

The Annual Survey of State Laws in India

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WEST BENGAL

Anirban Chakraborty¹

Introduction

The Constitution of India has adopted a federal system of government with a multi-party polity, distributing legislative powers between the union and the states. In such a system, state governments perform significant legislative functions to discharge their responsibilities effectively. This study aims to inquire into the legislative functions undertaken by the government of West Bengal in 2020.

A literature survey reveals that West Bengal is unique in the policies that the government has formulated and in its system of governance. This is mainly because the successive governments in West Bengal, since the post-emergency era, have been in strong opposition to the political parties ruling at the centre.² The state government has made a conscious effort to assert its independent identity and not mechanically submit to the policies adopted by the centre. This is evident from the state legislation's focus on land reforms, economic reforms, poverty alleviation measures, and populist financial assistance programmes. These policy goals have not changed even after the liberalisation of the Indian economy in 1991.³ The government continues to strongly oppose the union government's policies on privatisation and liberalisation in various sectors of the Indian economy and outright refuses to implement the same in the state. It has developed its independent policy and reform measures and implements them through its unique legislative and executive action.

The year 2020 was a very significant one due to the unprecedented disaster of the global pandemic. Severe measures, like complete lockdown, were introduced to curb the spread of the COVID-19 virus. The measures for containing the spread of the disease severely interrupted the normal functioning of all institutions and seriously impaired the economy and livelihoods of the people. The government's attention during this span was primarily focused on taking steps to augment healthcare and other allied infrastructure to protect the life and livelihood of its citizens.

1. Associate Professor (Law), NALSAR University of Law.

2. The last time when West Bengal was ruled by a political party which was also in power at the Centre was when the state was governed by the Congress-I party headed by Siddharth Sankar Ray between 1972-1977. This was followed by 34 years of the Left Front government, which was finally replaced by the All-India Trinamool Congress (AITMC) in 2011 in an election they won with an overwhelming majority. The AITMC also won the subsequent state assembly elections in 2016 and continues to remain in power. Both the Left Front and the AITMC are in opposition to the political party in power at the Centre.

3. Suvojit Bagchi, "Bengal through the Decades: The More Things Change, Have they Stayed the Same?" Occasional Paper No. 310, *Observer Research Foundation*, April 2021, available at: <https://www.orfonline.org/research/bengal-through-the-decades/> (last visited Feb. 10, 2022).

Performance of the West Bengal Legislative Assembly

The West Bengal legislative assembly held two sessions (fourteenth and fifteenth) in 2020. It worked in four sessions for a total of 14 sitting days. Prior to the COVID-19 pandemic-induced national lockdown, it met for 13 days between January 1 and March 24, 2020. After the process of unlocking started from mid-May 2020, the Assembly was convened only once for a single day. The sitting days of the Assembly in 2020 were far less compared to the days for the 2016-2019 period. (See Figure 1.)⁴

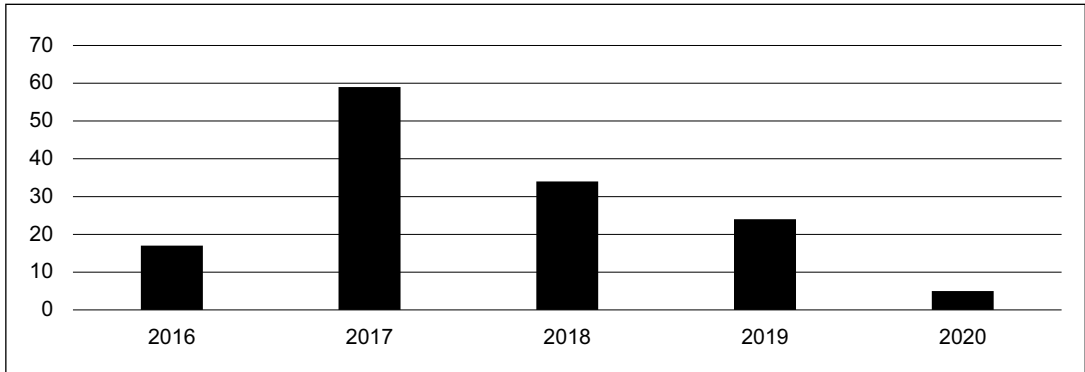


Figure 1: Total number of sitting days of the WB legislative assembly (2016-2020)

