

MINUTES OF THE 64TH MEETING OF COUNCIL OF ARCHITECTURE, HELD ON 27TH AUGUST, 2015, AT 11.00 A.M. IN CASUARINA HALL, CONVENTION CENTRE, INDIA HABITAT CENTRE, LODHI ROAD, NEW DELHI – 110 003.

PRESENT

Shri Uday C. Gadkari : President (In Chair)
Shri K. Udaya : Vice-President

Members:

1. Shri Prakash S. Deshmukh
2. Shri Alok Ranjan
3. Smt. Mala Mohan
4. Shri Rajiv R. Mishra
5. Shri Kiran Mahajani
6. Shri Inderjeet S. Bakshi
7. Shri Durlav C. Saikia
8. Smt. Sunita Monga
9. Shri B. Krishnakumar Sharma
10. Shri O. P. Gurnani
11. Shri Jatinder Saigal
12. Smt. Sapna
13. Smt. Usha Kasana
14. Shri A. D. Shirode
15. Shri Amogh K. Gupta
16. Shri H. K. Mittal
17. Shri Jitendra Singh
18. Shri K. Patharachalam
19. Shri P. D. Dhanjibhai
20. Shri G. K. Bysack
21. Shri C. V. Dileep Kumar
22. Smt. R. Kamala Devi
23. Smt. Geeta Khulbe
24. Shri N. K. Negi
25. Shri R. Radhakrishnan
26. Shri Ashish K. Rege
27. Shri Biswaranjan Nayak
28. Shri B. S. Thangkhiew
29. Shri Vijay Garg
30. Shri D. V. Solomon
31. Shri Milind Kollegal
32. Shri Mitesh J. Kalola
33. Shri Sadiqu Ali D. A.
34. Shri George Lalzuia
35. Shri Amitava Roy
36. Shri Arvind Kumar Ahirwar
37. Shri Rajiv Chadda
38. Smt. Sujata Anand
39. Smt. N.Kavitha D. Rao

IN ATTENDANCE:

Shri R. K. Oberoi : Registrar-Secretary
Shri Deepak Kumar : Administrative Officer

The following members were granted leave of absence:

1. Shri Kapil Setia
2. Shri Sanjeev K. Sharma
3. Shri Dulal C. Mukhopadhyay
4. Shri V. K. Pant

The following Members did not attend the meeting and no intimation was received from them till the convening of the meeting:

1. Shri Sukrit Chatterjee
2. Shri B.M. Sankhe
3. Shri Zavisio W. Khieya
4. Shri R. K. Kaushal
5. Smt. Devika R. Sharma
6. Shri T. K. Dwari
7. Shri Dawa Tsering

The President extended a very warm welcome to the members with a special mention of members attending the meeting for the first time. The President requested the members for introducing themselves.

The President informed the members that a few days ago former President of India Dr. A. P. J. Abdul Kalam had expired and he also mentioned that a very senior and eminent architect Shri Charles M. Correa had also expired. Therefore, all the Council members observed one minute silence as a mark of respect and pay homage to the departed souls.

Thereafter the regular agenda of the meeting was taken up.

ITEM NO.1 CONFIRMATION OF THE MINUTES OF THE 63RD MEETING OF THE COUNCIL OF ARCHITECTURE HELD ON 6TH FEBRUARY, 2015.

The Minutes of the 63rd Meeting of the Council of Architecture held on 6th February, 2015, at Alibaug, Maharashtra, as circulated to all members on 3rd March, 2015 and also annexed to the Agenda were confirmed and signed.

ITEM NO.2 TO TAKE NOTE OF THE ACTION TAKEN REPORT ON THE MINUTES OF THE LAST MEETING OF THE COUNCIL HELD ON 6TH FEBRUARY, 2015.

The Council noted the action taken report as placed at Appendix-B of the Agenda.

ITEM NO.3 APPROVAL OF RESTORATION OF NAMES TO THE REGISTER OF ARCHITECTS MAINTAINED BY THE COUNCIL OF ARCHITECTURE UNDER THE ARCHITECTS ACT, 1972.

The Council approved the action taken by its Registrar for restoring of names of 1027 defaulting Architects' whose names were restored to the Register of Architects upon receipt of requisite fees, during the period 13.01.2015 to 31.07.2015.

ITEM NO.4 REMOVAL OF NAMES FROM THE REGISTER OF ARCHITECTS DUE TO REQUEST OR DEATH.

