

The National Council for Teacher Education Act, 1993

(ACT NO. 73 OF 1993)

[*As on the* 14*th May,* 2026]

LIST OF AMENDING ACTS

1. The National Council for Teacher Education (Amendment) Act, 2011 (18 of 2011).
2. The National Council for Teacher Education (Amendment) Act, 2019 (2 of 2019).

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LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	,,	Inserted.
Notifn.	,,	Notification.
S., ss.	,,	Section, sections.
Sch.	,,	Schedule.
Subs.	,,	Substituted.
w.e.f.	,,	with effect from.

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THE NATIONAL COUNCIL FOR TEACHER EDUCATION ACT, 1993

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THE NATIONAL COUNCIL FOR TEACHER EDUCATION ACT, 1993

ACT NO. 73 OF 1993

[29*th December*, 1993.]

An Act to provide for the establishment of a National Council for Teacher Education with a view to achieving planned and co-ordinated development of the teacher education system throughout the country, the regulation and proper maintenance of norms and standards in the teacher education system [1][including qualifications of school teachers] and for matters connected therewith.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(*1*) This Act may be called the National Council for Teacher Education Act, 1993.

(*2*) It extends to the whole of India [2]***.

(*3*) It shall come into force on such date[3] as the Central Government may, by notification in the Official Gazette, appoint.

[4][(*4*) Save as otherwise provided in this Act, the provisions of this Act shall apply to—

(*a*) institutions;

(*b*) students and teachers of the institutions;

(*c*) schools imparting pre-primary, primary, upper primary, secondary or senior secondary education and colleges providing senior secondary or intermediate education irrespective of the fact, by whatever names they may be called; and

(*d*) teachers for schools and colleges referred to in clause (*c*).]

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the date of establishment of the National Council for Teacher Education under sub-section (*1*) of section 3;

(*b*) "Chairperson" means the Chairperson of the Council appointed under clause (*a*) of sub-section (*4*) of section 3;

(*c*) "Council" means the National Council for Teacher Education established under sub-section (*1*) of section 3;

(*d*) "examining body" means a University, agency or authority to which an institution is affiliated for conducting examinations in teacher education qualifications;

(*e*) "institution" means an institution which offers courses or training in teacher education;

[5][(*ea*) "local authority" means a Municipal Corporation, Municipal Committee, Municipal Council, Zila Parishad, District Board or Nagar Panchayat or Panchayat, or other authority (by whatever name called),legally entitled to, or entrusted by the Government with the control or management of a municipal or local fund;]

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1. Ins. by Act 18 of 2011, s.2 (w.e.f. 1-6-2012).
2. The words "except the State of Jammu and Kashmir" omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).
3. 1st July, 1995, *vide* notification No. S.O. 620(E), dated 1st July, 1995, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*)
4. Ins. by Act 18 of 2011, s. 3 (w.e.f. 1-6-2012).
5. Ins. by s. 4, *ibid*. (w.e.f. 1-6-2012).

(*f*) "Member" means a Member of the Council and includes the Chairperson and Vice-Chairperson;

(*g*) "Member-Secretary" means the Member-Secretary of the Council appointed under clause (*c*) of sub-section (*4*) of section 3;

(*h*) "prescribed" means prescribed by rules made under section 31;

(*i*) "recognised institution" means an institution recognised by the Council under section 14;

(*j*) "Regional Committee" means a committee established under section 20;

(*k*) "regulations" means regulations made under section 32;

[1][(*ka*) "school" means any recognised school imparting pre-primary, primary, upper primary, secondary or senior secondary education, or a college imparting senior secondary education, and includes—

(*i*) a school established, owned and controlled by the Central Government, or the State Government or a local authority;

(*ii*) a school receiving aid or grants to meet whole or part of its expenses from the Central Government, the State Government or a local authority;

(*iii*) a school not receiving any aid or grants to meet whole or part of its expenses from the Central Government, the State Government or a local authority;]

(*l*) "teacher education" means programmes of education, research or training of persons for equipping them to teach at pre-primary, primary, secondary and senior secondary stages in schools, and includes non-formal education, part-time education, adult education and correspondence education;

(*m*) "teacher education qualification" means a degree, diploma or certificate in teacher education awarded by a University or examining body in accordance with the provisions of this Act;

(*n*) "University" means a University defined under clause (*f*) of section 2 of the University Grants Commission Act, 1956 (3 of 1956), and includes an institution deemed to be a University under section 3 of that Act;

(*o*) "Vice-Chairperson" means the Vice-Chairperson of the Council appointed under clause (*b*) of sub-section (*4*) of section 3.

