

**MINUTES OF THE 56TH GENERAL BODY MEETING OF NCTE HELD ON
25TH MARCH, 2023 IN HYBRID MODE**

The 56th General Body meeting of NCTE was held on 25th March, 2023 under the Chairmanship of Prof. Yogesh Singh, Chairperson NCTE. The list of members who attended the meeting is attached at Annexure-I.

At the outset, Chairperson NCTE welcomed all the participants and allowed Member Secretary, NCTE to conduct the proceedings of the meeting as per the following agenda.

Confirmation of the Minutes of the 55th General Body Meeting held on 14th July 2022.

The Member Secretary, NCTE apprised the Council about the minutes of the 55th meeting held on 14th July 2022 and requested the Council to confirm the same. The minutes of the 55th Meeting of the General Body of the Council was confirmed by the Council.

Agenda – 1: Action Taken report of the items taken up by the General Body of NCTE in its 55th meeting held on 14th July 2022.

The members took note of the Action Taken Reports and confirmed the same.

Agenda – 2: Transition of 4 Year Integrated B.A.B.Ed./B.Sc.B.Ed. into ITEP from the academic session 2025-26 instead of academic session 2023-24 as decided by the Council in its 54th meeting held on 27th April 2022.

The Council, after consideration of the Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

1. NCTE has issued a Notification dated 22.10.2021 published in the Gazette in India, Part III-Section 4 on 26 October 2021, thereby, inter-alia laying down the Norms & Standards for Integrated Teacher Education Programme (ITEP). The Appendix-13 to the NCTE Regulations, 2014, notified on 01.12.2014 in respect of 4 Year Integrated B.Sc.B.Ed./B.A.B.Ed. programme, was also omitted vide said notification dated 26.10.2021. As such, the Norms and Standards for 4 Year Integrated B.Sc.B.Ed./B.A.B.Ed. programme no more exists with effect from 26.10.2021.
2. The Department of Teacher Education, NCERT, New Delhi forwarded a letter No. NIL dated 24.01.2022 to NCTE stating the following regarding Integrated Teacher Education Programme (ITEP):
 - The programme B.Sc.B.Ed/B.A.B.Ed are being offered at RIEs (earlier RCEs) from 1965 as innovative teacher education programmes for preparing teachers at secondary level. NCTE also had approved it as these innovative programmes till 2014 and as per the NCTE Regulations 2014, were included in the general list.
 - As a result of omission of 4 Year Integrated B.Sc.B.Ed./B.A.B.Ed. programme from the list of approved programmes, RIEs will not be able to admit students for these courses from the next academic year onwards.

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It was requested by NCERT that the NCTE may take necessary steps to include these programmes in the list so that RIEs can offer these courses in the future also. The modification in the curriculum as per NEP 2020 recommendations will be done by RIEs in due course.

3. Alongwith RIEs, there are other TEIs also offering the 4 Year Integrated B.Sc.B.Ed./B.A.B.Ed. programme in different Regional Committees aggregating to 786 (approx.) including RIEs.
4. The matter was considered by the General Body of the Council in its 54th meeting held on 27 April 2022. The decision of the Council as under:

I. *The institutions wherein the Regional Committees have granted recognition for the 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme, their recognition shall remain valid. They would be allowed to enrol students subject to the condition that they shall transition to the new 4 Year ITEP curriculum in accordance with NCTE Amended Regulations 2021 dated 22.10.2021 before start of academic session 2023-24. As the Amended Regulation 2021 came to effect vide directions from MoE under Section 29 of NCTE Act 1993, therefore, it would be communicated to MoE for legal vetting and bringing necessary amendments in the NCTE Notification dated 22.10.2021 published in the Gazette of India.*

5. In view of the above decision of GB, a draft notification to the above effect was sent to the Ministry of Education vide NCTE letter dated 11.05.2022. The said amendment notification was slightly modified as per suggestions made by the Ministry of Law & Justice and again sent to the MoE vide NCTE letter dated 07.06.2022. The Ministry of Education, vide its letter No. 11-83/2017-EE-10/IS-14 dated 19th July, 2022, communicated the approval of the Hon'ble Education Minister on the draft amendment Notification.
6. After the above approval was received from MoE, it came to the notice of the Competent Authority in NCTE that some of the Regional Committee/s of NCTE had granted recognition to some of the TEIs for B.A.B.Ed./B.Sc.B.Ed. programme under Appendix-13 even after its omission on 26.10.2021. On the basis of this, certain other TEIs whose applications were pending for grant of recognition were claiming parity before the Hon'ble Court which were granted recognition by RCs after omission of the Appendix-13. Therefore, some notification was made in the proposed amended Regulations so that the benefit of the amended regulation may not be extended to those institutions which were granted recognition by RCs after omission of the Appendix-13 i.e. after 26.10.2021.
7. Keeping in view the subsequent developments, as mentioned in para VI above, the NCTE proposed slight modification in the already approved notification:

Approved para	Proposed amendment
"6. The institutions which have been granted recognition for conducting 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme under the omitted Appendix-13 shall continue and they shall be allowed to enroll students subject to the condition that they shall transit to the Norms and Standards of Integrated Teacher Education Programme in accordance with the	"6. The institutions which have been granted recognition for conducting 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme <u>under Appendix-13 prior to its omission vide gazette notification No: NCTE-Regl011/80/2018-MS(Regulation)-HQ, dated the 22nd October, 2021</u> shall continue and they shall be allowed to enroll

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National Council for Teacher Education (Recognition Norms and Procedure) Amendment Regulations, 2021 dated the 22nd October, 2021 before the start of the academic session 2023-2024.”	students subject to the condition that they shall transit to the Norms and Standards of Integrated Teacher Education Programme in accordance with the National Council for Teacher Education (Recognition Norms and Procedure) Amendment Regulations, 2021 dated the 22nd October, 2021 before the start of the academic session 2023-2024.”
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8. Accordingly, the NCTE sent a modified draft amendment for approval vide its letter dated 12.08.2022.
9. The Ministry of Education, vide its letter No. 11-83/2017-EE-10/IS-14 dated 23rd November 2022, has communicated that the draft notification to further amend the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014 regarding transition of B.A.B.Ed./B.Sc.B.Ed. into ITEP has been approved by Hon'ble Minister of Education after necessary legal vetting with the direction at para 2 that NCTE may once again ensure that the approved draft notification meets its intention and requirements before the same is published in the Official Gazette.
10. Consequently, the matter was reconsidered by the NCTE and the following was observed:
 - a. The number of TEIs that will have to transition to ITEP 2021 vary in numbers across the 4 RCs, which may cause RCs with lower number of TEIs such as SRC and ERC to accomplish the processing of the transition applications within the timeframe of 7.5 months. However, since the number of TEIs requiring to be transitioned was considerably higher in NRC and WRC, 7.5 months may not be sufficient time to accomplish the same even if they would manage to conduct online inspections of two TEIs on a daily basis.
 - b. The entire timeline could get prolonged at any stage post the initial scrutiny of the applications in the event of any unanticipated circumstances that may arise.
 - c. Admission of students for already transitioned ITEP would have to be done vide NCET through NTA for which examinations would be held in May/June 2023 by which time the transitioning process is not likely to be completed.
11. Therefore, in view of the above facts and circumstances, it was concluded that it would not be possible to complete the process of transition of 4 year BA B.Ed./B.Sc.B.Ed program into ITEP from academic session 2023-24 but from the next following academic session i.e. 2024-2025 in order to ensure the smooth and proper transition of the TEIs. Accordingly, the matter be taken up in the General Body of NCTE for extending the time for transition of these 786 approx. TEIs to ITEP 2021 from academic 2023-2024 to session 2024-25. Thereafter, the amendment would have to be made in the ITEP Regulation 2021.
12. In view of the above, the Ministry of Education was intimated the following:
 - I. The NCTE will place the agenda again before the General Body of the Council in view of the above and seek extension of time for transition of recognised (prior to omission of Appendix 13 vide notification dated 26.10.2021, 4 Year Integrated