The Council noted with grief the passing away of architects as listed in the agenda. The members expressed their deep condolences to the families of deceased Architects and observed one minutes silence. The Council decided to remove their names from the Register of Architects as required under the provisions of the Architects Act. In this regard, the Council passed the following Resolution:

Resolution No.459

Resolved that:

The names of the following Architects be removed from Register of Architects upon their death as provided under Section 29 (1) (b) of the Architects Act, 1972:

- i) Mr. Vilas D. Mungekar, CA/84/8197, Mumbai;
- ii) Mr. Charles M. Correa, CA/75/2277, Mumbai; and

iii) Mr. K. Vamadevan, CA/75/260, Chennai

Further, the Council removed the names of the following Architects upon their request as provided under Section 29 (1) (a) of the Architects Act, 1972, and according passed the following resolution:

Resolution No.: 460

Resolved that:

The names of following Architects be removed from the Register of Architects at their requests as provided under Section 29 (1) (a) of the Architects Act, 1972:

- i) Mr. Prakash A. Bandekar, CA/88/11560, Mumbai;
- ii) Mr. Dinesh T. Mahadwar, CA/75/1045, Mumbai;
- iii) Mr. Vilas D. Mungkar, CA/84/8197, Mumbai; and
- iv) Mr. Manohar V. Gogate, CA/75/1948, Pune

ITEM NO.5 TO GRANT OPPORTUNITY OF HEARING TO ARCHITECTS FOUND GUILTY OF PROFESSIONAL MISCONDUCT UPON REPORT BY DISCIPLINARY COMMITTEE BEFORE PASSING ORDER(S) .

I) CA/DC/299 – SHRI AMIT SAINI, CHANDIGARH – COMPLAINANT V/S. AR. SUBHASH C. DUGGAL, CHANDIGARH-(RESPONDENT ARCHITECT)

The Council at its 62nd meeting held on 02.09.2014 considered that the Complaint against Respondent Architect was that he took over the project without obtaining any NOC from previous Architect i.e. Complainant or ensuring that the previous Architect's services were terminated or not. The Complainant had even requested the Respondent Architect not to take up the work since they have been engaged for the project and their fee is yet to be settled by the client.

The complainant entered into an agreement with the client M/s. Chitkara Educational Trust, Chandigarh for their building projects. He prepared drawings for the building projects. As per complaint the complainant was paid only 35% of his fees and 65% was due to him.

The Council upon consideration of the report of Disciplinary Committee found the Respondent Architect guilty of Professional Misconduct for violating Regulation 2(1) (xv) of the Architects (Professional Conduct) Regulations, 1989 for taking over the project of the complainant Architect without following the required procedure.

The Council, therefore, summoned the Respondent Architect to appear before it for providing him opportunity of hearing on the finding of guilt in terms of provisions of the Architects Act, 1972 at its 63rd meeting held on 6th February, 2015 at Alibaug, Maharashtra. However the Respondent Architect stated that

his health did not allow him to travel and that he stopped the said work immediately upon receipt copy of agreement from the Complainant. He also stated that he is more than 37 years in practice as an Architect and never had such an issue. He also requested the Council to take a lenient view and that he will respect the Council's decision. The Council adjourned the hearing for its next meeting upon receipt of email dated 03.02.2015.

The Council again summoned the Respondent Architect to appear before the Bar of the Council at its 64th meeting of the Council scheduled for 27.08.2015 at New Delhi, to provide him opportunity of hearing and in case he fails to appear, the Council may proceed in the matter ex-parte.

The Respondent Architect did not appear before the Council and no further communication was received from the Respondent Architect. The Council, therefore, proceeded with matter ex-parte.

The Council deliberated the matter in detail and upon application of their mind, Ordered, in terms of provisions of Section 30 (2), as under:

The Respondent Architect Shri Subhash Chandra Duggal (CA/76/3344), Chandigarh be suspended from Practice as an Architect for a period of two years and he be asked to surrender the Certificate of Registration to the Registrar of the Council immediately; and

The Complainant and the concerned municipal/local authority in the Chandigarh be informed of the decision of the Council.

The Registrar-Secretary is directed to inform the decision to the concerned person/authorities.

II) CA/DC/308 – Shri S. M. Vijayanand, Principal Secretary, Govt. of Kerala, Complainant V/s. Shri Jibu John, Architect, Kerala (CA/95/18775).

The Council at its 62nd meeting held on 02.09.2014 considered the Complaint against the Respondent Architect and noted that he did not prepare the plan for a multi storied Building in the land comprised in survey number 61/14, 7 of KDH village in Idukki district Kerala in conformity with Kerala Municipality Building Rules, 1999. He has not visited the site before preparing the plan. He violated Rule 117 of Kerala Municipality Building Rules, 1999 specifically applicable to High Rise Buildings.

The Statement of Defence submitted by the Respondent Architect stated the he prepared the plan for one more floor and given to the client, and advised the Client that the same requires sanctions from the Fire Fighting Department and other local bodies.

The Council upon consideration of the report of Disciplinary Committee found the respondent Architect guilty of Professional Misconduct for violating

Regulation 2(1) (iii) and (x) of the Architects Regulations, 1989 and summoned him to appear before the Bar of the Council at its 63rd meeting held on 06.02.2015 at Alibaug, Maharashtra for providing him opportunity of hearing in terms of Provision of Architects Act, 1972. However the Respondent Architect sought exemption from appearance due to his ill health and sent his authorized representatives, who were informed that the hearing was adjourned at request of Mr. Jibu John to the next meeting of the Council.