It can be inferred from Figure 1 that, in 2020, the Assembly had nearly 60 percent fewer sittings compared to the average annual sitting days between 2016 and 2019 (37 days). Also, when compared with the information on sittings of legislative assemblies in 2020 across states, it appears that the West Bengal legislative assembly held its sittings for 14 days: 40 percent fewer sitting days compared to the national average of 20 days.⁵ This comparatively reduced working period of the Assembly in 2020 can be attributed to the COVID-19-induced interruption and the preparation for the state Assembly elections in 2021.

Bills Introduced and Passed

The legislative assembly passed only five bills in 2020.⁶ It is far less than the number of bills passed between 2016 and 2019. (See Figure 2.)⁷

4. The information is based on the data published at: Legislative Assembly of West Bengal, Legislative Assembly Bulletin-Part-I, available at: <http://www.wbassembly.gov.in/> (last visited on Feb. 10, 2022). The WB legislative assembly website does not use stable links for its individual pages and databases. As a consequence in several footnotes across this text, the URL of the website is referenced with the title of the relevant page/database. These can be accessed from the “Legislature Library” tab.
5. Anoop Ramakrishnan and N R Akhil, “Annual Survey of State Laws 2020”, available at: <https://prsindia.org/policy/analytical-reports/annual-review-of-state-laws-2020> (last visited on Feb. 10, 2022).
6. The list of bills passed in the assembly in 2020:
The West Bengal Motor Vehicles Tax (Amendment) Bill, 2020; the West Bengal Finance Bill, 2020; the West Bengal Appropriation (No.1) Bill, 2020; the West Bengal Fiscal Responsibility and Budget Management (Amendment) Bill, 2020; the West Bengal Appropriation (No.2) Bill, 2020.
7. The information is based on the data published at: Legislative Assembly of West Bengal, Digital Archive of Bills, available at: <http://www.wbassembly.gov.in/> (last visited on April 15, 2022). *Supra* note 4 for an explanation for the URL.

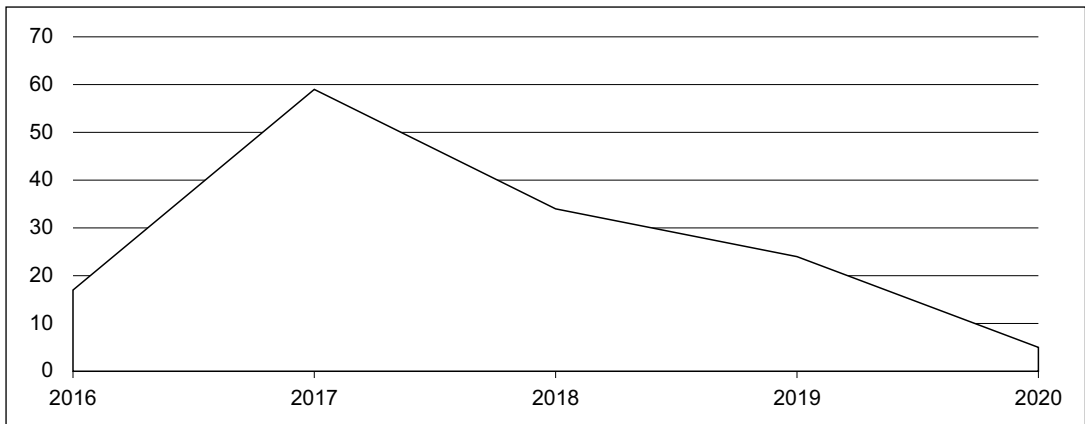


Figure 2: Bills introduced and passed (2016-2020)

Figure 2 reveals that, during the period 2016-2020, an average of 27 bills were passed. Compared with this average, the legislative assembly passed only five bills in 2020, which is almost 78 percent less than the previous years. Also, all the five bills were introduced and passed between January and March 2020. Since the Assembly sat for only one single day between April and December 2020, no bill was introduced, discussed, or passed.

