# West Bengal's decision to make CM as Chancellor

## Why in news?

The West Bengal government has decided to make the Chief Minister the Chancellor of State-run universities, instead of the Governor.

## What is the role of Governors in state universities?

- In most cases, the Governor of the state is the ex-officio chancellor of the universities in that state.
- The practice of appointing the governor as ex-officio chancellor of universities dates to the pre-Independence era.
- The foundation was laid down in the dispatch of Sir Charles Wood in 1854 to the court of directors described as 'The Magna Carta of English Education' in India.
- The original intent of making Governors hold the office of Chancellor was to insulate universities from political influence.
- After Independence, whenever a state university is established it is done with the help of a legislation passed by the state assembly.
- The statute provides power to the Governor to appoint vice-chancellors.
- However, post-Independence, the Governor is a Constitutional functionary.
- This raises question on whether the Governor can hold a dejure office when the Constitution does not confer any such privileges thus causing resentment among some states.

## What is the friction between elected regimes and Governors?

- **West Bengal's case**- The Governor of West Bengal had alleged that VCs were appointed without the approval of the Chancellor, the appointing authority.
- On some occasions, VCs had not turned up for a meeting with the Chancellor.
- Recently, the West Bengal government has decided to make the CM the Chancellor of State-run universities, instead of the Governor.
- **Tamil Nadu's case**- Recently, the Tamil Nadu Assembly passed a bill that seeks to transfer the Governor's power in appointing VCs to the state government.
- It also passed a separate Bill to establish a new university for alternative systems of medicine with the Chief Minister as its Chancellor.
- **Kerala's case**- Governor Arif Mohammed Khan is asking the Chief Minister to take over the Chancellor's role in the light of alleged political interference in the functioning of universities.

## What were the earlier recommendations in this regard?

- **Sarkaria Commission**- The Sarkaria Commission underlined that the Chancellor is not obliged to seek the government's advice.
- However, it did say there was an obvious advantage in the Governor consulting the Chief Minister or the Minister concerned.
- **Punchhi Commission**- Punchhi Commission has noted that the Ministers will naturally be

interested in regulating university education which would lead to clash of functions and powers.

- It has recommended the removal of governor from the post of chancellor of universities.
- **HC verdict**- The High Court of Punjab & Haryana in *Hardwari Lal vs G D Tapase* has held that the governor has an independent existence and the office held by him is statutory in nature as distinct from the constitutional office of the governor.
- **SC verdict**- The Supreme Court has also affirmed in *Bhuri Nath vs State of J&K* that when governors are entrusted with powers derived from statutes in official capacity, they are not to act on the aid and advice of the council of ministers.

*Sarkaria Commission was estlablished in 1983 to investigate and give recommendations on the relationship between the centre and the states.*

*Punchhi Commission was established in 2007 to take a fresh look at the roles and responsibilities of different levels of Government and their inter-relations.*

**References**


1. https://www.thehindu.com/opinion/editorial/the-chancellor-conundrum/article65504162.ece
2. https://timesofindia.indiatimes.com/city/chennai/why-govts-feel-governors-as-university-chancellors-may-not-be-best-suited/articleshow/89420135.cms



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