

**MINUTES OF THE 68TH MEETING OF THE COUNCIL OF ARCHITECTURE,
SCHEDULED TO BE HELD ON FRIDAY, 13TH OCTOBER, 2017 FROM 11.00 A.M.,
ONWARDS IN CONFERENCE HALL, HOTEL PEERLESS SAROVAR PORTICO,
PORTBLAIR, ANDAMAN AND NICOBAR ISLANDS.**

PRESENT

Shri Biswaranjan Nayak : President (In Chair)
Shri Vijay Garg : Vice-President

MEMBERS:

1. Ms. Ranees Vedamuthu
2. Shri Alok Ranjan
3. Shri Amogh Kumar Gupta
4. Shri Amitava Roy
5. Shri Abhay Purohit
6. Shri Jatinder Kumar Saigal
7. Shri J. Manoharan
8. Shri Pushkar Kanvinde
9. Shri A. R. Ramanathan
10. Shri Rajiv Mishra
11. Shri Kiran S. Mahajani
12. Smt. Mala Mohan
13. Smt. Usha Batra
14. Shri B. K. Bhadri
15. Smt. Kamala Devi
16. Shri Durlav Chandra Saikia
17. Shri Arvind Kumar Ahirwar
18. Shri Shyam Kisore Singh
19. Shri P. D. Dhanjibhai
20. Shri Chandan K. Parab
21. Shri N. K. Negi
22. Shri Gajanand Ram
23. Shri K. Udaya
24. Shri P. S. Rajeev
25. Shri Sadiqu Ali D.A.
26. Shri B.K. Sharma
27. Shri B.S. Thangkhiew
28. Shri George Lalzuia
29. Shri V.N. Metha
30. Shri R. Radhakrishnan
31. Smt. Sapna
32. Shri Arvind Bhargava
33. Shri Rajesh Pradhan
34. Smt. Vandana Sehgal
35. Shri H.K. Mittal

IN ATTENDANCE:

Shri R. K. Oberoi : Registrar-Secretary
Shri C. B. Mishra : Sr. Consultant
Shri Deepak Kumar : Administrative Officer

The following members were granted leave of absence:

1. Shri Prakash Deshmukh
2. Smt. Sujata Anand
3. Shri Kapil Setia
4. Shri Habeeb Khan
5. Smt. Geeta Khulbe
6. Shri Bimal H. Patel
7. Shri V. K. Pant
8. Smt. Kavita D. N. Rao
9. Shri Sanjiban Datta
10. Shri Subir Kumar Basu

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

- | | |
|----------------------|---------------------|
| 1. Shri Dawa Tsering | 3. Shri D.S. Bodke |
| 2. Smt. Sunita Monga | 4. Shri D. L. Vohra |

The President extended a very warm welcome to the members attending the meeting with a special mention of members attending the meeting for the first time. He also briefed the members about the Agenda items of the meeting.

ITEM NO.1 CONFIRMATION OF THE MINUTES OF THE 67TH MEETING OF THE COUNCIL OF ARCHITECTURE.

The Minutes of the 67th Meeting of the Council of Architecture held on 11th March, 2017 at New Delhi, as enclosed with Agenda, were confirmed and signed by the President.

ITEM NO.2 ACTION TAKEN REPORT ON THE MINUTES OF THE LAST MEETING.

Action taken report as listed in the Agenda was noted by the 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 granted post facto approval of the action taken by the Registrar for restoring names of 1957 Defaulter-Architects' whose names were restored to the Register of Architects on payment of requisite fees during the period 01.02.2017 to 15.09.2017.

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 some architects. The members expressed their deep 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. Accordingly, the Council passed the following Resolution:

Resolution No.:484

Resolved that:

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

- i) Mr. Suresh K. Dhavlikar, CA/1990/12928, Pune;
- ii) Mr. V. A. Deo, CA/1986/9759, Pune;
- iii) Mr. G. C. Gupta, CA/1982/7061, Faridabad;
- iv) Mr. V. M. Tarapore, CA/1985/9158, Mumbai;
- v) Mr. Suresh W. Patil, CA/1981/6162, Mumbai;
- vi) Mr. R. K. Srivastava, CA/1992/14606, Lucknow;
- vii) Mr. T. M. Rao, CA/1975/2085, Hyderabad;
- viii) Mr. Y. S. Patukale, CA/1993/16282, Pune;
- ix) Mr. Darbar Singh, CA/1991/13716, Bhopal; and
- x) Mr. Tanmoy Mazumdar, CA/1991/14285, Delhi.

