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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. 559-L.—8th 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. 15 of 2022

THE WEST BENGAL UNIVERSITY OF HEALTH SCIENCES
(AMENDMENT) BILL, 2022.

A

BILL

to amend the West Bengal University of Health Sciences Act, 2002.

WHEREAS it is expedient to amend the West Bengal University of Health Sciences Act, 2002, for the purpose and in the manner hereinafter appearing;

West Ben. Act
XIII of 2002.

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 University of Health Sciences (Amendment) Act, 2022.

(2) It shall come into effect at once.

*The West Bengal University of Health Sciences
(Amendment) Bill, 2022.*

(Clause 2.)

Amendment of
West Ben. Act
XIII of 2002.

2. In the West Bengal University of Health Sciences Act, 2002, in section 11, 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 West Bengal University of Health Sciences under the administrative control of the Health and Family Welfare Department to ensure uniformity in medical and paramedical education and to develop the existing institutional facilities for teaching and research into Health Sciences. The Hon'ble Governor of the State of West Bengal is the Chancellor of the West Bengal University of Health Sciences by virtue of his post.

2. The West Bengal University of Health Sciences Act, 2002 (West Ben. Act XIII of 2002) has 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 West Bengal University of Health Sciences Act, 2002, shall be amended so that the Hon'ble Chief Minister of the State of West Bengal shall be the Chancellor of the West Bengal University of Health Sciences for the purposes of the said Act.

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 8th June, 2022.

MAMATA BANERJEE,

Member-in-charge.

By order of the Governor,

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