

MINUTES OF THE 70TH MEETING OF COUNCIL OF ARCHITECTURE, HELD ON THURSDAY, 22ND NOVEMBER, 2018, FROM 10:30 A.M. ONWARDS IN CASUARINA HALL, CONVENTION CENTRE, INDIA HABITAT CENTRE, LODHI ROAD, NEW DELHI-110003.

PRESENT

Ar. Vijay Garg : Acting President (in Chair)

MEMBERS:

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| 1. Ar. Ranee Vedamuthu | 19. Ar. P. D. Dhanjibhai |
| 2. Ar. Alok Ranjan | 20. Ar. Chandan K. Parab |
| 3. Ar. Amogh Kumar Gupta | 21. Ar. N. K. Negi |
| 4. Ar. Amitava Roy | 22. Ar. Bimal Patel |
| 5. Ar. Abhay Purohit | 23. Ar. Durlav C. Saikia |
| 6. Ar. Prakash S. Deshmukh | 24. Ar. Gajanand Ram |
| 7. Ar. Jatinder Kumar Saigal | 25. Ar. Sadiqu Ali D.A. |
| 8. Ar. J. Manoharan | 26. Ar. B.S. Thangkhiew |
| 9. Ar. Pushkar Kanvinde | 27. Ar. V.N. Metha |
| 10. Ar. Ashutosh Kumar Agarwal | 28. Ar. P. Vaitinadin |
| 11. Ar. Rajiv Mishra | 29. Ar. Satish B. V. |
| 12. Ar. Mala Mohan | 30. Ar. Arvind Bhargava |
| 13. Shri Prashant Kumar Agarwal | 31. Ar. P.S. Rajeev |
| 14. Ar. Shyam Kisore Singh | 32. Er. H.K. Mittal |
| 15. Ar. Kapil Setia | 33. Er. D. S. Bodke |
| 16. Ar. Kavita D. N. Rao | |
| 17. Ar. Subir K. Basu | |
| 18. Ar. Arvind Kumar Ahirwar | |

IN ATTENDANCE:

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

The following members were granted leave of absence:

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| 1. Ar. Kiran Mahajani | 6. Ar. Sapna |
| 2. Ar. Habeeb Khan | 7. Ar. Rajesh Pradhan |
| 3. Ar. Sujata Anand | 8. Ar. S. K. Patra |
| 4. Ar. R. Ramesh Kumar | 9. Ar. Geeta Khulbe |
| 5. Ar. Lalchandami | 10. Ar. Usha Batra |

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

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| 1. Ar. Sunita Monga | 5. Ar. Sanjiban Datta |
| 2. Ar. Vandana Sehgal | 6. Ar. Dawa Tsering |
| 3. Ar. Virendra Kumar Pant | 7. Ar. Narmada Devi Yumnam |
| 4. Shri D. L. Vohra | |

The President extended a very warm welcome to the members attending the meeting with a special mention of members who attended for the first time. Thereafter, he requested the members to introduce themselves.

The President informed the members that the National Awards Programme for Excellence in Thesis for UG & PG Students and on Documentation of Architectural Heritage would be held in the evening and Dr. Harshvardhan, Hon'ble Minister of Science & Technology, Govt. of India, would be Chief Guest and Ar. Satyender Jain, Hon'ble Minister of Health and Urban Development, Govt. of NCT of Delhi and Shri Suresh Jain, National Organising Secretary, Bharat Vikas Parishad, would be Guest of Honour. He invited all the members to grace the programme with their benign presence.

Thereafter the regular agenda of the meeting was taken up.

ITEM NO.1 CONFIRMATION OF THE MINUTES OF 69TH MEETING OF COUNCIL OF ARCHITECTURE HELD ON 13.04.2018 & 14.04.2018.

The President referred to the e-mail dated 31.05.2018 of Ar. Habeeb Khan and informed the members that the DPR for TRC's prepared by the Council is not in final shape and therefore, he requested Ar. Pushkar Kanvinde and Ar. Satish B.V., Members, to prepare a detailed DPR for TRCs of the Council.

Thereafter, the Minutes of 69th Meeting of Council as circulated to members on 22nd May, 2018 and placed at Appendix A of the Agenda were confirmed and signed by the President.