Further, the Council approved the removal of names 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.:485

Resolved that :

The names of the following architects be removed from the Register of Architect at their request in terms of the provisions of Section 29 (1) (a) of the Architects Act, 1972 :

- (i) Ms. Monica Mittal, CA/1997/20906, Delhi;
- (ii) Mr. M. R. Mehendale, CA/1976/3389, New Delhi;
- (iii) Mr. Amit Mendiratta, CA/2000/25771, New Delhi;
- (iv) Mr. S.D. Kulkarni, CA/1978/4490/, Mumbai;
- (v) Mr. Divya Venkatesh, CA/2008/43821, Bangalore;
- (vi) Mr. S.G. Mohapatra, CA/1993/16476, Bhubaneswar;
- (vii) Mr. Neetu Chandra, CA/2013/61530, Bangalore;
- (viii) Mr. V. K. Limaye, CA/1982/6971, Ratnagiri;
- (ix) Mr. Arvind Bhalla, CA/1997/21312, Bhopal;
- (x) Mr. Manmohan S. Gadhoke, CA/1979/4877, Delhi;
- (xi) Mr. Subham P. Virkar, CA/1989/12588, Mumbai;
- (xii) Mr. M.M.I. Bape, CA/1975/654, Thane;
- (xiii) Mr. D. K. Babbar, CA/1975/1788, Mumbai;
- (xiv) Ms. A. A. Aradhya, CA/1992/14882, Pune;
- (xv) Mr. V. S. Kulkarni, CA/1984/8503, Pune;
- (xvi) Mr. V. D. Paradkar, CA/1975/1785, Pune;
- (xvii) Mr. A. H. Inglikar, CA/1984/8730, Pune;
- (xviii) Mr. U. A. Anvekar, CA/80/5513, Mumbai;
- (xix) Mr. Ambrase M. D'Souza, CA/84/8512, Mumbai;
- (xx) Ms. J. V. Shinde, CA/2005/35487, Pune;
- (xxi) Ms. Neeta H. Bhatt, CA/1980/5488, Pune;

- (xxii) Mr. Umesh S. Kelkar, CA/2015/70182, Thane; and
(xxiii) Ms. K. R. Jaiswal, CA/1975/565, Secunderabad

ITEM NO.5 TO CONSIDER THE ANNUAL REPORT AND AUDITED STATEMENT OF ACCOUNTS FOR THE FINANCIAL YEAR 2016-2017.

The President reported that the Executive Committee at its 179th Meeting held on 12.10.2017 has considered the Annual Report and Audited Statement of Accounts of the Council for the financial year ending on 31st March, 2017. 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 31.03.2017 of the Council of Architecture, Council of Architecture (Contributory Provident Fund) Account and Council of Architecture Employees' Group Gratuity Scheme 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:486

Resolved that:

- (a) The Annual Report together with Audited Statement of Accounts as placed before the Council be approved for the period ended on 31.03.2017;
- (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 in terms of the provisions of the Architects Act, 1972.

ITEM NO.6 CONSTITUTION OF DISCIPLINARY COMMITTEE BY THE CENTRAL GOVERNMENT.

The members noted that that Central Government has recently vide Gazette Notification dated 03.08.2017 has reconstituted the Disciplinary Committee. Further, it was informed that Shri A.R. Ramanathan has been elected as the Chairman of the Committee with Smt. Mala Mohan and Shri N. K. Negi as members.

ITEM NO.7 TO TAKE NOTE OF THE PROGRESS MADE FOR AMENDMENTS TO ARCHITECTS ACT, 1972.