The Respondent Architect was again summoned to appear before the Bar of the Council and accordingly he appeared before the Council. He stated that he has done no wrong. The Building was regularized by the Government and Building permit was sanctioned for the building. He also stated that he filed RTI Application for getting copies of those documents. He, further, stated that he could not bring all the documents.

The Council after hearing him decided that both the Complainant and Respondent Architect are directed to provide documentary evidence within one month in support of their claim so that appropriate decision can be taken in the matter.

III) CA/DC/354 – Shri R. A. Yadav, DSP, CBI, V/s. Shri Navdeep Gupta, Architect, (CA/99/24165), Lucknow.

The Council at its 62nd meeting held on 02.09.2014 noted that the Complaint against the Respondent Architect was that he issued a Certificate for a Building for a College that the Building was complete whereas the same was not complete till the filing of Criminal Case by CBI against its owners.

Thus, he issued a false Certificate which facilitated the Institution to get approval for a new College from AICTE. The Respondent Architect in his Statement of Defence stated that he had given Certificate of completion of ground floor for Hotel Management Course for obtaining cost estimates of the Building. However, the Institution people have misused the same for showing it as completely constructed Building of three floors and obtained approval of AICTE.

The Council upon consideration of the report of Disciplinary Committee found the Respondent Architect guilty of Professional Misconduct for violating Regulation 2(1) (iii) and (x) of the Architects Regulations, 1989 and summoned him to appear before the Bar of the Council at its 63rd meeting held on 06.02.2015 at Alibaug, Maharashtra, for providing him opportunity of hearing in terms of Provision of Architects Act, 1972. However the Respondent Architect sought exemption from appearance due to ill health of his father. Accordingly the Council adjourned the hearing to the next meeting.

The Council again summoned the Respondent Architect to appear before the Bar of the Council of Architecture on 27.08.2015, at New Delhi and accordingly he appeared before the Council.

He stated that he had given only one Certificate and the Institution people have forged his signatures and made different Certificates. However he admitted he did not take physical measurements of the site. He prepared his drawings based on earlier drawings. The Council members asked him about the status of the CBI case which he said he was not aware.

The Council, upon detailed deliberations, thus observed that it is a case of negligence of the Architect and upon detailed deliberation and application of their mind Ordered, in terms of provisions of Section 30 (2) of the Act, to Reprimand the Respondent Architect with further directions to ensure that such act is not repeated.

The Respondent Architect was again invited before the Bar of the Council and informed of the Order passed by the Council and was also asked if he had anything to say on the Order. The Respondent Architect accepted the order passed by the Council.

The Council directed the Registrar-Secretary to inform the decision of the Council to the concerned person/authorities.

ITEM NO. 6 TO CONSIDER THE ANNUAL REPORT AND AUDITED STATEMENT OF ACCOUNTS OF THE COUNCIL FOR THE FINANCIAL YEAR 2014-2015.

The President reported that the Executive Committee at its 150th meeting held on 13th August, 2015 has considered the Annual Report and Audited Statement of Accounts of the Council for the financial year ending on 31st March, 2015. The Executive Committee has recommended for placing the same before the Council and that the same may be accepted.

The Audited Statement of Accounts for the year ending 31.03.2015 of the Council of Architecture, Council of Architecture (Contributory Provident Fund) Account and Council of Architecture Employees' Group Gratuity Scheme with LIC of India and the Annual Report for the same period, as annexed with the Agenda, were perused and approved by the Council and accordingly, the Council passed the following resolution:

Resolution No: 461

Resolved that:

- (a) The Annual Report together with Audited Statement of Accounts as placed before the Council be approved for the period ended on 31.03.2015;
- (b) The same be published in the Gazette of India as required under the provisions of the Architects Act, 1972; and
- (c) A copy of the same be sent to the Central Government of in terms of the provisions of the Architects Act, 1972.

ITEM NO.7 TO TAKE NOTE OF INSPECTIONS CONDUCTED BY THE COUNCIL OF ARCHITECTURE FOR ACADEMIC SESSION 2015-2016 FOR GRANT OF EXTENSION OF APPROVAL/ INTRODUCTION OF B.ARCH. AND M.ARCH. COURSES.

The President informed the members that during the academic session 2015-2016, the Council received 97 Applications for introduction of B.Arch. Course and 243 applications for extension of approval for B.Arch. Course.

The President also informed the members that the Executive Committee granted approval to 60 new institutions for introduction of B.Arch. Course and 235 existing Institutions have been granted extension of approval with same intake or reduced intake. 63 Institutions applied for Additional intake and 15 Institutions were granted additional intake.

It was also informed that Council received 22 applications for Introduction of M.Arch. Course and 9 Institutions were granted approval.