Among the bills passed by the legislative assembly in 2020, three of them were appropriation and fiscal bills. The fourth was an amendment bill to the West Bengal Fiscal Responsibility and Budget Management Act, 2010 (WBFRBMA). This legislation was introduced to bring greater transparency in the fiscal operations of the state. It requires the government to focus on crucial fiscal indicators aiming to eliminate/reduce revenue deficit and fiscal deficits and to ensure prudent debt management. In addition to the usual targets provided under the Act, a set of recommendations has also been provided by the Fourteenth Central Finance Commission to help states meet their fiscal targets. One of the recommendations has been that the state government may amend the FRBM Act to provide for the statutory flexible limits on fiscal deficit, and to provide for a statutory ceiling on the sanction of new capital initiatives to an appropriate multiple of the annual budget provision. The government presented the Midterm Fiscal Policy Statement and Fiscal Policy Strategy Statement 2020-2021⁸ in the Assembly on February 27, 2020. The amendments proposed in the WBFRBM (Amendment) Bill, 2021 is in line with the objectives to ensure the smooth fiscal operations of the state government and conduct of fiscal policy in a medium-term framework. The said bill, however, does not have any financial implication on the state to give effect to its provisions.

The fifth bill was also an amendment bill which proposed to amend the West Bengal Motor Vehicles Tax, 1979. The introduction of this bill has a history. The state government had allowed the registration of two-wheelers as ‘contract carriage’ under the terms of the Rent A Motorcycle Scheme in 2015. Subsequently, it received proposals for allowing the use of two-wheelers as bike-taxis in the state.

8. Government of West Bengal, “Midterm Fiscal Policy Statement and Fiscal Policy Strategy Statement 2020-21” (Finance Department, Feb. 2020), *available at*: http://www.wbfin.gov.in/writereaddata/Fiscal_Policy/FRBM20_Part1.pdf (last visited on Feb. 10, 2022).

Accepting the suggestion for such usage, it issued an order on August 22, 2016 permitting registration of two-wheelers as ‘contract carriage’ through section 2(7) of the Motor Vehicles Act, 1988. Two-wheelers could now be operated as app-based ‘bike-taxis’ in the state subject to observation of conditions prescribed in the said order.⁹

But the government had imposed a very steep tax on commercially run two-wheelers, which was why most two-wheeler owners, including those working on e-commerce and food delivery platforms and app-based bike-taxis, did not register their vehicles as ‘contract carriage’. This made the government reconsider its existing order. The transport department proposed, in 2019, to reduce the annual road tax for commercial two-wheelers in a bid to encourage bikers on e-commerce, and app-based cab and food delivery platforms to switch from private to commercial licence plates. The West Bengal Motor Vehicles Tax (Amendment) Bill, 2020 was introduced to legally permit the commercial use of motorised two-wheeled vehicles as ‘contract carriage’. The bill requires persons and operators wishing to ply motorised two-wheelers for commercial purposes to obtain commercial registration of their vehicles and pay an annual tax of Rs. 780.¹⁰ The assembly passed this bill in March 2020. Subsequently, it was presented to the governor for his assent. Since his assent has not been received, the amendment bill was not notified as an Act, even though it was tabled by the government after obtaining the consent of the governor in 2019.

