

MINUTES OF THE 72ND MEETING OF THE COUNCIL OF ARCHITECTURE, HELD ON FRIDAY AND SATURDAY, 24TH AND 25TH JANUARY 2020, FROM 10.30 A.M., ONWARDS IN CONFERENCE HALL, HOTEL RAMADA, 156, MILLENNIUM BUSINESS PARK, MIDC, SECTOR 2, MAHAPE, NAVI MUMBAI-400710, MAHARASHTRA.

(FIRST DAY OF THE MEETING – THURSDAY, 24TH JANUARY, 2020)

PRESENT:

Ar. Habeeb Khan : President (In Chair)
Ar. Sapna : Vice-President

MEMBERS:

1 Ar. Alok Ranjan	21 Ar. Govindrao Alias Chandan K. Parab
2 Ar. Amitava Roy	22 Ar. Maitreyi C. Gupta
3 Ar. Jatinder Kumar Saigal	23 Ar. Nand Kishore Negi
4 Ar. J. Manoharan	24 Ar. Anita Samyal
5 Ar. Pushkar M. Kanvinde	25 Ar. Gajanand Ram
6 Ar. Ashutosh Kumar Agarwal	26 Ar. Satish B.V.
7 Ar. Abhay Purohit	27 Ar. Sadiqu Ali D.A.
8 Ar. Amit Kumar Garg	28 Ar. Rakesh Singh Kushwah
9 Ar. Amogh Kumar Gupta	29 Ar. Bansan Singh Thangkhiew
10 Ar. Jayalakshmi V.	30 Ar. V. Neilazo Metha
11 Ar. P. Satheesh Kumar	31 Ar. S.K. Patra
12 Ar. Mala Mohan	32 Ar. P. Vaitianadin
13 Ar. Ramesh Kumar	33 Ar. Dr. Ranee Maria Leonte Vedamuthu
14 Ar. Bapilu Chai	34 Ar. Dr. Kavita Daryani Rao
15 Ar. Nilakshi Sarma	35 Ar. Sanjiban Datta
16 Ar. Anil Kumar	36 Ar. Dr. Vandana Sehgal
17 Ar. Kapil Setia	37 Ar. Nupur Banerjee
18 Ar. Arvind Kumar Ahirwar	38 Shri H.K. Mittal
19 Ar. Pamsi D Dhanjibhai	39 Shri D. Sakharam Bodke
20 Ar. Vijay Garg	40 Dr. G.S Inda

IN ATTENDANCE:

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

The following members were granted leave of absence:

1 Ar. Prakash S. Deshmukh	7 Ar. Narmada Devi Yumnam
2 Ar. Navneet Kumar	8 Ar. Lalchandami
3 Ar. Prashant Kumar Aggarwal	9 Ar. Arvind Bhargava
4 Ar. Naveen Kanithi	10 Ar. Yogeeta Rai
5 Ar. Bimal H. Patel	11 Ar. Shashi Mohan Srivastava
6 Ar. P.S. Rajeev	

The Registrar-Secretary welcomed the President, Vice-President and Members attending 72nd Meeting of the Council and requested the President to conduct the meeting.

The President thanked the Vice-President and Members of the Council for sparing their valuable time for attending the Meeting. The President stressed that the whole purpose and object of the meeting is to work for the betterment of Architectural Education and Profession in the Country.

The President assured the members that he would make all efforts to ensure that the Council functions most effectively for furtherance of the objects of the Architects Act, 1972. He also briefed the members on the agenda. Thereafter, the regular agenda items were discussed.

ITEM NO.01 CONFIRMATION OF THE MINUTES OF THE 71ST MEETING OF THE COUNCIL HELD ON 27TH JULY, 2019.

The President informed the members that the revised minutes of 71st meeting was circulated to the members on 26.08.2019. He invited the attention of the members towards the views/comments received from Council members, namely, Ar. Ashutosh Kumar Agarwal and Ar. J. Manoharan.

The members after detailed deliberations on the views decided that Item No. 15 (G) of the 71st Meeting of the Council regarding CPF Trust Deed be kept in abeyance as the legal opinion received in the matter is yet to be considered by the Executive Committee.

Further, regarding views received from Ar. J. Manoharan, it was informed that the Council of Architecture (Minimum Standards of Architectural Education) Regulations 2019 are under active consideration of the MHRD and further action in the matter would be taken as per revised Regulations.

With the above observations the minutes of 71st Meeting were confirmed by the Council.

ITEM NO.02 ACTION TAKEN REPORT ON THE MINUTES OF THE LAST MEETING.

The Council perused the action taken report as attached with agenda. While discussing Item No. 10, the Council decided that a policy/prospective plan be prepared for Architectural Education and same be placed on the website of the Council. The report prepared by the Committee on prospective plan for architects in the country be used as a base paper for preparing the policy documents for New Architectural Institution in the Country.

Further, the Council while discussing Item No. 16 (8) decided that all records of the Council should be scanned apart from maintaining physical copies for the required period. A provision be made in the budget for the next financial year for getting the records scanned from an outside agency.

ITEM NO.03 APPROVAL FOR RESTORATION OF NAMES TO THE REGISTER OF ARCHITECTS MAINTAINED BY THE COUNCIL OF ARCHITECTURE UNDER SECTION 32 OF THE ARCHITECTS ACT, 1972.

The Council granted Ex-Post facto approval to the action taken by the Registrar for restoring names of 1189 Defaulter Architects whose names were restored to the Register of Architects on payment of requisite fees during the period 01.07.2019 to 31.12.2019.

ITEM NO.04 APPROVAL FOR REMOVAL OF NAMES FROM REGISTER OF ARCHITECTS DUE TO REQUEST OR DEATH.

The Council noted that some Architects have surrendered their Certificate of Registration and requested for removal of their names from the Register of Architects.

The Council approved for removal of names of the architects from Register of Architects as per their request in terms of section 29(1) (a) of the Architects Act, 1972 and accordingly passed the following resolution:

Resolution No.515

Resolved that:

The Names of following Architects be removed from the Register of Architects as per their request in terms of section 29(1) (a) of the Architects Act, 1972:

Sl. No.	Name & City		Registration No.
1.	Ar. Anil B. Kharkar	Thane	CA/1987/10708
2.	Ar. Subhash P. Gujare	Thane	CA/1985/08909
3.	Ar.Chetan P. Potdar	Dombiwali	CA/1998/22778
4.	Ar. Andrade Rohit R. Bernad	Bangalore	CA/2001/27326
5.	Ar. Anand V. Budhkar	Mumbai	CA/1983/07844
6.	Ar. Ajay Pal Singh Malik	Chandigarh	CA/1994/17454

Further, the Council noted with grief the passing away of some Architects. The members expressed their condolences to the families of the deceased architects and observed one-minute silence.