The members noted the information as detailed in the Agenda and appreciated the efforts made by the Council for carrying out the work through e-governance and for improving the same day by day.

ITEM NO.8 TO TAKE NOTE OF APPOINTMENT OF REGISTRAR, COUNCIL OF ARCHITECTURE.

The President informed that the Executive Committee of the Council at its 144th meeting held on 14&15th May, 2015 appointed Shri Raj Kumar Oberoi, Offg. Registrar & Deputy Registrar in the Council as Registrar, Council of Architecture w.e.f. 14.05.2015.

The Council members congratulated the Registrar Shri Raj Kumar Oberoi and ratified the decision of the Executive Committee.

ITEM NO.9 TO TAKE NOTE OF VARIOUS ACTIVITIES AND INITIATIVES UNDERTAKEN BY THE COUNCIL OF ARCHITECTURE FROM THE YEAR 2012 TO TILL DATE.

The members perused the printed booklet circulated during the course of the meeting and appreciated the actions taken by the Council during the period 01.10.2012 under the leadership of Prof. Uday Gadkari, President.

ITEM NO.10 TO TAKE NOTE OF THE FOLLOWING ISSUES:

I) Amendments to the Architects Act:

The President informed the members that the Council after having wide consultations with all stakeholders submitted a detailed proposal for comprehensive amendments to the Architects Act, 1972 to the Ministry of Human Resource Development, Govt. of India in October 2013.

The Ministry, thereafter, constituted a Committee under the Chairmanship of Ar. J. R. Bhalla and said Committee had submitted its final report to the MHRD in the month of January 2015.

The Council vide its letter dated 11.04.2015 and another reminder requested the MHRD about the current status of the same and the information about the same is awaited.

II) Inter Ministerial Group Meeting on Architecture in Commerce Ministry:

The President informed the members that in order to promote export of Architectural Services the Ministry of Commerce & Industry, Govt. of India, held a meeting on 16th June, 2015 with following Agenda :

- i. Qualification and competence of an architect.
- ii. Defining practice of an architect/ architectural services.
- iii. Juridical persons (company, trust, society, etc.) Cannot practice any regulated profession.
- iv. Foreign architects in India.
- v. Conflicting policies/ guidelines on engagement of architects for public projects.

This meeting was attended by the President, Shri Rajiv Mishra, EC Member and officials of the Council.

The members perused the Agenda and Minutes of the meeting and noted the contents of the same.

III) Communications with MHRD & Other Ministries & Departments:

a. Grants-in-aid for purchase of office space :

The members noted the information as detailed in the Agenda.

b. Use of National Emblem by Council on its website and stationary items:

The members noted the information as detailed in the Agenda.

c. Eligibility for admission to B.Arch. Course :

The members noted the information as detailed in the Agenda.

IV) Elections for various offices in the Council:

The members noted the information as detailed in the Agenda.

V) Approval of Central Government to Professional Examinations Regulations:

The members noted the information as detailed in the Agenda.

ITEM NO.11 TO APPROVE THE DRAFT COUNCIL OF ARCHITECTURE (MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION) REGULATIONS, 2015.

The President informed the members that the provisions of the Architects Act, 1972 empower the Council to prescribe minimum standards of architectural education for imparting recognized qualifications by the Architectural Institutions.

He further informed that whatever education they took has undergone sea change. The relationship of the education and profession is so much that they are two sides of a coin and cannot be separated. Today, technology and teaching methodology has changed. The Computer has changed the teaching- learning process. Therefore, the Norms and Standards prescribed by the Council have to be consistent with the present day scenarios.

Since legislature does not have time & expertise to make Laws on all Technical matters they left the same to be done by concerned expert bodies through subordinate legislations.

The President informed the members that the Council earlier prescribed Regulations in the year 1983 and later on minimum standards were supplemented/ revised in the year 2008. Looking at advancements in architectural education and profession and also to comprehensively deal with every aspect of architectural education the Draft Council of Architecture (Minimum Standards of Architectural Education) Regulations, 2015 were prepared.

The members perused the draft regulations and decided that the basic issue of eligibility must be resolved first and thereafter other issues. The Council, therefore, upon detailed deliberations resolved as under:

Resolution No.462

Resolved that:

1. The eligibility for admission to B. Arch. Course be fixed as 10+2 with PCM subjects and 50% marks in aggregate;
2. The new eligibility be implemented only after two years i.e. from the Academic Session 2017-18;
3. In the qualification of faculty members for M. Arch. or equivalent there should be proper listing of recognized post graduate qualifications;
4. The members may send their views / comments within 15 days;
5. President Council of Architecture is authorized to finalize the Regulations and a copy of the same be sent to the Council members for their information and record;
6. The President Council of Architecture is authorized to send these Regulations to Central Government for their approval; and

7. These Regulations be adopted as 2015 Minimum Standards of Architectural Education replacing 2008 Minimum Standards of Architectural Education prescribed by the Council of Architecture from the Academic Session 2016-2017.

