

**MINUTES OF THE 61<sup>ST</sup> MEETING OF THE COUNCL OF ARCHITECTURE, HELD ON MONDAY, 24<sup>TH</sup> FEBRURY, 2014, AT 11.00 A.M., IN CONFERENCE HALL, FLORA AIRPORT HOTEL, OPP. INTERNATIONAL TERMINAL – COCHIN AIRPORT, NAYATHODU, P.O. COCHIN – 683572, KERALA.**

**PRESENT :**

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

**Members :**

- |                             |                               |
|-----------------------------|-------------------------------|
| 1. Shri Prakash S. Deshmukh | 18. Shri G. K. Bysack         |
| 2. Shri Alok Ranjan         | 19. Shri C.V. Dileep Kumar    |
| 3. Smt. Mala Mohran         | 20. Shri R. Ramesh Kumar      |
| 4. Shri Rajiv R.Mishra      | 21. Smt. Devika R. Sharma     |
| 5. Shri Kiran S. Mahajani   | 22. Shri R. Radhakrishnana    |
| 6. Shri Inderjit S. Bakshi  | 23. Shri Ashish K. Rege       |
| 7. Shri Balbir Verma        | 24. Smt. Amita singh          |
| 8. Shri Nepran G. Singh     | 25. Shri Bansan S. Thangkhiew |
| 9. Smt. Sapna               | 26. Shri Gorge Lalzuia        |
| 10. Smt. Usha Kasana        | 27. Shri Biswaranjan Nayak    |
| 11. Smt. Sumit Kaur         | 28. Shri D. T. Vinod Kumar    |
| 12. Smt. K. M. Patil        | 29. Shri DV. Solomon          |
| 13. Shri Amogh K. Gupta     | 30. Shri Milind Kollegal      |
| 14. Shri H. K. Mittal       | 31. Shri Arvind K. Ahirwar    |
| 15. Shri A.D. Shirode       | 32. Shri D. Vijaya Kishore    |
| 16. Shri Jitendra Singh     | 33. Shri Sadiqu Ali D.A.      |
| 17. Shri K. Patharchalam    | 34. Shri Mitesh J. Kalola     |

Shri Dulalchandra Mukhopadhyay, Member, was present at the meeting venue, however, he fell sick at the time of meeting and was rushed to the Hospital and hence could not take part in the meeting.

**IN ATTENDANCE:**

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

**The following members were granted leave of absence:**

- |                              |                             |
|------------------------------|-----------------------------|
| 1. Smt. Sunita Monga         | 7. Shri Dawa Tsering        |
| 2. Shri Nikhil D. Desai      | 8. Shri Subir Kumar Basu    |
| 3. Shri Rajesh Singh         | 9. Smt. Shipra Mitra        |
| 4. Shri Vidya Chander Mongra | 10. Shri O. P. Gurnani      |
| 5. Shri V. K. Pant           | 11. Shri Zavishio W. Khieya |
| 6. Smt. Geeta Khulbe         |                             |

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

1. Shri Durlav C. Saikia
2. Shri Sukirt Chatterjee
3. Shri Tapan K. Dwari
4. Shri Rajiv Chadda

The President welcomed the members attending the meeting with special mention of members attending the Council meeting for the first time and requested all the members to introduce themselves.

The President informed the members of the sudden demise of Shri Vinod Kumar, Registrar – Secretary, Council of Architecture on the night of 30<sup>th</sup> January, 2014 due to cardiac arrest.

The President stated that words are not enough to express our feeling and we will miss the pillar of our Council. Shri Vinod Kumar was like warrior who fought against so many odds, be it large scale litigations by other parties, Architects Amendment Bill or upholding the autonomy of the Council. He was encyclopedia of Council Rules and Regulations. He was not only custodian of the Act but also was a great friend, guide and adviser.

During his tenure as Registrar, the Council scaled new heights and made continuous efforts to make the presence of the Council felt all over India among architect fraternity, government bodies and architectural institutions. He was instrumental in bringing several reforms in the working of the Council and always strived hard for the cause of architects and their interests.

The Council expressed their deep condolences and observed that contribution of Late Shri Vinod Kumar will go to the annals of the history of the Council and prayed to God to give peace to the departed soul. The President also directed that suitable condolence message be sent to family of Late Shri Vinod Kumar.

