

National Council for Teacher Education Rules, 1997

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National Council for Teacher Education Rules, 1997

G.S.R. 689(E).-In exercise of powers conferred by Sec. 31 of the National Council for Teacher Education Act, 1993 (73 of 1993), the Central Government hereby makes the following rules, namely:-

1. Short title and Commencement :-

- (1) These rules may be called the National Council for Teacher Education Rules, 1997.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

- (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the National Council for Teacher Education Act, 1993 (73 of 1993):
 - (b) "Council" means the National Council for Teacher Education established under Section 3(1):

(c) "Executive Committee" means the Committee constituted by the Council under Section 19 ;

(d) "section" means a section of the Act.

(2) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. Certain Expert Members of the Council :-

(1) The expert members shall be appointed under sub-clause (v) of clause (m) of sub-sec. (4) of Section 3 alternatively from the first cycle and the second cycle as specified in sub-rules (2) and (3).

(2) The first cycle of expert members shall be one each belonging to the following fields, namely:-

(a) natural sciences;

(b) social sciences;

(c) educational technology.

(3) The second cycle of expert members shall be one each belonging to the following fields, namely:-

(a) linguistics;

(b) vocational education and work experience;

(c) special education.

4. Members representing States and Union Territories :-

The manner of representation of the States and Union Territories by the members appointed under clause (n) of sub-sec. (4) of Section 3 , shall be as under:-

(a) one representative each of eight State Governments from the different parts of India identified by keeping in view the strength of teaching community in each State, subject to the condition that at least one State from each of the regions which is covered by the Regional Committees shall be included.

(b) one representative of the Union Territory Administrations keeping in view the strength of the teaching community, the need for regional representation and such other factors relating to teacher education as may be deemed appropriate by the Central Government.

(c) the term of office of members appointed under clause (n) of sub-sec. (4) of Section 3 shall be two years from the date of their appointment or till fresh appointments are made, whichever is later.

5. Conditions of service of the Chairperson, the Vice-Chairperson and the Member-Secretary :-

(1) The Chairperson, the Vice-Chairperson and the Member-Secretary shall be entitled to draw pay as approved by the Central Government from time to time.

(2) The Chairperson, the Vice-Chairperson and the Member-Secretary shall be entitled to, in addition to pay. Dearness Allowance, House Rent Allowance, City Compensatory Allowance, and such other allowances appropriate to their pay as admissible to the Central Government officers of equivalent grade. The Chairperson may be provided, in lieu of House Rent Allowance, Rent free unfurnished accommodation within the ceiling prescribed by the Government of India, from time to time.

(3) The Chairperson, the Vice-Chairperson and the Member-Secretary shall be entitled to such terminal benefits as may be specified by the Central Government in respect of officers of the Central Government of equivalent grade :

Provided that an employee of any university or institution maintained by Central Government, if appointed as the Chairperson, the Vice-Chairperson or the Member-Secretary shall be allowed to continue to contribute to any Provident Fund of which that person was a member and the Council shall contribute to the accounts of such person in that Provident fund at the same rate at which such person had been receiving employer's contribution immediately before his or her appointment as the Chairperson, the Vice-Chairperson or the Member-Secretary, as the case may be.

(4) The Chairperson, the Vice-Chairperson and Member-Secretary shall be entitled to leave, medical benefits (for self and family), allowance on transfer for joining the post as well as on joining the Parent Department on repatriation from the Council, as per rules, regulations, orders and instructions issued by the Central Government from time to time in respect of its own officials in the corresponding scales of pay.

(5)

(a) The Chairperson, the Vice-Chairperson and the Member-Secretary shall be entitled to use the Council's staff car for official purposes.

(b) The Chairperson, Vice-Chairperson and the Member-Secretary shall also be entitled to use staff car of the Council, for private purposes on payment basis on the conditions laid down by the Central Government under the Staff Car Rules for use of Government staff cars for private purposes by officers of the Central Government.

(6) The Council shall make necessary payment towards leave salary, pension or contributory Provident fund, as the case may be, as well as the transfer travelling allowance as provided under the general orders of the Government of India governing deputation/foreign service from time to time respect of the Chairperson, the Vice-Chairperson and the Member- Secretary.

6. Travelling and Daily Allowances to Members :-

(1) The Chairperson, the Vice-Chairperson and the Member-Secretary shall be entitled to travelling allowance and daily allowance for official tours and journeys at the rates as applicable to the Central Government Officers of their equivalent grades.

(2) The non-official members of the Council including the members appointed under clauses (1), (m) and (p) of sub-sec. (4) of Section 3 , shall be entitled to travelling allowance and daily allowance for official tours and journeys in accordance with the orders issued by the Central Government in relation to the non-official members of the Committees and Commissions and such like categories of persons.

(3) Members appointed under clauses (d), (f), (g), (h), (i), (j), (k) and (n) of sub-sec. (4) of Section 3 shall be entitled to receive reimbursement of travelling allowance and daily allowance; if so desired, at the rate applicable to them in their respective organisation.

(4) Members appointed under clause (e) of sub-sec. (4) of Section 3 shall be entitled to travelling allowance and daily allowance for official tours and journeys as admissible for attending the meeting of the University Grants Commission.

(5) Members of Parliament nominated as Members under clause (o) of sub-sec. (4) of Section 3 shall be entitled to travelling allowance and daily allowance as per orders applicable to the Members of the respective House for attending such meetings.

7. Powers and duties of the Chairperson :-

(1) The Chairperson shall be the Principal Executive Officer of the Council and shall be responsible for the proper administration of the affairs of the Council and its Regional Committees.