The Council decided to remove their names from the Register of Architects in terms of section 29(1) (b) of the Architects Act, 1972 and passed the following resolution:

Resolution No.516

Resolved that:

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

Sl. No.	Name & City		Registration No.
1.	Ar. Jagjit Singh	New Delhi	CA/1975/02314
2.	Ar. Chitta Lal Chakrabarti	Howrah	CA/1975/00615

Further, the members informed that following architects have also expired:

1. Ar. Baldev Babbar, New Delhi
2. Ar. Sudhakar, Telangana
3. Ar. Rao Gajraj Singh, Gurugram

The Council decided that the Office should write to the legal heirs of the concerned architects for furnishing Death Certificate and or any other record so that their names can be removed from the Register of Architects.

ITEM NO.05 TO TAKE NOTE OF THE VIEWS SENT BY THE COUNCIL OF ARCHITECTURE TO MINISTRY OF HUMAN RESOURCE DEVELOPMENT, GOVT. OF INDIA, ON DRAFT NATIONAL EDUCATION POLICY.

The President informed the members that the Ministry of HRD, Government of India has invited views/comments from various stake holders/ general public on Draft National Education Policy.

He constituted a Committee/ Task Force comprising of Ar. Pushkar Kanwinder, Convenor, Ar. Abhay V. Purohit, Member, Ar. J. Manoharan, Member, Ar. Arvind Ahirwar, Member, Ar. Ashutosh Kumar Agarwal, Member, to prepare concise representation on behalf of the Council.

Accordingly, the representation as drafted by the Committee, after approval of the Executive Committee, was submitted to the Ministry vide Council's letter dated 14.11.2019.

The Council deliberated in detail in the matter and was of the unanimous view that Architectural Education should be regulated by Council of Architecture only and the Central Government be pursued at appropriate levels in the matter.

ITEM NO.06 TO GRANT EX POST-FACTO APPROVAL TO THE REVISED COUNCIL OF ARCHITECTURE MINIMUM STANDARDS OF ARCHITECTURE EDUCATION REGULATIONS, 2017 (RENAMED AS 2019).

The President informed the members that after holding series of discussions and meetings with Senior officials of the Ministry of HRD, the Council deleted/ revised certain clauses of the Regulations and submitted the revised draft Regulation to the ministry on 20.12.2019 for according its approval. The Regulations are under active consideration of the Ministry and are likely to be approved very soon.

The Council perused the revised draft Regulations and after detailed discussion on the same, accorded its post facto approval to the revised Council of Architecture (Minimum Standards of Architectural Education) Regulations, 2019.

ITEM NO.07 TO RATIFY THE RE-CONSTITUTION OF THE FOLLOWING COMMITTEES BY THE PRESIDENT, COA.

I. COMMITTEE ON RECOGNITION OF FOREIGN QUALIFICATIONS:

The President informed the members that the Council is receiving references from MHRD for consultation in terms of Section 15 of the Architects Act, 1972, regarding recognition of foreign architectural qualifications under the Architects Act, 1972.

Since, Ar. Kiran Mahajani and Ar. Rajiv Mishra have ceased to be members of the Council, he reconstituted the Committee so that references received from Ministry can be examined by the Committee in a time bound manner and considered by the Council for making its recommendations to the Central Government.

The Committee now comprises of following members:

1. Ar. Kavita D. Rao, Convenor;
2. Ar. P. M. Kanvinde, Member;
3. Ar. J. Manoharan, Member ; and
4. Ar. Chandan Parab, Member.

The Council approved and ratified the decision taken by the President, Council of Architecture.

II.SCRUTINY COMMITTEE:

The President informed the members that the process for inspection and approval for architectural institutions has to be initiated for the academic session 2020-2021, and in view of the same he has re-constituted the Scrutiny Committee with the following members so that the application/proposals can be examined by the Committee as early as possible before the same are considered by the Executive Committee:

1. Dr. Kavita D. Rao, Convenor;
2. Ar. Gajanand Ram, Member;
3. Ar. Arvind Ahirwar, Member;
4. Ar. Chandan Parab, Member; and
5. Ar. Nilakshi D. Sharma, Member

The Council approved and ratified the decision taken by the President, Council of Architecture.

ITEM NO.08 TO RATIFY THE CONSTITUTION OF FOLLOWING COMMITTEES CONSTITUTED BY THE EXECUTIVE COMMITTEE:

I) SUB-COMMITTEE ON PROFESSIONAL ISSUES:

The President informed the members that the Executive Committee at its 207th meeting held on 12th and 13th November, 2019 constituted a Sub-Committee on Professional Issues. The Committee consists of following members:

1. Ar. Ashutosh Kumar Agarwal, Convenor;
2. Ar. Kapil Setia, Member;
3. Ar. Chandan Parab, Member; and
4. Ar. P. S. Rajeev, Member.

He further informed that the terms of reference of Sub-Committee are as under:

- i. To prepare engagement/ procurement policy/process for appointment of Architects in Govt. Departments/ Undertakings in the present context;
- ii. To consider the Professional Documents of the Council, namely, Conditions of Engagement and Scale of Charges for Architectural Services, Urban Design, Interior Design and Landscape Architecture, Architectural Competition Guidelines and Architect's Professional Liability, etc.; and
- iii. Any other matter which the Committee deems relevant in the matter.

The Council noted that Ar. P.S. Rajeev, Member has not given his consent to be a member on the Sub-Committee due to his pre-occupation. The Council after deliberations decided that in place of Ar. P.S. Rajeev, Ar. Satish B.V., Member and one IIA Nominee on the Council of Architecture be added as a member in the sub-committee so that the issues of professional concerns can be addressed appropriately.

II) NATA 2020 COORDINATION COMMITTEE:

The President informed the members that the Executive Committee at its 208th meeting held on 13th December, 2019 decided to constitute the NATA 2020 Co-ordination Committee to ensure smooth conduct of examination with following members:

1. Ar. Raneer Vedamuthu, Convenor;
2. Ar. Sapna, Member;
3. Ar. Abhay Purohit, Member; and
4. Ar. R. Ramesh Kumar, Member.

The terms of reference (scope of work) of the Committee is as under:

1. To prepare NATA 2020 Brochure;
2. To prepare NATA 2020 Tender Document for conduct of online test;
3. To supervise and monitor award of work to server provider;
4. To decide time frame of exams;
5. To decide on number of centers in India and Dubai
6. To lay down criteria for selection of questions setters, appoint questions setters, moderation of question, supervision of evaluation, moderation of evaluation;
7. Declaration of results, etc.;
8. To carry out any other work related to NATA as assigned by the Council.

Thereafter, the President requested Ar. Dr. Raneer Vedhmuthu to brief the members on the steps taken for conduct of NATA 2020 Examination. She informed the members that Council has invited Tender for Service Provider of NATA 2020 and awarded the work of conduct of NATA 2020 online test to M/s. Ginger Webs Pvt. Ltd., Noida. The Test will be conducted on 19th April 2020 and 31st May 2020.

She also informed that the tender as well work order for NATA 2020 was based on 120 marks on MCQ and 80 marks on drawings (2 questions), however, the NATA 2020 coordination Committee has proposed to change pattern of questions this year. The President requested the members to peruse the recommendations of the NATA Co-ordination Committee so that the matter may be decided appropriately.