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- B.A.B.Ed./B.Sc. B.Ed. institutions into ITEP before commencement of the academic session 2024-25 instead of 2023-24 as already decided by the General Body of the Council in its 54th meeting held on 27th April, 2022.
- II. The NCTE is not in position to publish the approved amendment in the Gazette of India in view of the above constraints. Therefore, the matter would be placed before the General Body of NCTE for seeking extension of time for transition of B.A.B.Ed./B.Sc. B.Ed. institutions, as mentioned in 4.I above into ITEP 2021, before commencement of the academic session 2024-25. After decision of the GB, the NCTE will request the MoE accordingly.
13. The matter has again been deliberated upon and was placed once again before the Council to review its decision taken in its 54th Meeting with regard to transition of B.A.B.Ed./B.Sc.B.Ed. program into ITEP Programme to the extent that the institution wherein the regional committee have granted recognition prior to omission of Appendix-13 of NCTE Regulation 2014 for the 4 year integrated B.A.B.Ed./B.Sc.B.Ed. programme, their recognition shall remain valid upto academic session 2023-24. It was also further deliberated in NCTE that the pilot ITEP would be running in academic session 2023-24; however, to understand the efficacy of the pilot, some more time would be required. Therefore, it was proposed to complete the transition of the existing institutions running integrated B.A.B.Ed./B.Sc.B.Ed. into ITEP by academic session 2025-2026 in place of academic session 2023-24. Accordingly, the old integrated course would be discontinued from the academic session 2025-2026 and no fresh admissions would be allowed to any of the existing institutions running the old course.

In light of above, the Council reviewed its decision taken in its 54th Meeting dated 27th April 2022 with regard to transition of B.A.B.Ed./B.Sc.B.Ed. program into ITEP Programme and decided the following:-

The Council approved the proposal to complete the transition of the existing institutions running integrated B.A.B.Ed./B.Sc.B.Ed. into ITEP by academic session 2025-2026 in place of academic session 2023-24. The institutions wherein the Regional Committees have granted recognition for the 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme, prior to omission of Appendix-13 of NCTE Regulation 2014 their recognition shall remain valid. They would be allowed to enrol students subject to the condition that they shall transition to the new 4 Year ITEP curriculum in accordance with NCTE Amended Regulations 2021 dated 22.10.2021 before start of academic session 2025-26. As the Amended Regulation 2021 came to effect vide directions from Ministry of Education, GoI under Section 29 of NCTE Act 1993, therefore, it would be communicated to Ministry of Education, GoI for legal vetting and bringing necessary amendments in the NCTE Notification dated 22.10.2021 published in the Gazette of India. Accordingly, the old integrated course would be discontinued from the academic session 2025-2026 and no fresh admissions would be allowed to any of the existing institutions running the old course.

Agenda - 3 : Publication of "National Council for Teacher Education (Recognition Norms and Procedure) (Second Amendment) Regulations, 2022 dated 11th October 2022 published in the Gazette of India- extraordinary part-III- Section-4 (No. 526) on dated 19th October 2022 in compliance of

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the direction from the Ministry of Education under Section 29 of the NCTE Act, 1993 for amendment in ITEP Notification 2021 regarding modifying the qualification of faculty in respect of IITs, NITs, IISC and IISER.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- The Ministry of Education, vide its letter No. 11-83/2017-EE-10/.IS-14 (Part.II) dated 3rd October 2022, had communicated the directions under Section 29 of the NCTE Act, 1993 to amend the NCTE ITEP Regulations, 2021 regarding modifying the qualification of faculty in respect of Indian Institute of Technology, National Institute of Technology, Indian Institute of Science and Indian Institute of Science Education and Research.
- In pursuance to the above directions, the NCTE notified the following Regulations in the Gazette of India on 19.10.2022:

“National Council for Teacher Education (Recognition Norms and Procedure) (Second Amendment) Regulations, 2022 dated 11th October 2022 published in the Gazette of India- extraordinary part-III- Section-4 (No. 526) on dated 19th October 2022.”

- The operative part of the amended Regulations 2022 is as under: -

“2. In the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014, (hereinafter referred to as the said regulations), in Appendix-15, in regulation 5, in sub-regulation 5.1, after clause (v), the following clause shall be inserted, namely:-

“(vi) In case of Indian Institute of Technology, National Institute of Technology, Indian Institute of Science and Indian Institute of Science Education and Research, the programme shall permit sharing of faculty with another institution or multidisciplinary institution or University.”

- In the said regulations, in Appendix-15, in regulation 5, in sub-regulation 5.2, after clause (B.), the following clause shall be inserted, namely:-

“BA. In case the faculty is from the Indian Institute of Technology, National Institute of Technology, Indian Institute of Science and Indian Institute of Science Education and Research, the qualifications of Assistant Professor –in Liberal Discipline and Pedagogy, shall be as under:

- i. Post-Graduate degree in Sciences (Physics or Chemistry or Botany or Zoology or Life Sciences or Bioscience) or Mathematics or Social Sciences (History or Geography or Political Science or Economics) or Languages (English or Modern Indian Languages or Classical Languages) or Commerce allied subjects) with minimum fifty-five percent marks or its equivalent grade.

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- ii. *National Eligibility Test or State Level Eligibility Test or Doctor of Philosophy in Education or in the concerned subject as prescribed by the University Grants Commission for these categories of posts.*

Desirable:

- i. *B.Ed. or M.Ed. or M.Ed. with Specialisation*
ii. *Ph. D in Education."*

- The said notified Regulations was placed before the Council for confirmation.

In light of above, the Council decided the following: -

The Council confirmed the Gazette Notification dated 11th October 2022 published in the Gazette of India- extraordinary part-III- Section-4 (No. 526) on dated 19th October 2022.

Agenda - 4 : Ratification of the decision taken by the Chairperson-NCTE under Clause 12 of the NCTE Regulations, 2014 to provide a special opportunity to conduct examination for the students admitted in D.El.Ed. programme in the State of Maharashtra.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- Government of Maharashtra, vide its letter No. MSCE/D.T.Ed.Prasha/May 2022 dated 01.08.2022, had requested to convey the suitable decision to conduct a special opportunity to hold examination for the students admitted in academic year 2018-19 (2236 students) & for the students admitted in academic year 2019-20 (2271 students) because their examinations could not be conducted due to Covid pandemic.
- NCTE had asked for certain information from the State Government, vide letter dated 12.09.2022. In response, the Maharashtra State Examination Council vide its letter No. Out No MSCE/DTD Prasha / May 2022 dated 13/09/2022. stated the following:
 - i. *D.El.Ed. Examinations are conducted twice in every academic year generally in June and November.*
 - ii. *As per rule the students are permitted to complete the course within maximum period of 3 year (in five chances) from the date of admission to the course.*
 - iii. *The students of the academic year 2018-19 (2236 students) were appeared 4 times in the period of 3 years and the students of the academic year 2019-2020 appeared 3 times till date.*
 - iv. *The students of 2019-20 will appear in the upcoming D.El.Ed. examination which is proposed to be scheduled in Nov 2022. This is their fourth opportunity in three years.*
- In the meantime, the NCTE has received a copy of Court Order dated 14.09.2022, from the High Court of Judicature at Bombay, Nagpur Bench in Civil Application (Caw) Nos.1910/2022 & 2013/2022 in Writ Petition No.2621/2022 titled as Gayatri Tarachand Khubalkar and others Vs. NCTE wherein the Hon'ble Court passed an Order as under: -

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“5. In our view, considering the fact that no examination was held in the entire year of 2022 and even the examination which was due in June 2021 was belatedly held in November 2021, one last chance is required to be afforded to all these petitioners and also to the students who are similarly situated by the authorities i.e. respondent Nos.1 to 3. These authorities must bear in mind that the petitioners and similarly situated students are not at fault and it were the circumstances which compelled the authorities to not hold any examination in the year 2020. In fact, it would have been appropriate for these authorities to exclude year of 2020 from the period of three years to be reckoned from the date of admission of the students.