CHAPTER II

ESTABLISHMENT OF THE COUNCIL

3. Establishment of the Council.—(*1*) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Council to be called the National Council for Teacher Education.

(*2*) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power to contract and shall, by the said name, sue and be sued.

(*3*) The head office of the Council shall be at Delhi and the Council may, with the previous approval of the Central Government, establish regional offices at other places in India.

(*4*) The Council shall consist of the following Members, namely:—

(*a*) a Chairperson to be appointed by the Central Government;

(*b*) a Vice-Chairperson to be appointed by the Central Government;

(*c*) a Member-Secretary to be appointed by the Central Government;

(*d*) the Secretary to the Government of India in the Department dealing with Education, *ex officio*;

1. Ins. by Act 18 of 2011, s. 4 (w.e.f. 1-6-2012).

(*e*) the Chairman, University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956) or a member thereof nominated by him, *ex officio*;

(*f*) the Director, National Council of Educational Research and Training, *ex officio*;

(*g*) the Director, National Institute of Educational Planning and Administration, *ex officio*;

(*h*) the Adviser (Education), Planning Commission, *ex officio*;

(*i*) the Chairman, Central Board of Secondary Education, *ex officio*;

(*j*) the Financial Adviser to the Government of India in the Department dealing with Education, *ex officio*;

(*k*) the Member-Secretary, All-India Council for Technical Education, *ex officio*;

(*l*) the Chairpersons of all Regional Committees, *ex officio*;

(*m*) thirteen persons possessing experience and knowledge in the field of education or teaching to be appointed by the Central Government as under, from amongst the—

(*i*)	Deans of Faculties of Education and Professors of Education in Universities	—Four;
(*ii*)	experts in secondary teacher education	—One;
(*iii*)	experts in pre-primary and primary teacher education	—Three;
(*iv*)	experts in non-formal education and adult education	—Two;
(*v*)	experts in the field of natural sciences, social sciences, linguistics, vocational education, work experience, educational technology and special education, by rotation, in the manner prescribed	—Three;

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(*n*) nine Members to be appointed by the Central Government to represent the States and Union territory Administrations in the manner prescribed;

(*o*) three Members of Parliament of whom one shall be nominated by the Chairman of the Council of States and two by the Speaker of the House of the People;

(*p*) three Members to be appointed by the Central Government from amongst teachers of primary and secondary education and teachers of recognised institutions.

(*5*) It is hereby declared that the office of the Member of the Council shall not disqualify its holder for being chosen as or for being a member of either House of Parliament.

4. Term of office and conditions of service of Members.—(*1*) The Chairperson, Vice-Chairperson and the Member-Secretary shall hold office on a full-time basis.

(*2*) The term of office of the Chairperson, the Vice-Chairperson and the Member-Secretary shall be four years, or till they complete the age of sixty years, whichever is earlier.

(*3*) The conditions of service of the Chairperson, the Vice-Chairperson and the Member-Secretary shall be such as may be prescribed.

(*4*) The term of office of Members [other than the Members specified in clauses (*a*) to (*l*) and clauses (*n*) and (*o*) of sub-section (*4*) of section 3] shall be two years or till fresh appointments are made, whichever is later, and other conditions of service of such Members shall be such as may be prescribed.

(*5*) If a casual vacancy occurs in the office of Chairperson, whether by reason of death, resignation or inability to discharge the functions of a Chairperson owing to illness or other incapacity, the Vice-Chairperson holding office as such for the time being, shall act as the Chairperson and shall, unless any other person is appointed earlier as Chairperson, hold office of the Chairperson for the remainder of the term of office of the person in whose place the said person is to so act.

(*6*) If a casual vacancy occurs in the office of the Vice-Chairperson or any other Member, whether by reason of death, resignation or inability to discharge his functions owing to illness or other incapacity, such vacancy shall be filled up by making fresh appointment and the person so appointed shall hold office for the remainder of the term of the office of the person in whose place such person is so appointed.

(*7*) The Chairperson shall, in addition to presiding over the meetings of the Council, exercise and discharge such powers and duties of the Council as may be delegated to him by the Council and such other powers and duties as may be prescribed.

(*8*) The Vice-Chairperson shall perform such functions as may be assigned to him by the Chairperson from time to time.