The President informed the members that a Sub-Committee under the Convenership of Ar. Srinivas Murthy along with two Advocates Shri Naveen R Nath and Shri Sathak Guru has been constituted to examine initially the proposal of the Council as submitted to MHRD & Bhalla Committee

Recommendations, in order to prepare the proposal for Comprehensive Amendments in the Architects Act, 1972.

The final proposal after having consultations with all the stakeholders will be placed before Council for approval.

ITEM NO.8 TO TAKE NOTE OF THE MEMORANDUM OF UNDERSTANDING SIGNED WITH BUREAU OF ENERGY EFFICIENCY.

The President informed the members that the Council of Architecture and Bureau of Energy Efficiency have entered into an MOU on 26th June, 2017 for introduction and dissemination of energy efficient technologies and services and proper implementation of the Energy Conservation Building Code.

The BEE will provide funds to the COA to conduct Training/ Workshop, Seminars on ECBC for awareness among Faculty, Students of Architecture Schools and practicing architects.

The members appreciated the initiative taken in the matter.

ITEM NO.9 TO TAKE NOTE OF THE PROGRESS MADE FOR ESTABLISHMENT OF FIVE TRAINING AND RESEARCH CENTRES OF COA.

The President informed the members that in order to operationalise the Training and Research Centre at Bhubaneswar, the Council had taken a flat on rental basis and the same has been renovated to meet the requirements. The Chairman further informed that the Council had issued an advertisement for filling up the posts of Director(s) at the Four Training and Research Centres. The interviews for selection of candidates have been conducted and one Director has been sent appointment offer. The members noted the progress made in the matter.

ITEM NO.10 TO TAKE NOTE OF CONSTITUTION OF ELECTION TRIBUNAL UNDER SECTION 5 (2) OF THE ARCHITECTS ACT BY THE CENTRAL GOVERNMENT.

The members noted the Constitution of Tribunal by the Central Government for adjudication of election disputes raised regarding elections conducted for membership of the Council under Section 3(3)(a) and 3 (3)(c) of the Architects Act, 1972.

ITEM NO.11 TO CONSIDER THE COMPLAINTS RECEIVED AGAINST ARCHITECTS FOR ALLEGED PROFESSIONAL MISCONDUCT FROM THE ARCHITECTS, GENERAL PUBLIC/ GOVT. AGENCIES.

The Council Members perused the various complaints received against architects, as detailed in the Agenda, together with the statement of defense, 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.:487

Resolved that :

1. (CA/DC/425) With regard to complaint filed by Mr. Lallan Singh, Pune against Ar. Shirish Dasnurkar, Pune, the Council noted that complaint against the Respondent Architect is from flat owner of the Society/ Complex whereas the Architect was appointed by the developer. The Council, therefore, decided that the complaint for alleged professional misconduct cannot be accepted from person(s) who do not have contractual terms with the concerned Architect. Accordingly, the complaint against Respondent Architect is dismissed. The Complainant and Respondent Architect be informed of the decision of the Council.
2. (CA/DC/428) With regard to complaint filed by Ar. Kishor N Sabne, Thane against Ar. Sandip W. Tandel, Mumbai, the Council noted that the matter relates to appointment of second architect in place of first architect i.e. Complainant, without his NOC. The Council opined that there is a prima facie case against the Respondent Architect and referred the matter to Disciplinary Committee for detailed investigation and submission of its report in terms of provisions of the Council of Architecture Rules, 1973. Accordingly, the Complainant and Respondent Architect be informed of the decision of the Council.
3. (CA/DC/429) With regard to complaint filed by Ar.D.T.Vinod Kumar, Secunderabad against Ar. Vilas V. Avachat, Mumbai and Ar. V.S. Kapse, Nagpur, the Council perused the legal opinion on issue whether an inspector appointed by the Council can held liable for professional misconduct or not and opined that there exists a prima facie case against the Respondent Architects and referred the matter to Disciplinary Committee for detailed investigation and submission of its report in terms of provisions of the Council of Architecture Rules, 1973. The Complainant and Respondent Architect be informed of the decision of the Council.
4. (CA/DC/438) With regard to complaint filed by Shri Sanjay Kumar Surve, Navi Mumbai against Shri Rajesh R. C., Architect, Navi Mumbai, the Council deferred the matter to its next meeting as Shri Gajanand Ram, Member, could not submit his preliminary report in the matter.
5. (CA/DC/439) With regard to complaint filed by Shri Rajesh Gupta, Bhopal against Shri Manish Beohar, Architect, Bhopal, the Council noted that the complaint is not related to rendering of architectural services and hence a complaint for professional misconduct cannot be entertained. The Council

accordingly, dismissed the Complaint. The Complainant and Respondent Architect be informed of the decision of the Council.

