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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. 608-L.—20th June, 2022.—The Governor having been pleased to order, in cancellation of the notification

No. 561-L, dated 8th June, 2022, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the re-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 re-published for general information:—

Bill No. 17 of 2022

THE ALIAH UNIVERSITY (AMENDMENT) BILL, 2022.

A
BILL

to amend the Aliah University Act, 2007.

WHEREAS it is expedient to amend the Aliah University Act, 2007, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXVII of 2007.

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 Aliah University (Amendment) Act, 2022.
- (2) It shall come into force at once.

*The Aliah University (Amendment) Bill, 2022.**(Clauses 2–5.)*

Amendment of section 2 of West Ben. Act XXVII of 2007.

2. In the Aliah University Act, 2007 (hereinafter referred to as the principal Act), in section 2,—

- (a) clause (3) shall be omitted;
- (b) in clause (15), after the words “Government of West Bengal”, the words “in the Minority Affairs and Madrasah Education Department” shall be inserted;
- (c) in clause (19), for the words “not maintained but recognised by the University”, the words “recognised and maintained by the University” shall be substituted;
- (d) for clause (24), the following clause shall be substituted:—
‘(24) “Minister” means the Minister-in-charge of the Minority Affairs and Madrasah Education Department as appointed by the Governor and includes the Minister of State of that Department;’;
- (e) in clause (34), for the words “Reader” and “Lecturer”, the words “Associate Professor” and “Assistant Professor” shall be substituted, respectively;
- (f) in clause (35), for the words “Reader” and “Lecturer”, the words “Associate Professor” and “Assistant Professor” shall be substituted, respectively.

Amendment of section 5.

3. In the marginal heading of section 5 of the principal Act, for the words “of the University”, the words “to the University” shall be substituted.

Amendment of section 10.

4. In section 10 of the principal Act, in clause (17), for the words “Readerships, Lectureships”, wherever they occur, the words “Associate Professorships, Assistant Professorships” shall be substituted.

Amendment of section 11.

5. In section 11 of the principal Act, 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 Amir-i-Jamia (Chancellor) of the University.”.

STATEMENT OF OBJECTS AND REASONS.

The Aliah University was established and incorporated under the Aliah University Act, 2007 (West Ben, Act XXVII of 2007).

2. The said Act has provided some statutory duties and functions upon the Hon’ble Amir-i-Jamia (Chancellor) of the University. It is not out of place to mention that the Hon’ble Governor, who is also Amir-i-Jamia (Chancellor) of the University, holding the Constitutional post has to discharge various Constitutional functions as enshrined under the Constitution of India.

3. It is to be mentioned 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 the Governor should not be assigned functions casually under any Statutes. His role should be confined to the Constitutional provisions only.

The Aliah University (Amendment) Bill, 2022.

4. It has therefore been considered necessary and imperative that the Aliah University Act, 2007, shall be amended so that the Hon'ble Chief Minister of the State of West Bengal shall be the Amir-i-Jamia (Chancellor) of the Aliah University for the purposes of the said Act.

5. It has also been proposed that the posts of 'Reader' and 'Lecturer' shall be renamed as 'Associate Professor' and 'Assistant Professor' respectively.

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

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

KOLKATA:

The 20th June, 2022.

MD. GHULAM RABBANI,

Member-in-charge.

By order of the Governor,

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