- *At this juncture, recalling the various orders passed by the Supreme Court during Covid period whereby the limitation period for filing of various proceedings and even for taking administrative decisions was extended by the Apex Court, we find that the authorities must respect the directions issued by the Supreme Court and thus exclude the entire year of 2020 from the period of three years to be calculated from the date of admission of the students. If the authorities give honour to the directions of the Apex Court and implement them, there would be removal of injustice being caused to these petitioners in particular and similarly situated students in general who were never at any fault.*
- *We hope that by the next date, a decision as suggested by this Court and in favour of the petitioners and also all the similarly situated students would be taken by respondent Nos.1 to 3. After we all are reasonable beings. We make it clear that no more time shall be granted to the respondents by this Court.”*
- The Norms & Standards for D.El.Ed. course as prescribed in the NCTE Regulations, 2014, provides the duration of the course as under:

2.1 Duration

The D.El.Ed. programme shall be of a duration of two academic years. However, the students shall be permitted to complete the programme within a maximum period of three years from the date of admission to the programme.

- Clause 12 of the NCTE Regulations, 2014 provides the following power to the Chairperson, NCTE: -

“On recommendation of the Central Government, or State Government, or Union territory Administration concerned. or in cases for removal of any hardship caused in adhering to the provisions in these regulations, keeping in view the circumstances peculiar to the said Government or Union territory. It shall be open to the Chairperson for reasons to be recorded in writing to relax any of the provision of these regulations in respect of any class or category of institutions, in the concerned State or Union Territory, or of Central Government Institutions to such an extent and subject to such conditions, as may be specified in the order and decisions shall be brought to the notice of the Council in the next meeting. In exceptional cases and for reasons to be recorded in writing, the Chairperson, shall be competent to

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relax any of the provisions of these regulations and the related norms and standards subject to its ratification by the Council."

- Chairperson, NCTE considered the request of the State of Maharashtra under clause 12 of the NCTE Regulations, 2014 as amended from time to time. Further, in pursuance of the Hon'ble Court Order dated 14.09.2022 passed by the Hon'ble High Court of Judicature at Bombay, Nagpur Bench in Civil Application (Caw) Nos.1910/2022 & 2013/2022 in Writ Petition No.2621/2022 titled as Gayatri Tarachand Khubalkar and others Vs. NCTE, relaxed the para 2.1 of the Appendix-2 for Norms and Standards for D.El.Ed. programme of NCTE Regulations, 2014 to the extent of providing a special opportunity to conduct examination for the students admitted in D.El.Ed. programme in academic year 2018-19 (2236 students) and for the students admitted in academic year 2019-20 (2771 students) in the State of Maharashtra. The relaxation was conveyed to the Govt. of Maharashtra vide letter dated 21.09.2022.
- The above relaxation granted by Chairperson NCTE u/c 12 of NCTE Regulation 2014 was placed before the Council for ratification.

In light of above, the Council decided the following:-

The Council ratified the relaxation given by the Chairperson NCTE under Clause 12 of NCTE Regulations, 2014 which was communicated to the Govt. of Maharashtra vide NCTE's letter dated 21.09.2022.

Agenda - 5 : Revision of NCTE Act 1993, NCTE Rules 1997, NCTE Regulation 2014 (Norms & Procedures), Minimum Qualification for appointment of school teachers, Recruitment Rules etc., as amended from time to time, to be aligned in light of the new role of NCTE as recommended in NEP 2020 and/or directions of MoE.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following:-

- The National Education Policy 2020 (NEP 2020), which was approved by the Union Cabinet of India on 29 July 2020, outlines the vision of India's new education system. The policy is a comprehensive framework for elementary education to higher education as well as vocational training in both rural and urban India. The NEP 2020 envisions an India-centric education system that contributes directly to transforming our nation sustainably into an equitable and vibrant knowledge society by providing high-quality education to all.
- The NEP 2020 puts forward many policy changes when it comes to teachers and teacher education. To become a teacher, a graduation will be the minimum requirement needed by 2030. The Minimum Qualification of the teacher for teacher recruitment process will also be strengthened and made transparent. The National Council for Teacher Education will frame Curriculum Framework for teacher education program, National Professional Standards for Teachers, National Mission for Mentoring etc. The policy aims to ensure that all students at all levels of school

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education are taught by passionate, motivated, highly qualified, professionally trained, and well-equipped teachers.

- The NEP 2020 has placed teacher at the centre of the fundamental reforms in the education system. In this light, the NEP 2020 is introducing the new school structure for school education i.e., 5+3+3+4. To align Teacher Education with this new school structure, the 15 courses mentioned in 2014 Notification will be transitioned in regulatory and curricular aspects in accordance with the NEP 2020.
- The programs on Teacher Education shall be: Integrated Teacher Education Programme (ITEP), 2-Year B.Ed., 1-year B.Ed., M.Ed. Programme etc. in the following domains: Teacher Education (General), Physical Education Art Education (Performing and Visual Arts). The restructuring of curricular and pedagogical aspects may include the features like ITEP in dual degree mode after Grade 12, Admission through National Common Entrance Test (NCET) conducted by NTA, Minimal degree qualification to become a teacher by 2030, Based on new Curricular and Pedagogical Structure- 5+3+3+4, Integrated Dual Major Bachelor Degree-Discipline + Education, Credit Based Structure- in line with UGC- NHEQF and National Credit Framework, 21st Century Pedagogy, critical thinking, and cutting-edge pedagogy, Indian Knowledge System, Flexibility to choose inter/intra-disciplinary Minor (No Hard Separation), Multidisciplinary Environment, Implementation of the CBCS, Stage Specific Specialization & Introduction of FLN (Foundational Literacy and Numeracy).
- The NEP 2020 espouses numerous changes in India's Teacher Education sector as referred in Chapter 5 & 15, accordingly, the agenda items are as under: -
 - i. *The Principal Regulations were published in the Gazette of India, Extraordinary, Part III, Section 4, dated the 1st December, 2014, vide notification number F.51-1/2014/NCTE (N&S), dated the 28th November, 2014 and were last amended vide notification number NCTE-Regl022/5/2021-O/o DS(Regulation)-HQ dated the 19th October 2022. NCTE Regulations 2014, needs to be revisited in view of the recommendation of NEP 2020 to cover Teacher across all stages (Foundational, Preparatory, Middle & Secondary) of school education.*
 - ii. *Therefore, the task of revision of NCTE Act 1993, NCTE Rules 1997, NCTE Regulation 2014 (Norms & Procedures), Minimum Qualification for appointment of school teachers, Recruitment Rules etc., as amended from time to time, to be aligned in light of the new role of NCTE as recommended in NEP 2020 and/or directions of MoE.*
 - iii. *Accordingly, the Chairperson may be authorised by the Council to form committees and carry out all the necessary work in this regard.*

In light of the above, the Council decided the following: -

- i. ***The Council authorised the Chairperson NCTE to constitute Committees to re-visit the NCTE Act 1993, NCTE Rules 1997, NCTE Regulation 2014 (Norms & Procedures), Minimum Qualification for appointment of school teachers, Recruitment Rules etc., as amended from time to time, to be***

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*aligned in light of the new role of NCTE as recommended in NEP 2020
and/or directions of Ministry of Education, GoI.*

Agenda – 6: Ratification of the decision taken by the Chairperson-NCTE under Clause 12 of the NCTE Regulations, 2014 to relax the clause 7(13) and 7(16) of the NCTE Regulations, 2014 in respect of ITEP applications on pilot basis for academic session 2023-24.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- Consequent upon the request made by the Regional Director/s of the all the Regional Committee/s, vide note dated 2nd March, 2023, the Chairperson NCTE under Clause 12 of the NCTE Regulations 2014 has relaxed the condition of clause 7(13) and 7(16) of the NCTE Regulations 2014 to the extent that in case of those institutions where LOIs have been issued and they have time for compliance of LoI; the formal order of recognition under Clause 7(16) be issued to those institutions by 03/03/2023 for the academic session 2023-24 for the course applied for, subject to the condition that they will appoint the faculty as per ITEP Regulations, 2021 before completion of the time limit given to them for compliance of LoI.
- The above relaxation was given as a onetime measure in respect of ITEP applications received for the academic session 2023-24 on pilot basis only.
- Accordingly, the decision of the Chairperson was communicated to all the Regional Director/s vide letter No. NCTE-Regl012/3/2023-Reg. Sec-HQ dated 02.03.2023. A copy of the same is attached herewith as.
- The above relaxation granted by Chairperson NCTE u/c 12 of NCTE Regulation 2014 was placed before the Council for ratification.