5. Disqualification for office of Member.—A person shall be disqualified for being appointed as a Member if he—

(*a*) has been convicted and sentenced to imprisonment for an offence, which, in the opinion of the Central Government, involves moral turpitude; or

(*b*) is an undischarged insolvent; or

(*c*) is of unsound mind and stands so declared by a competent court; or

(*d*) has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government; or

(*e*) has in the opinion of the Central Government such financial or other interest in the Council as is likely to affect prejudicially the discharge by him of his functions as a Member.

6. Vacation of office of Member.—The Central Government shall remove a Member if he—

(*a*) becomes subject to any of the disqualifications mentioned in section 5:

Provided that no Member shall be removed on the ground that he has become subject to the disqualification mentioned in clause (*e*) of that section, unless he has been given a reasonable opportunity of being heard in the matter; or

(*b*) refuses to act or becomes incapable of acting; or

(*c*) is, without obtaining leave of absence from the Council, absent from three consecutive meetings of the Council; or

(*d*) in the opinion of the Central Government, has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no Member shall be removed under this clause unless he has been given a reasonable opportunity of being heard in the matter.

7. Meetings of the Council.—(*1*) The Council shall meet at such time and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at such meetings) as may be provided by regulations:

Provided that the Council shall meet at least once every year.

(*2*) The Chairperson, and in the absence of the Chairperson, the Vice-Chairperson shall preside at the meetings of the Council.

(*3*) If for any reason the Chairperson and the Vice-Chairperson, both are unable to attend any meeting of the Council, any other Member chosen by the Members present at the meeting shall preside at that meeting.

(*4*) All questions which come up before any meeting of the Council shall be decided by a majority of votes of the Members present and voting and in the event of any equality of votes, the Chairperson, or in the absence of the Chairperson the person presiding, shall have and exercise a second or casting vote.

8. Vacancies, etc., not to invalidate proceedings of the Council.—No act or proceeding of the Council shall be invalid merely by reason of—

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(*a*) any vacancy in, or any defect in the constitution of, the Council; or

(*b*) any defect in the appointment of a person acting as a Member of the Council; or

(*c*) any irregularity in the procedure of the Council not affecting the merits of the case.

9. Power to co-opt.—(*1*) The Council may co-opt, in such manner and for such purposes as may be determined by regulations, not more than three persons, whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(*2*) The person co-opted by the Council under sub-section (*1*) for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Council, and shall not be a Member for any other purpose.

10. Appointment of officers and other employees of the Council.—(*1*) For the purpose of enabling the Council to discharge its functions efficiently under this Act, the Council shall, subject to such regulations as may be made in this behalf, appoint (whether on deputation or otherwise) such number of officers and other employees as it may consider necessary:

Provided that the category of posts equivalent to Group 'A' posts in the Central Government shall be subject to the approval of the Central Government.

(*2*) Every officer or other employee appointed by the Council shall be subject to such conditions of service as may be determined by regulations.

11. Authentication of the orders and other instruments of the Council.—All orders and decisions of the Council shall be authenticated by the signature of the Chairperson or any other Member authorised by the Council in this behalf, and all other instruments issued by the Council shall be authenticated by the signature of the Member-Secretary or any other officer of the Council authorised in like manner in this behalf by the Chairperson.

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CHAPTER III

FUNCTIONS OF THE COUNCIL

12. Functions of the Council.—It shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of teacher education and for the determination and maintenance of standards for teacher education and for the purposes of performing its functions under this Act, the Council may—

(*a*) undertake surveys and studies relating to various aspects of teacher education and publish the result thereof;

(*b*) make recommendations to the Central and State Government, Universities, University Grants Commission and recognised institutions in the matter of preparation of suitable plans and programmes in the field of teacher education;

(*c*) co-ordinate and monitor teacher education and its development in the country;

(*d*) lay down guidelines in respect of minimum qualifications for a person to be employed as a teacher [1]*** in recognised institutions;

(*e*) lay down norms for any specified category of courses or trainings in teacher education, including the minimum eligibility criteria for admission thereof, and the method of selection of candidates, duration of the course, course contents and mode of curriculum;

(*f*) lay down guidelines for compliance by recognised institutions, for starting new courses or training, and for providing physical and instructional facilities, staffing pattern and staff qualification;

1. The words "in schools or" omitted by Act 18 of 2011, s. 5 (w.e.f. 1-6-2012).

(*g*) lay down standards in respect of examinations leading to teacher education qualifications, criteria for admission to such examinations and schemes of courses or training;

(*h*) lay down guidelines regarding tuition fees and other fees chargeable by recognised institutions;

(*i*) promote and conduct innovation and research in various areas of teacher education and disseminate the results thereof;

(*j*) examine and review periodically the implementation of the norms, guidelines and standards laid down by the Council, and to suitably advise the recognised institutions;

(*k*) evolve suitable performance appraisal system, norms and mechanisms for enforcing accountability on recognised institutions;

(*l*) formulate schemes for various levels of teacher education and identify recognised institutions and set up new institutions for teacher development programmes;

(*m*) take all necessary steps to prevent commercialisation of teacher education; and

(*n*) perform such other functions as may be entrusted to it by the Central Government.