This withholding of assent may be attributed to the recent discord between the governor and the state government. With reference to another bill when he refused to give his assent, the governor alleged that the government had not provided the clarifications he sought on the bills sent to him for his assent. According to him, he had asked the chief minister for an official report on the debates and relevant details with regard to the bills passed by the Assembly.¹¹ However, the government and the speaker of the Assembly accused the governor of withholding the bill intentionally by not signing it. Be that as it may, the conflict between the governor and the state has paralysed the legislative process in the state.

Ordinances

The Constitution of India bestows state and central governments with the power to make a law by introducing an ordinance when the legislature is not in session and immediate action is required. State governments are not unfamiliar with making laws by way of ordinances. Especially in 2020, when the average working period of the legislature was severely affected by the COVID-19 pandemic, most states opted for legislating through ordinances; in fact, on an average, more ordinances were promulgated by the states that year than usual.¹² Contrary to this national trend, however, no ordinance was promulgated in West Bengal in 2020 and the practice has not changed subsequently either.

9. No. 2979-WT/TR/3M-92/2009, Transport Department, Government of West Bengal, dated August 22, 2016, available at: <https://transport.wb.gov.in/wp-content/uploads/2017/03/Allowing-registration-of-two-wheelers-as-contract-carriage.pdf> (last visited on Feb. 10, 2022).

10. Team MP, “Plying of bike taxis to get easier as bill reduces tax, permit fee”, *Millennium Post*, March 17, 2020, available at: <http://www.millenniumpost.in/kolkata/plying-of-bike-taxis-to-get-easier-as-bill-reduces-tax-permit-fee-405650> (last visited on Feb. 10, 2022).

11. Nikita Bishay, “West Bengal Guv Denies Approving Bill Excluding Bally From Howrah Municipal Corporation”, *Republicworld*, Dec. 25, 2021, available at: <https://www.republicworld.com/india-news/politics/west-bengal-guv-denies-approving-bill-excluding-bally-from-howrah-municipal-corporation.html> (last visited on Feb. 10, 2022).

12. *Supra* note 5.

From 2016 to 2019, the state promulgated a total of six ordinances, which included the re-promulgation of two ordinances (that is, the same ordinance was issued again after its period of operation had lapsed).¹³ This is a trend that is clearly distinct from the practice in the rest of the Indian states. It may be attributed to the sustained rift between the state government and the governor, who the government sees as an agent of the centre. In recent years, these differences have become public. The current governor, Shri. Jagdeep Dhankhar, in his communication to the union government has expressed grave concerns regarding the condition of law and order in West Bengal and the politicisation of the bureaucracy.¹⁴ The state government, in a strong response to the allegations, asked the governor to discharge his role in accordance with the constitution and not on the direction of the centre.¹⁵ The controversy between these constitutional functionaries of West Bengal has received public attention and has, definitely, affected the harmonious working of the state's executive machinery.

Assembly Committees and Resolutions

The growth and development of the West Bengal legislative assembly committees have a history and tradition that dates back to the pre-independence period. After Independence, new rules were framed for the West Bengal legislative assembly and the same came into force from 1961. These rules advised the setting up the following committees: Committee on Public Accounts, Committee of Privileges, Committee on Petitions, Select Committee on Bills, Business Advisory Committee and a Permanent Rules Committee. The introduction of a subject committee system in the late eighties is one of the important developments in the history of this legislature.¹⁶ Forty-four Assembly committees have been constituted to assist the functioning of the sixteenth West Bengal legislative assembly. Among these, 10 oversee the functioning of the business of the House and 25 standing committees deal with a wide range of subjects on the state's legislative business agenda.¹⁷

According to rule 208A of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, after the conclusion of the general discussion on the budget, the demands for grants of all the departments are required to be referred to the relevant standing committees. Under proviso to sub-rule (1) of rule 209, voting on the demands for grants that have been referred to the standing committees shall only take place after the committees have presented their reports. Accordingly, after the general discussion on the budget on February 15, 2020, the demands for grants were referred to the appropriate standing committees for scrutiny and report. But, due to the COVID-19 outbreak, the Assembly was peremptorily suspended. Consequently, the reports of several standing committees were not tabled in

13. The information is based on the data published in: Legislative Assembly of West Bengal, Digital Archive of Ordinances, available at: <http://www.wbassembly.gov.in/> (last visited on April 15, 2022). *Supra* note 4 for an explanation for the URL.