III) STEERING COMMITTEE FOR TRC'S:

The President informed the members that the Executive Committee in its 207th Meeting held on 12th and 13th November, 2019 constituted a Steering committee to monitor the working of the TRCs of the Council. Further, the members were informed that in view of the recent National Education Policy of the Central Government, the role of TRCs have to be relooked. The Steering Committee will be a think tank for channelizing the working of TRC's.

The Committee consists of following members:

1. Ar. Habeeb Khan, President, COA - Chairman, ex-officio
2. Ar. Sapna, Vice-President, COA – Vice-Chairman ex-officio
3. Ar. N K Negi, Convenor,
4. Ar. Kavita Daryani Rao, Member
5. Ar. Prem Chandravakar, Special Invitee
6. Ar. Durganand Balsawar, Special Invitee
7. Ar. A. Srivathsan, Special Invitee
8. Ar. Jayashree Deshpande, Member Secretary

The term of reference of the Steering Committee is as under:

1. To guide the overall development of architecture education in India.
2. To help develop an interface between Education and Practice of Architecture.

3. To suggest measures to promote and nurture bond among Schools of Architecture and develop platforms for meaningful academic exchanges.
4. To suggest for upgradation of the publications being carried out by the TRC's of the Council so that same can be at par with international standards.
5. Any other issue which the committee may feel appropriate for betterment of education.

The President further informed the members that the first meeting of the Steering Committee has been conducted at Chennai and a concise document to relook at the role of TRC's with the object of focusing on NEP ready is being prepared and will be placed before the Full Council.

The Council approved the action taken by the Executive Committee.

IV) SUB-COMMITTEE ON AMENDMENTS IN ELIGIBILITY CRITERIA:

The President informed the members that the Executive Committee at its 207th Meeting held on 12th and 13th November, 2019 decided to constitute a Sub-Committee on considering Amendments in Eligibility Criteria for admission to B.Arch. Course with following Members:

1. Ar. Ashutosh Kumar Agarwal, Convenor;
2. Ar. Arnab Das Gupta, Member; and
3. Ar. A. R. Ramanathan, Member.

The Terms of Reference of the Sub-Committee shall be as under:

1. To study and examine the feasibility of incorporation of I.B. Diploma as one of the eligibility including the requirement of having studied chemistry for admission to B.Arch. Course;
2. To work out a proposal in which Architecture as a subject in lieu of any other subject be given weightage/incentive in admission to B. Arch. Course.
3. To study and review the syllabus prepared by the Council for "Architecture" as an elective subject at 10+2 level.
4. Any other matter which the Committee feels relevant in the matter.

The President further informed that Ar. Ashutosh Agarwal has informed the Council that he would like to continue as a member of this Sub-committee however an academician may be appointed as a Convenor of this Sub-Committee.

The Council after detailed deliberations in the matter decided that Ar. Abhay Purohit, Member, be appointed as Convenor, and Ar. Ashutosh Kumar Agarwal as Member. Ar. Arnav Das Gupta and Ar. A.R. Ramanathan be appointed as Special Invitees in the Committee.

ITEM NO.09 TO TAKE NOTE OF RELEASE OF BALANCE (FULL & FINAL) PAYMENT BY COUNCIL TO TCS FOR SERVICES PROVIDED BY IT FOR CONDUCT OF NATA 2018 EXAMINATION.

The President informed the members that the representatives of TCS, which conducted online NATA 2018 Test on behalf of the Council, had several meetings with the Council for release of their balance payment pending since June, 2018. The Council withheld their payment consequent upon noticing lapses in their services and non-receipt of complete drawings sheets of students.

He further informed that the representatives of the TCS agreed that their 5% payment may be retained towards deficiency of service which was caused in the conduct of examination and rest of the payment may be released to them.

The Executive Committee approved for the 5% deduction offered by the TCS representatives and for release of balance of payment to TCS as final settlement.

The Council noted the action taken in the matter.

ITEM NO.10 TO DISCUSS ISSUES PLAGUING PROFESSIONALS AND FRAMEWORK TO ADDRESS THE SAME.

The President informed the members that Council has been receiving representations from time to time from the practicing architects that they are facing several problems while pursuing the profession of architects. He broadly outlined the main issues as under:

1. Selection/appointment of Architects on lowest bids and insisting of Security Deposit, Earnest Money and other requirements.
2. Re-registration with local bodies of states/ UT bodies to practice under their jurisdiction;
3. Professional liabilities arising out of various requirements under building bye-laws, such as structure safety, defect liability period, etc.
4. Practice of architecture by non-architects.
5. Award of work by Govt. Department/ Undertaking to Foreign Companies.

The President informed the members that the Ministry vide its letter no.4-1/2020-TS.VI dated 23.01.2020 has sent its comments on the Agenda and on Point No.4 i.e. Practice of Architecture by non-architects, the Ministry has opined as under :

In respect of point no.4, it is clear that no person other than a registered architect can use the title and style of architect. The Section 37 of the Architects Act, 1972 in no way, prohibits persons other than registered architect from practicing. However, no person other than a registered Architect can use the title and style of Architect.

The President further informed the members that the Council has initiated professional outreach program to address the concerns and problems being faced by the Architects all over India. The first program was conducted in Chandigarh, the second program held in Chennai and third program is scheduled in the month of February 2020 in Bengaluru. He assured the members that the Council will take appropriate steps for resolving all the issues.

The President also presented a presentation about the outreach initiative of the Council and stated that there will be two Committee on Professional Issues – one State level Committee and another Central Govt. Committee.

The Constitution of State Level Committee would be as under :

1. State Nominee : Coordinator,
2. Eminent Practising Architect, member
3. Eminent Practising Architect from IIA, Member
4. Senior Academician
5. Govt. employed Architect
6. Young Architect (Below 35 years of age)

The Constitution of Central Government Committee would be as under:

1. President
2. Vice-President
3. EC member
4. Practising Architect (from Delhi)
5. Convenor –Professional issues Sub-Committee
6. Young Architect (Below 35 years of Age)

The State level Committee will work on the professional issues pointed out by the Committee on Professional issues and will reach out to Govt. Departments, Agencies, PSUs, Corporate Sector & other Agencies where the problems have been identified for resolving them.

The Central Government Committee will also work on the mandate and feedback given by the Sub-Committee on Professional Issues and will reach out to Govt. Departments, Agencies, PSUs, Corporate Sector and other agencies where the problems have been identified for resolving them.

These Committees will also sensitise the society about Architecture and create general awareness. If the issues still remain unresolved then the matter would be referred to Act Amendment Committee.

The Members also suggested that CoA's architectural competition guidelines be modified as it takes about six month's time to complete the selection process of architects and delay the projects. Therefore, the same be got modified and prescribed according to the area (sqm) for the project or the cost involved for a project.

The members also stated that section 35(2) of the Architects Act provides for preference to architects for appointment in central/state government and other bodies funded from public funds, therefore the Council should make Regulation for Appointment of Architects, the members also suggested that the Council should undertake the exercise of classification of firms/architects according to their specialization and size/capacity so that an advanced list is available to the government of the eligible architects.

The President requested the members to send their views/suggestion in the matter, if any, to the Convenor, Sub-Committee on Professional Issues for appropriate consideration.