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

Action taken report as listed in the Agenda was noted by the Council.

ITEM NO.3 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 of the action taken by the Registrar for restoring names of 2468 Defaulter-Architects' whose names were restored to the Register of Architects on payment of requisite fees during the period 21.03.2018 to 31.10.2018.

At this stage, Ar. Biswaranjan Nayak, former President, Council of Architecture, entered the meeting hall and claimed that he has been nominated by the Govt. of Odisha by cancelling the nomination of Ar. S. K. Patra and therefore, he has now reassumed the duties as President of the Council of Architecture on 21.11.2018. He also invited attention of the members towards Section 4 of the Architects Act, 1972.

Thereafter, the Registrar-Secretary, clarified that the Council is not in receipt of any official communication from State of Odisha about the nomination of Ar. Nayak as a member representing State of Odisha. Further, the Council has received an e-mail from Ar. S.K.

Patra, nominee of State of Odisha, that due to some unforeseen reasons he is not able to attend the meeting and he may be granted leave of absence.

In view of this, the President informed Ar. Nayak that his demand cannot be considered and he may take up the matter as and when an official communication is received by the Council and thereafter Ar. Nayak left the meeting hall.

ITEM NO.4 REMOVAL OF NAMES FROM 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.:501

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. A. N. Suryavanshi, Kolhapur	CA/1976/02750
2.	Ar. A. M. Kadra, Anand	CA/1983/07923
3.	Ar. K.K.P. Chaudhuri	CA/1981/06134
4.	Ar. B.V. Kondhekar, Nanded	CA/1982/06902
5.	Ar. Razia D. Begum, Chennai	CA/1994/17768
6.	Ar. P. P. Karani, Mumbai	CA/1975/00533
7.	Ar. S. V. Sadaphal, Dombivali	CA/1977/04171
8.	Ar. P. B. Tope, Pune	CA/1976/03211
9.	Ar. Jagdish V. Shah, Mumbai	CA/1975/00535
10.	Ar. V. R. Ogale, Mumbai	CA/1983/07835
11.	Ar. Swati A. Chavan, Aurangabad	CA/2012/57165
12.	Ar. T. J. Parrikh, Vadodara	CA/1987/10490
13.	Ar. C. P. Kukreja, New Delhi	CA/1975/00375
14.	Ar. Mahesh Paliwal, New Delhi	CA/1979/05149
15.	Ar. Kedayhu Kent Rengma	CA/1990/12918
16.	Ar. Phyrnailang Nongrum	CA/1993/16558

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

Resolution No.:502**Resolved that :**

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

Sl.No.	Name & City	Registration No.
1.	Ar. Vinod M. Shah, Ahmedabad	CA/1975/01242
2.	Ar. Vinod G. Deshpande, New Delhi	CA/1975/00386
3.	Ar. B. N. A. Narayane, Bangalore	CA/1975/00795
4.	Ar. Raj Kumar Jain, New Delhi	CA/1979/04993
5.	Ar. Shaloo Jeswani, New Delhi	CA/1997/20956
6.	Ar. Satya Pal, New Delhi	CA/1975/02098
7.	Ar. Prabhakar V. Joshi, Pune	CA/1983/07535
8.	Ar. G. H. Nimji, Raipur	CA/1975/01194
9.	Ar. Shivani Bansal, Chandigarh	CA/2014/64767
10.	Ar. Namrata Ghongade, Solapur	CA/2007/39979
11.	Ar. H. C. Shah, Mumbai	CA/1977/03881

ITEM NO.5: TO CONSIDER ANNUAL REPORT AND AUDITED STATEMENTS OF ACCOUNTS OF COUNCIL OF ARCHITECTURE FOR THE FINANCIAL YEAR ENDING 2017-18.

The President reported that the Executive Committee at its 196th Meeting held on 21.10.2018 has considered the Annual Report and Audited Statement of Accounts of the Council for the financial year ending on 31st March, 2018. The Executive Committee has approved and recommended for placing the same before the Council and that the same may be accepted.

The Audited Statement of Accounts for the year ending 31.03.2018 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:503**Resolved that:**

- (a) The Annual Report together with Audited Statement of Accounts for the period ended on 31.03.2018 as placed before the Council be approved;
- (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.