The Council observed one Minute silence to pay homage to the departed soul.

Further, the President informed the Members that pending regular appointment to the post of Registrar Shri Raj Kumar Oberoi, Deputy Registrar in Council has been appointed as Officiating Registrar on 31<sup>st</sup> January, 2014 and has been authorized to carry on all duties and functions of the post of Registrar.

Thereafter, the regular Agenda of the meeting was taken up.

**ITEM NO.1 CONFIRMATION OF THE MINUTES OF THE 60<sup>TH</sup> MEETING OF THE COUNCIL HELD ON 27<sup>TH</sup> AUGUST, 2013, AT NEW DELHI.**

The Minutes of the 60<sup>th</sup> Meeting of the Council held on 27<sup>th</sup> August, 2013, at New Delhi, as circulated to all the members of the Council and enclosed with the Agenda were confirmed and signed by the President.

**ITEM NO.2 ACTION TAKEN REPORT ON THE MINUTES OF THE LAST MEETING OF THE COUNCIL HELD ON 27<sup>TH</sup> AUGUST, 2013.**

The Council noted the action taken report as placed at Appendix-B of the Agenda. Further, the President asked the Offg.Registrar–Secretary to circulate the proposal of the Council on amendments to the Architects Act, 1972, as submitted to MHRD, to all Council members.

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

The Council approved action taken by the Registrar for restoring names of 1110 Defaulting Architects, whose names were restored to the Register of Architects on the receipt of requisite fee, during the period 01.08.2013 to 31.01.2014.

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

The Council noted with grief passing away of the Architects as listed in the Agenda. The Council Members expressed deep condolences to the families of the deceased architects and observed one minute silence and paid homage to them.

The Council decided to remove the names of deceased Architects from the Register of Architects as required under the provisions of the Architects Act, 1972 and passed the following Resolution :

**Resolution No.442**

**Resolved that :**

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

1. Mr. P. S. Shingre, CA/84/8668, Mumbai;
2. Mr. Ajit K. Chachad, CA/85/9553, Mumbai;
3. Mr. D. D. Medhe, CA/92/15334, Nashik;
4. Mr. A. R. Sarangdhar, CA/86/10624, Mumbai;
5. Mr. A. N. Dhaygunde, CA/96/19651, Pune;
6. Mr. A. R. Dhaibar, CA/87/10815, Vadodara;
7. Mr. S. S. Patel, CA/76/3376, Vadodara; and
8. Mr. Munir Thakor, CA/75/76, Ahmedabad.

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 Resolved as under :

### **Resolution No.443**

#### **Resolved that :**

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

1. Smt. Chitra Sridharan, CA/87/11150, Bangalore;
2. Mr. V. B. Deshpande, CA/75/2473, Pune;
3. Smt. Vidya S. Harish, CA/91/14251, Bangalore;
4. Mr. S. E. Siddha, CA/84/8466, Pune;
5. Smt. Rashmila Y. Vyas, CA/91/13938, Vadodara;
6. Mr. D. S. Sainis, CA/78/4530, Nagpur;
7. Mr. U. R. Kondawar, CA/78/4315, Yavatmal;
8. Smt. K. N. Rajalakshmi, CA/85/9322, Bangalore;
9. Mr. P.B. Patil, CA/95/18356, Mumbai;
10. Mr. S. G. Akshekar, CA/76/3081 Mumbai;
11. Mr. Dharam Dass, CA/84/8295, Kangra;
12. Mr. M.N. Khante, CA/99/25408, Nagpur;
13. Mr. S. S. Katdare, CA/79/5097, Thane ; and
14. Ms. Anuja A. Dandekar, CA/2002/29046, Thane

### **ITEM NO.5 TO CONSIDER APPOINTMENT OF AUDITORS FOR AUDITING THE BOOKS OF ACCOUNTS OF THE COUNCIL FOR A PERIOD OF 3 YEARS.**

The President informed the members that M/s. Shailesh Aggarwal & Associates, New Delhi, had hitherto been auditing the books of the accounts of the Council and the term of appointment is over. Therefore, the Council is required to appoint its auditors for auditing the accounts of the Council for the financial year 2013-2014 and to fix the audit fees payable to the Auditors.