ITEM NO.12 TO TAKE NOTE OF DELAY IN RE-CONSTITUTION OF DISCIPLINARY COMMITTEE BY THE CENTRAL GOVERNMENT.

The members noted the delay in re-constitution of Disciplinary Committee and requested the Ministry of HRD to do the needful in the matter at the earliest so that the Council can carry on its statutory duties.

ITEM NO.13 TO RE-CONSIDER THE COMPLAINT FILED BY SHRI SHABBIR A. TAMBAWALA AGAINST THE M/S. HAFEEZ CONTRACTOR & SUHAS JOSHI, ARCHITECTS, IN TERMS OF ORDER DATED 17.06.2015 OF HON'BLE BOMBAY HIGH COURT.

The President informed the members that one Mr. Shabbir A. Tambawala, from Mumbai filed a complaint for alleged professional misconduct against Mr. Hafeez Contractor, Architect and Mr. Suhas Joshi, Architect and same was considered by the Council at its 57th meeting held on 16.09.2011 and the Council decided that no prima facie case of alleged professional misconduct exist and the complaint was dismissed. However, Mr. Shabbir A. Tambawala filed a writ petition no.130 of 2013 against the Council of Architecture and the respondent Architects.

The Division Bench of Hon'ble Bombay High Court vide order dated 17.06.2015 ordered as under:

- (a) *The communications/ letters dated 22.03.2010 and 16.11.2011 so also the directions contained therein are quashed and set aside.*
- (b) *The Council of Architecture shall now hear the complaint filed by the Petitioner on merits and in accordance with law. Meaning thereby the Council of Architecture will have to deal with this complaint in the matter and in accordance with the procedure set out in the Architects Act, the relevant Rules and Regulations on the basis that it makes out a prima facie case.*
- (c) *We clarify that parties having agreed to set aside the prima facie conclusion of the Council, does not mean that this Court has expressed any opinion much less concluded that any Architect is guilty of professional or other misconduct. We further clarify that all contentions of all the parties on the charges and merits of the complaint are kept open. The complaint shall be decided uninfluenced by any prima facie conclusion and as directed above.*

The Council, accordingly, decided to refer the matter to Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973.

The Registrar – Secretary is directed to inform the decision of the Council to the Complainant and Respondent Architect(s) accordingly.

ITEM NO.14 TO CONSIDER THE REPORT OF THE DISCIPLINARY COMMITTEE IN RESPECT OF FOLLOWING CASE OF ALLEGED PROFESSIONAL MISCONDUCT AGAINST ARCHITECT:

With regard to Disciplinary Inquiry No. CA/DC/310, Mrs. Savita Mehta, Complainant against Ar. Vivek Khanna, Respondent Architect, the Council perused the report of the Disciplinary Committee and accepted the same and found the Respondent Architect guilty of Professional Misconduct.

The Council, therefore, decided to summon the Respondent Architect to appear before the Bar of the Council to hear him in person and provide opportunity of hearing on the finding of guilt and order to be pronounced consequently.

ITEM NO.15 TO CONSIDER THE COMPLAINTS RECEIVED FOR ALLEGED PROFESSIONAL MISCONDUCT AGAINST ARCHITECTS FROM THE ARCHITECTS, GENERAL PUBLIC/ GOVT. AGENCIES.

The Council perused the various complaints received against Architects as detailed in the Agenda together with the Statement of Defence, whoever filed, and Preliminary Reports, wherever received from the Council Members to whom the respective matters were referred, as annexed to the Agenda, and upon application of their mind, passed the following Resolution:

Resolution No.:463

Resolved that:

- 1) CA/DC/399 – With regard to the Complaint filed by Mr. Prithvi Rajarya, New Delhi against Mr. Rajat Goyal, Architect (CA/97/21349), New Delhi, the Council decided that the Complainant be asked to provide the copy of the Agreement with the Architect and the Complaint be again sent to Mr. Kapil Setia, Council Member for his opinion.
- 2) CA/DC/400 - With regard to the Complaint filed by Mr. Vilash V. Avachat, Jt. Hon. Secretary, IIA, Mumbai against Mr. D. T. Vinod Kumar, Architect (CA/87/11045), Secunderabad, the Council decided that the matter may be referred to a member of the Council for opinion with complete set of complaint.
- 3) CA/DC/401- With regard to the Complaint filed by Shri Prasanna S.Chamankar, Architect, Mumbai, against Mr. Anand V. Dhokay, Architect CA/87/10855, Mumbai, the Council decided that the matter be referred again to a Council Member for his opinion in the matter since Mrs. Amita Singh, former member could not submit her report.
- 4) CA/DC/402 - With regard to the Complaint filed by Mr. Vilash V. Avachat, Jt. Hon. Secretary, IIA, Mumbai against Mr. D. T. Vinod Kumar, Architect (CA/87/11045), Secunderabad, the Council decided that the matter may be referred to a member of the Council for opinion with complete set of complaint.