In light of above, the Council decided the following: -

The Council ratified the relaxation given by the Chairperson NCTE under Clause 12 of NCTE Regulations, 2014 with regard to ITEP which was communicated to all Regional Directors of Regional Committees of NCTE vide letter dated 2.03.2023.

Agenda – 7: Approval of the comprehensive accessibility guidelines for Teacher Education Institutions.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- An Inter-Ministerial Committee was formed on the directions of Hon'ble Supreme Court in the matter of W.P. (C) No. 600/2021 of Javed Abidi Foundation to look into the recommendations of the foundation and frame accessibility guidelines for

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institutions coming under the respective jurisdiction of the organisations. The first meeting of this Inter-Ministerial Committee was held on 25.02.2022 under the Chairpersonship of Ms. Anjali Bhawra, Secretary, DEPwD, Ministry of Social Justice and Empowerment.

- On the basis of directions of this committee, an expert sub-committee was constituted under the Chairpersonship of Ms. Kesang Y. Sherpa IRS, Member Secretary NCTE, New Delhi on 14 March 2022 to look into the recommendations made by Javed Abidi Foundation before the Hon'ble Supreme Court, in this regard, to provide comprehensive guidelines on inclusive digital education in compliance of the directions of the Inter-Ministerial Meeting in this regard. This expert sub-committee also consisted of expert members from Aurobindo Society, AYJNISHD, NIEPVD, NIEPID, NIEPMD, DAISY Forum and National Association for the Blind, Action for Autism and NCPEDP.
- The objective of this expert sub-committee was to provide technical inputs on disability-specific issues and more importantly to recommend interventions in creating accessible environment/system related to the digital education process in the field of Teacher Education. Most of the recommendations made by Javed Abidi Foundations have been covered in the guidelines of the sub-committee.
- On the basis of recommendations of this sub-committee, comprehensive guidelines on inclusive digital education for TEIs across the country was circulated to all TEIs through NCTE website after approval of Chairperson NCTE on 23.08.2022. This will be a guiding document which would provide quality and inclusive practices in teacher education.

The guidelines was put up for ratification of the General Body of NCTE.

In light of above, the Council decided the following: -

The Council ratified and approved the comprehensive accessibility guidelines on inclusive education for Teacher Education Institutions across the country which was circulated to all TEIs through NCTE website after approval of Chairperson NCTE on 23.8.2022.

Agenda 8: Re-constitution of the Executive Committee of the Council as per provision of the Section 19 of the NCTE Act, 1993 -regarding.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- Section 19 of the NCTE Act, 1993 deals with the constitution of the Executive Committee. Section 19 of the NCTE Act 1993 is replicated as under:

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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.*

(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.*

- The NCTE (Assignment of Functions to the Executive Committee) Regulations, 2007 dated 18.07.2007 published in the Gazette of India on 20.08.2007 defines the following Functions of the Executive Committee:

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- i. *The Executive Committee shall consider and approve all administrative and financial matters beyond the delegated powers of the officers NCTE. The specific administrative and financial matters to be assigned to the Executive Committee that are beyond the delegated powers the officers of the NCTE shall be identified separately by the office of the NCTE, and this clause shall, after such specific identification, be amended accordingly through an amendment Regulation;*
- ii. *The Executive Committee shall consider and approve all matters relating to planning and co-ordination of teacher education. The decision as to what matters comprise planning and co-ordination of teacher education shall vest with the Chairperson, NCTE: and*
- iii. *Any other specific item which the Council would like the Executive Committee to consider first and make recommendations to them.*

Note :-The Executive Committee shall take a final decision with respect the above functions assigned to it, except the one against sub-clause (iii), without having to place them before the Council thereafter. The minutes of the meetings of the Executive Committee shall, however, be placed before the Council for information.

- The Executive Committee was constituted on last occasion vide Order No. 47-7/2010/NCTE/CDN dated 20.04.2010. The term of that Executive Committee was for a period of 2 years or till fresh appointments were made, whichever was later.
- Thereafter, the Central Government vide its Notification No. S.O. 1548 (E) dated 07.07.2011 under provisions of sub-section (2) of Section 30 of the NCTE Act *inter-alia* superseded the Council. Further, the Central Government constituted the NCTE Committee in the year 2011 and the Executive Committee was never formed thereafter.
- Thereafter, the matter of constitution of the Executive Committee (EC) was considered by the General Body of the Council in its 35th meeting held on 18th March 2014 and the Council has decided the following:
 - i. *Re-constitution of the EC with its composition as given under Section 19 of the Act, and with the Members nominated by the Central Government.*
 - ii. *The orders of Constitution of this Committee would however be made only after clearance was obtained from the ECI.*
 - iii. *The assignment of functions to it would be as per the Regulations of 2007.*
 - iv. *The detailing of the assignment of functions would be entrusted to the Prof. Krishna Kumar Committee, which is entrusted with the formulation of Draft Amendments to the NCTE Act. This Committee would submit its report on this aspect within a period of 2 months from the date of assignment of this task to it while submitting the report on the revision of the Act (since both are related to each other).*

However, the Executive Committee has not so far been constituted.

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- In view of the above, the matter was placed before the General Body of the Council for its consideration for
 - a. *Re-constitution of the Executive Committee in terms of Section 19 of the NCTE Act, 1993 as mentioned in para 1 above.*
 - b. *Seeking nominations from the Ministry of Education for “(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.”*

In light of above, the Council decided the following:-

- i. *The Council approved the proposal for re-constitution of the Executive Committee in terms of section 19 of the NCTE Act, 1993.*
- ii. *The Council further decided that nominations be sought from Ministry of Education, GoI for four experts in teacher education to be nominated by the Central Government as per provision of sub-clause (h) of Clause 19 of NCTE Act, 1993 and four state representatives to be nominated by the Central Government as per provision of sub-clause (i) of clause 19 of NCTE Act, 1993 in such manner as may be prescribed.*

Agenda 9 : Inclusion of 4-Year Integrated B.A.B.Ed./B.Sc.B.Ed. Programme in Minimum Qualifications-regarding.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- The preamble of the 4-Year Integrated B.A.B.Ed./B.Sc.B.Ed. Programme (omitted Appendix-13) is replicated as under:

1. *“Preamble*

1.1 The four-year integrated programme aims at integrating general studies comprising science (B.Sc.B.Ed.) and social sciences or humanities (B.A.B.Ed.), and professional studies comprising foundations of education, pedagogy of school subjects, and practicum related to the tasks and functions of a school teacher. It maintains a balance between theory and practice, and coherence and integration among the components of the programme, representing a wide knowledge base of a secondary school teacher. The programme aims at preparing teachers for Upper Primary and Secondary stages of education.”

- Since, as per the above preamble, the qualification of 4-Year Integrated B.A.B.Ed./B.Sc.B.Ed. Programme aims at preparing teachers for Upper Primary and Secondary stages of education (classes 6 to 12), therefore, the same must be included in the minimum qualifications as laid down by NCTE vide its notification 23.08.2010

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(as amended from time to time) for making eligible a person for consideration of appointment as a teacher for the classes 6 to 8 and that for in notification dated 12.11.2014 (as amended from time to time) for making eligible a person for consideration of appointment as a teacher for the classes 9 to 12.

- It came to the notice that the 4-Year Integrated B.A.B.Ed./B.Sc.B.Ed. Programme for which Norms and Standards were first time laid down in the NCTE Regulations, 2014 vide omitted Appendix-13, has never been included in the minimum qualification for making eligible a person for consideration of appointment as a teacher for the classes as mentioned in the "Preamble" of the said programme.
- In view of the above, the matter was placed before the General Body of the Council for its consideration and approval for inclusion of the said qualification from the date of notification of the NCTE Regulations, 2014.