(2) The Chairperson shall determine the duties of all officers and staff of the Council and its Regional Committees and shall also exercise such supervision and control over them as may be necessary to carry out the functions of the Council.

(3) It shall be the duty of the Chairperson to ensure that the Council and the bodies constituted under the Council carry out the objectives of the Act.

(4) The Chairperson shall, except in cases in which approval of Government of India is required, issue such orders and directions as may be considered necessary in anticipation of approval of the Council or of the constituted bodies of it, if the matter cannot be delayed and shall place the orders and directions before the Council at its next meeting.

(5) The Chairperson shall have the power to approve schemes for research, studies, development activities, publications and allied matters for the furtherance of objects of the Act, subject to such conditions and guidelines as may be laid down by the Council in this behalf and availability of funds as may be earmarked for such purposes.

(6) The Chairperson shall have the power to engage eminent persons for a period not exceeding six months at a time for the work of the Council as Consultants or Advisers on contractual basis, on the same terms and conditions and remuneration as specified by the Government of India in case of appointment of Consultants by it.

8. Inspection :-

1 . The Council may inspect the recognized institutions in the manner specified in sub-rules (2) to (8).

(2) The Council shall approve a panel of names of experts in

teacher education or educational administration who may be able to inspect the recognized institutions. The Chairman shall nominate at least two persons out of the panel of experts to a inspection team.

(3) The Council shall give a notice of its intention to the institution alongwith a questionnaire in Form - 'IV seeking information within fifteen days on all relevant matters relating to the institution.

(4) On receipt of the completed questionnaire, the Council shall communicate the names of the members of inspection team and the date of inspection to the institution.

(5) The institution to be inspected shall nominate its one officer or employee, to be associated with the inspection team.

(6) The inspection team shall ascertain as to whether the institution is functioning in accordance with the provisions of the Act and the rules and regulations made thereunder.

(7) The members of the inspection team may, if deem necessary, interact with the faculty members and other employees of the institution.

(8) The inspection team shall submit its report to the Council within a period of fifteen days from the last day of the inspection.

1. INSERTED BY National Council for Teacher Education (Amendment) Rules, 2003 [Noti. No. F. No. 61-33/2001-Desk (TE)IEE-IO, dt. 15.9,2003 Gaz. of India, Exty., Pt. II-Sec. 3(I), No. 450, dt. 17.9.2003, p. 13.]

9. Fees :-

¹ Every application made under sub-sec. (1) of Sec. 14 to the concerned Regional Committee for obtaining grant of recognition under the Act by any institution offering or intending to offer a course or training in teacher education on or after the appointed day and every application made under sub-sec. (1) of Sec. 15 to the concerned Regional Committee for grant of permission for starting any new course or training in teacher education or for increasing intake in respect of an existing course by a recognized institution shall be accompanied by a fee of Rs. 40,000 :

Provided that Government institutions shall be exempt from payment of the fee under this rule.

1. SUBSTITUED BY THE National Council foTeacher Education (Amendment) Rules, 2003. [Noti. No. F. No. 61-26/02-Desk

(TE)/EE-I0, dt. 6.10.2003 Gaz. of India, Exty., Pt.II-Sec. 3(I), No. 495, dt. 9.10.2003, p. 2.]

10. Appeals :-

Any person aggrieved by an order made under Section 14 , Section 15 or Section 17 may prefer an appeal in Form I appended to these rules, to the Council within sixty days of issue of such orders, along with a fee of ³ "rupees ten thousand" payable with the memorandum of appeal in the form of crossed demand draft drawn in favour of the Council:

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

In the National Council for Teacher Education Rules, 1997 ,In Rule 10, for the letters and figures "Rs. 1000" the words "rupees ten thousand" shall be substituted ,by the National Council for Teacher Education (Amendment) Rules, 2006.

11. Procedure for disposal of appeals :-

(1) On receipt of memorandum of appeal, the Council shall call for the records of the case from the Regional Committee concerned which passed the order appealed against and after giving the appellant a reasonable opportunity of being heard pass such orders as it may deem fit.

(2) The appellant shall be entitled to be represented by an employee or officer of the appellant institution.

(3) The Council shall decide every appeal as expeditiously as possible and ordinarily every appeal shall be decided on a perusal of documents, memorandum of appeal, written arguments, if any, affidavits and after hearing such oral arguments as may be advanced.

(4) The Council shall endeavour to dispose of every memorandum of appeal within a period of three months from the date of its filing.

(5) The Council shall not ordinarily allow more than three adjournments in any appeal.

12. Membership of the Executive Committee Member representing States :-

(1) Four State representatives as members of the Executive

Committee of the Council under clause (i) of Section 19(2) shall be nominated by the Central Government in the following manner:-

(a) One representative of a State from each of the Region which is covered by the four Regional Committees.

(b) States which are already represented on the Council in terms of clause (n) of Section 3(4) shall not be included while considering nominations under clause (i) of Section 19(2).

(2) The members of the Executive Committee appointed under clause (i) of sub-sec. (2) of Section 19 shall hold office for a period of two years and a State once represented shall be eligible for further representation only after a gap of two years subject to adherence of clause (b) of sub-rule (1).

13. Budget :-

(1) The Council shall prepare the budget in respect of the financial year next ensuing, in Form II appended to these rules and submit the same for its consideration not later than 30th September of every calendar year.

(2) A copy of the budget shall be forwarded to the Central Government with the approval of the Chairperson in anticipation of approval of Executive Committee of the Council if it is found not possible to obtain approval of Executive Committee in time.

14. Annual Report :-

(1) The Council shall prepare once in every year its annual report in Form III appended to these rules.

(2) The Council shall submit its annual report in respect of its activities in a previous financial year to the Central Government within nine months of the end of the financial year.