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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. 548-L.—7th June, 2022.—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. 11 of 2022

**THE WEST BENGAL KRISHI VISWAVIDYALAYA LAWS
(SECOND AMENDMENT) BILL, 2022.**

**A
BILL**

to amend the Bidhan Chandra Krishi Viswa Vidyalaya Act, 1974 and the Uttar Banga Krishi Viswavidyalaya Act, 2000.

WHEREAS it is expedient to amend the Bidhan Chandra Krishi Viswa Vidyalaya Act, 1974 and the Uttar Banga Krishi Viswavidyalaya Act, 2000, for the purposes and in the manner hereinafter appearing;

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

1. (1) This Act may be called the West Bengal Krishi Viswavidyalaya Laws (Second Amendment) Act, 2022.

West Ben. Act
XLIX of 1974.
West Ben. Act
XX of 2000.

*The West Bengal Krishi Viswavidyalaya Laws
(Second Amendment) Bill, 2022.*

(Clauses 2, 3.)

(2) It shall come into effect at once.

Amendment of
West Ben. Act
XLIX of 1974.

2. In the Bidhan Chandra Krishi Viswa Vidyalaya Act, 1974, in section 19, for sub-section (1), the following sub-section shall be substituted:—

“(1) The Chief Minister of the State of West Bengal shall, by virtue of his office, be the Chancellor of the University. He shall be the head of the University and the President of the Court and shall, when present, preside over the meetings of the Court.”.

Amendment of
West Ben. Act XX
of 2000.

3. In the Uttar Banga Krishi Viswavidyalaya Act, 2000, in section 24, for sub-section (1), the following sub-section shall be substituted:—

“(1) The Chief Minister of the State of West Bengal shall, by virtue of his office, be the Chancellor of the University.”.

STATEMENT OF OBJECTS AND REASONS.

The State Government has established and incorporated two (02) State-aided Agricultural Universities namely, the Bidhan Chandra Krishi Viswa Vidyalaya and the Uttar Banga Krishi Viswavidyalaya under the administrative control of the Department of Agriculture for providing facilities for learning and research in agriculture in West Bengal. The Hon'ble Governor of the State of West Bengal is the Chancellor of the two (02) State-aided Agricultural Universities by virtue of his post.

2. The Bidhan Chandra Krishi Viswa Vidyalaya Act, 1974 (West Ben. Act XLIX of 1974) and the Uttar Banga Krishi Viswavidyalaya Act, 2000 (West Ben. Act XX of 2000), have provided some statutory duties and functions upon the Hon'ble Chancellor of the University. It is not out of place to mention that Hon'ble Governor holding the Constitutional post has to discharge various Constitutional functions as enshrined under the Constitution.

3. It is not out of place to mention that the Punchi Commission in its report recommended that to be able to discharge the Constitutional obligations fairly and impartially, the Governor should not be burdened with positions and powers which are not envisaged under the Constitution and which may expose the office to controversies or public criticism. Making the Governor the Chancellor of the Universities and thereby conferring powers on him which may have had some relevance historically has ceased to be so with the change of the circumstances. The Commission is also of the view that Governor should not be assigned functions casually under any statutes. His role should be confined to the Constitutional provisions only.

4. It has therefore been considered necessary and imperative that the constituting Acts of the Agricultural Universities shall be amended so that the Hon'ble Chief Minister of the State of West Bengal shall be the Chancellor of all State-aided Agricultural Universities for the purposes of the said Acts.

*The West Bengal Krishi Viswavidyalaya Laws
(Second Amendment) Bill, 2022.*

5. The Bill has been prepared to achieve the above objective.
6. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA:
The 6th June, 2022.

SOBHANDEB CHATTOPADHYAY,
Member-in-charge.

By order of the Governor,
PARTHA SARATHI SEN,
*Pr. Secy. to the Govt. of West Bengal,
Law Department.*