14. PTI, "Centre receives report from West Bengal Governor on law and order situation in state", *The Economic Times*, Dec. 11, 2020, available at: <https://economictimes.indiatimes.com/news/politics-and-nation/centre-receives-report-from-west-bengal-governor-on-law-and-order-situation-in-state/articleshow/79676046.cms?from=mdr> (last visited on Feb. 10, 2022).

15. ANI, "Bengal government questions governor Dhankhar's letter to CM Mamata on post-poll violence", *Hindustan Times*, June 16, 2021, available at: <https://www.hindustantimes.com/india-news/bengal-govt-questions-guv-dhankhar-s-letter-to-cm-mamata-on-post-poll-violence-101623809167727.html> (last visited on Feb. 10, 2022).

16. See Legislative Assembly of West Bengal, Origin and Growth of Committees, available at: <http://www.wbassembly.gov.in/> (last visited on Feb. 10, 2022). *Supra* note 4 for an explanation for the URL.

17. The information is based on the data available at: Legislative Assembly of West Bengal, Assembly Committees, available at: <http://www.wbassembly.gov.in/> (last visited on Feb. 10, 2022). *Supra* note 4 for an explanation for the URL.

the House¹⁸, and a resolution was adopted to suspend the application of proviso to sub-rule (1) of rule 209 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly for disposal of all the remaining demands for grants for 2020.¹⁹

The right of the people in India to petition the legislature and the right of the latter to receive and deal with such petitions have been long recognised by the Assembly. The responsibility to handle this matter falls on the Committee on Petitions of the Assembly. Accordingly, the committee submitted its report to the Assembly on March 17, 2020 outlining the measures to be taken to prevent thalassaemia and the status of thalassaemia screening test centres running in the state.²⁰

Also, the legislative assembly by a motion under Rule 169 dated January 27, 2020²¹ adopted a resolution against the central government's effort to introduce the controversial Citizenship Amendment Act (CAA) and National Population Register (NRC). The House expressed its solidarity to criticise the CAA and NRC. It resolved that the Act was against the spirit of the Constitution and urged the union government to reconsider its decision.

Four other states passed similar resolutions in 2020.²² The Kerala government went one step further petitioning the supreme court under Article 131 and challenging the constitutionality of CAA.²³ All the states that opposed CAA are ruled by non-BJP parties. They also opposed the bill in the parliament and the matter is pending before the apex court. However, CAA is a matter covered by the union list, so parliament has the exclusive right to legislate. The resolution passed by the states may have no legal force, but can a state's refusal to enforce a central legislation be only addressed by focusing on the text of the Constitution? Or should these resolutions compel reflection on the Indian federal system, which permits the centre to force states to accept a legislation which they are opposed to? Further, states have to seek the union's approval if they wish to legislate on a matter that conflicts with an existing central legislation. The entire system seems to be fine-tuned towards restricting any real challenge by a state of a central law.

18. List of Standing Committee Reports submitted to the Assembly before March 17 2020:

Report of the Standing Committee on Higher Education; Report of the Standing Committee on School Education; Reports of the Standing Committee on Panchayats & Rural and Sundarban Affairs; Report of the Standing Committee on Irrigation & Waterways and Water Resources Investigation & Development; Report of the Standing Committee on Urban Development and Municipal Affairs; Report of the Standing Committee on Fisheries and Animal Resources Development; Report of the Standing Committee on Transport; Report of the Standing Committee on Food & Supplies; Report of the Standing Committee on Information Technology and Technical Education; Report of the Standing Committee on Agriculture, Agricultural Marketing and Food Processing & Horticulture; Report of the Standing Committee on Co-operation and Consumer Affairs.