ITEM NO.11 TO DISCUSS ISSUES BEING FACED BY ACADEMICIANS AND ROAD MAP AHEAD.

The President informed the members that the Council of Architecture has been receiving representations from time to time from the faculty members working in architectural institutions that they are facing several problems while in teaching.

The main issues/problems are listed below:

1. Non-payment of salary as per the recommendations of the respective pay commission/ orders of Central / State government.
2. Uncertainty of qualifications/ varying qualifications prescribed by different authorities for recruitment in architectural institutions.
3. Non-availability of research grants for faculty members for undertaking research programme/ project.
4. Any other matter affecting the faculty members of Architectural Institutions.

The President made a presentation before the Hon'ble members and proposed that there will be Central Govt. committee and State level committees.

The State Level Committee will work on the guidance of Steering Committee and Executive Committee and will resolve issues concerning inspections, NATA, admissions, curriculum, faculty, quality, academic audit. This Committee will help in capacity building, helping in mentoring institutions in the State.

The constitution of State Level Committee would be as under :

1. State Nominee : Co-ordinator
2. Eminent Practising Architect
3. Head of a Govt. Institute
4. Head of a Private Institute
5. Senior Academician
6. Young Architect/ Academician (Below 35 years of age)

The constitution of Central Govt. Committee would be as under :

1. President
2. Vice-President
3. EC member
4. Head of a Govt. Institution (from Delhi)
5. Head of a Private Institute
6. Young Architect (Below 35 years of age)

The Council appreciated the proposal of the President and approved the same for further necessary action in the matter.

The first day meeting ended at 5.30 p.m. After conduct of the above business, the President informed the Hon'ble Members that the Thesis Awards function is scheduled at 7.00 p.m. at Dr. D.Y. Patil College of Architecture, Navi Mumbai, and invited them for the same to grace the occasion.

(SECOND DAY OF THE MEETING – FRIDAY, 25TH JANUARY, 2020)

PRESENT:

Ar. Habeeb Khan : President (In Chair)
Ar. Sapna : Vice-President

MEMBERS :

- | | | | |
|----|-------------------------------------|----|-------------------------------------|
| 1 | Ar. Alok Ranjan | 21 | Ar. Maitreyi C. Gupta |
| 2 | Ar. Amitava Roy | 22 | Ar. Nand Kishore Negi |
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| 16 | Ar. Kapil Setia | 36 | Ar. Nupur Banerjee |
| 17 | Ar. Arvind Kumar Ahirwar | 37 | Shri H.K. Mittal |
| 18 | Ar. Pamsi D Dhanjibhai | 38 | Shri D. Sakharam Bodke |
| 19 | Ar. Vijay Garg | 39 | Dr. G.S Inda |
| 20 | Ar. Govindrao Alias Chandan K Parab | | |

IN ATTENDANCE:

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

The following members were granted leave of absence:

- | | | | |
|---|-----------------------------|----|-----------------------------|
| 1 | Ar. Prakash S. Deshmukh | 7 | Ar. Narmada Devi Yumnam |
| 2 | Ar. Navneet Kumar | 8 | Ar. Lalchandami |
| 3 | Ar. Prashant Kumar Aggarwal | 9 | Ar. Arvind Bhargava |
| 4 | Ar. Naveen Kanithi | 10 | Ar. Yogeeta Rai |
| 5 | Ar. Bimal H. Patel | 11 | Ar. Shashi Mohan Srivastava |
| 6 | Ar. P.S. Rajeev | 12 | Ar. Ashutosh Kumar Agarwal |

ITEM NO.12 TO HEAR THE FOLLOWING ARCHITECT(S) FOUND GUILTY OF PROFESSIONAL MISCONDUCT BY THE COUNCIL.

i) CA/DC/401- Shri Prasanna Shantaram, Mumbai V/s. Ar.Anand V.Dhokay, Mumbai :

As decided by the Council in its 71st meeting held on 27th July, 2019 both the Complainant and Respondent Architects were asked to appear before the Full Council in order to provide them opportunity of hearing in terms of Section 30 of the Architects Act, 1972.

Both the Complainant and Respondent were present, in person, along with their respective Advocates.

The Council first asked the Complainant to briefly state about his complaint. The complainant stated that he was appointed by the Mahakali Darshan Co-op Housing Society and Developer M/s. Sunshine Builders & Developers in the year 2003. While the Complainant was working for the Client, the Respondent Architect took up the project and thus supplanted him and violated the architects professional conduct regulations. The Respondent Architect neither obtained NOC from him nor enquired if the complainant's agreement/ services were terminated or not and his fees has been paid by the Client or not. He further stated that the Respondent Architect follows this kind of practice everywhere and thus bring disrepute to the profession of architecture.

The Council, thereafter, asked the Respondent Architect to present his case. He stated that he took up the project after termination of services of the Complainant. The Complainant challenged the termination of his services by the client in courts but no relief has been granted to him. It is a frivolous complaint. He further stated that the Complainant in the court submitted that the Respondent Architect is yet to be appointed whereas in the Complaint made before Council he stated that Respondent Architect has already been appointed. The SRA and the Society has terminated the services of the Complainant and thereafter the Respondent Architect took up the work. Each and every guideline was complied with in the appointment of Respondent Architect. He further submitted that the Council's Regulations do not contemplate any NOC from the previous architect by the second architect.

Thereafter, the Council asked both the parties to leave the meeting hall and deliberated in detail in the matter and on considering the submissions made by both the parties arrived at unanimous conclusion that the Respondent Architect is guilty of professional misconduct as he took up the project, for which the Complainant was engaged, without termination of the services of the Complainant and failed to comply with the requirement as stated in Regulation 2 (1) (xv) of the Architects (Professional Conduct) Regulations, 1989, *that an architect shall not attempt to obtain, offer to undertake or accept a commission for which he knows another Architect has been selected or employed until he*

has evidence that the selection, employment or agreement has been terminated and he has given the previous Architect written notice that he is do doing.

Thereafter, both the parties were invited inside the meeting hall and it was informed that the Council finds Respondent Architect guilty of committing violation of Regulation 2 (1) (xiii) and (xv) of the Architects (Professional Conduct) Regulations, 1989. He was afforded an opportunity of hearing on the finding of guilt and quantum of punishment by the Council. The Respondent submitted and prayed that as it is matter of only not obtaining NOC from the previous Architect, he may be warned, and no harsh penalty be imposed on him.

The Council after detailed deliberations in the matter pronounced its Order that the Respondent Architect is suspended from practice as an Architect for a period of one year. The Respondent Architect shall surrender the Certificate of Registration issued by the Council within 30 days of receipt of Communication from the Council of Architecture.

ii. CA/DC/469 - Shri Sushil Arora & Ors. New Delhi V/s. Ar. M.D. Budhiraja, New Delhi.

As decided by the Council in its 71st meeting held on 27th July, 2019 both the Complainant and Respondent Architect were asked to appear before the Full Council to provide them opportunity of hearing in terms of Section 30 of the Architects Act, 1972.