6. (CA/DC/440) With regard to complaint filed by Shri Arun A. Nadagoudar, Mumbai against Shri Ashish R. Solanki, Architect, Mumbai, the Council noted that initially a partnership firm was there which was later on dissolved. The Respondent Architect was not part of the firm when the violations in constructions took place. The Council, therefore, opined that there is no case against the Respondent Architect and accordingly dismissed the complaint. The Complainant and Respondent Architect be informed of the decision of the Council.
7. (CA/DC/441) With regard to complaint filed by Shri S. T. Kulkarni, Pune against Shri Aniruddh Shinde, Architect, Pune, the Council noted that the actually the complaint is against the developer. After a building is occupied the parking is not in the hands of Architect. The Council, therefore, opined that there is no case against the Respondent Architect and dismissed the complaint. The Complainant and Respondent Architect be informed of the decision of the Council.
8. (CA/DC/443) With regard to complaint filed by Dy.Chief Engineer (BP), MCGM, Mumbai against Ar. B.S. Joshi, Mumbai, the Council opined that there is prima facie case against the Respondent Architect as he had admitted before the High Court that endorsements allowing construction upto 8th floor and 17th floor were forged and fabricated and referred the matter to Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The Complainant and Respondent Architect be informed of the decision of the Council.
9. (CA/DC/446) With regard to complaint filed by Shri P.R. Vaze, Pune against Shri Sanjeev Oak, Architect, Pune, the Council opined that for violation of approved plan in construction of building owner is responsible and not the architect . The Council, therefore, dismissed the Complaint. The Complainant and Respondent Architect be informed of the decision of the Council.
- 10.(CA/DC/447) With regard to complaint filed by Dr. Prakash D. Nakhwa & Dr. Lata P. Nakhwa, Raigad against Shri P. K. Madhav, Navi Mumbai, the Council noted that the complaint against the respondent architect is that he has violated building bye-laws in designing of plans of the building whereas the respondent architect has stated that plans are approved by the competent authority and accordingly construction is being done. For any error or omission by the contractor/ developer, the Architect is not liable. The Council opined that there is no case against the Respondent Architect as building plans were sanctioned and approved by the competent authority. The Council, therefore, dismissed the Complaint.

The Complainant and Respondent Architect be informed of the decision of the Council.

11. (CA/DC/448) With regard to complaint filed by Shri Siddheshwar P. Hawa, Nagpur against Shri Rajesh J. Gotmare, Architect, Nagpur, the Council noted that complainant has no privity of contract with the Respondent Architect. Further, the construction was done as the approved building plans. The Council, therefore, dismissed the Complaint. The Complainant and Respondent Architect be informed of the decision of the Council.
12. (CA/DC/449) With regard to complaint filed by Shri D. K. Bihani, Kolkata against Shri Sanjay Kumar Poddar, Architect, Kolkata, the Council noted that the matter relates to dispute between the complainant and Respondent Architect regarding payment of fees and no case of alleged professional misconduct is made out. The Council, therefore, dismissed the Complaint. The Complainant and Respondent Architect be informed of the decision of the Council.
13. (CA/DC/450) With regard to complaint filed by Shri Vipin Jain, Indore against Shri Arun Singh Rajput, Architect, Indore, the Council opined that there is a prima facie case of alleged professional misconduct as the Respondent Architect was allegedly caught by CBI. The Council, therefore, decided to refer the matter to Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The Complainant and Respondent Architect be informed of the decision of the Council.
14. (CA/DC/442) With regard to complaint filed by Shri D. K. Bihani, Kolkata against Shri Sanjoy Kumar Poddar, Architect, Kolkata, the Council noted that the matter relates to dispute between the complainant and Respondent Architect regarding payment of fees and no case of alleged professional misconduct is made out. The Council, therefore, dismissed the Complaint. The Complainant and Respondent Architect be informed of the decision of the Council.