- 5) CA/DC/403- With regard to the Complaint filed by Mr. Padmakar A. Kulkarni, Nashik against Mr. Sanjay Mhalas, Architect (CA/87/10988), Nashik, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architecture.
- 6) CA/DC/404 - With regard to the Complaint filed by Mr. Rakesh K. Singh, Delhi against Mr. A. Patwal, Architects (CA/88/11752), New Delhi, the Council decided to defer the matter since Mr. Kapil Setia, Council Member could not submit his report to the Council.
- 7) CA/DC/405- With regard to the Complaint filed by Mr. Sandeep S. Kumar, Mumbai against Mr. Anurag S. Garg, Architect, (CA/98/22491), Navi Mumbai, the Council decided to refer the matter to Mr. Vijay Garg, Council Member for further examination and submission of his report.
- 8) CA/DC/406 - With regard to the Complaint filed by Mr. Prashan Waghmare, City Engineer, Pune Municipal Corporation, Pune against Mr. Sanjeev Oak, Architect (CA/85/8875), Pune, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architect.
- 9) CA/DC/407 - With regard to the Complaint filed by Mr. Prashan Waghmare, City Engineer, Pune Municipal Corporation , Pune against Mr. Girish Doshi, Architect (CA/87/10931), Pune, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architect.
- 10) CA/DC/408 - With regard to the Complaint filed by Mr. Rajesh K. Sheth, Mumbai against Mr. Bhavin Modi, Architect (CA/2003/28864), Mumbai, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architect.
- 11) CA/DC/409 - With regard to the Complaint filed by Mr. Sudhir K. Vohra, Architect, New Delhi, against Mr. Shorab S. Dalal, Architect (CA/85/8939) New Delhi, the Council opined that there exists a prima facie case against the Respondent Architect. The matter be referred to the Disciplinary Committee of the Council for detailed investigation as provided under the Council of Architecture Rules. Accordingly, the Petitioner and Respondent Architect shall be informed of the decision of the Council.
- 12) CA/DC/410 - With regard to the Complaint filed by Mr. Sudhir K. Vohra, Architect, New Delhi against Ms. Sonali Bhagwati, Architect (CA/86/9903), New Delhi, the Council opined that there exists a prima facie case against the

Respondent Architect. The matter be referred to the Disciplinary Committee of the Council for detailed investigation as provided under the Council of Architecture Rules. Accordingly, the Petitioner and Respondent Architect shall be informed of the decision of the Council.

- 13) CA/DC/411 - With regard to the Complaint filed by Mr. Sudhir K. Vohra, Architect, New Delhi against Mr. Rajinder Kumar, Architect (CA/76/2490) New Delhi, the Council opined that there exists a prima facie case against the Respondent Architect. The matter be referred to the Disciplinary Committee of the Council for detailed investigation as provided under the Council of Architecture Rules. Accordingly, the Petitioner and Respondent Architect shall be informed of the decision of the Council.
- 14) CA/DC/412 - With regard to the Complaint filed by Mr. H.M.Kadam, Architect, Pune against Mr. Shirish R. Kembhavi, Architect (CA/89/2682), Pune, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architecture.
- 15) CA/DC/414 - With regard to the Complaint filed by Mr. Sachin Gupta, CRS Builders, Gurgaon against Mr. Alok Pande, Architect (CA/86/9817), Dehradun, the Council opined that there does not exist any prima facie case of Professional Misconduct as alleged and therefore the complaint be dismissed. Accordingly, the Complainant and the Respondent Architect shall be informed the decision of the Council of Architecture.
- 16) CA/DC/415 - With regard to the Complaint filed by Mr. Sudhir K. Vohra, Architect, New Delhi against Mr. Mayur R. K, Architect (CA/2008/43647), Bangaluru, the Council deferred the consideration of the case as Mr. N. K. Negi, Council Member could not submit his Preliminary Report.

ITEM NO.16 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

- I. To consider the recommendations of the Executive Committee regarding recognition of Previous Batches of Students admitted by School of Planning & Architecture Bhopal and Vijayawada without inspection and approval of the Council based on Comprehensive Academic Review (CAR) of these institutions.**

The President informed the members that the School of Planning & Architecture, Bhopal and Vijaywada were started by the Central Government in the year 2008. However, these institutions did not take approval from the Council and not got themselves inspected in terms of the provisions of the Architects Act, 1972.

These institutions were given approval in 2012 and 2013. Thereafter, these institutions applied for regularization of the earlier batches so that the students can get registration as an architect from the Council of Architecture.

Thus, the batches of students admitted without approval of the Council were not recognized. Further, both these SPAs were neither affiliated with any University nor authorized by law to confer degrees.