The complainant sent a letter dated 20.01.2020, received in Council on 22.01.2020, stating that due to unavoidable circumstances he is not able to appear before the Full Council and requested that he may be allowed to appear before the Council in its next meeting.

The Respondent Architect submitted a letter dated Nil through his authorized representative Mr. Janardhan stating that he is suffering with an injury in the chest and has undergone surgery on 13.01.2020. He has been advised for bed rest for 3 weeks and also enclosed the copy of the discharge summary issued by MAX Healthcare Pvt. Ltd.

The Council after deliberations in the matter decided to adjourn the hearing to next meeting in order to provide last chance/opportunity of hearing in the matter.

ITEM NO.13 TO CONSIDER THE REPORT(S) OF DISCIPLINARY COMMITTEE IN RESPECT OF CASES REFERRED TO THE COMMITTEE FOR INVESTIGATION.

The Council perused the report of the Disciplinary Committee in respect of following two cases and upon detailed deliberations decided as under:

i) **D.C. Enquiry No. CA/DC/338, V. V. Giri National Institute of Labour V/s. Ar. Anupama Kohli** : The Council noted that it is purely a case of afterthought by the client. The Respondent Architect provided her professional services to the best of her ability and the Complainant were satisfied with her services it is only at the intervention of CVC the present complaint is made to cover up the lapses on the part of official(s) of the Complainant.

The Council, therefore, dismissed the Complaint as no case of professional misconduct is proved against the Respondent Architect.

ii) **D.C. Enquiry No. CA/DC/379, The Indian Statistical Institute Delhi V/s. Ar. J. P. Singh, New Delhi**: The Council noted that there is no signed agreement between both the parties for the work for which deficiencies were pointed out by the Complainant.

Though, the respondent architect has time and again asked for proper work order/agreement, however, the Complainant did not execute the same.

The Council therefore opined that in the absence of written and signed agreement between the parties, it is not possible to quantify the scope of work of the architect and take cognizance of the alleged deficiencies on the part of the Respondent Architect.

The Council, therefore, dismissed the Complaint as no case of professional misconduct is proved against the Respondent Architect.

ITEM NO.14 TO CONSIDER THE COMPLAINTS RECEIVED AGAINST ARCHITECTS FOR ALLEGED PROFESSIONAL MISCONDUCT FROM THE ARCHITECTS, GENERAL PUBLIC, GOVT. AGENCIES.

The Council perused the Complaints, Statement of Defence of Respondent Architects together with the Preliminary Report of the concerned Council members and after deliberations passed the following resolution:

Resolution No.517

Resolved that :

1. **CA/DC/477** – With regard to Complaint filed by Shri Sanjoy Kumar D. Surve, Mumbai against Ar. Soyuz Talib, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case against the Respondent Architect as the plans prepared by the Respondent Architect have been approved by the CIDCO and PMC and occupancy certificate have also been granted for the concerned buildings. The Council, therefore, dismissed the Complaint

Accordingly, the Complainant and Respondent Architect be informed the decision of the Council.

2. **CA/DC/479** - With regard to Complaint filed by Shri Mukesh Mehta, Mumbai against Ar. Hiten Sethi, Navi Mumbai, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as the letter dated 11.06.2014 issued by the Respondent was merely an advice made in good faith to his client. The Council therefore, dismissed, the Complaint.

Accordingly, the Complainant and Respondent Architect be informed the decision of the Council.

3. **CA/DC/484** - With regard to Complaint filed by Shri Ashok Manchekar, Mumbai against Shri Manoj Vishwakarma, Mumbai, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect. The discrepancy in the Survey No. in the site plan does not make out a case of professional misconduct and no harm has been caused to the complainant. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed the decision of the Council.

4. **CA/DC/485** - With regard to Complaint filed by Shri Sanjay Kumar, Navi Mumbai against Shri Satish Ahuja, Navi Mumbai, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as the Building plans have already been approved by the NMMC and occupation certificate has also been granted. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed the decision of the Council.

5. **CA/DC/488** - With regard to Complaint filed by Shri Prakash P. Kukreja, Ulhasnagar against Ar. Swapnil Sunil Mangala Wagh, Ulhasnagar, the Council decided that the matter be referred to Ar. Yogeeta Rai, Member again and a copy of the MRTP Act be supplied to enable her to submit complete report in the matter.

6. **CA/DC/494** - With regard to Complaint filed by the Deputy Chief Engineer, MCGM Mumbai against Ar. B.R. Gandhi, Ahmedabad, the Council opined that there is a prima facie case against the Respondent Architect as the Respondent Architect had submitted a proposal for additions/alteration and change of activity to the Municipal Corporation of Greater Mumbai without proper care and due diligence. The Council, therefore, referred the matter to Disciplinary Committee for detailed investigation as per the procedures laid down under Rules 36 and 37 of the Council of Architecture Rule 1973.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

7. **CA/DC/495** - With regard to Complaint filed by Shri Harrishh K Bajaan, New Delhi against Ar. Desh Bandhu, Ghazibad, the Council after perusing the Complaint and Statement of Defence and Preliminary of Ar. R. Ramesh Kumar decided to refer back the matter to Shri R. Ramesh Kumar for re-examining the matter with complete set of documents.
8. **CA/DC/496** - With regard to Complaint filed by Shri A.S. Shapurwala, Mumbai against Ar. Narendra B.P. Chitroda, Mumbai, the Council decided to defer the case to its next meeting as the Preliminary Report of Shri P.S. Rajeev, Member, is not yet received by the Council.
9. **CA/DC/497** - With regard to Complaint filed by M/s. Landscape Realty, Pune against Ar. Rameshwar Radheshyam Maniyar, Pune the Council opined that there is a prima facie case against the Respondent Architect as the complainant alleges that services of the Respondent were terminated by the old management, however, he sought revision of his fees from the new management without disclosing that his services were terminated earlier.

The Council, therefore, referred the Complaint to Disciplinary Committee for detailed investigation as per procedures laid down under Rules 36 and 37 of the Council of Architecture Rules 1973. The Council decided that Disciplinary Committee shall investigate this matter along with an earlier complaint filed by Ar. R.R Maniyar against Ar. Hrishikesh Kulkarni (CA/DC/463).

Accordingly, the Complainant and Respondent Architect be informed the decision of the Council.

10. **CA/DC/498** - With regard to Complaint filed by M/s. Thakkar Associates, Thane against Ar. Anil Hassanand, Thane, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as he was appointed much after termination of the services of the Complainant. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

11. **CA/DC/499** - With regard to Complaint filed by Ar. Sanjay Singh, New Delhi against Ar. Bela Godha, Bhopal, the Council opined that there is a prima facie case against the Respondent architect as she has signed on the drawings/plans prepared by the Complainant and submitted to the authorities of Govt.of Madhya Pradesh.