ITEM NO.12 TO CONSIDER THE DISCIPLINARY COMPLAINT NO.CA/DC/369 IN VIEW OF LEGAL OPINION RECEIVED BY THE COUNCIL ON TAKING SUO MOTO ACTION FOR PROFESSIONAL MISCONDUCT AGAINST ARCHITECTS.

The Council members noted that a complaint dated 14.12.2012 from Ms. Gauri Parikh, Architect against Ms. Mamta Shah, Architect, for alleged professional misconduct. The said complaint along with statement of defence of respondent architect was considered by the Council at its 60th Meeting and the complaint was dismissed. The same was informed to them vide Council's letter dated 21.10.2013.

Further, the Council while considering the above complaint noted that Mrs. Gauri Parikh, Architect had charged/ quoted less fees than the once prescribed by the Council under Regulation 2 (1) (xii) of the Architects (Professional Conduct) Regulations, 1989 and decided that a show cause notice be issued to her as to why action should not be taken against her for violating the fees structure prescribed by the Council. The same was informed vide Council's letter dated 25.10.2013. Ms.Gauri Parikh vide letter dated 08.12.2013 submitted her reply to the Council.

The Council has now taken a legal opinion regarding suo moto disciplinary proceedings against architects and it was opined by the Advocate that COA has no power to initiate suo moto disciplinary proceedings against Architects.

The Council deliberated in detail in the matter and decided not to proceed further in the matter.

ITEM NO.13 TO CONSIDER THE DISCIPLINARY COMPLAINT NO.CA/DC/424.

The President informed the members that the Council received a complaint dated 03.12.2015 from Shri Ravi Kapahi against Shri Masoom Singh Baghel, Architect. In spite of repeated communications by the Council the Respondent Architect did not receive the communications of the Council and all the communications had returned back undelivered.

The matter was considered by the Council at its last meeting held on 11.03.2017 and the Council decided to keep the registration of Respondent Architect in abeyance and also directed that a communication in the matter be sent to Ghaziabad Development Authority & other authorities. Accordingly, a letter dated 08.05.2017 was sent to the concerned authorities.

The Council received a letter dated 15.06.2017 from the Complainant withdrawing his complaint. Further, the Council also received a letter dated 20.06.2017 from the Respondent Architect.

The Council upon deliberations in the matter dismissed the complaint as withdrawn. The Complainant and Respondent be informed of the decision of the Council.

ITEM NO.14 TO RECEIVE INFORMATION ON PROGRESS MADE FOR PURCHASE OF LAND FOR THE FIVE TRAINING & RESEARCH CENTRES OF COA.

The President informed the members that in terms of the decision of the Council the process of establishment of five Training and Research Centres of COA has been initiated. An application for allotment of land at Bangalore has been made with Bangalore Development Authority (BDA). The President COA along with officials of the Council also met the Commissioner, BDA. The registration amount of Rs.1.50 Crores has been deposited with BDA for allotment of land to Council of Architecture.

An application for allotment of land at Bhubaneswar has been made. The President, COA has also met DM, Khurda for allotment of land to Council.

Further, the Chief Architect, Govt. of Madhya Pradesh has recommended a piece of land to DM, Bhopal for Council. The President along with Shri Amogh Kumar Gupta, EC, Member, Registrar and Sr. Consultant had a meeting with DM, Bhopal in the matter. An Application has also been made to Govt. of Delhi for the allotment of Land to Council. The President informed the members that Shri Habeeb Khan, a Member of the Council, is actively pursuing the request of the Council for allocation of land at Mumbai or alternatively at Pune.

ITEM NO.15 TO TAKE NOTE OF CONSTITUTION COMMITTEE FOR INSTITUTION OF HERITAGE AWARDS ON NATIONAL BASIS AND FOR CONTROLLED HERITAGE DEVELOPMENT.

