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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. 554-L.—22nd May, 2017.—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 and the Financial Memorandum which accompany it, in the *Kolkata Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 27 of 2017

**THE WEST BENGAL COLLEGE SERVICE COMMISSION
(AMENDMENT) BILL, 2017.**

**A
BILL**

to amend the West Bengal College Service Commission Act, 2012.

WHEREAS it is expedient to amend the West Bengal College Service Commission Act, 2012, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXIX of 2012.

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

Short title and
commencement.

1. (1) This Act may be called the West Bengal College Service Commission (Amendment) Act, 2017.

(2) It shall come into force at once.

*The West Bengal College Service Commission
(Amendment) Bill, 2017.*

(Clauses 2-5.)

Amendment of section 3 of the West Ben. Act XXIX of 2012.

2. In section 3 of the West Bengal College Service Commission Act, 2012 (hereinafter referred to as the principal Act), for sub-section (7), the following sub-section shall be substituted:—

“(7) (a) There shall be three full-time members amongst whom one shall be a woman, and twelve part-time honorary members of the Commission who shall be appointed by the State Government, by order.

(b) The full-time members of the Commission shall hold office for a period of four years or till they attain the age of sixty-five years, whichever is earlier; whereas the part-time honorary members shall hold office for a period of four years or till they attain the age of seventy years, whichever is earlier.

(c) Part-time honorary members shall be eligible for re-appointment for a second term or till they attain the age of seventy years, whichever is earlier.

(d) The State Government, while appointing the members of the Commission, shall take into account the fact that persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes are adequately represented in the Commission.”.

Amendment of section 5.

3. In section 5 of the principal Act,—

(1) to sub-section (1), the following proviso shall be added:—

“Provided that in case of non-availability of an officer, the State Government may, by order appoint a teacher or an officer of a Government college, Government-aided college or State-aided University to act as the Secretary to the Commission, on such terms and conditions and for such period as may be determined by the State Government.”;

(2) after sub-section (3), the following sub-section shall be inserted:—

“(4) There shall be a Finance Officer of the Commission who shall be appointed by the State Government from amongst the officers of the West Bengal Audit and Accounts Service, on deputation:

Provided that in case of non-availability of such officer, the State Government may appoint a teacher or an officer having adequate knowledge of accounts and finance, from Government colleges or from Government-aided colleges or from State-aided Universities, on such terms and conditions and for such period as may be determined by the State Government.”.

Amendment of section 7.

4. In section 7 of the principal Act,—

(1) in sub section (1), after the word “Principals,” the words “Associate Professors, Professors” shall be inserted;

(2) in sub section (3), after the words “State wide empanelment of”, the words “Associate Professors, Professors,” shall be inserted.

Amendment of section 8.

5. In section 8 of the principal Act,—

(1) in sub-section (1), after the word “Principals,” the words “Associate Professors, Professors,” shall be inserted;

(2) in sub-section (2), after the word “Principals,” the words “Associate Professors, Professors,” shall be inserted;

*The West Bengal College Service Commission
(Amendment) Bill, 2017.*

(Clauses 6, 7.)

(3) in sub-section (4), after the words “to the post of”, the words “Associate Professors, Professors,” shall be inserted.

Amendment of
section 10.

6. In section 10 of the principal Act,—

(1) in sub-section (1), after the word “Principals,” the words “Associate Professors, Professors,” shall be inserted;

(2) in the proviso to sub-section (1), after the words “re-recommend such”, the words “Associate Professors, Professors and” shall be inserted.

Amendment of
section 25.

7. In section 25 of the principal Act, in clause (i) of sub-section (2), after the word “Principals,” the words “Associate Professors, Professors,” shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

The West Bengal College Service Commission has, at present, all part-time honorary members except the Chairman. The Commission has to meet often in order to take decisions regarding the various examinations and selection of Assistant Professors in Government-aided colleges in West Bengal. It has often been observed that the part-time members are found absent while an urgent decision needs to be taken. In order to remove this difficulty, the Commission proposes to induct full-time members to facilitate faster in the decision making process of the Commission.

2. It is also found expedient, considering the growing work load of the Commission for creation of a post of whole-time Finance Officer, in order to smoothly run the financial affairs of the Commission. The post is proposed from deputation from the State's Audit and Accounts Service and in case of non-availability of persons from the said Cadre, the post of Finance Officer may be filled up from the teachers or officers of the Government or Government-aided colleges or from State-aided Universities having adequate knowledge of Finance and Accounts. Similar provisions has also been proposed in case of Secretary of the Commission if the suitable persons from the State Government Cadre is found to be unavailable.

3. It is also pertinent to mention that the State Government has created various posts of Associate Professors and Professors in Government-aided colleges in West Bengal. The Commission is, at present, only allowed to select Assistant Professors and Principals in Government-aided colleges. In order to empower the Commission for selecting Associate Professors and Professors in Government-aided colleges, the West Bengal College Service Commission Act, 2012 needs amendment.

4. The Bill is thus prepared with the above objects in view.

KOLKATA,
The 22nd May, 2017.

PARTHA CHATTERJEE,
Member-in-Charge.

*The West Bengal College Service Commission
(Amendment) Bill, 2017.*

FINANCIAL MEMORANDUM.

There is financial implications involved in giving effect to the provisions of this Bill. Necessary budgetary provisions will be made in due course in consultation with the Finance Department.

KOLKATA,
The 22nd May, 2017.

PARTHA CHATTERJEE,
Member-in-Charge.

By order of the Governor,

MADHUMATI MITRA,
*Secy. to the Govt. of West Bengal,
Law Department.*