The Council, therefore, referred the matter to Disciplinary Committee for detailed investigation as per procedure laid down under Rules 36 and 37 of the Council of Architecture Rules 1973.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

12. **CA/DC/500** - With regard to Complaint filed by Shri Naresh Kumar, Delhi against Ar. Rajiv Khanna, Gurgaon, the Council opined that there is no prima facie case of professional misconduct against Respondent Architect and is a dispute purely arising out of employer-employee relationship and their duties and obligations to each other. The Council, therefore, dismissed the Complaint. Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

13. **CA/DC/502** - With regard to Complaint filed by Mrs. Netra Lavahe, Mumbai against Ar. Shri Pramod Lavahe, Mumbai the Council opined that there is no prima facie case of professional misconduct against the Respondent architect as the matter is purely a matrimonial dispute between the Complainant and Respondent Architect.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

14. **CA/DC/503** - With regard to Complaint filed by Mr. Gopalakrishna Bhat, Thiruvananthapuram against Ar. Mathai Mathew, Cochin, the Council after perusing the Complaint, Statement of Defence of Respondent Architect decided that the matter be referred back to Ar. Sadiqu Ali D.A., Member for submitting his preliminary report after ascertaining full facts and clarifications from the Complainant and Respondent Architect.

15. **CA/DC/504** - With regard to Complaint filed by M/s. S.N. Realtors, Mumbai against Ar. Nilesh H. Dholakia, Mumbai, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as he was appointed for "Wing-A" of the project by M/s. Avis Motors Pvt. Ltd. He had no role for Wing-B for which the complaint is made. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

16. **CA/DC/505** - With regard to Complaint filed by Adv. Bhagwanro Bhargude, Pune against Ar. Dhairyasheel Powar, Pune, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as there is no agreement between the Complainant and Respondent Architect detailing the Scope of Work of Respondent Architect and professional fees for the same. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

17. **CA/DC/506** - With regard to Complaint filed by Mr. Maneesh Jhavar, Mumbai against Ar. Pooja Ashley, Mumbai, the Council deferred the matter to its next meeting as Ar. Narmda Devi Yemunam, Member, has returned the Complaint papers to Council due to her pre-occupations and the matter is now referred to Ar. J. Manoharan, Member, for submitting his Preliminary Report.
18. **CA/DC/507** - With regard to Complaint filed by Odisha Real Estate Regulatory Authority, Bhubheshwar against Ar. Sudhanshu Sekhar Samal, Bhubheshwar the Council opined that the alleged complaint is a about alleged commission of forgery under Indian Penal Code by the Respondent. The Council does not examine such type of Complaints and the same is to be done by the Local Police. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

19. **CA/DC/508** - With regard to Complaint filed by Mr. Ambrish Kumar Srivastawa, Bareilly against Ar. Nitin Singhal, Bareilly, the Council opined that there is no prima facie case against the Respondent Architect as the Bareilly Development Authority has already received the compounding charges from the promoter company and verification of the actual Compounding Area/ Built-up area lies with the Concerned Authority. The Authority can still recover the balance Compounding fee, if any, from the promoter of the project. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

20. **CA/DC/478** - With regard to Complaint filed by Shri Y.R. Damle against Ar. Mumtaz Begum, the Council opined that there is no prima facie case against the Respondent Architect as the issuance of completion certificate of a building, description of sewage treatment plant and fire safety installations are out of the purview of the Scope of service of the Architect unless there exists an agreement to this effect. The Council, therefore, dismissed the Complaint.

Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.

ITEM NO.15 TO CONSIDER THE PROGRESS MADE ON CONDUCT OF NATA 2020 EXAMINATION.

The President informed the member that the Council of Architecture is conducting National Aptitude test in Architecture Since the year 2006

as a single window mechanism for admission to B.Arch course so that students don't have appear in multiple test and avoid multiple travels.

He further informed that for the academic session 2020-2021 the NATA test would be conducted two times (First 19.04.2020 and Second on 31.05.2020) on all India basis. The exam will be conducted in 125 cities in about 250 exam centers.

The President requested Dr. Raneer Vedhamuthu, Member and Convenor of the NATA coordination Committee - NATA 2020, to briefly inform the members about the progress made in the matter.

Dr. Raneer Vedhamuthu informed that after floating tenders and inviting bids from service providers from all over India, the Executive Committee has selected M/s. Ginger Web Pvt. Ltd., who offered the lowest bid i.e. Rs.230/- per candidate, for assisting the Council in conduct of NATA Test all over India.

She also informed the members that this year Council would be charging Rs. 2,000/- from candidates for single attempt, Rs.3,800/- for two attempts, candidates belonging to SC, ST and PWD Categories shall pay Rs.1,700/- for single attempt and Rs. 3,100/- for two attempts. The students appearing at Dubai center shall pay Rs. 10,000/- for single attempts and Rs. 18,000/- for two attempts.

She further placed before the Council the proposed question paper pattern as under:

PART A (MULTIPLE CHOICE QUESTION-ONLINE)

3 questions, 2 questions each of 35 marks and 1 question of 55 mark totaling 125 marks. The duration of the drawing test would be 2 hours 15 minutes.

PART B (DRAWING TEST)

50 questions each of 1.5 marks, total 75 marks, duration 45 mins
Out of the 50 questions 15 questions would be from the PCM and remaining will consist of general aptitude, logical reasoning etc.

There will be an intermission of 15 minutes between Part-A and Part-B.

She further brought to the notice of the Hon'ble member that as the service provider for NATA 2020 was selected as per the previous pattern of questions i.e. 120 marks of MCQ and 80 marks of Drawing Test, the changes would have to informed to the service provider for making further arrangements. It was also informed that the Drawing Test would be conducted first and later on MCQ Test.

The Members noted the details and approved the same. The members desired that the public notice about conduct of NATA 2020 examination be given all over India and due care be taken for publication of the same in small towns.

ITEM NO.16 TO TAKE NOTE OF THE JUDGEMENT DATED 08.11.2019 OF HON'BLE SUPREME COURT OF INDIA IN CIVIL APPEAL NO.364 OF 2005 FILED BY AICTE.

The President informed the members that Hon'ble Supreme Court of India has dismissed the Civil Appeal filed by the All India Council for Technical Education (AICTE) against the order dated 08.09.2004 of Hon'ble Bombay High Court which held the Council of Architecture is the final authority for Architectural Institutions in the Country and that AICTE has no role.

The Hon'ble Supreme Court of India vide its order dated 08th November 2019, has held as under:

63. We are of the opinion that in respect of the provisions of Section 2 (g) of the 1987 Act, the definition of "technical education" would have to be given such a construction and the word "architecture" should be treated to have been inapplicable in cases where the AICTE imports its regulatory framework for institutions undertaking technical education. There would however be no substitution because the context would not demand it. This construction of the definition clause is necessary as the external context requires it to prevent an unworkable outcome in implementation of the 1987 Act. The principle of implied repeal cannot apply so far as the provisions relating to architecture education is concerned, on the basis of the 1987 Act having become operational.

One of the dominant purposes of the 1972 Act is recognition of qualifications on architecture. The registration of an architect is dependent upon acquisition of such recognized qualification. The said Act cannot be held to have been repealed by implication for the sole reason of inclusion of the word "architecture" in the definition of technical education. AICTE has failed to discharge its onus to establish the said provisions of the 1972 Act was repealed by implication.