The President informed the members that he had constituted a Committee to frame guidelines for institution of Heritage Awards on national basis and for controlled Heritage Development.

The Committee consists of following members :

1. Shri Kulbhushan Jain, Convenor
2. Shri Karan Grover, Member
3. Shri Satya Prakash Varanashi, Member
4. Shri Ajay Khare, Member
5. Shri N. Ramaswamy, Member
6. Shri Rajinder Kumar, Member
7. Shri Deval Rajvanshi, Member and
8. Mrs. Jayashree Deshpande, Director, COATRC, Pune.

After deliberations in the matter, the Council modified the terms of reference of the Committee are as under:

1. To make guidelines for awarding National Heritage Awards 2017.
2. To discuss and approve the brief and procedure of the Heritage Awards Programme 2017.
3. To setup guidelines for controlled Heritage Development across the country and promotion of vernacular architecture.

Shri B. K. Bhadri, a member of the Council, expressed that whenever any committee or sub-committee is constituted, prior financial approval of expenditure involved for the committee/activity be placed before the Council. However, it was mentioned by other members that placing of budgetary provision for constitution of committees and for its activities can only be tentative one and President is empowered to do so to carry out important activities with the help of subject/technical experts. However, the suggestion was noted.

ITEM NO.16 TO TAKE NOTE OF THE PROGRESS MADE ON APPROVAL OF MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION REGULATIONS, 2017.

The President informed the members that the Council vide letter no. CA/28/2017/MS (Regulation) dated 03.07.2017 has sought approval of the Central Government in terms of Section 45 of the Architects Act, 1972, to the Minimum Standards of Architecture Education Regulations, 2017 and approval of the Central Government in the matter is still awaited.

As inspections for the academic session 2018-2019 are due, the President, requested Shri B. K. Bhadri, nominee of Central Government to expedite the approval of Central Government.

Shri B. K. Bhadri informed that the Ministry has sought views from the UGC and AICTE in the matter. He further suggested that the Council may submit its proposed Regulations in Tabular format showing Existing 1983 Regulations, Proposed Changes in 2017 Regulations and Reasons/justification, so that the Ministry can consider the same expeditiously.

Accordingly, the Council decided that a Tabular statement as suggested by Hon'ble Member be submitted to the Ministry at the earliest.

ITEM NO.17 TO RECEIVE INFORMATION ON CONDUCT OF NATIONAL APTITUDE TEST IN ARCHITECTURE (NATA) 2017.

The President, informed the members that the NATA Test for the academic session 2017-2018 was conducted as a Single Day pen and paper based test on 16th April, 2017 all over India. The Registration of candidates was done online. A total of 42098 candidates registered for the Test and a total of 37246 students appeared in the Test. A total of 24540 students have qualified Examination. The results were announced on 09.06.2017. The President thanked the members of the Council involved in NATA 2017 Examination and appreciated the efforts made by the officials of the Council in conduct of examination all over India successfully.

The President also informed the members that it is proposed that NATA 2018 examination for the academic session 2018-2019 will be conducted on online/offline basis.

ITEM NO.18 TO TAKE NOTE OF GAZETTE NOTIFICATION NO. 2750 DATED 23.08.2017, ISSUED BY MHRD, GOVT. OF INDIA, REGARDING TWO VACANCIES IN THE MEMBERSHIP OF COUNCIL UNDER SECTION 3 (3) (c) OF THE ARCHITECTS ACT, 1972.

The Council Members perused the gazette notification No. SO 2750 (E) dated 23.08.2017 issued by the Ministry of Human Resource Development, Govt. of India, regarding the two vacancies in the membership of the Council under Section 3(3) (c) of the Architects act, 1972 and noted the same.

ITEM NO.19 TO CONSIDER THE REPORT/ MINUTES OF THE COMMITTEE ON FOREIGN QUALIFICATIONS IN RESPECT OF REFERENCES RECEIVED FROM CENTRAL GOVERNMENT FOR RECOGNITION OF FOREIGN QUALIFICATIONS UNDER THE ARCHITECTS ACT, 1972.