Further, the Council desired that the auditor for carrying out internal audit be appointed at the earliest possible.

The Council also desired that the Sale Deed for the Council's Office Space at NBCC Place, Okhla, New Delhi be executed at the earliest. Further, the Office space may be put to use and interiors be completed at the earliest.

ITEM NO.6: TO HEAR THE FOLLOWING ARCHITECT(S) REGARDING ALLEGED PROFESSIONAL MISCONDUCT.

i) CA/DC/328, Shri Ravi Nagpal V/s. Shri Dinesh Kumar Sharma.

The Council in its last meeting held on 13.04.2018 & 14.04.2018 considered the Report of Disciplinary Committee and decided to summon the Complainant and Respondent Architect to appear before the Council to provide them an opportunity to put forth their submissions for deciding the matter finally.

The Council noted the background of the Complaint as under :

The complaint was filed by the Complainant with the Council in October 2010. The Respondent Architect in his Statement of Defence dated 09.11.2010 stated that all the pertinent drawings both Architectural & Structural were issued to STPI in time. The delay in work was due to delayed payment & also withholding payment of the contractor by the STPI.

The Disciplinary Committee investigated this matter and vide its report dated 23.07.2014 concluded that No evidence was produced by the Respondents for submission of all drawings in time to the contractor and accordingly found him guilty of professional misconduct. In terms of the above report, the Council in its 62nd Meeting held on 02.09.2014 decided to summon the Respondent Architect.

The Respondent Architect was summoned to appear before the Full Council in its 63rd Meeting held on 06.02.2015 so as to provide him opportunity of hearing in terms of Section 30 of the Architects Act, 1972. The Respondent Architect then pleaded that he wanted to submit some more documents but could not submit the same before Disciplinary Committee and he may be given one more opportunity.

Accordingly, the matter was again referred to the Disciplinary Committee for further investigation. However, the Disciplinary Committee vide its report dated 28.11.2017 returned the matter to Full Council suggesting that the case may be heard by the Full Council by calling both the parties. The Council at its 69th meeting held on 13/14.04.2018 decided to summon both

the complainant and respondent architect to present their case before the full Council.

Accordingly, the Complainant and Respondent Architect have been summoned to appear before the full Council. Both the Complainant and Respondent appeared before the bar of the Council.

The Complainant made his submissions as under :

1. The Respondent miserably failed to perform his duties and responsibilities as per the agreement. Even after extension of time granted to him and extra payment over & above the agreement, the respondent failed in his professional duties and the Complainant suffered huge financial loss.
2. The Complainant further made following allegations :
 - The Respondent framed wrong estimate of the construction work.
 - The Respondent did not provide the drawings timely.
 - Reduction in the quantities was suggested without applying proper engineering logics.
 - The Respondent failed to supervise the work properly.
 - The Respondent did not address Chief Technical Examiner (CTE) observations though liable under the agreement.
 - Intentionally delayed the project and use arm-twisting tactics to obtain extra fee.
 - Deviated from the CPWD norms for getting the work done.

The Respondent Architect made following submissions:

1. The structure of the administrative building 3 storied, central institution block 6 storied and hostel block 4 storied is already complete. Other works for which drawing were already issued remain incomplete as there were no decision and clarity by STPI and work was abandoned due to no decision conveyed by STPI.
2. No lapses on the part of the Respondent Architect as there were no letters from STPI mentioning non-availability of drawings or work is delayed due to drawing during the entire period of contract. The same was confirmed by STPI before Hon'ble High Court of Delhi.
3. The Respondent provided the necessary decisions and drawings within time to M/s. Gupta Bros (India).
4. The work could not be completed as the present work was abandoned by STPI. The STPI had the entire team of Sr. Engineer Retired from Government Department and also had technical advisor, Retired D.G. from CPWD and they had regularly supervised the work along with our Engineers.

5. The STPI has made all complaints only to shift the responsibility of their own action and inaction.
6. In 35 years of Architectural Practice the Respondent had no litigation, arbitration or dispute with any Central Government, State Govt., PSU's etc.