In light of above, the Council decided the following:-

The Council approved the proposal for inclusion of 4-Year Integrated B.A.B.Ed./B.Sc.B.Ed. Programme in the Regulation of minimum qualifications for appointment as a teachers in schools for Upper Primary and Secondary stages of education as mentioned in the preamble of Norms and Standards of this course from the date of Notification of the NCTE Regulations, 2014 dated 28/11/2024 notified in the Gazette of India on 01/12/2014. The necessary amendments to be made would be communicated to Ministry of Education, GoI for legal vetting and further necessary actions accordingly.

Agenda 10: Passing of Resolution for submitting Form No. 10 to the Prescribed Authority/Assessing Authority u/s 11(2) of the Income Tax Act, 1961 with respect to the Assessment Year 2017-18 to utilise an amount of Rs. 16,73,41,275/- i.e. 33.39% of the income for the said previous year to carry out the activities under the mandate of NCTE.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- A Notice No. ITBA/AST/S/118/2021-22/1033850660(1) dated 29.06.2021 u/s 148 of the IT Act, 1961 was received from Sh. Vijay Singh, Income Tax Officer, Ward Exemption 2(4), Delhi regarding non-filing of Income Tax Return for the Assessment Year 2017-18. It is mentioned that the NCTE has not disclosed the income of Rs. 1,34,30,51,790 (Rs. 2,99,07,519/- as Interest + Rs. 1,31,31,44,271/- as Investment = 1,34,30,51,790/-) pertaining to the transactions as indicated in Annexure-A enclosed with the approval u/s 151 of the IT Act, 1961 bearing No. ITBA/AST/S/118/2021-22/1033849011(1) dated 29.06.2021 issued by Sh. Rakesh Kumar, Joint Commissioner of Income Tax, Range Exemption 2, Delhi.
- The matter was examined by the appointed Chartered Accountant of NCTE, Sh. Naveen Joshi. After thorough examination, in light of the prevailing rules/guidelines of Income Tax, the reply to the said notice with detailed point-wise explanation to the Annual Information Statement was submitted to Sh. Vijay Singh, Ward Exemption

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2(4), Income Tax Office, Delhi vide letter dated 12.01.2022. It was informed in the reply that the Return of Income for the AY 2017-18 had already been filed on 06.08.2021 vide acknowledgement No. 205310700290721 with the preliminary objections that the Notice u/s 148 of IT Act issued after 1.4.2021 is treated as Time Barred and is Void-ab-Initio as the Hon'ble High Courts of various States have quashed such notices. Accordingly, it was requested to consider the preliminary objections and drop re-assessment proceedings in the interest of justice and to avoid unnecessary litigations and wastage of valuable time of Tax Authorities and Tax payers.

- Further, in response to our reply dated 12.01.2022 the Income Tax Department, vide its letter No. ITBA/COM/F/17/2022-23/1043210099(1) dated 27.05.2022 received from Sh. Ashish Kumar Thakur, Income Tax Officer, Ward Exemption 2(4), Delhi informed that *"the Hon'ble Supreme Court vide its judgement dated 04.05.2022 (2022 SCC Online SC 543), in the case of Union of India Vs Ashish Agarwal has held the reassessment notice issued u/s 148 between the period 01.04.2021 to 30.06.2021 under the old law shall be deemed to be the Show Cause Notice issued under Clause (b) of Section 148A of the New Law substituted with effect from 1st April, 2021. The judgement applies to all cases where reassessment notices have been issued under extended time limit between the period from 01.04.2021 to 30.06.2021 irrespective of the fact whether such notices have been challenged or not. Accordingly, the notice u/s 148 dated 29.06.2021 in your case for AY 2017-18 is deemed as the Show Cause Notice issued under clause (b) of Section 148A of the New Law substituted with effect from 1st April, 2021"*. Hence, it was directed to furnish reply regarding why notice u/s 148 of the Income Tax Act should not be issued in our case.
- Considering the crucial nature of the matter, a professional agency dealing with such matters i.e. M/s. Oswal Sunil & Company, Chartered Accountant, 71, Daryaganj, New Delhi was engaged to take up the issue with Income Tax Department to resolve it amicably and in a time bound manner. Accordingly, all the available records/documents alongwith the said Notice u/s 148 of the IT Act were provided to the aforementioned with a request to examine the issue and submit suitable reply to the notice of the Income Tax Department within the stipulated time limit. Hence, the matter was examined in the light of the prevailing rules and the reply dated 10.06.2022 was submitted to the Income Tax Office, Ward Exemption 2(4), Civic Centre, Minto Road, New Delhi stating that *"no information in the insight portal which suggests that income of the assessee has escaped from assessment under section 147 of the IT Act. Hence, our reply may be accepted and the assessee may be given leverage from alleged information by virtue of which proceedings u/s 147 read with section (r.w.s.) 148 of the IT Act would initiate"*. Further, the additional information alongwith relevant documents/orders of the Income Tax Act, 1961 were submitted to the Income Tax Department vide letter dated 25.08.2022 for its consideration in the matter.
- Further, the application alongwith all necessary documents for condonation of delay under section 119(2)(b) of the IT Act in filing the return of Income along with the audit report in Form 10BB for the AY 2017-18 was submitted to the Commissioner of Income Tax (Exemption), 26th Floor, E-2, Civic Centre, New Delhi on 25.08.2022. It was informed that the applicant institution is much like a Government Body which is discharging its function as per the direction/duties mandated by the Parliament in its constituted Act/Rules framed thereunder. The Council/General Body is constituted

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by Central Government, hence the condonation may be granted for filing the Return of Income and FORM 10BB of the IT Act. Subsequently, it was again requested to condone the delay u/s 119(2)(b) of the IT Act in filing FORM 10BB vide letter dated 14.09.2022.

- The IT Department, vide letter No. ITBA/COM/F/17/2022-23/1045428138(1) dated 13.09.2022, sought certain clarifications with respect to our reply dated 26.08.2022. The point-wise clarifications were submitted to Income Tax Office, Civic Centre, New Delhi vide letter dated 20.09.2022. It was informed that the investments in time deposits/fixed deposits were done from the renewal of proceeds of earlier time deposits.
- Further, the point-wise reply to the clarifications sought by IT Department vide letter No. CIT(E)/Condonation of Delay/2022-23/1090 dated 19.09.2022 regarding Application for Condonation of Delay u/s 119(2) if the IT Act in filing Form 10 for the AY 2017-18 were submitted to the Commissioner of Income Tax (Exemption), Civic Centre, New Delhi vide our letter dated 24.09.2022. The reasons for delay in filing of Form 10 for the AY 2017-18 were submitted to the Commissioner of Income Tax (Exemption), Civic Centre, New Delhi vide letter dated 28.09.2022.
- The Income Tax Department vide Order u/s 148A(d) of the IT Act, 1961 bearing No. ITBA/COM/F/17/2022-23/1046134089(1) dated 30.09.2022 issued by Ashish Kumar Thakur, Income Tax Officer, Ward Exemption 2(4), Delhi informed that *"It is evident that prima-facie there is escapement of income to the tune of Rs. 1,79,58,71,266/- (1,28,22,65,287 + 1,24,54,745 + 50,11,51,234) for A.Y. 2017-18. In light of the above facts and on the basis of material available on record, I am satisfied that the case of NCTE (PAN: AAALN0115D) is a fit case for issuance of Notice u/s 148 of the IT Act for A.Y. 2017-18"*. Accordingly, the notice u/s 148 bearing No. ITBA/AST/M/148-1/2022-23/1046135283(1) dated 30.09.2022 was issued by the Income Tax Officer.
- Further, the IT Department vide Order u/s 119(2) of the IT Act bearing No. CIT(E)/119(2)(b)/2022-23/125/1122 dated 29.09.2022 issued by Sh. Raman Kant Garg, Commissioner of Income Tax (E), Civic Centre, J.L. Nehru Marg, New Delhi disposed off our application dated 14.09.2021 filed on 15.09.2022 for Condonation of Delay in filing of Form-10 for A.Y. 2017-18 stating that the assessee did not e-file Form-10 for the assessment year 2017-18. The said orders were sent to M/s. Oswal Sunil & Company, New Delhi vide letter dated 18th October, 2022 for further necessary action.
- M/s. Oswal Sunil & Company, New Delhi, vide email dated 27.09.2022, forwarded a draft FORM 10 (statement to be furnished to the Assessing Officer/Prescribed Authority u/s 11(2) of the IT Act, 1961) with a request to solicit the approval for final submission to the Income Tax Department as required under the provision of the IT Act. FORM 10 is required to be submitted to the Income Tax Department with the resolution to be passed by the trustees/Governing Body.
- It was informed by the said agency that a signed copy of the Resolution is needed so as to enable filing of Form 10 failing which the entire funds invested in the shape of FDRs and Interest thereon would be treated as income for the A.Y 2017-18 onwards.