[1][**12A. Power of Council to determine minimum standards of education of school teachers.**—For the purpose of maintaining standards of education in schools, the Council may, by regulations, determine the qualifications of persons for being recruited as teachers in any pre-primary, primary, upper primary, secondary, senior secondary or intermediate school or college, by whatever name called, established, run, aided or recognised by the Central Government or a State Government or a local or other authority:

Provided that nothing in this section shall adversely affect the continuance of any person recruited in any pre-primary, primary, upper primary, secondary, senior secondary or intermediate schools or colleges, under any rule, regulation or order made by the Central Government, a State Government, a local or other authority, immediately before the commencement of the National Council for Teacher Education(Amendment)Act, 2011 (18 of 2011) solelyon the ground of non-fulfilment of such qualifications as may be specified by the Council:

Provided further that the minimum qualifications of a teacher referred to in the first proviso shall be acquired within the period specified in this Act or under the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009).]

13. Inspection.—(*1*) For the purpose of ascertaining whether the recognised institutions are functioning in accordance with the provisions of this Act, the Council may cause inspection of any such institution, to be made by such persons as it may direct, and in such manner as may be prescribed.

(*2*) The Council shall communicate to the institution the date on which inspection under sub-section (*1*) is to be made and the institution shall be entitled to be associated with the inspection in such manner as may be prescribed.

(*3*) The Council shall communicate to the said institution, its views in regard to the results of any such inspection and may, after ascertaining the opinion of that institution, recommend to that institution the action to be taken as a result of such inspection.

(*4*) All communications to the institution under this section shall be made to the executive authority thereof, and the executive authority of the institution shall report to the Council the action, if any, which is proposed to be taken for the purpose of implementing any such recommendation as is referred to in sub-section (*3*).

1. Ins. by Act 18 of 2011, s. 6 (w.e.f. 1-6-2012).

CHAPTER IV
RECOGNITION OF TEACHER EDUCATION INSTITUTIONS

14. Recognition of institutions offering course of training in teacher education.—(*1*) Every institution offering or intending to offer a course or training in teacher education on or after the appointed day, may, for grant of recognition under this Act, make an application to the Regional Committee concerned in such form and in such manner as may be determined by regulations:

Provided that an institution offering a course or training in teacher education immediately before the appointed day, shall be entitled to continue such course or training for a period of six months, if it has made an application for recognition within the said period and until the disposal of the application by the Regional Committee.

[1][Provided further that such institutions, as may be specified by the Central Government by notification in the Official Gazette, which—

(*i*) are funded by the Central Government or the State Government or the Union territory Administration;

(*ii*) have offered a course or training in teacher education on or after the appointed day till the academic year 2017-2018; and

(*iii*) fulfil the conditions specified under clause (*a*) of sub-section (*3*),

shall be deemed to have been recognised by the Regional Committee.]

(*2*) The fee to be paid along with the application under sub-section (*1*) shall be such as may be prescribed.

(*3*) On receipt of an application by the Regional Committee from any institution under sub-section (*1*), and after obtaining from the institution concerned such other particulars as it may consider necessary, it shall,—

(*a*) if it is satisfied that such institution has adequate financial resources, accommodation, library, qualified staff, laboratory and that it fulfils such other conditions required for proper functioning of the institution for a course or training in teacher education, as may be determined by regulations, pass an order granting recognition to such institution, subject to such conditions as may be determined by regulations; or

(*b*) if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (*a*), pass an order refusing recognition to such institution for reasons to be recorded in writing:

Provided that before passing an order under sub-clause (*b*), the Regional Committee shall provide a reasonable opportunity to the concerned institution for making a written representation.

(*4*) Every order granting or refusing recognition to an institution for a course or training in teacher education under sub-section (*3*) shall be published in the Official Gazette and communicated in writing for appropriate action to such institution and to the concerned examining body, the local authority or the State Government and the Central Government.