64. We accordingly hold that so far as recognition of degrees and diplomas of architecture education is concerned, the 1972 Act shall prevail. AICTE will not be entitled to impose any regulatory measure in connection with the degrees and diplomas in the subject of architecture. Norms and Regulations set by CoA and other specified authorities under the 1972 Act would have to be followed by an institution imparting education for degrees and diplomas in architecture.

The Council appreciated the sincere and dedicated efforts made by the Council's Advocates and Officers of the Council resulting in landmark judgement in favour of Council.

ITEM NO.17 TO TAKE NOTE OF THE INTERIM ORDER DATED 03.12.2019 IN SLP (C) NO.18752 OF 2014, FILED BY THE COUNCIL OF ARCHITECTURE AGAINST DIVISION BENCH ORDER OF ALLAHABAD HIGH COURT HOLDING THAT ARCHITECTS ACT IS NOT APPLICABLE IN THE SERVICE MATTERS.

The President informed the members that Ar. Mukesh Goyal working in NOIDA Authority filed a writ petition before Hon'ble Allahabad High Court against promotion of a non-architect to the post having duties and functions of an architect. His petition was dismissed by the Single Judge. Even his Appeal was also dismissed by the Division Bench of Hon'ble Allahabad High Court. Though, the Council was proforma party in the matter but it was never served the copy of petitions. However, on conclusion of hearing the Council received the copy of the Order of Division Bench.

The Council after consultations with Advocates filed SLP No. 19752 of 2014 against the order dated 19.02.2014 of Division Bench of Allahabad High Court in WPA No.22155/ 2011 which inter alia held that Architects Act, 1972 is not applicable in the service matters in the State Government.

The Hon'ble Supreme Court of India during the hearing held on 03.12.2019, decided that MHRD and MOUD be made parties in the case and also sought assistance of Attorney General and/ or Solicitor General in the matter.

Members were informed that now the matter is listed for hearing on 18.02.2020. The Council has engaged Shri Meet Malhotra, Sr. Advocate so that the matter can be argued before the Hon'ble Supreme Court of India in an effective manner.

ITEM NO.18 TO CONSIDER THE STATUS REPORT ON TRAINING AND RESEARCH CENTERS (TRC) OF THE COUNCIL.

The President informed the members that the Council has received an amount of Rs.15,38,39,222/- from Bangalore Development Authority (BDA) out of total lease amount of Rs.15,99,40,917/- paid by the Council, after cancellation of the lease of the land allotted to the Council for its TRC at Bangalore. The efforts are also being made for refund of amount of Rs.61,01,695/- deposited towards GST by BDA.

He further informed that TRC Bhopal is functioning from the premises of MNIT Bhopal on an nominal rent of Rs.5,700/-. Prof. Navneet Manoth, Associate Professor MNIT Bhopal is working as Honorary Director of TRC Bhopal. The TRC Bhopal is also undertaking the training programme as approved by the Executive Committee time to time.

The President informed that Prof. Jayshree Deshpande, Director COA TRC Pune is undertaking training programme, printing/publications of books/journals of Council and also organizing Thesis Award Programme from the Pune TRC. The TRC is presently is functioning from a rented premise.

The President further informed the members that the Executive Committee in its 209th meeting held on 11th and 12th January 2020 constituted a Committee comprising of Ar. Sanjiban Datta, Member and Prof. Jayshree Deshpande, Director, COA-TRC, Pune to enquire into the lapses, if any, occurred at TRC Bhubaneshwar and submit their report to the Executive Committee in one month.

ITEM NO.19 TO CONSIDER THE PROGRESS MADE ON THE REPORT OF ADMINISTRATIVE REFORMS COMMITTEE

The President informed the members that a copy of the report of the Administrative Reforms Committee has been supplied to Shri R.K. Oberoi, Registrar and he has been requested to submit his views on the findings of the Committee within 30 days.

ITEM NO.20 APPOINTMENT OF AUDITOR FOR AUDITING THE BOOKS OF ACCOUNTS OF THE COUNCIL FOR THE FINANCIAL YEAR 2019-2020.

The President informed the members that the Books of Accounts of the Council for the financial year 2019-2020 are required to be audited by an Auditor to be appointed by the Council.

The Council earlier in its 69th Meeting held on 13th & 14th April, 2018 approved a panel of three auditors/firms on a fixed annual audit fees of Rs.32,000/- and authorized the President, Council of Architecture to appoint the auditor for audit of accounts of the Council. Accordingly, M/s. V. K. Verma & Co. New Delhi, was appointed as Statutory Auditor for auditing the books of accounts of the Council for the financial year 2017-18 and 2018-19.

The Council after detailed deliberations in the matter resolved as under:

Resolution No.518

Resolved that:

- i.M/s. V. K. Verma & Co. New Delhi, Chartered Accountants, be appointed as Statutory Auditor for auditing the books of accounts of the Council for the financial year 2019-2020; and
- ii.The auditor be paid an audit fee of Rs. 32,000/- for auditing the books of accounts of the Council of Architecture.

The Council further deliberated that Comptroller and Auditor General of India be approached if they can undertake Audit of Books of Accounts of the Council of Architecture from the financial year 2020-2021 onwards.

ITEM NO.21 TO CONSIDER AND APPROVE ENHANCEMENT IN FEES BEING RECEIVED FROM ARCHITECTS TOWARDS, REGISTRATION, RENEWAL, RESTORATION, ETC.

The President informed the members the Council is presently charging Rs. 600/- for Registration, Rs. 600/- for Annual Renewal and Rs. 6,000/- for One-time Renewal, Rs. 1,000/- for Restoration of Registration, Rs. 600/- for Duplicate Certificate of Registration, Rs. 200/- for entry of Additional Qualification and Rs. 2/- prescribed in the year 1973 as cost of List of Registered Architects.

The President further informed the members that the Council in its 67th Meeting held on 11th March 2017 vide Resolution No. 483 proposed the enhancement of fees as under:

- i.Registration Fees: Rs. 5,000/-
- ii.Renewal Fess: Rs. 1,000/-
(with an option of one-time payment Rs. 20,000/-
- iii.Restoration Fees: Rs. 10,000/-
- iv.Duplicate Certificate Fees: Rs. 2,000/-
- v.Additional Qualification entry Fees: Rs. 5,00/-

This was submitted to the Central Government for according its approval vide Council's letter no. CA/1/2017/MHRD (Election) dated 18th April 2017. The Central Government (MHRD) vide its letter no. 4-52/2014-TS.VI dated 12th September 2018 informed that it has been decided not to revise various fees charged by the Council for various activities at this stage. However, the Council may submit a fresh proposal with detailed justification for revision of fees in the year 2019-2020.

The Members were further informed that the Executive Committee of the Council at its 208- Meeting held on 13- December, 2020, noted that activities and functions of the Council are growing. Even the number of registered architects, architectural institutions have increased manifold since the last enhancement of fees in the year 2014. Further, the Executive Committee decided that the Training and Research Centers of the Council should act as Centre of Excellence and should provide for academic upgradation at par with international standards.