The Respondent Architect was asked by the Council about documentary evidence, if any, with him regarding submission of all drawings in time, as per the agreement as claimed by him earlier.

The Respondent Architect replied that the Complainant himself admitted before Delhi High Court in Arbitration proceedings with Contractor that the drawings were supplied by the Architect in time.

Thereafter both the Complainant and Respondent Architect were asked to leave meeting place.

The Council deliberated in the matter in detail and noted that the Respondent Architect had a lax attitude regarding maintaining proper record of supplying drawings in time to the client. He could not produce any document before the Disciplinary Committee and now also he relied only upon arbitration proceedings between the Complainant and the Contractor.

The Council, therefore, found him guilty of Professional Misconduct for violation of Regulation 2 (1) (iii) and (x) of the Architects (Professional Conduct) Regulations, 1989.

Thereafter, the Respondent Architects was informed that he was found guilty of professional misconduct and whether he wanted to say anything in his favour. He stated that the project was very old and all records were not available and this was only project he had problem otherwise nowhere in all his projects such problem had occurred.

The Council after deliberations and upon application of its mind passed the following Resolution/ Order in terms of provisions of Section 30 (2) of the Architects Act, 1972:

Resolution No.:504

Resolved that :

- (i) Shri D. K. Sharma, Respondent Architect, is reprimanded for not providing professional services of a desired standard to the best of his ability and showing lax attitude regarding maintaining proper record of supplying drawings in time to the client, in terms of Section 30 (2) of the Architects Act, 1972, for violation of Regulation 2 (1) (iii) and (x) of the Architects (Professional Conduct) Regulations, 1989.

- (ii) The decision of the Council shall be communicated to both Complainant and Respondent Architect.

ITEM NO.7 TO CONSIDER THE REPORT(S) OF DISCIPLINARY COMMITTEE IN RESPECT OF CASES REFERRED TO THE COMMITTEE FOR INVESTIGATION.

The Acting President reported that the Disciplinary Committee has submitted its report on some of the cases referred to it, reports in respect of each of the cases were annexed to the Agenda.

The Council deliberated on the reports of the Committee, case wise, as follows:

1. CA/DC/297- Mrs. Madhu Garg, Panchkula. V/s. Ar. Gian Prakash Mathur, New Delhi:

The Council after going through the report of the Disciplinary Committee noted that the complainant has no inclination to pursue the complaint as she failed to respond to the communications sent by the Disciplinary Committee and accordingly dismissed the Complaint.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

2. CA/DC/332- Shri Shabbir A. Tambawala, Mumbai V/s. Ar. Hafeez Contractor & Ar. Suhas Joshi, Mumbai:

The Council after going through the report of the Disciplinary Committee and upon application of its mind concurred with the Report of the Disciplinary Committee in D.C. Enquiry No.CA/DC/332 and decided that both the Complainant and Respondent Architect be summoned to appear before the bar of the Council in order to hear them by the Full Council in the matter at the next meeting of the Council.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

3. CA/DC/366- Shri D.R.Dixit, Mumbai V/s. Ar. Jayant A. Salvi, Mumbai:

The Council after going through the report of the Disciplinary Committee and upon application of its mind concurred with the Report of the Disciplinary Committee in D.C. Enquiry No.CA/DC/366 and decided that the Complaint be dismissed as no case is made out against the Respondent Architect and also that the Complainant had not pursued the complaint.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

4. **CA/DC/368- Shri Harrish K. Bajaj, Delhi V/s. Ar. Pradeep Sharma, Delhi:**

The Council after going through the report of the Disciplinary Committee and upon application of its mind decided that as the matter is sub-judice in Court of Law, the same be kept in abeyance.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

5. **CA/DC/378- Shri Bharat C. Suthar, Mumbai V/s. Ar. Preeti Dalvi, Mumbai:**

The Council after going through the report of the Disciplinary Committee and upon application of its mind concurred with the Report of the Disciplinary Committee in D.C. Enquiry No.CA/DC/378, and decided that the Complaint be dismissed as the complaint has failed to appear before the Disciplinary Committee and lacks seriousness to pursue his complaint.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

6. **CA/DC/382- Shri Amit Borukar, Mumbai V/s. Ar. Rajeev Mishra, Mumbai:**

The Council after going through the report of the Disciplinary Committee and upon application of its mind concurred with the Report of the Disciplinary Committee in D.C. Enquiry No.CA/DC/382, and found that Shri Rajeev Mishra, Architect, has not violated any of the provisions of the Architects (Professional Conduct) Regulations, 1989 and hence, there is no case of professional misconduct against him.