The Council upon deliberations in the matter approved the continuation of appointment of M/s. Shailesh Aggarwal Associates, as auditors of the Council for a further period of 3 years i.e. financial year 2013 – 2014, 2014 – 2015 and 2015 – 2016 on an audit fee of Rs.30,000/- and accordingly passed the following resolution :

### **Resolution No.444**

#### **Resolved that :**

- (i) M/s. Shailesh Aggarwal Associates, Chartered Accountants, B-91, IInd Floor, Panchsheel Vihar, Sheikh Sarai Phase -I, New Delhi – 110 017, be appointed as an auditor for auditing the books of accounts of the Council of Architecture for the financial year 2013 – 2014, 2014 – 2015 and 2015 – 2016; and

- (ii) The auditor be paid an audit fee of Rs.30,000/- per financial year for undertaking audit work.

**ITEM NO.6 DELAY IN RE-CONSTITUTION OF DISCIPLINARY COMMITTEE BY THE CENTRAL GOVERNMENT.**

The President informed the members that Ministry of HRD, Govt. of India, amended the Council of Architecture Rules, 1973 in year 2009 and the power of constitution of Disciplinary Committee was taken over by the Ministry. Therefore, every time constitution of Disciplinary Committee has to be made by the Ministry by issuing notification in the official Gazette of India notifying the members of Disciplinary Committee.

The President further informed the members that the Ministry issued a gazette notification constituting the Disciplinary Committee on 3<sup>rd</sup> July, 2013. Accordingly, a meeting of the Disciplinary Committee was convened to elect its Chairman and conduct further proceedings.

However, Shri Dulal Mukherjee, a member of the Disciplinary Committee regretted that due to his health reasons he will not be able to act as member of the Disciplinary Committee.

The Council vide its letters dated 09.10.2013 and 09.12.2013, requested the Ministry to re-constitute the Disciplinary Committee of the Council, in view of regret received from Shri Dulal Mukherjee, as early as possible. The Council also informed the Ministry that several complaints are pending and complainants are making queries about the status of their complaints frequently. However, no communication is received from the Ministry in the matter till date.

The Council upon detailed deliberations in the matter decided that President should address a communication in the matter to Hon'ble Minister of Human Resource Development, Govt. of India, for expediting the constitution of Disciplinary Committee.

**ITEM NO.7 REVISION OF VARIOUS FEES PRESCRIBED UNDER THE ARCHITECTS ACT AND RULES FRAMED THEREUNDER BY THE CENTRAL GOVERNMENT.**

The President informed the members that the Council is managing its affairs from out of the various fees and charges received by it. Under the Act and the Rules framed thereunder, the Central Government is empowered to fix and enhance the various fees i.e. registration, renewal, restoration, etc.

He further informed that the fees prescribed under Act were last revised in year 2002. The Council recommended enhancement of fees in the year 2006 and again in 2011 also. The Council at its last meeting held on 27<sup>th</sup> August, 2013, revised the fees structure and recommended the enhancement of various fees. The proposal and recommendations of the Council were sent to Ministry of HRD.

The information sought by the Ministry thereafter was also supplied. However, Ministry till date has not notified the revised fees.

The President informed the members that non-revision of Fees from the year 2002 despite repeated requests of the Council is causing huge financial constraints to the Council.

The President further invited the attention of the members to several other issues where either the Ministry did not act or action was taken after so much enormous delay. The President summarized all these issues as under:

**1. CONDUCT OF ELECTIONS FOR THE OFFICE BEARERS OF THE COUNCIL:**

The Council had been requesting the Central Government to appoint Returning Officers for conduct of elections from the year 2008-2009 for the office of President, Vice-President and Executive Committee Members. However, three Returning Officers were appointed and changed but elections were not held and finally Hon'ble Supreme Court of India had to intervene and upon the Supreme Court's directions elections were held in October, 2012. Even the elections were scheduled for 1<sup>st</sup> September 2012 but on the day of election Ministry postponed elections.

Even the Architects (Amendment) Bill was moved by the Ministry on the sole ground of continuation of office bearers of Council.

**2. CONSTITUTION OF DISCIPLINARY COMMITTEE:**

The Ministry of HRD amended the Council of Architecture Rules in the year 2009 and took away the power to constitute Disciplinary Committee from the Council for investigating the complaints received against Architects.