(*5*) Every institution, in respect of which recognition has been refused shall discontinue the course or training in teacher education from the end of the academic session next following the date of receipt of the order refusing recognition passed under clause (*b*) of sub-section (*3*).

(*6*) Every examining body shall, on receipt of the order under sub-section (*4*),—

(*a*) grant affiliation to the institution, where recognition has been granted; or

(*b*) cancel the affiliation of the institution, where recognition has been refused.

15. Permission for a new course or training by recognised institution.—(*1*) Where any recognised institution intends to start any new course or training in teacher education, it may make an application to seek permission therefor to the Regional Committee concerned in such form and in such manner as may be determined by regulations.

[2][Provided that the course or training in teacher education offered on or after the appointed day till the academic year 2017-2018 by such institutions, as may be specified by the Central Government by notification in the Official Gazette, which—

(*i*) are funded by the Central Government or the State Government or the Union territory Administration; and

(*ii*) fulfil the conditions specified under clause (*a*) of sub-section (*3*),

shall be deemed to have been granted permission by the Regional Committee.]

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1. Ins. by Act 2 of 2019, s. 2 (w.e.f. 17-8-1995).
2. Ins. by s. 3, *ibid*. (w.e.f. 17-8-1995).

(*2*) The fees to be paid along with the application under sub-section (*1*) shall be such as may be prescribed.

(*3*) On receipt of an application from an institution under sub-section (*1*), and after obtaining from the recognised institution such other particulars as may be considered necessary, the Regional Committee shall,—

(*a*) if it is satisfied that such recognised institution has adequate financial resources, accommodation, library, qualified staff, laboratory, and that it fulfils such other conditions required for proper conduct of the new course or training in teacher education, as may be determined by regulations, pass an order granting permission, subject to such conditions as may be determined by regulations; or

(*b*) if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (*a*), pass an order refusing permission to such institution for reasons to be recorded in writing:

Provided that before passing an order refusing permission under sub-class (*b*), the Regional Committee shall provide a reasonable opportunity to the institution concerned for making a written representation.

(*4*) Every order granting or refusing permission to a recognised institution for a new course or training in teacher education under sub-section (*3*), shall be published in the Official Gazette and communicated in writing for appropriate action to such recognised institution and to the concerned examining body, the local authority, the State Government and the Central Government.

16. Affiliating body to grant affiliation after recognition or permission by the Council.— Notwithstanding anything contained in any other law for the time being in force, no examining body shall, on or after the appointed day,—

(*a*) grant affiliation, whether provisional or otherwise, to any institution; or

(*b*) hold examination, whether provisional or otherwise, for a course or training conducted by a recognised institution,

unless the institution concerned has obtained recognition from the Regional Committee concerned, under section 14 or permission for a course or training under section 15.

17. Contravention of provisions of the Act and consequences thereof.—(*1*) Where the Regional Committee is, on its own motion or on any representation received from any person, satisfied that a recognised institution has contravened any of the provisions of this Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (*3*) of section 14 or permission under sub-section (*3*) of section 15 was granted, it may withdraw recognition of such recognised institution, for reasons to be recorded in writing:

Provided that no such order against the recognised institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognised institution:

Provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.

(*2*) A copy of every order passed by the Regional Committee under sub-section (*1*),—

(*a*) shall be communicated to the recognised institution concerned and a copy thereof shall also be forwarded simultaneously to the University or the examining body to which such institution was affiliated for cancelling affiliation; and

(*b*) shall be published in the Official Gazette for general information.

(*3*) Once the recognition of a recognised institution is withdrawn under sub-section (*1*), such institution shall discontinue the course or training in teacher education, and the concerned University or the examining body shall cancel affiliation of the institution in accordance with the order passed under sub-section (*1*), with effect from the end of the academic session next following the date of communication of the said order.

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(*4*) If an institution offers any course or training in teacher education after the coming into force of the order withdrawing recognition under sub-section (*1*), or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be treated as a valid qualification for purposes of employment under the Central Government, any State Government or University, or in any school, college or other educational body aided by the Central Government or any State Government.

18. Appeals.—(*1*) Any person aggrieved by an order made under section 14 or section 15 or section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed.

(*2*) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

(*3*) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(*4*) The procedure for disposing of an appeal shall be such as may be prescribed:

Provided that before disallowing an appeal, the appellant shall be given a reasonable opportunity to represent its case.

(*5*) The Council may confirm or reverse the order appealed against.