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- In view of the above, the matter was placed before the General Body of the Council for consideration with a request to pass a Resolution as required by the Income Tax Department for the said purpose.

In light of above, the Council decided the following:-

The Council passed and approved the resolution for filing Form No. 10 under provisions of the Income Tax Act, 1961.

Agenda 11 : Ratification of the Standard Operating Procedure (SOP) for processing of application laid down with the approval of the Chairperson NCTE-regarding.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- The Sub-regulation 7(7) of the NCTE Regulations, 2014 as amended on 4th May 2022 published in the Gazette of India on 5th May 2022 *inter-alia* provides that the Standard Operating Procedure (SOP) for processing of application be approved by the Chairperson, NCTE.
- Accordingly, the SoP was approved by the Chairperson and circulated among all the Regional Director/s of NCTE vide letter No. NCTE-Regl012/15/2021-Reg.Sec.-HQ/111240 dated 30.05.2022, for compliance.
- A copy of the said SoP was placed before the Council for ratification and information please.

In light of above, the Council decided the following: -

- i. *The Council ratified the SOP approved by the Chairperson NCTE and circulated to all Regional Directors and officers of NCTE and Regional Committees vide letter dated 30th May 2022.*
- ii. *The Council further authorised the Chairperson NCTE to carry out further amendments to the SOP, as required from time to time.*

Agenda 12 : Ratification of the format of online application form to be filled up by the Teacher Education Institutions for seeking recognition for Teacher Education Programme –regarding.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- The NCTE issued a Notification dated 22.10.2021 published in the Gazette in India, Part III-Section 4 on 26th October 2021, thereby *inter-alia* laying down the Norms & Standards for Integrated Teacher Education Programme (ITEP).

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- Further, the Ministry of Education, vide its letter F.No.11-83/2017-EE-10/IS-14 dated 29.04.2022, u/s 29 of the NCTE Act 1993 directed NCTE to invite ITEP applications for the academic session 2023-24 from Central and State Govt. Institutions/Universities in pilot mode.
- Accordingly, NCTE, vide its Public Notice dated 1.5.2022, invited the online applications for Academic Session 2023-24 for Integrated Teacher Education Programmes (ITEP) on pilot basis from Central Govt. and State Govt. Institutions during the period from 01.05.2022 to 31.05.2022. The NCTE received total 195 applications for ITEP.
- The NCTE office developed the application form to be filled up by the Teacher Education Institutions for seeking recognition for Teacher Education Programme as per requirement under NCTE Regulations, 2014 as amended from time to time. The Institution is required to fill all the information pertaining to their Society/Trust/Company, applicant Institution and the programme for which recognition is sought for. The said information is further to be scrutinized by the office/s of the Regional Committee/s as per NCTE Regulations, 2014 as amended from time to time and to be placed before the Regional Committee for taking appropriate decision viz. to issue Show Cause Notice, to conduct Inspection, to issue Letter of Intent (LOI) and grant of formal recognition or refusal/rejection of the application.
 - A copy of the said online application form to be filled up by the Teacher Education Institution was placed before the Council for ratification and information please.

The Council was also apprised that the processing of the applications received online for ITEP were processed on the online module developed by NCTE which included the online inspection module. Further, applications for all courses received henceforth would be processed online through the online module developed by NCTE.

In light of above, the Council decided the following: -

- i. ***The Council approved and ratified the format of online application to be filled by the TEIs for seeking recognition for Teacher Education Programmes and module of online processing of application, including online inspection module, developed by the NCTE.***
- ii. ***The Council further authorised the Chairperson NCTE to carry out further amendments to the online applications forms and online module for processing, including online inspection module, as required from time to time.***

Agenda Item No. 13. Any other items with the permission of Chair.

With the due permission of Chairperson of the Council, the following items were taken up for consideration/decision.

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Table Agenda Item No 1:

To consider GST and other taxes/Cess to be received from TEIs/Stakeholders at the prevailing applicable rates alongwith Application Processing Fee, Appeal Fee and PAR Fee etc. the Amendment in Rule 9 & 10 of the NCTE Rules 1997 - reg.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following :-

- It may be stated that a SUMMON No. CBIC-DIN-202202DNN4000000FB04 dated 15.02.2022 issued under section 70 of the Central Goods and Services Tax Act, 2017 was received from Sh. Deepak Kumar, Senior Intelligence Officer, GST Department, Meerut directing therewith to appeal before him in person on 23.02.2022 at the office of Additional Director General, Ground Floor, Opposite Shaheed Park, Delhi Road, Meerut to Tender the Statement and submit documents as detailed in overleaf. The reason for issuing the Summon was not depositing the GST on income received from TEIs/ Stakeholders in the shape of Application Processing Fee, Appeal Fee and PAR Fee in view of services rendered for grant of recognition to the courses applied by them which is a tax violation of the provisions envisaged in the CGST Act, 2017 . The GST Department's core contention is that NCTE is required to Pay GST on Services provided by it to the colleges/ institutions.

GST Registration

- It may be further stated that the National Council for Teacher Education got GST Registration No. : 07AAALN0115D1ZQ w.e.f. 01.01.2018. The payment of GST was applicable from July, 2017.

GST Provision

- In compliance with the direction contained in the said SUMMON, a team from NCTE appeared before the GST Authority, Meerut. They defended the NCTE's interest stating that NCTE established by an Act of Parliament 1993 is a Statutory Body functions under the administrative control of Ministry of Education, Governmental of India. It is basically Government Authority controlled by the Central Government and its activities are exempted under entry no. 3 and 5 of the GST Exemption Notification No.12/2017. Accordingly, the reply was sent to GST Department, Meerut vide letter dated 24.02.2022 stating that there is no Tax violation at NCTE's part as the NCTE is performing its Regulatory Function only within its mandate and has no business motives. Whatever, fee/charges received from the TEIs are only utilized to meet out the expenditure incurred for proper functioning of NCTE. However, it was also informed that if the GST Department is of a different view, kindly clarify the rule of law so that same can be apprised to the higher authority.
- The detailed extract of the Exemption Notification is enumerated below:

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As per Entry No.5 services by a governmental authority by way of any activity in relation to any function entrusted to a panchayat under article 243G of the constitution. The various aspect of the entry number 5 are further explained below.

As per explanation to Clause (16) of Section 2 of the IGST Act 2017, governmental authority means any authority or a board or any other body setup by an act of parliament or a state legislature or established by any government with ninety percent or more participation by way of equity or control, to carry out any function entrusted to a municipality under article 243W of the Constitution.