After repeated requests from the Council the Ministry issued a Gazette notification in year 2013. However, one of the members of the Disciplinary Committee expressed his unwillingness to be part of the Disciplinary committee. The Council has made several communications for re-constitution of the Disciplinary Committee however no communications is received from MHRD.

**3. APPROVAL OF REVISED MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION :**

The Council in the year 2006 revised the 1983 Regulations sent for approval of Central Government. However, the Ministry did not approve these revised Regulations.

In the past also in the year 1994 the Council prepared Minimum Standards of Architectural Education 1994 and sent for approval of MHRD. However, the

ministry sent them to AICTE which in turn accepted them as their own minimum standards for architectural education. But the ministry did not approve the Regulations as proposed by the Council.

Thus, Architectural Education is suffering and no updation of course curriculum and syllabi and other requirements can be prescribed by Council through Regulations.

#### **4. APPROVAL OF MHRD ON PROPOSAL OF ENHANCING VARIOUS FEES:**

The Council is empowered to impose registration fee, renewal fees, etc. These fees are to be notified by the Central Government by amending Council of Architecture Rules. The last fee was revised in the year 2002. The Council is requesting the MHRD to enhancing fees from the year 2006 and still awaiting its approval and notification.

#### **5. DE-RECOGNITION NOTIFICATION FOR QUALIFICATIONS IMPARTED BY FOLLOWING INSTITUTIONS :**

- i) Marathwada Mitramandal's College of Architecture, Pune;
- ii) NDMVP Samaj's College of Architecture, Nashik;
- iii) Apeejay College of Architecture, Greater Noida;

The Council on its own re-considered its recommendations for several other institutions to save the future of students.

#### **6. APPROVAL OF MHRD TO PROFESSIONAL PRACTICE EXAMINATION REGULATIONS:**

The Council has approved Regulations for Professional Practice Examination before registering Architects. These regulations are on lines of international trends. The MHRD is yet to accord its approval. The Council is unable to have reciprocal arrangements because of non-introduction this examination in India.

#### **7. ISSUANCE OF DIRECTIONS BY MHRD REGARDING LICENSING OF ARCHITECTS AT LOCAL LEVEL IN SPITE OF HAVING REGISTRATION WITH THE COUNCIL OF ARCHITECTURE:**

The Architects Act was enacted to register Architects on all India basis and there would be no further duplication of this exercise by any local/development authority. However, still representations are being received that architects are being asked again to register with local bodies. The Council at its level had written several times. Therefore, a direction is required from MHRD (Central Government) to all States/ UT asking local bodies not to insist registration from architects.

**8. ISSUANCE OF DIRECTIONS BY MHRD FOR APPOINTMENT OF ARCHITECTS BASED ON ARCHITECTURAL COMPETITION GUIDELINES OF COUNCIL INSTEAD OF INVITING BIDS/ TENDERS:**

In most of the government organizations, the Architects are being asked to submit quotations and bids and deposit security deposit on the lines of contractors and suppliers. Whereas architects are professionals and their conduct is regulated under the Architects Act, 1972, therefore, in order to discourage unhealthy competition and undercutting, the Architects should be appointed as per Architectural Competition Guidelines issued by the Council and a direction to this effect from MHRD is required.

**9. ISSUANCE OF DIRECTIONS BY MHRD TO ALL CENTRAL/ STATE GOVERNMENT DEPARTMENTS NOT TO APPOINT FOREIGN ARCHITECTS WITHOUT APPROVAL OF CENTRAL GOVERNMENT:**

Presently foreign architects/ consultants are being engaged by govt. as well as private bodies whereas the Architects Act, 1972, prohibits such practice except with prior permission of the Central Government for a specific project. Therefore, a specific direction needs to be issued from MHRD to this effect.

**10. CREATION OF SEPARATE ARCHITECTURAL WINGS/ DEPARTMENTS IN ALL STATES/UTS AND SEPARATE CADRES OF ARCHITECTS FOR ARCHITECTS IN GOVERNMENT SERVICES:**

Presently architects are recruited in Public Works Department with Chief Engineer heading the wing/ department and signing and approving all drawings/ building plans of Architects in violation of the Architects Act, 1972. Therefore, Architectural Department/ Wing needs to be separately created and separate architectural cadres have to be created in order to provide independent functioning providing the architects opportunity to have their say in decision making at higher levels in designing and planning process in government departments.