CHAPTER V

BODIES OF THE COUNCIL

19. Executive Committee.—(*1*) The Council shall constitute a Committee, called Executive Committee for discharging such functions as may be assigned to it by the Council or as may be determined by regulations.

(*2*) The Executive Committee shall consist of the following members, namely:—

(*a*) the Chairperson;

(*b*) the Vice-Chairperson;

(*c*) the Member-Secretary;

(*d*) the Secretary to the Government of India in the Department dealing with Education, *ex officio*;

(*e*) the Secretary, University Grants Commission, *ex officio*;

(*f*) the Director, National Council of Educational Research and Training, *ex officio*;

(*g*) the Financial Adviser to the Government of India in the Department dealing with Education, *ex officio*;

(*h*) four experts in teacher education to be nominated by the Central Government;

(*i*) four State representatives to be nominated by the Central Government in such manner as may be prescribed;

(*j*) the Chairpersons of the Regional Committees.

(*3*) The Chairperson and the Member-Secretary of the Council shall respectively, function as the Chairperson and the Member-Secretary of the Executive Committee.

(*4*) The Chairperson or in his absence, the Vice-Chairperson of the Council shall preside at the meetings of the Executive Committee and in the absence of both the Chairperson and the Vice-Chairperson, any other member chosen by the members present at the meeting shall preside at the meeting.

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(*5*) The quorum necessary for the transaction of business at the meetings of the Executive Committee shall be as laid down by regulations.

(*6*) The Executive Committee may co-opt, in such manner and for such purposes, as may be determined by regulations, not more than two persons whose assistance and advice, it may desire in carrying out any of the functions assigned to the Executive Committee:

Provided that the persons co-opted by the Executive Committee for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Executive Committee, and shall not be a member for any other purpose.

(*7*) The Council may, if it considers necessary, establish such other committees, for such specific purpose, as it may deem fit.

20. Regional Committees.—(*1*) The Council shall, by notification in the Official Gazette, establish the following Regional Committees, namely:—

(*i*) the Eastern Regional Committee;

(*ii*) the Western Regional Committee;

(*iii*) the Northern Regional Committee; and

(*iv*) the Southern Regional Committee.

(*2*) The Council may, if it considers necessary, establish with the approval of the Central Government, such other Regional Committees as it may deem fit.

(*3*) The Regional Committee shall consist of the following members, namely:—

(*a*) a Member to be nominated by the Council;

(*b*) one representative from each of the States and the Union territories of the region, to be nominated by the respective States and the Union territories;

(*c*) such number of persons, having special knowledge and experience in matters relating to teacher education, as may be determined by regulations.

(*4*) The Council shall nominate one of the members of the concerned Regional Committee to function as the chairperson of the said Committee.

(*5*) The term of office of the members referred to in clause (*c*) and the allowances payable to such members shall be such as may be determined by regulations.

(*6*) The Regional Committee shall, in addition to its functions under sections 14, 15 and 17, perform such other functions, as may be assigned to it by the Council or as may be determined by regulations.

(*7*) The functions of, the procedure to the followed by, the territorial jurisdiction of, and the manner of filling casual vacancies among members of, a Regional Committee shall be such as may be determined by regulations.

21. Power to terminate the Regional Committee.—(*1*) If the Council is of the opinion that a Regional Committee is unable to perform, or has persistently made default in the performance of the duties imposed on it by or under this Act or has exceeded or abused its powers, or has wilfully or without sufficient cause, failed to comply with any direction issued by the Council for carrying out the provisions of this Act, the Council may, by notification in the Official Gazette, terminate forthwith the Regional Committee.

(*2*) Upon the publication of a notification under sub-section (*1*),—

(*a*) all members of the Regional Committee shall, notwithstanding that their term of office had not expired, as from the date of the termination, vacate their office as such members; and

(*b*) all the powers and duties which may, by or under the provisions of this Act be exercised or performed by or on behalf of the Regional Committee shall, during the period when the term of office

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of its members stand terminated, be exercised and performed by such person or persons as the Council may direct.

(*3*) The Council may at any time after publication of a notification under sub-section (*2*), re-constitute the Regional Committee in the manner provided in sub-section (*3*) of section 20:

Provided that it shall be competent for the Council to appoint any person, who was a member of a Regional Committee which was terminated, as a member of the reconstituted Regional Committee.

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT

22. Payment to the Council.—The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Council in each financial year such sums as may be considered necessary for the performance of the functions of the Council under this Act.