- The functions entrusted to a panchayat under 11th Schedule to article 243G of constitution are:
 - a. The preparation of plans for economic development and social justice:
 - b. The Implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the 11th Schedule which are;
 - i. Agriculture, including agricultural extension. (ii) Land improvement, implementation of land reforms, land consolidation and soil conservation. (iii) Minor irrigation, water management and watershed development. (iv) Animal husbandry, dairying and poultry. (v) Fisheries. (vi) Social forestry and farm forestry. (vii) Minor forest produce. (viii) Small scale industries, including food processing industries. (ix) Khadi, village and cottage industries. (x) Rural housing. (xi) Drinking water. (xii) Fuel and fodder. (xiii) Roads, culverts, bridges, ferries, waterways and other means of communication. (xiv) Rural electrification, including distribution of electricity. (xv) Non-conventional energy sources. (xvi) Poverty alleviation programme. (xvii) Education, including primary and secondary schools. (xviii) Technical training and vocational education. (xix) Adult and non-formal education. (xx) Libraries. (xxi) Cultural activities. (xxii) Markets and fairs. (xxiii) Health and sanitation, including hospitals, primary health centres and dispensaries. (xxiv) Family welfare. (xxv) Women and child development. (xxvi) Social welfare, including welfare of the handicapped and mentally retarded. (xxvii) Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes. (xxviii) Public distribution system. (xxix) Maintenance of community assets.

However, the GST officer was partially agreed with the plea submitted by NCTE but didn't give a clear acceptance to the reply submitted by NCTE vide letter dated 24th February, 2022. As per the GST Officers, the education mentioned in the 11th Schedule of the Constitution doesn't include the activities carried out by the NCTE. Therefore, in order to claim the exemption of entry no.5 of NN 12/2017 NCTE needs to establish two things clearly;

1. That NCTE is controlled by the Government and
 2. Its activities fall under the preview of Article 243G.
- Further, the GST Department vide letter dated 12.04.2022 was again informed that the NCTE is acting as the canalizing agency on behalf of the Central Government and cannot appropriate any part of the fund for any other purpose. It is acting as a Public

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Authority on the direction of Central Government to regulate the Teachers Education and to achieve the object of the Education Policy framed by the Central Government. Therefore, as the services are provided for activities in relation to the function entrusted to a Panchayat under Sl. No. 17 of the Eleventh Schedule under Art 243G of the Constitution of India, NCTE is eligible for exemption under Sl. No. 3 or 4 or 5 of the Exemption Notification No. 12/2017.

- Further as per advice of the CA, the Legal Opinion dated 31.05.2022 were sought from Sh. Harpreet Singh, Advocate, Preet Vihar, New Delhi which is self-explanatory. However, the operative part of the opinion is as under:-

“That, therefore, in view of the above, the undersigned cannot but conclude that even though NCTE has been setup by an Act of the Parliament i.e. NCTE Act, 1993 however, it cannot be said to be a Government Authority in terms of the explanation to Section 2(16) of the IGST Act since the functions entrusted to a Panchayat under Article 243G of the Constitution of India.

That, the natural corollary to conclusion 1 above is that since NCTE cannot be said to be a Government Authority as its functions cannot be said to those which are entrusted to a Panchayat under Article 243G of the Constitution of India, 1950, therefore, it is liable to discharge GST on the services being provided by it to various colleges/institutions as the same cannot be treated as “exempted”.

- The Superintendent of GST Deptt., Meerut recorded the statement of NCTE officials on 9.6.2022 and asked to furnish the documents for the purpose of estimation of GST liability.
 1. Year wise and month wise breakup of Processing Fee, PAR Fee, Appeal Fee etc. shown as income in the Annual Accounts for the period of July 2017 to March 2022.
 2. Trial Balance for the period of 01.01.2022 to 31.03.2022.
 3. Details of GST Deposited on Legal Charges paid for the period of Jan 2022 to March 2022.
 4. Month Wise break-up of legal Charges paid for the period of July 2017 to 31.01.2018 for the purpose of calculation of Tax.
- Further, the GST turned down our request for exemption and asked NCTE vide its letter dated 29.06.2022 to submit year-wise break up (heads) of miscellaneous income for the period from FY 2017-18 (July 2017 to March 2018) to FY 2021-22 and copy of DRC-03 depositing GST & applicable dues for the period from July 2017 to March 2022.
- In view of the above it was decided by the competent authority to pay the GST Liability and Interest thereon to the GST Department. Accordingly, the NCTE has worked out the GST Liability and Interest with the assistance of CA Sh. Naveen Joshi to the tune of Rs. 5,45,55,102/- and interest Rs. 7,33,01,121/- (Total Rs. 12,78,56,224/-) till 31st March, 2022.

GST Liability and Interest on GST

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- With due approval of the Competent Authority, the above GST Liability and Interest thereon amounting to Rs. 12,78,56,224/- has been paid to GST Department on its Portal through DRC-03 Form to avoid any legal complications and penalty thereon, if any. Considering the aforesaid matter, the present Fee pattern does not allow NCTE to charge GST @ 18% from the TEIs/stakeholders who apply for grant of recognition to the courses as per NCTE Regulations, 2014. However, NCTE is liable to pay GST on the various fees received from the TEIs/Colleges. Rule position in this regard is depicted below.

Rule Position

- It may be further stated that the existing Rule 9 & 10 of the NCTE Rules 1997 amended vide Notification dated 27th February, 2015 determines the Application Processing Fee of Rs. 1,50,000/- and Appeal Fee Rs. 25,000/-. It does not mention about the GST to be charged from the TEIs alongwith Fee., whereas the NCTE is liable to pay GST @ Rs. 18% in accordance to GST Act/Guidelines which is huge extra financial burden being borne from its pocket actually meant for various welfare and other academic activities as per its mandate. This is the unavoidable financial obligation to be made by NCTE as per the CGST Act 2017.
- In view of the above the matter is placed before the General body of the Council for consideration and decision to add GST and other admissible taxes/cess levied by Govt. of India from time to time with the existing Application Processing Fee, Appeal Fee and PAR Fee to be received from TEIs with GST at the applicable rates so that the payment of GST Liability may be shifted to TEIs. Accordingly the amendment to this effect may be done in Rule 9 & 10 of the NCTE Rules, 1997.

In light of above, the Council decided the following:-

The Council approved the proposal for inclusion of taxes like GST and Cess and other tax etc. on the processing fees, appeal fees, PAR fee or other fees to be charged from the institutions. The Council further decided that in this regard, a letter be issued to the Ministry of Education, Govt. of India for necessary amendment in the concerned existing Rules etc.

Table Agenda item No.2. Permission for inviting application for Second Pilot Phase of ITEP for the academic session 2024-2025.

The Council, after consideration of Agenda placed before it and detailed discussion and deliberation, as below, observed the following: -

1. The NCTE has notified the Gazette Notification "NCTE-Regl011/80/2018-MS(Regulation)-HQ dated 22nd October 2021" which includes granting recognition to the eligible institutions, determining intake, eligibility, admission procedure, curriculum and programme implementation, assessment and evaluation etc. In para 1.8 of Gazette, it is mentioned that the ITEP shall be implemented in a phase wise

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manner starting from piloting in multidisciplinary HEIS/TEIs and thereby country wide expansion as per NEP 2020 timeframe.

2. Based upon the Appendix – 15 of aforesaid Gazette Notification, 57 institutions across the country have been granted recognition in the 1st phase of Piloting ITEP for the academic year 2023-24. These institutions include central & state-owned institutions, and Govt. B.Ed. Colleges in collaboration with nearby multidisciplinary HEIs, affiliated to the same University, in conformity with the UGC guidelines or universities notified as Skill Universities along with multidisciplinary environment. The recognition as granted to the 57 institutions vide Public Notice F.No.NCTE-Regl022/14/2021-Reg. Sec-HQ dated 01.05.2022 to run the ITEP programme in pilot mode determine minimal degree qualification for school teachers corresponding to the stages like Foundational, Preparatory, Middle and Secondary guided by the 5+3+3+4 design as envisaged in NEP 2020.
3. The selection / eligibility criteria for the 1st phase piloting of ITEP and the list of institutions is annexed separately.
4. Secretary DoSE&L, MoE, Shri Sanjay Kumar IAS, in his D.O. No. 11-83/2017-EE-10/IS-14 dated 11 March 2023, on the successful launch of ITEP for academic session 2023-24, has expressed -

“3. It is my pleasure to inform you that the National Council for Teacher Education (NCTE) has launched Integrated Teacher Education Programme (ITEP) in 57 Teacher Education Institutions (TEIs) for the academic session 2023-24 throughout the country. The programme is being offered in pilot mode initially in reputed Central/State Government Universities/Institutions. (annexure-1).