Therefore, directions need to be issued to concerned Central / State Government Depts. to have separate Architectural wings/ Departments and separate architectural cadres with pay parity with other departments.

Further, Architects should be recruited through all India/ State level Architectural Services and they should be given substantial financial powers and authority in their respective department to exercise their powers independently.



## **11. SANCTION OF GRANTS-IN-AID TO COUNCIL OF ARCHITECTURE FOR ARCHITECTURAL INSTITUTIONS :**

Central Government is not granting any grants-in-aid either to Council for its self-expenses or disbursing to the Architectural Institutions for research, development and promotion of Architectural Education in the country. Therefore, grants-in-aid should be sanctioned to Council for promoting research, development and innovation in architectural education.

In addition to conduct of Quality improvement programmes for Practising Architects and faculty members of Architectural Institutions such grants needs to be sanctioned to Council on regular basis for its needs.

## **12. ALLOCATION OF LAND TO COUNCIL FOR OFFICE, GUEST HOUSE AND STAFF QUARTERS.**

The Council is presently having a very small office at Delhi and skeleton staff strength. Therefore, it requests the Central Government for allocation of Institutional Land in Delhi for its Office and other required physical infrastructure including Guest House and Staff Quarters. The Council is presently functioning from a very small leased space.

The Members noted that all statutory bodies constituted under a Central Act have been allocated to the concerned Ministries such as Medical Council to Ministry of Health; Bar Council to Ministry Law & Justice; and Institution of Company Secretaries to Ministry of Corporate affairs and these bodies regulate both education and profession in the country. These concerned Ministries have been granting funds, allotting land and offering necessary assistance to these bodies from time to time so that concerned statute is enforced effectively throughout country.

The Members also observed that Ministry of Human Resource Development, presently the nodal Ministry of the Council, is neither providing any grant/help nor supporting the Council of Architecture in carrying out its mandate. Further, the Ministry is not approving key proposals of the Council and also not granting necessary approvals as required under the Act rather it is favouring bodies like AICTE and other organizations. As a result, the discipline of Architecture has long been neglected by the Central Government and has suffered considerably.

All the Members of the Council which represent different bodies / organizations and all State Government and UTs felt deeply pained and anguished at the poor treatment meted out to the Council and after detailed deliberations in the matter came to the conclusion that the Council of Architecture should be placed under Ministry of Housing or Urban Development in order that its concerns and issues are addressed appropriately by the Central Government. The Members accordingly unanimously passed the following Resolution:

## **Resolution No.445**

### **Resolved that :**

Hon'ble Prime Minister of India is requested to allocate the Council of Architecture under the Government of India (Allocation of Business) Rules to Ministry of Housing or Urban Development or a separate Ministry of Architecture be created for the following reasons:

- i) to ensure proper coordination, support and planning with the Central Government for effective enforcement of the provisions of the Architects Act, 1972 throughout the country;
- ii) to place the Council under the administrative control of a more appropriate/relevant Ministry on the lines of other statutory bodies such as Medical Council with Ministry of Health, Bar Council with Ministry Law and Institution of Company Secretaries with Ministry of Corporate affairs;
- iii) the subject of Architecture is more related to Housing and Urban Development therefore allocation of Council of Architecture to Ministry of Housing or Ministry of Urban Development or creation of Ministry of Architecture is more appropriate and required in order to comprehensively deal with issues relating to built environment;
- iv) Architecture plays the pivotal role in the economic and strategic growth & development of the country by redefining human habitat and built environment and therefore, it needs to be paid specialized attention. It will also help the country to prepare itself for the future goals and challenges lying ahead;
- v) The discipline of Architecture has been neglected far too long and needs to be addressed with utmost seriousness by the Central Government in the wake of modern development and for betterment of the society and growth of country.

Accordingly, President, Council of Architecture was authorised to address appropriate communication in the matter to Hon'ble Prime Minister of India for allocation of Council.

## **ITEM NO.8 TO APPROVE THE REVISED MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION 2014.**

The President informed the members that during the last few years there have been continuous rise in the proposals for new colleges whereas there are already more than 300 institutions imparting architectural education. Recently, in one of the meetings the Ministry of HRD has asked Council to conduct inspections and

evaluations closer to accreditation. The Council has already held about 11-12 workshop for training of inspectors about norms and requirements of the Council.