23. Fund of the Council.—(*1*) The Council shall have its own fund; and all sums which may, from time to time, be paid to it by the Central Government or a State Government and all the receipts of the Council, including any sum which any other authority or person in India or abroad may pay to the Council, shall be credited to the fund and all payments by the Council shall be made therefrom.

(*2*) All moneys belonging to the fund shall be deposited in such banks or invested in such manner as may be decided by the Council.

(*3*) The Council may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of the Council.

24. Budget of the Council.—The Council shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government.

25. Annual report.—The Council shall prepare once every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

26. Accounts and audit.—(*1*) The Council shall cause to be maintained such books of account in such form and in such manner and as the Central Government may, in consultation with the Comptroller and Auditor-General of India, prescribe.

(*2*) The Council shall, as soon as may be, after closing its annual accounts, prepare a statement of accounts in such form and forward the same to the Comptroller and Auditor-General of India by such date as the Central Government may, in consultation with the Comptroller and Auditor-General, determine.

(*3*) The accounts of the Council shall be audited by the Comptroller and Auditor-General of India at such times and in such manner as he think fit.

(*4*) The accounts of the Council as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

CHAPTER VII

MISCELLANEOUS

27. Delagation of powers and functions.—The Council may, by general or special order in writing, delegate to the chairperson or to any other member or to any officer of the Regional Committee, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act (except the power to make regulations under section 32), as it may deem necessary.

28. Protection of action taken in good faith.—No prosecution or other legal proceeding shall lie against the Central Government, the Council or any committees appointed by it, or any Member of the Council or member of such committees, or any officer or employee of the Central Government or the Council or any other person authorised by that Government or the Council, for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

29. Directions by the Central Government.—(*1*) The Council shall, in the discharge of its functions and duties under this Act be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time.

(*2*) The decision of the Central Government as to whether a question is one of policy or not shall be final.

30. Power to supersede the Council.—(*1*) If the Central Government is of the opinion that the Council is unable to perform, or has persistently made default in the performance of the duties imposed on it by or under this Act or has exceeded or abused its power, or has wilfully or without sufficient cause failed to comply with any direction issued by the Central Government under section 29, the Central Government may, by notification in the Official Gazette, supersede the Council for such period as may be specified in the notification:

Provided that before issuing a notification under this sub-section, the Central Government shall give reasonable opportunity to the Council to show cause why it should not be superseded and shall consider the explanation and objections, if any, of the Council.

(*2*) Upon the publication of a notification under sub-section (*1*) superseding the Council—

(*a*) all the Members of the Council shall, notwithstanding that their term of office had not expired, as from the date of supersession, vacate their offices as such Members;

(*b*) all the powers and duties which may, by or under the provisions of this Act be exercised or performed by or on behalf of the Council shall, during the period of supersession, be exercised and performed by such person or persons as the Central Government may direct;

(*c*) all property vested in the Council shall, during the period of supersession, vest in the Central Government.

(*3*) On the expiry of the period of supersession specified in the notification issued under sub-section (*1*), the Central Government, may—

(*a*) extend the period of supersession for such further period as it may consider necessary; or

(*b*) reconstitute the Council in the manner provided in section 3.

31. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner in which Central Government is to appoint experts to the Council under sub-clause (*v*) of clause (*m*) of sub-section (*4*) of section 3;

(*b*) the manner in which the Central Government is to appoint Members to the Council from amongst the States and the Union territory Administrations under clause (*n*) of sub-section (*4*) of section 3;

(*c*) the conditions of service of the Chairperson, the Vice-Chairperson and the Member-Secretary under sub-section (*3*) and of Members under sub-section (*4*) of section 4;

(*d*) the powers and duties of the Chairperson under sub-section (*7*) of section 4;

(*e*) the manner in which and the persons by whom the inspection of an institution is to be made and the manner in which the institution is to be associated in such inspection under sub-sections (*1*) and (*2*) of section 13;

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(*f*) the fees payable on application for obtaining recognition under sub-section (*2*) of section 14 and for obtaining permission under sub-section (*2*) of section 15;

(*g*) the period of limitation for an appeal under sub-section (*1*) of section 18, the form in which such appeal is to be made and the fees payable therefor under sub-section (*3*) of that section and the procedure for disposal of an appeal under sub-section (*4*) of that section;

(*h*) the manner in which the Central Government is to nominate the State representatives in the Executive Committee under clause (*i*) of sub-section (*2*) of section 19;

(*i*) the form in which and the time within which the budget under section 24 and the annual report under section 25 of the Council is to be prepared;

(*j*) the manner and the form in which the accounts of the Council are to be maintained under sub-section (*1*) of section 26;

(*k*) any other matter which has to be, or may be, prescribed.