The Executive Committee of Council at its 142nd meeting held on 30th March, 2015 considered the matter of regularization of the batches of students which were admitted without the approval of the Council during the academic year 2008-09 to 2011-2012. The Executive Committee decided to conduct a Comprehensive Academic Review (CAR) for all these batches of B.Arch. students admitted in these Institutions.

The Executive Committee constituted Two committees of experts and the institutions were requested to provide following information:

- i. Year wise list of faculty members of Architecture (i.e. Full time/ Tenure basis/ visiting faculty) appointed by the Institution along with their qualifications, registration numbers as architects, experience salary records, appointment letters and Form 16,etc.
- ii. Publications by the Teachers/ students.
- iii. Time table and teaching load data followed by the Institution.
- iv. Number of Books (volumes and titles) and journals available during the above said period (augmented progressively).
- v. Details of courses of study and examinations undergone by the students at the institution (sample papers – Question/ Answers).
- vi. Projects, assignments, Design, Dissertation/ thesis, visuals/ models covering all major subjects of curriculum by students during this period.
- vii. Standard of academic & physical infrastructure such as studios, labs, equipments and other facilities available at the institution.
- viii. Academic programmes i.e. Design Programmes, seminars, competitions etc. conducted at the Institution.
- ix. Minimum five to ten representatives/ alumni from each of the passed out batches.

The Committees have visited the Institutions and submitted their reports and recommended that the level of education imparted along with related infrastructure was found satisfactory and that of batches which have been admitted from 2008-09. Accordingly the Council resolved as under:

Resolution No.:464

Resolved that:

The batches of students admitted in B. Arch. Course in School of Planning & Architecture, Vijayavada and School of Planning & Architecture, Bhopal, be recognized from the Academic Session 2008-09, and be granted Registration as an Architect upon award of recognized qualification under the Architects Act, 1972 to them.

II. To consider recognition of Bachelors Degree in Architecture awarded under the School of Planning & Architecture Act, 2014 for the purposes of the Architects Act, 1972.

The President informed the members of that the Council is in receipt of letters dated 05.02.2015, 18.03.2015 and 18.06.2015 from the Ministry of HRD, Govt. of India, regarding recognition of the B.Arch. Degree awarded by Schools of Planning and Architecture (SPAs) incorporated under the SPA Act, 2014 and consulting the Council of Architecture in terms of provisions of Section 14 of the Architects Act, 1972, for recognition of the qualification by amending the Schedule of Recognised qualifications appended to the Architects Act, 1972.

The President further informed the members that the SPA, New Delhi was in existence as a Deemed University and SPA, Bhopal and SPA Vijaywada were set up in 2008, however, they were not vested with the power to confer degrees. Therefore, the Central Government in the year 2014, enacted the Schools of Planning of Architecture and Planning Act, 2014 to establish SPAs as Institutions of National Importance and empower them to confer degrees. The Council upon detail deliberation passed the following resolution.

Resolution No.:465

Resolved that:

- 1) The Central Government is recommended to recognize the Degree of Bachelor of Architecture (B. Arch.) awarded by the School of Planning and Architecture established under Section 4 of School of Planning and Architecture Act, 2014 (No37 of 2014) as a recognized qualification under Section 14 (2) of the Architects Act, 1972; and
- 2) An entry of the above qualification be made after entry 18 by amending the Schedule of qualifications appended to Architects Act, 1972 as per procedure prescribed in the Act.

III. To take note of the Bombay High Court Judgement in the matter of Shri Jagdish P. Deshpande v/s. State of Maharashtra & Ors.

The members noted the information as detailed in the Agenda and appreciated the efforts of the council in the matter.

IV. To consider the report of Sub-Committee on Foreign qualifications.

The President informed the members that Section 15 of the Architects Act, 1972 provides for recognition of qualifications granted by any University or other Institution in any Country out side India. The Ministry of H.R.D. has referred several applications / requests received from the Individuals / Concerned universities.

The Council constituted a Sub-Committee comprising of Shri Milind Kollegal, Convener, Shri D.V.Solomon, Member, Shri Jitendra Singh, Member and Shri A.D. Shirode, Member, to examine all such cases. The committee has examined and made following recommendations.

1. Masters of Science in Architecture Degree from Politecnico Di-Milano, Italy :

The following information was asked from the candidate to examine the case further:

- i) Entry Qualification to the Course.
- ii) Details of Credits required for completion of studies.
- iii) Whether the qualification obtained by the candidates is sufficient for registration with the concerned authority in Italy for practicing Architecture.
- iv) Whether any Practical Training/ Apprenticeship is included as per the Course Curriculum or not.

The Committee opined that the information provided by the candidate is not authentic and hence it cannot be considered.

2. B. Arch. Degree from New York Institute of Technology, New York, USA:

The candidate appeared in person and has clarified as under:

- i) Entry Qualification to the Course is 10+2.
- ii) Duration of the Course is 5 years and same can be completed earlier also.
- iii) Details of Transfer of Credits from Center for Environmental Planning are reflected in Transcript Document.