Accordingly, the decision of the Council be communicated to both the Complainant as well as the Respondent Architect.

7. **CA/DC/383 – Shri Jaisingh S. Patil v/s (1) Ar. Anil Ghatge and (2) Ar. Vijay V. Khade, Mumbai.**

The Council after going through the report of the Disciplinary Committee and upon application of its mind concurred with the Report of the Disciplinary Committee in D.C. Enquiry No.CA/DC/382, and decided that both the Complainant and Respondent Architect be summoned to appear before the bar of the Council in order to hear them by the Full Council in the matter at the next meeting of the Council.

ITEM NO.8 TO CONSIDER THE COMPLAINTS RECEIVED AGAINST ARCHITECTS FOR ALLEGED PROFESSIONAL MISCONDUCT FROM THE ARCHITECTS, GENERAL PUBLIC, GOVT. AGENCIES.

The Council perused all the complaints together with the statements of defence as have been placed in the respective appendices in respect of cases,

CA/DC/462, CA/DC/463, CA/DC/464, CA/DC/465, CA/DC/466, CA/DC/467, CA/DC/468, CA/DC/471, CA/DC/472, CA/DC/469, CA/DC/452, CA/DC/457 and CA/DC/474, for deciding as to whether there exists any prima facie case against Respondent Architects or not.

After having considered the complaints together with statements of defence and preliminary report received from the Members to whom the respective disciplinary cases were referred, the Council passed the following Resolution :

Resolution No.:505

Resolved that :

(i) CA/DC/462 - With regard to the Complaint filed by Ar. R.R.Maniyar, Pune, for alleged professional misconduct against Ar. Sunil V. Hingmire, Pune, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect since services of the Complainant were already terminated and Respondent had been appointed for the work which he carried out with his revised plans.

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

(ii) CA/DC/463 - With regard to the Complaint filed by Ar. R.R.Maniyar, Pune, for alleged professional misconduct against Ar. Hrishikesh Kulkarni, Pune, the Council is of the opinion that there is prima facie case of professional misconduct against the Respondent Architect and therefore, the complaint be referred to the Disciplinary Committee for a detailed investigation and submit report thereof to the Council, as per the procedures laid down under Rules 36 to 37 of the Council of Architecture Rules, 1973.

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

(iii) CA/DC/464 - With regard to the Complaint filed by Ar. R.R.Maniyar, Pune, for alleged professional misconduct against Ar. Sunil V. Hingmire, Pune, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect since services of the Complainant were already terminated and Respondent had been appointed for the work which he carried out his revised plans.

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

(iv) CA/DC/465 - With regard to the Complaint filed by Mr. Shivshankar Jagannath Kini, Mumbai for alleged professional misconduct against Ar. Dilip B. Jayawant, Mumbai, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect as no fault can be attributed on his part and the complainant has made illegal

and unauthorised changes during construction which resulted in rejection of Occupation Certificate. Further, the matter is also more than 15 years old.

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

- (v) CA/DC/466 - With regard to the Complaint filed by Mr.Dilip Anraj Mutha, Pune for alleged professional misconduct against Ar. Aniruddhe T. Shinde, Pune, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect as he prepared the plans as per the area calculations given by his client – Ms. Energia Developers. The complainant is having court case in Small Cause Court regarding boundary of the plot.

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

- (vi) CA/DC/467 - With regard to the Complaint filed by Mr.Sameep Padora, Mumbai for alleged professional misconduct against Ar.Gurpreet Singh, Gurgaon and Ar.Gurpreet Singh, Gurgaon, the Council is of the opinion that the matter relates to a very prestigious project of national pride and the allegations against the Respondents need to be investigated in detail and accordingly decided to refer the matter to Disciplinary Committee for a detailed investigation and submit report thereof to the Council, as per the procedures laid down under Rules 36 to 37 of the Council of Architecture Rules, 1973.

