that intensive care, ventilation, implants, consultation and similar tests and procedures, and any additional treatment or procedure shall not attract additional charges over and above such fixed rates and charges including the package rates; and shall display the same in a conspicuous place inside the clinical establishment in such manner so as to be visible to everyone visiting such establishment, as well as on their websites and such websites shall be updated regularly;”;

*The West Bengal Clinical Establishments (Registration, Regulation and Transparency) (Amendment) Bill, 2025.*  
*(Clauses 5 – 8.)*

(iii) for clause (p), the following clause shall be substituted:—

“(p) that every clinical establishment shall provide proper estimates for treatments not covered in fixed rates and charges including the package rates, to the service recipients or representative of service recipients during initiation or in the due course of treatment, and final bills shall not exceed that estimates by a certain percentage, as may be specified by the Department of Health and Family Welfare of the State Government and the periodic and updated bill shall be communicated to the patient party in every 24 hours with mentioning the subject-wise addition over the previous day bill particulars till the patient is discharged from the clinical establishment;”;

(iv) to clause (s), after the proviso, the following proviso shall be added:—

“Provided further that the periodic reports in a specified format, as may be specified by the State Government from time to time, with all relevant particulars of the Outdoor and Indoor patients who availed of completely free treatment shall be communicated to the registering and licensing authority; specifically at the time of renewal.”.

Amendment of  
section 19.

**5.** In section 19 of the principal Act, for sub-section (2), the following sub-section shall be substituted:—

“(2) Application for renewal shall be disposed by the licensing authority within 90 days of receiving the application. Licensing authority shall communicate the clinical establishment the fact of granting of renewal or reasons for non-renewal or non-disposal of the application within 90 days of receiving the application:

Provided that in the event of failure of the licensing authority to communicate the fact of granting or rejection of application for renewal of registration and license within the prescribed period of ninety days from the date of receipt of such application, the license shall be deemed to be valid temporarily for a maximum period of ninety days from the date of expiry of the license.”.

Amendment of  
section 24.

**6.** In section 24 of the principal Act, for sub-section (3), the following sub-section shall be substituted:—

“(3) Save as in this Act otherwise expressly provided, provision of the Bharatiya Nagarik Suraksha Sanhita, 2023 relating to search, seizure, summon, investigation and prosecution shall apply, as far as may be, to all action taken by the Officer authorised under sub-section (1).”.

46 of 2023.

Amendment of  
section 26.

**7.** In section 26 of the principal Act, in sub-section (1), for the words “an appeal to such authority not below the rank of Special Secretary, Department of Health and Family Welfare of the State Government being the Appellate authority as may be prescribed”, the words “an appeal to such authority as may be prescribed by the Department of Health and Family Welfare, Government of West Bengal” shall be substituted.

Amendment of  
section 34.

**8.** In section 34 of the principal Act,—

(i) in sub-section (1), in clause (b), for the words and figures “the Indian Penal Code, 1860”, the words and figures “the Bharatiya Nyaya Sanhita, 2023” shall be substituted;

45 of 1860.

45 of 2023.

*The West Bengal Clinical Establishments (Registration, Regulation and Transparency) (Amendment) Bill, 2025.*  
*(Clauses 9, 10.)*

(ii) in sub-section (2), for the words and figures “the Code of Criminal Procedure, 1973”, the words and figures “the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted. 2 of 1974.  
 46 of 2023.

Amendment of  
 section 35.

**9.** In section 35 of the principal Act, in sub-section (3),—

(i) in clause (a), for the words and figures “sections 193 and 228 of the Indian Penal Code, 1860”, the words and figures “sections 229 and 267 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted; 45 of 1860.  
 45 of 2023.

(ii) in clause (b), for the words and figures “sections 345 and 346 of the Code of Criminal Procedure, 1973”, the words and figures “sections 384 and 385 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

Amendment of  
 section 57.

**10.** In section 57 of the principal Act, for the words and figures “section 21 of the Indian Penal Code, 1860”, the words, figures and brackets “clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

**STATEMENT OF OBJECTS AND REASONS.**

It has been considered necessary and expedient to amend the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017 (West Ben. Act IV of 2017) (hereinafter referred to as the said Act), for the purposes, *inter alia*, to:—

- (i) regulate the license giving process under the said Act;
- (ii) bring more transparency in the functioning of the clinical establishments and also for strict adherence of the fixed rates and charges including the package rates for entire medical treatment;
- (iii) display the fixed rates and charges including the package rates in a conspicuous place inside the clinical establishments;
- (iv) maintain electronic medical records of individual patients etc. through software.

2. The Bill has been framed with the above objects in view.

3. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA,

*The 5th June, 2025.*

MAMATA BANERJEE,

*Member-in-charge.*

By order of the Governor,

PRADIP KUMAR PANJA,  
*Pr. Secy. to the Govt. of West Bengal,  
 Law Department.*