The Council is required to strengthen the infrastructure and facilities at its Training Centers for providing Training Programme for faculty members, practicing architects and students. For digitization of working of the office of the Council and for streamlining the smooth conduct of inspections of Institutions, online payment of registration, renewal and other fees charged by the Council and to have proper

security system, the existing ERP and software have to be upgraded including implementation of e-office.

The website of the Council is also being re-designed to make it more user friendly and a repository of information for architects, general public, students, etc. The Council is also conducting awards programme for encouraging research and innovation in Architectural Education and Profession. Further, several committees have been set up for carrying out various assignments relating to architectural education and profession.

Rule 28 of Council of Architecture Rules, 1973 provides for providing list of registered architects by the Council. The cost for the same is Rs.2/- which was prescribed in the year 1973 and has not been revised since then. The Executive Committee deliberated on the same and suggested that cost should be revised.

The Executive Committee vide Resolution No.259 has recommended following fees structure:

1. The existing Registration Fees of Rs. 600/- be enhanced to Rs.1,000/-.
2. The Existing Renewal Fee of Rs.600/- be enhanced to Rs. 1,000/- and onetime renewal fee of Rs. 6,000/-be enhanced to Rs.15,000/-.
3. The Existing Restoration Fee of Rs. 1,000/- be enhanced to Rs.2,000/-.
4. The Existing Duplicate Certificate of Registration Fee of Rs.600/- be enhanced to Rs.1,000/-.
5. The Existing Additional Qualification Fee of Rs.200/- be enhanced to Rs.500/-
6. The existing cost of list of Registered Architects of Rs.2/- be enhanced Rs.200/-.

The Council after deliberations accepted the recommendations made by the Executive Committee for enhancement of the various fees being charged by the Council from Architects and accordingly resolved as under:

Resolution No.519

Resolved that:

- i) The Central Government has requested to amend the Council of Architecture Rules 1973 and revised the various fees as under:
 - a) The existing Registration fees of Rs.600/- be revised to Rs.1,000/-;
 - b) The existing Renewal fees of Rs. 600/- be revised to Rs. 1,000/-; and existing one-time Renewal fees of Rs. 6,000/- be revised to Rs. 15,000/-;

- c) The existing Restoration fees of Rs. 1,000/- be revised to Rs. 2,000/-;
- d) The existing Duplicate Certificate of Registration fees of Rs. 600/- be revised to Rs. 1,000/- ;
- e) The existing Additional Qualification of Rs. 200/- be revised to Rs. 500/-;
- f) The existing Cost of list of Registered Architects of Rs. 2/- be revised to Rs. 200/-; and
- g) The Council be authorised by the Central Government to further enhance the approved Fees @ 10% after every 3 years.

ITEM NO.22 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

I. LIABILITIES OF ARCHITECTS UNDER THE NEW BUILDING BY LAWS:

With the permission of the chair Ar. Amitava Roy, Member pointed out towards the Building by Laws of Kolkata Municipal Corporation and other municipalities wherein latent defect liability period for Architects has been kept as 10 years. He stated that the Council in its guidelines on Architect professional liability have laid down a period of 3 years after the building is handed over to/occupied by the owner.

However, the Municipalities are prescribing the liability period on their own even without consulting the Council of Architecture. He requested for intervention of the Council in the matter. The Council after detailed deliberations in the matter decided to constitute a Committee of following members to suggest ways and means to address the issue of liability of Architects under the Building by laws of various State Government.

1. Ar. Rakesh Kumar Khushwah, Convenor
2. Ar. Amitava Roy, Member
3. Ar. Abhay Purohit, Member

The Committee shall submit its recommendations to the Council within 60 days.

II. OTHER ISSUES RAISED BY COUNCIL MEMBERS:

With the permission of the Chair, Council members also invited the attention of chair towards the following issues:

1. Uniform Architectural Staff Pattern in all State Governments.
2. Sanction of Architects drawings by non-architects in the local bodies/development authorities.
3. Dying Cadre of government architects in various State Governments.
4. Creation of Department of Architecture in all State Governments and in Central Government so that the issues and problems of Architects can be addressed properly.

5. Registration of Architects by local bodies for sanction of drawings/plans online on payment of hefty fees.
6. To prescribe Minimum Standards of Architectural Profession
7. To request to Central Government for creation of Ministry of Architecture.

The Council after deliberation in the matter decided to constitute a Committee of following members for suggesting ways and means to address the above problems:

1. Ar. N.K. Negi, Convenor
2. Ar. Kapil Setia, Member
3. Ar. Gajanand Ram, Member
4. Ar. Sanjiban Datta, Member
5. Ar. Maitreyi Gupta, Member
6. Ar. Nilakshi D Sarma, Member

The Committee shall examine all issues and submit its recommendations within 60 days to the Council.

III.TO CONSIDER THE RECOMMENDATIONS OF THE COMMITTEE ON RECOGNITION OF FOREIGN QUALIFICATIONS:

The President informed the members that the Committee consisting of Dr. Kavita D. Rao, Prof. Pushkar Kanwinde, Ar. J. Manoharan and Ar. Chandan Parab examined the references of foreign qualifications received from the Ministry and has submitted its report/recommendations vide letter dated 16.01.2020. The Committee has also suggested a Comprehensive Framework for Recognition of Recognition Qualifications/ Institutions.

The Council after detailed deliberations in the matter accepted the report/ recommendations of the Committee and resolved as under :

Resolution No.520

Resolved that :

- i.B.Arch. Degree awarded by Woodbury University, USA, be recognized under the Architects Act, 1972, by the Central Government as a recognized qualification since this qualification is accredited by NAAB, is of 5 year duration and detailed curriculum matches with the minimum standards of architectural education of the Council;
- ii.The information desired by the Committee in respect of following qualifications be sought form the concerned applicants for considering them appropriately:

- a. B.Arch. Degree awarded by New Jersey Institute of Technology, New Jersey, USA – Mr. Karsh Ajay Shah;
- b. B.Arch. Degree by Politecnico di Milano, Italy – Mr. Lovnish Kumar; and
- c. Master of Arts in Architecture awarded by the University of Edinburgh, UK – Mr. Sidhartha Thomas;

The Council noted that Mr. Sidhartha Thomas has filed a Writ Petition before Hon'ble Delhi High Court for seeking registration with the Council of Architecture on the basis of his Master of Arts in Architecture awarded by the University of Edinburgh, UK. This qualification is not recognized under the Architects Act, 1972, presently. The entry 6 of list of recognized foreign qualifications under the Architects Act, states as under:

“Degree of Architecture awarded by the Universities of Cambridge, Durham, Edinburgh, Glassgow, Liverpool, London, Manchester, Sheffield, Wales. The Diploma of the Architectural Association, London.

The Council on deliberations decided that Mr. Thomas be once again requested to provide the requisite information to Council to enable the Council to make appropriate recommendations about the qualification to the Central Government in terms of Section 15 of the Act.

Ar. Sapna, Vice-President, Council of Architecture thanked the President, Council members, Registrar and other Officers of the Council for successful conduct of meeting. The Meeting ended at for 4:00 PM.