The information is based on the data available on Legislative Committees on the West Bengal Legislative Assembly website, available at: <http://www.wbassembly.gov.in/> (last visited on Feb. 10, 2022).

19. Legislative Assembly of West Bengal, Legislative Assembly Bulletin Part I, Brief Record of the Proceedings of the House, March 17, 2020.

20. *Ibid.*

21. Legislative Assembly of West Bengal, Legislative Assembly Bulletin Part I, Brief Record of the Proceedings of the House, Jan. 27, 2020.

22. Legal Correspondent, "States can pass resolutions against Central laws", *The Hindu*, March 20, 2021, available at: <https://www.thehindu.com/news/national/states-can-pass-resolutions-against-central-laws-supreme-court/article34112706.ece> (last visited on April. 10, 2022).

23. Murali Krishnan, "Kerala moves Supreme Court against citizenship act, becomes first state to challenge Centre on CAA", *Hindustan Times*, Aug. 25, 2020, available at: <https://www.hindustantimes.com/india-news/kerala-govt-challenges-citizenship-act-in-supreme-court-first-state-to-challenge-centre/story-qQE0eJirdQutCRPq9ZrGK.html> (last visited on Feb. 10, 2022).

Executive Action: Government Schemes

As already observed, after the emergency, the focus of the West Bengal government has been towards introducing strong pro-poor and populist welfare measures and implementing them through local and self-governance institutions. Successive governments have adopted measures and mobilised state resources to give financial aid and subsidies to the poorer sections of the society. Since coming to power in 2011, the present government has continued to pursue this policy. Rather it has introduced many more populist schemes and financial aids so that their benefits reach a larger segment of the population, thereby seeking to strengthen its political support base.

At present, there are approximately 35 such schemes operating in West Bengal. These schemes are piloted by various ministries and departments of the government and delivered through institutions of local and self-governance.²⁴ These schemes deliver financial assistance to persons in distress, backward communities, forest dwellers, urban slum dwellers, small-scale and cottage industry employees, artisans, and folk and traditional music performers. They also promote empowerment of women and the education of girls.

To promote implementation of its own schemes, the West Bengal government has refused implementation of central schemes.²⁵ It has even renamed many of the existing central schemes²⁶ and has issued an official notification declaring that in all the official communications and publicity campaigns²⁷ only the name assigned by the state to these schemes shall be used. The PM Kisan and Ayushman Bharat schemes have not been implemented in the state as they conflict with the corresponding Krishak Bandhu and Swashtya Sathi schemes introduced by the state. However, the state has defended its position by stating that its schemes have a wider reach and offer greater benefits for its citizens. It has also argued citing the comparison between the Ayushman Bharat and Swashtya Sathi schemes, that the latter covers everyone without health insurance and has empanelled private hospitals along with government hospitals in the

24. For detailed information about the various welfare schemes of the West Bengal government visit: West Bengal State Portal, Schemes, available at: <https://wb.gov.in/government-schemes.aspx> (last visited on Feb. 10, 2022); WBXpress, West Bengal Government Schemes, available at: <https://wbxpress.com/schemes/> (last visited on Feb. 10, 2022).

25. The Smart Cities Scheme had initially proposed to develop four smart cities in the state. But WB pulled out as in its opinion the said scheme would promote inequitable development. Instead it introduced the Green Cities Scheme with the plan to develop 10 green cities over five years, which would also be eco-friendly and smart. The government also pulled out from the Swachhata Survekshan Survey since it had its own scheme—Mission Nirmal Bangla—to make the state open-defecation free. Moushumi Das Gupta, “Mamata vs Modi govt: 5 central schemes stonewalled by the West Bengal CM”, *Hindustan Times*, April 6, 2017, available at: <https://www.hindustantimes.com/india-news/mamata-vs-modi-govt-5-central-schemes-stonewalled-by-the-west-bengal-cm/story-DtF3ZJKSvrMOiE8etkd03J.html> (last visited on Feb. 10, 2022)

26. For instance, the Pradhan Mantri Gram Sadak Yojana and the Pradhan Mantri Awas Yojana-Grameen have been renamed Banglar Gramin Sadak Yojana and Banglar Griha Prakalpa. Similarly, Aajeevika, the National Rural Livelihood Mission, has been renamed in West Bengal as the Annadadhara West Bengal Rural Livelihood Mission.