Accordingly, the Members of the UG Board and Members of Sub-Committee of Council of Education drafted and prepared the Revised Minimum Standards of Architectural Education 2014.

The President also informed the members that these have been prepared comprehensively to deal with all issues and also take care changes in the trends of architectural education and advancements made during these years.

The Council members had detailed deliberations in the matter and it was decided that Council should have wider consultations on the major issues like Eligibility, lateral admission in B.Arch.Course, etc. for admission to Architecture Course and therefore the same be placed again before Council after having wider consultations in the matter.

#### **ITEM NO.9 CONSIDERATION OF COMPLAINTS AGAINST REGISTERED ARCHITECTS, RECEIVED 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.446**

##### **Resolved that :**

- i) (CA/DC/380) With regard to the complaint filed by Shri Adesh K. Jani, Mumbai against Shri V. B. Sambrekar, Architect (CA/2003/32567), Sangli, the Council opined that there exists a prima facie case against the Respondent Architect because (i) the Respondent Architect has stated false information in the Written Statement at several places and even the COA registration number mentioned is wrong ; (ii) he has stated wrong qualifications ; and (iii) he had done wrong while being examiner in the University and accordingly decided that 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 the respondents shall be informed of the decision of the Council.
- ii) (CA/DC/381) With regard to the complaint filed by Dr. H.B.Mishra, Delhi against Shri Arun K. Bij, Architect (CA/79/5197) and Shri Abhishek Bij, Architect, (CA/2007/40279) New Delhi, the Council observed that Complainant had already approached Consumer Forum and matter is sub-

judice. Further, Council noticed that the concerned Architects have not done anything wrong it is the builder who is responsible for such matters.

Therefore, 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 petitioner and the respondent architect shall be informed of the decision of the Council.

**ITEM NO.10 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.**

- (i) **TO AUTHORISE OFFICIATING REGISTRAR RAJ KUMAR OBEROI, TO PURSUE AND ACT AS COMPLAINANT IN ALL CRIMINAL COMPLAINT CASES FILED BY THE COUNCIL UNDER SECTION 39 OF THE ARCHITECTS ACT, 1972, THROUGH THE THEN REGISTRAR SHRI VINOD KUMAR.**

Section 39 of the Architects Act, 1972, provides for taking cognizance of any offence punishable under the Architects Act, 1972 upon complaint made by Order of the Council or a person authorized in this behalf by the Council before a Presidency Magistrate or a Magistrate of the first class for trying the offence.

Accordingly, the Council has filed several complaints before Metropolitan Magistrate in Delhi for taking cognizance of offences under Section 36 and 37 of the Architects Act, 1972 and authorized the then Registrar, Shri Vinod Kumar.

Consequent upon death of Shri Vinod Kumar on 30.01.2014, the Council has to authorize Shri Raj Kumar Oberoi, Officiating Registrar to pursue all such complaints and act as Complainant on behalf of the Council in all such matters. Accordingly the Council resolved as under:

**Resolution No.447**

**Resolved that:**

Shri Raj Kumar Oberoi, Officiating Registrar, Council of Architecture, is directed and authorized :

- i) to appear, lead evidence, act as Complainant and produce documentary evidence and witnesses as may be required and render himself for cross-examination and to proceed with the said case upto the final stage of disposal in all complaint cases already filed by the Council or yet to be filed by the Council;
- ii) to swear and file affidavit in connection with any proceedings in the above mentioned case and to engage advocate, and any other additional Counsel,

Solicitor when necessary and expedient in the interest of the case and sign Vakalatnama therefor;

- iii) to move and sign any application, written statements, memorandums declarations which becomes necessary to file in connection with the criminal proceedings and to do all such acts that deemed necessary for the conduct of the case; and
- iv) to appear and represent in the Court on behalf of the Council of Architecture and to commence, carry on, or defend all actions and other proceedings relating to or arising out of the above case for and on behalf of the Council of Architecture, till the case is finally disposed of as well as appeals as may arise out of the criminal complaint & its proceedings.

The meeting ended at 5.10 p.m. with a vote of thanks to the Chairman.

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