- iv) Practical Training is not a part of the Course Curriculum but 3 years Training and Professional Practice Examination is a requirement prior to registration.

The Committee re-examined the matter and observed that since Practical Training is not part of Course Curriculum it does not tally with the Minimum Standards prescribed by Council of Architecture for imparting recognized qualification and hence cannot be considered.

3. Integrated Degree of Master of Architecture, University of Tehran, Iran:

The Committee re-examined the matter and observed that since Practical Training is not part of Course Curriculum it does not tally with the Minimum Standards prescribed by Council of Architecture for imparting recognized qualification and hence cannot be considered.

4. B. Arch. Degree from Queensland University of Technology, Australia:

- i) Entry Qualification to the Course is 10+2.
- ii) Duration of the Course is 6 years part-time, however the candidate has completed a 3 year full-time course in Bachelor of Built Environment with majors in Architecture from same University and has entered in 4th year of Bachelor of Architecture course.
- iii) Practical Training is also a part of the course Curriculum and minimum One year of Professional Experience (after graduation) before appearing Professional Practice Examination is a requirement prior to registration.

The council of Architecture has received requests (for recognition of UG and PG Courses) from Queensland University, Deakin University, Monash University and Victoria University of Australia for recognition of their Qualification in India. It is recommended that the cases of all the above mentioned Universities to be clubbed together and a visit to these Universities to be organized for this Committee, in order to ascertain the Standards of Education.

5. B. A. (Hons) in Architecture awarded by Yale University, USA and M. Arch., awarded by Columbia University USA:

The Candidate has undergone 4 years of B. A. (Hons in Arch) which is not a recognized qualification as per CoA Norms. Further as per CoA Norms M. Arch. is not a basic qualification for registration as an Architect.

The committee opined that the qualification of the candidate cannot be considered for Registration under the Architects Act 1972 as it is not equivalent to 5 years Degree Course in Architecture.

6. B. Arch. Degree awarded by South East University, Si Pai Lour, Nanjing, China:

The candidate is pursuing 4 years of B. A. which is not a recognized qualification as per CoA Norms.

The Committee opined that the qualification on the candidate cannot be considered for Registration under the Architect Act 1972 as it is not equivalent to 5 years Degree Course in Architecture.

7. B. Arch. awarded by NED University of Engineering and Technology, Karachi, Pakistan:

The information provided by the candidate does not clearly mention the following:

- a. Entry Qualification for B. Arch. Course.
- b. The Course Curriculum provided is of recent years whereas the candidate has passed out much earlier.

Thus, it cannot be considered to ascertain the equivalence.

8. B. Sc. in Architecture Degree awarded by Tashkent Institute of Architecture and Civil Engineering, Uzbekistan:

The candidate has undergone 5 years of B.Sc. in Architecture which is not a recognized qualification as per CoA Norms.

The documents provided are not sufficient to give details of the 5 years Curriculum.

Further Practical Training is not part of the Course Curriculum.

The Committee re-examined the matter and observed that since Practical Training is not part of Course Curriculum it does not tally with the Minimum Standards prescribed by Council of Architecture for imparting recognized qualification and hence cannot be considered.

9. B. Arch. Degree awarded by Southern California Institute of Architecture, Institute of Architecture, SCI-Arc (Los Angeles), USA:

The information provided by the candidate does not clearly reflect about Practical Training as part of Course Curriculum.

The candidate may be asked to provide the necessary information with regards to Professional Training.

10. B.Arch. Degree awarded by Columbia University, New York:

- a) Candidate's B. Arch., details are not available.
- b) The Candidate should furnish all details with regards to B. Arch., qualification viz., Entry Qualification, Duration of Course, Course Contents, so that the Committee can find its equivalence.
- c) For inclusion of Master's Degree for Additional Qualifications following information would be required viz., Entry Qualification, Duration of Course, Course Contents, so that the Committee can find its equivalence.
- d) The Registration requirement for Registration and Practice as an Architect in the Country of award needs to be provided.

The Committee re-examined the matter and noted since the information sought is not provided as such the matter may be closed.

11. B.Arch. Degree awarded by Middle East Technical University, Ankara:

- a) The Registration requirement for Registration and Practice as an Architect in the Country of award needs to be provided.
- b) The candidate has not undergone any Thesis Dissertation and no credits are shown against Summer Practice.
- c) For inclusion of Master's Degree for Additional Qualifications following information would be required viz., Entry Qualification, Duration of Course, Course Contents so that the Committee can find its equivalence.

The Committee re-examined the matter and noted that since the information sought is not provided as such the matter may be closed.

The Council perused the above recommendations of the sub-committee and after detailed deliberations resolved as under:

Resolution No.:466

Resolved that:

The report of the Sub-committee on foreign qualifications in respect of above foreign qualifications be accepted and the same be sent to the Central Government for further necessary action in the matter.

The meeting ended at 7.00 p.m.with a vote of thanks to Chair.