27. Manogya Loiwal, “Didi vs Modi: Mamata Banerjee renames Central government schemes, BJP leader calls her Babur”, *India Today*, Apr. 24, 2017, available at: <https://www.indiatoday.in/india/story/mamata-banerjee-renames-central-government-schemes-in-west-bengal-973281-2017-04-24> (last visited on Feb. 10, 2022).

state.²⁸ The West Bengal government because of its conflicts with the centre and possible legal issues arising from implementing overlapping schemes, has preferred to use executive directions instead of legislation to execute these schemes. Therefore, a chunk of the legislative work of the state government was transacted through circulars and notifications.

The official website of the state government of West Bengal shows that it issued 162 circulars and notifications in 2020.²⁹ On March 16, 2020, the government issued a regulation under the Epidemic Diseases Act, 1897 called the West Bengal Epidemic Disease, COVID-19 Regulations, 2020.³⁰ The regulation empowered the government and local authorities to issue appropriate directions to prevent the spread of COVID-19. A majority of the circulars and notifications passed in 2020 are based on this regulation and relate to conduct of official business during the pandemic, authorised guidelines and standard operating procedures (SOPs) related to health and safety measures for containing the spread of COVID-19, including guidelines imposing restriction of movement of persons, goods, and services (non-essential) during the lockdown; testing and quarantine rules; identification of containment areas; measures for movement restriction; and guidelines for unlocking of various public facilities in the containment areas. A government order was also issued by the finance department for constitution of the West Bengal State Emergency Relief Fund on March 23, 2020. The resources for the fund would be collected through voluntary contributions and donations by citizens, charitable organisations, and private and public bodies. The state government would be able to use the fund to create or upgrade infrastructure and to acquire other facilities to cope with the crisis caused by the pandemic. A managing committee was established to oversee the utilisation under the chairpersonship of the chief secretary.³¹

28. Comparative Table of the conflicting central and state schemes

Central Schemes	West Bengal Schemes
<p><u>PM KISSAN</u></p> <p>The scheme was launched in February 2019 and provided Rs. 6000 as financial assistance to farmers in three instalments by direct benefit transfer. The scheme was initially aimed at small and marginal farmers but was later extended to all farmers.</p>	<p><u>KRISHAK BANDHU</u></p> <p>In January 2019 the department of agriculture, government of West Bengal introduced the Krishak Bandhu Scheme with an aim to provide financial assistance to all farmers of West Bengal for agricultural purposes and to provide social security to the family in the event of the untimely death of the farmer. Direct benefit under the scheme includes financial assistance for cultivation purpose up to a maximum of Rs. 10,000 per annum and a minimum of Rs. 4,000 per annum, receivable in two equal instalments.</p>
<p><u>AYUSHMAN BHARAT</u></p> <p>Ayushman Bharat Pradhan Mantri Jan Arogya Yojana is a national public health insurance fund of the government of India that aims to provide free access to health insurance coverage for low-income earners in the country. Roughly, the bottom 50 percent of the country qualifies for this scheme.</p>	<p><u>SWASHTYA SATHI</u></p> <p>The scheme offers the citizens of West Bengal, a smart card through which they can avail of healthcare benefits cover up to Rs. 5,00,000. The scheme was officially launched on December 30, 2016 It is a cashless health scheme to get all the health-related cost benefits.</p>

29. Data from: West Bengal State Portal, Notifications, available at: <https://wb.gov.in/documents-notification.aspx> (last visited on Feb. 10, 2022).