4. We are confident that the course will contribute substantially to the revitalization of the teacher education sector in the country. I would, therefore, suggest that all multidisciplinary higher education Institutions of your State, particularly those rated A and above by the National Assessment and Accreditation Council may be encouraged to initiate the ITEP programme in their Institutions.”

5. In view of the above, agenda for 2nd phase Piloting of ITEP for the academic session 2024-25 is hereby placed before the GB for kind approval please.


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6. Selection of the Institutions will be based on the scores as below:-

Eligibility Criteria for Selection													
Sl. No.	Criteria	Description	Points (max.)										
1.	<div><div><div>➤ Institutes of Eminence or,</div><div>➤ Institutions of National Importance or,</div><div>➤ Central/State Government Universities graded with NAAC ‘A’ & above**</div></div><div><div>** (NAAC grading should have been valid for some period of time in the last 2 years from the date of issue of public notice inviting applications by NCTE, provided applications have been filed by the institution for fresh accreditation)</div></div></div>	<div>Distribution of points is as below:</div> <div><div><div>➤ IoE - 8</div><div>➤ IoNI - 8</div><div>➤ Central/State Govt. Universities with NAAC ‘A’ grade above is as below-</div></div><table><tr><td>A++</td><td>8</td></tr><tr><td>A+</td><td>6</td></tr><tr><td>A</td><td>4</td></tr></table></div>	A++	8	A+	6	A	4	8 points				
A++	8												
A+	6												
A	4												
Shortlisting Criteria for Processing of Applications													
2.	Shortlisting Criteria	Description	24 Points (max.)										
i.	Marks obtained in eligibility criteria	8 or 6 or 4	8 points										
ii.	NIRF Ranking of Universities / Institutions	<table><tr><td>Rank</td><td>Points</td></tr><tr><td>1-50</td><td>8</td></tr><tr><td>51-100</td><td>6</td></tr><tr><td>101-200</td><td>4</td></tr><tr><td>201 & above</td><td>2</td></tr></table>	Rank	Points	1-50	8	51-100	6	101-200	4	201 & above	2	8 points
Rank	Points												
1-50	8												
51-100	6												
101-200	4												
201 & above	2												
iii.	Institutions running successfully for 5 or more years	Counting of years from inception of the institution till the date of issue of	8 points										

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		public notice inviting applications by NCTE.	
		• 5-10 years	2
		• 10-20 years	4
		• 20 -30 years	6
		• 30 years & above	8

*** Note: The Institutions obtaining a minimum of 16 points will be shortlisted for processing on the basis of extant norms and standards prescribed by NCTE.**

Accordingly, it is proposed that the 2nd Phase Piloting of Integrated Teacher Education Programme (ITEP) may kindly be approved the General Body of NCTE as an agenda item with the above selection and shortlisting criteria (as proposed supra in point 6) for piloting from the academic session 2024-25.

In light of above, the Council decided the following: -

- i. ***The Council approved the proposal and granted permission for inviting online applications for 2nd Pilot Phase of ITEP for the academic session 2024-25 from the institutions. As per Regulation 2021, the ITEP shall be implemented in a phase-wise manner starting from piloting in multidisciplinary HEIs/TEIs and thereby country wide expansion as per NEP 2020 time frame. Therefore, the institutions fulfilling the eligibility criteria, mentioned above, would be eligible to apply for the 2nd Pilot phase of ITEP for the academic session 2024-25.***
- ii. ***The Eligibility Criteria for Selection and the Shortlisting Criteria for Processing of Applications, as proposed, was also approved.***
- iii. ***The Council further decided that the online portal for inviting applications for the 2nd Pilot Phase of ITEP for the academic session 2024-25 be opened accordingly.***

Table Agenda item No. 3.

Proposal by Prof. Umesh Chandra Vashishtha for introducing innovative practices in teacher education and proactive role of NCTE in recognizing excellence in Teacher Education.

In light of above, the Council decided the following: -

Proposals by Prof. Vashishtha are noted.

The meeting ended with the vote of thanks to the Chair.

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Annexure- I

List of Participants who attended the 56th GB Meeting of the Council held on 25th March, 2023 at 01.30 P.M in Hybrid Mode.

1. Prof. Yogesh Singh, Chairperson, NCTE, G-7, Sector – 10, Dwarka, New Delhi – 110075.
2. Mrs. Kesang Yangzom Sherpa, IRS, Member Secretary, NCTE, G-7, Sector – 10, Dwarka, New Delhi – 110075.
3. Ms. Prachi Pandey, Joint Secretary, Department of School Education and Literacy, Ministry of Education.
4. Shri J.K. Yadav, Director, CTET, Central Board of Secondary Education (CBSE) Shiksha Kendra, 2, Community Centre, Preet Vihar, Delhi – 110092.
5. Dr. Ravindra Mahadeorao Kadu, Chairperson, WRC-NCTE, Member (Ex-officio), Shri Shivaji College of Physical Education, Panchawati Square, Shivaji Nagar, Amravati – 444602, Maharashtra.
6. Dr. K. K. Shine, Chairperson, SRC-NCTE, Central Sanskrit University, Guruvayoor Campus, P.O. – Puranattukara, Thrissur – 680551, Kerala.
7. Dr. Banwari Lal Natiya, Principal (Retd.), Chairperson, NRC-NCTE, Flat. No. 599, Block 25, Rangoli gardens, Maharana Pratap Marg, Vaishali extension, Jaipur- 302034, Rajasthan.
8. Prof. Shashikala Wanjari, Former Vice-Chancellor, SNDT Women's University, 1, Nathibai Thackersey Road, Mumbai – 400020, Maharashtra.
9. Dr. Kinnari Pandya, Azim Premji University, School of Education, PES Campus Pixel Park, B Block Electronics City, Hosur Road (Beside NICE Road), Bengaluru – 560100, Karnataka.
10. Shri Sambharant Sharma, Executive-Member, Sri Aurobindo Society, Shaheed Jeet Singh Marg, Adhchini Village, New Delhi, 110016.
11. Shri Subodh Tiwari, CEO, Kaivalyadhama Yoga Institute & Research Center, Swami Kuvalyananda Marg, Parsi Colony, Lonavala, Pune – 410403, Maharashtra.
12. Shri Sandeep Joshi, Adarsh Government Higher Secondary School, Rewat, Jalore – 343001, Rajasthan.
13. Prof. Ajitsinh Rana, Dr. Baba Saheb Ambedkar Open University, Jyotirmay Parisar, Sarkhej-Gandhinagar Highway, Chharodi, Opp. Shri Balaji Temple, SG Highway, Chhararodi, Ahmedabad – 382481, Gujarat.
14. Shri Jobi Balakrishnan, Sreepa Dam PRA 194-A, Thoppli, Thrikkakara, Kochi – 682021, Kerala.
15. Prof. P. K. Joshi, Hemwati Nandan Bahuguna Garhwal University, C-01, Rishi Avenue, Haridwar Road, P.O: Virbhadra, Rishikesh, Uttarakhand.
16. Sh. Fayaz SCERT, School Education Department, Govt. of Jammu & Kashmir, Room No- 2/24, Civil Secretariat, Jammu & Kashmir.
17. Dr. V. M. Chandrika, Joint Director, School Education Department, Govt. of Andhra Pradesh, J-Block, 3rd Floor, Room No. 312, Andhra Pradesh Secretariat, Hyderabad – 500022, Andhra Pradesh.
18. Prof. Umesh Chandra Vashishtha, Former Dean and HoD, Department of Education, University of Lucknow, Lucknow - 226025, Uttar Pradesh.
19. Prof. Abha Sharma,
20. Sh. Rajive Kumar,
21. Sh. M Jagadesh Kumar, Chairman, UGC, New Delhi
22. Dr. Dhananay Joshi, Delhi Teachers University, New Delhi