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

- (vii) CA/DC/468 - With regard to the Complaint filed by Mr. Prashant P. Vanarase & Ors, Navi Mumbai, for alleged professional misconduct against Ar. Sandhya R. Khambayat, Thane, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect as the occupation certificate had already been issued by the competent authority with the observation of minor difference between measurement of approved plan.

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

- (viii) CA/DC/471 - With regard to the Complaint filed by Mr.Rahul P. Sahasrabudhe, Thane for alleged professional misconduct against Ar.Jitendra Mukadam, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect as the Respondent Architect was appointed by the Developer and not by the Society and he got revised scheme approved at the instructions of the Developer within the Development control Norms of Thane Municipal Corporation.

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

- (ix) CA/DC/472 - With regard to the Complaint filed by Mrs. Beena Singh, Pune for alleged professional misconduct against Ar. Chandra Kishore Rahatekar, Pune, the Council is of the opinion that there is no prima facie case of professional misconduct against the Respondent Architect as the Architect was appointed by the Builder and not by the Complainant and that the Respondent had rectified the measurement map and the PMC approved the revised layout/ building plan.

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

- (x) CA/DC/469 - With regard to the Complaint filed by Shri Sushil Kumar Arora & Others for alleged professional misconduct against Ar. M. D. Budhiraja, New Delhi, the Council is of the opinion that there exists a prima facie case of professional misconduct against the respondent architect, as on perusal of the photographs of the building the same was incomplete in many aspects yet the Respondent Architect issued Completion Certificate and accordingly the Council decided to refer the matter to Disciplinary Committee for a detailed investigation and submit report thereof to the Council, as per the procedures laid down under Rules 36 to 37 of the Council of Architecture Rules, 1973.

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

- xi) CA/DC/457 - With regard to the Complaint filed by Shri Milind Buddhisagar, Pune, for alleged professional misconduct against Shri Dhananjay Ranade, Pune, the Council is of the opinion that there is no case of alleged professional misconduct as the matter relates to delay in issue of NOC for appointment of another architect by the Respondent Architect.

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

- xii) CA/DC/474 - With regard to the Complaint filed by Shri Harish Baney, Partner, DEVI Construction Co., Pune, for alleged professional misconduct against Ar. Ramesh Tepan, Pune, the Council noted that the matter is sub-judice, for recovery of fees of architect from complainant in Court and a writ petition had been filed by the Complainant for the same project in Court against the authority, etc. and therefore, the Council decided to keep the matter in abeyance.

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

- xiii) CA/DC/452 - With regard to the Complaint filed by Mr. Samresh Agarwal, Authorised Representative, M/s. S.E. Investments Ltd., New Delhi, for

alleged professional misconduct against Ar. Upendra Tater, Udaipur, the Council is of the opinion that there is prima facie case of professional misconduct against the Respondent Architect on account of two valuation reports issued by the Respondent and therefore, the complaint be referred to the Disciplinary Committee for a detailed investigation and submit report thereof to the Council, as per the procedures laid down under Rules 36 to 37 of the Council of Architecture Rules, 1973.

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

ITEM NO.9 MATTERS FOR INFORMATION AND KIND PERUSAL OF COUNCIL MEMBERS.

a) CONDUCT OF NATA 2019 EXAMINATION:

The Acting President informed the members that the Executive Committee at its 196th Meeting held on 21st October, 2018, decided that NATA 2019 be conducted twice a year and also decided that the duration of the objective type test be reduced to 60 Minutes for 60 Questions from earlier 90 Minutes. Further, time given for drawing paper i.e. 90 minutes be increased to 120 Minutes (2 Hours).