The Council Members perused the Minutes / Report of the Foreign Qualification Committee and also the format suggested by the Committee for receiving information from the concerned applicants/ institution(s) to consider their cases.

The Council Members deliberated at length in the matter and approved the formats suggested by the Committee and directed that the relevant information be sought from the concerned applicants/ institution(s) whose cases are pending with the Council.

ITEM NO.20 TO CONSIDER THE LETTER DATED 15.08.2017 RECEIVED FROM SHRI MILIND CHITALE, ARCHITECT, PUNE, IN RESPONSE TO THE COUNCIL'S LETTER DATED 12.07.2017 SENT TO HIM IN TERMS OF THE DECISION OF THE COUNCIL.

The members perused the letter dated 15.08.2017 received from Shri Milind Chitale and deferred the matter to its next meeting.

ITEM NO.21 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

I) TO APPROVE THE SYLLABUS OF B.ARCH. COURSE FOR INCORPORATION OF ECBC AS A SUBJECT.

The President informed the members that a Memorandum of Understanding has been signed with BEE inter alia to impart training in ECBC making awareness about ECBC. Accordingly, it was decided to incorporate the ECBC norms in the syllabus of B.Arch. Course. The members perused the syllabus and after detailed deliberations approved the same for implementation.

II) TO RECEIVE INFORMATION ON THE CONDUCT OF INSPECTIONS OF ARCHITECTURAL INSTITUTIONS BY THE COUNCIL OF ARCHITECTURE FOR THE ACADEMIC SESSION 2017-2018.

The Council members perused the details of inspections conducted by the Council of architectural institutions for the academic session 2017-2018 and noted the same.

III) TO CONSIDER THE EMAIL/ LETTER DATED 11.10.2017, RECEIVED FROM SHRI P. N. GAYAWAL, ARCHITECT, PUNE.

The President informed members that Shri P. N. Gayawal, Architect, vide his letter dated 27.09.2016 requested the Council among others to withdraw the Order of the Council holding him guilty of professional misconduct. The matter was placed before the Council at its last meeting and the Council decided that the concerned architect be asked to withdraw the case filed before Hon'ble Bombay High Court challenging the decision of the Council so that the matter may be considered by the Council.

Accordingly, Shri P.N. Gayawal has withdrawn his Writ Petition No.1314 of 2011 filed before Hon'ble Bombay High Court on 10.10.2017.

The Council members deliberated in detail in the matter and decided that a legal opinion be taken before taking further action and till further Order of the Council the last Order of Council holding Shri P.N. Gayawal guilty of professional misconduct be kept in abeyance.

IV) TO CONSIDER THE ORDER PASSED BY THE METROPOLITAN MAGISTRATE, SAKET COURT, NEW DELHI ON COMPLAINTS FILED BY THE COUNCIL FOR VIOLATIONS OF THE ARCHITECTS ACT, 1972.

The Registrar-Secretary informed the members that the Complaints filed by the Council under Section 39 of the Architects Act, 1972 for violations of the Act, have been dismissed by the Court on the ground of jurisdiction. The Learned Magistrate was of the view that the Council should file its complaints before competent court where the accused is/ are residing and/ or having their office. He further informed that in the past the complaints filed by the Council were accepted and the accused were punished by the courts situated at Delhi. With the passing of the present order of the Court it would become very difficult for the Council officials to file complaints all over India and to pursue them on day to day basis and be present whenever the complaints are taken up for hearing.

The Council Members upon deliberations in the matter resolved as under :

Resolution No.:488

Resolved that :

- i) Appropriate case/ legal remedy as available in law i.e. Appeal / Review / Revision etc. be filed before the Competent Court of Law against the Orders passed by the Metropolitan Magistrate, Saket

Court New Delhi, in the complaints filed by the Council under Section 39 of the Architects Act, 1972 for violations of the Act to ensure that courts at Delhi/ New Delhi can take cognizance of the offences punishable under the Architects Act, 1972.

The meeting ended at 5.00 p.m. with a vote of thanks to the Chair