32. Power to make regulations.—(*1*) The Council may, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, generally to carry out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(*a*) the time and the place of the meetings of the Council and the procedure for conducting business thereat under sub-section (*1*) of section 7;

(*b*) the manner in which and the purposes for which persons may be co-opted by the Council under sub-section (*1*) of section 9;

(*c*) the appointment and terms and conditions of service of officers and other employees of the Council under sub-sections (*1*) and (*2*) respectively of section 10;

(*d*) the norms, guidelines and standards in respect of—

(*i*) the minimum qualifications for a person to be employed as a teacher under clause (*d*) of section 12;

(*ii*) the specified category of courses or training in teacher education under clause (*e*) of section 12;

(*iii*) starting of new courses or training in recognised institutions under clause (*f*) of section 12;

(*iv*) standards in respect of examinations leading to teacher education qualifications referred to in clause (*g*) of section 12;

(*v*) the tuition fees and other fees chargeable by institutions under clause (*h*) of section 12;

(*vi*) the schemes for various levels of teacher education, and identification of institutions for offering teacher development programmes under clause (*l*) of section 12;

[1][(*dd*) the qualifications of teachers under section 12A;]

(*e*) the form and the manner in which an application for recognition is to be submitted under sub-section (*1*) of section 14;

(*f*) conditions required for the proper functioning of the institution and conditions for granting recognition under clause (*a*) of sub-section (*3*) of section 14;

(*g*) the form and the manner in which an application for permission is to be made under sub-section (*1*) of section 15;

1. Ins. by Act 18 of 2011, s. 7 (w.e.f. 1-6-2012).

(*h*) conditions required for the proper conduct of a new course or training and conditions for granting permission under clause (*a*) of sub-section (*3*) of section 15;

(*i*) the functions which may be assigned by the Council to the Executive Committee under sub-section (*1*) of section 19;

(*j*) the procedure and the quorum necessary for transaction of business at the meetings of the Executive Committee under sub-section (*5*) of section 19;

(*k*) the manner in which and the purposes for which the Executive Committee may co-opt persons under sub-section (*6*) of section 19;

(*l*) the number of persons under clause (*c*) of sub-section (*3*) of section 20;

(*m*) the term of office and allowances payable to members under sub-section (*5*) of section 20;

(*n*) additional functions to be performed by the Regional Committee under sub-section (*6*) of section 20;

(*o*) the functions of, the procedure to be followed by, the territorial jurisdiction of, and the manner of filling casual vacancies among members of, a Regional Committee under sub-section (*7*) of section 20;

(*p*) any other matter in respect of which provision is to be, or may be, made by regulations.

33. Rules and regulations to be laid before Parliament.—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both House agree in making any modification in the rule or regulation, or both House agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

34. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

(*2*) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

The National Council for Teacher Education (NCTE) was set up in 1973 by a Government Resolution as a National expert body to advise Central and State Governments on all matter pertaining to teacher education. NCTE's status and role have so far been purely advisory and, mainly due to this reasons, it has had very little impact on the standards of teacher training institutions in the country and on their unplanned growth.

2. To maintain the standards of teacher education, the National Policy on Education (NPE) stated that the NCTE would be provided with necessary resources and capability of accredit institutions of teacher education and provide guidance regarding curricula and methods. The Programme of Action prepared for implementation of the NPE in 1986, realising the inherent difficulties in the constitution of the NCTE to be able to guide the system of teacher education, envisaged conferring it with statutory status.

3. The present Bill seeks to provide statutory powers to the NCTE with the objective of determination, maintenance and coordination of standards in teacher education, laying down norms and guidelines for various courses, promotion of innovation in this field and establishment of a suitable system of continuing education of teachers.

4. The Bill seeks to empower the Council to make qualitative improvement in the system of teacher education by phasing out sub-standard institutions and courses for teacher education. The NCTE would also be empowered to grant recognition to institutions for teacher education and permission to recognised institutions for new course or training in teacher education. The Bill also provides for delegation of various powers to Regional Committees and other Committee for effective implementation of the function of the Council.

5. The Notes on Clauses appended to the Bill explain the various provisions of the Bill.

6. The Bill seeks to achieve the above objects.

ARJUN SINGH.

NEW DELHI;

The 13*th August,* 1992.

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