30. No. H&FW/118/20, March 16, 2020, available at: https://www.wbhealth.gov.in/other_files/118.pdf (last visited on Feb. 10, 2022).

31. No. – 50-SB(SM)-20, Finance Department, Government of West Bengal, dated March 23, 2020, available at: <https://wb.gov.in/upload/MCLNEWS-200324130539636.pdf> (last visited on April 15, 2022).

Three new schemes were notified in 2020 to provide financial assistance to: (a) labourers/daily wage earners/workers;³² (b) migrant workers stranded in different parts of the country;³³ and (c) self-employed persons like hawkers.³⁴ These schemes targeted those who had lost employment or livelihood opportunities due to COVID-19 or could not conduct their businesses due to lockdown restrictions, or were passing through severe financial distress, and did not have any alternative sustainable source of income. The schemes provided a one-time ex-gratia payment of Rs. 5000, Rs. 1000, and Rs. 2000 respectively. It was mandatory that the beneficiaries be permanent residents of West Bengal, be the sole breadwinner of the family, and not be a beneficiary of any other social scheme of the state. These schemes were to be implemented, monitored, and supervised by the labour department, disaster management department, and the urban development & municipal affairs department of the government of West Bengal respectively. The application, verification, and disbursal of the amount in all these schemes was to be through the district magistrate in the districts or the municipal commissioner for the Kolkata municipal corporation area. The schemes were to remain operative for the period notified by the state government.

The state government, by a notification dated October 1, 2020, introduced a state welfare scheme for poor priests belonging to the Hindu, Christian, Jain, and Parsi communities. Under the scheme, poor priests would receive a monthly financial assistance of Rs.1000. Those who did not have a pucca dwelling would get a grant of Rs 1,20,000 for the construction of a house. About 8000 beneficiaries were estimated to benefit from the welfare scheme.³⁵

Further, in 2020, the government also introduced a new scheme merging all existing pension schemes under one umbrella scheme. This new scheme added two new old-age pension schemes for the scheduled castes and scheduled tribes. It also introduced a uniform monthly pension of Rs. 1000 per month for beneficiaries of all the existing schemes. The finance department assumed the overall responsibility to ensure the effective management and timely implementation of this scheme.³⁶

Conclusion

The study concludes that 2020 was not an extremely productive year for the West Bengal legislative assembly. This can be attributed to reduced sittings of the Assembly due to the COVID-19 outbreak and the pre-occupation with the Assembly elections. The survey also reveals that the differences with the governor impeded not just the passing of legislation but even the promulgation of ordinances. The state undertook most of its governance relying upon subordinate legislations, schemes and programmes. Throughout this period, the government of West Bengal aggressively maintained its differences with the centre and continued its distinct and unique pattern of working.

32. Prachesta, No. 1572-F(Y), Department of Finance, dated April 10, 2020, *available at*: <https://wb.gov.in/upload/MCLNEWS-200420181145543.pdf> (last visited on Feb. 10, 2022). Effective from April 15 to May 15, 2020.

33. Sneher Paras, No.106PSDM&CD/2020, Department of Disaster Management and Civil Defence, dated April 20, 2020, *available at*: <https://wbxpress.com/sneher-paras/> (last visited on Feb. 10, 2022). Effective from April 20 to May 3, 2020.

34. Hawker Support Scheme, 2020, No. 877/UDMA-15011(22)/7/2020-LS-MA, Department of Urban Development and Municipal Affairs, dated Oct. 14, 2020, *available at*: <https://wbxpress.com/hawker-support-scheme-2020/> (last visited on Feb. 10, 2022).

35. State Welfare Scheme for Purohits, NO. 2164-ICA(N), Government of West Bengal, dated Oct. 1, 2020, *available at*: https://wb.gov.in/upload/state_welfare_scheme.pdf (last visited on Feb. 10, 2022).

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