It was also decided that the NATA be scheduled either on 10th February or 14th April, 2019 and second one on 7th July, 2019. Further, Ar. Alok Ranjan, Ar. Ranees Vedamuthu and Ar. Amitava Roy, Members of the Executive Committee were appointed as Joint NATA Coordinators. It was also decided that the evaluation of Drawings Sheets would be done offline at maximum of 4 Centres.

b) ELECTIONS OF NOMINEES OF INDIAN INSTITUTE OF ARCHITECTS ON THE COUNCIL OF ARCHITECTURE:

The Council noted that the 3 year term of Members representing Indian Institute of Architects on the Council has ended on 29.07.2018 and also noted that the Council has already sent communications in this regard to the Central Government. The Council decided that the Central Government be again requested to notify the names of nominees of the IIA as early as possible in terms of Council of Architecture Rules, 1973.

c) APPROVAL OF COUNCIL OF ARCHITECTURE MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION REGULATIONS, 2017 BY THE CENTRAL GOVERNMENT:

The Council noted that the Council of Architecture Minimum Standards of Architectural Education Regulations 2017, have been submitted to Central Government for according its approval in terms of Section 45 of the Architects Act, 1972.

The Acting President, informed the members that as per decision taken by the Executive Committee, all institutions have been informed that the inspections for the academic session 2019-2020 shall be conducted as per 2017 norms.

The Council upon deliberations in the matter agreed with the decision of the Executive Committee and further desired that the Central Government be requested to accord its approval to the Regulations as early as possible to enable the Council to carry out its statutory duties under the Architects Act, 1972.

d) RECONSTITUTION OF DISCIPLINARY COMMITTEE:

The Council noted the re-constitution of Disciplinary Committee by the Central Government vide gazette notification dated 29th October, 2018. In terms of notification Ar. N. K. Negi, Ar. Usha Batra and Ar. Ashutosh Agarwal are members of the Disciplinary Committee.

e) UG/PG THESIS AWARD AND HERITAGE AWARD PROGRAMME:

The Acting President informed the members that National Thesis Award Programme 2018 for UG/PG and Heritage Award Programme is scheduled to be held in evening consequent upon completion of 5 zonal juries all over India.

The Acting President also informed the members that this year the Council has instituted awards in Documentation of Conservation of Architectural Heritage with an objective to encourage interest and talent of students for understanding, documentation of heritage buildings and to develop & promote sensitivity and awareness towards India's Architectural Heritage amongst students of architecture across the world.

The members appreciated the initiatives taken for betterment and promotion of architectural education and profession and conservation of architectural heritage.

(f) MOU WITH MNIT, BHOPAL:

The members noted the information on having a Memorandum of Understanding with the MANIT, Bhopal for jointly conducting Training and Research Activities in the field of Architecture and also having collaboration for using a small space on their premises for running Council's Training & Research Centre at Bhopal on a nominal rent. The President thanked Ar. Amogh Kumar Gupta, Member, for his contribution in the matter.

(g) NATA 2018 EXAMINATION:

The Council noted the information as detailed in Agenda on conduct of NATA 2018 Examination.

(h) **SUBMISSION OF SECURITY DEPOSIT BY ARCHITECTURAL INSTITUTIONS:**

The Acting President informed the members that the Council in its last meeting held on 13th and 14th April, 2018, decided to collect a sum of Rs.25/- Lakhs from new institutions and Rs.5/- Lakhs from all existing private institutions.

The matter was discussed in the 197th Meeting of the Executive Committee held on 21.11.2018 and upon considering the various representations received in the matter, decided that Security Deposit of Rs.5/- Lakhs be collected from private institutions which are upto 10 years old and not from all other institutions. This amount would be refunded to the institutions after completion of 10 years of their existence. In case institutions more than 10 years old have already deposited the Security Money to Council the same would be refunded to them.

The Council upon detailed deliberations in the matter approved the above decision of Executive Committee.

ITEM NO.10 TO TAKE NOTE OF THE INFORMATION REGARDING INSPECTION AND APPROVAL OF ARCHITECTURAL INSTITUTIONS DURING ACADEMIC SESSION 2018-19.

The Acting President informed the members that in terms of provisions of the Architects Act, 1972, the Council has conducted inspections of Architectural Institutions for granting approval for imparting B.Arch. course and for consideration of extension of approval in B.Arch./M.Arch. courses during the Academic Session 2018-19.

He further informed that the Council has conducted 376 inspections and granted approval to 20 new institutions and granted Extension of Approval to 412 institutions for imparting B.Arch. Course.

Further, 63 institutions were granted extension of approval for B.Arch. Course based on the application form and other information submitted by the concerned Institutions. The Council reduced the intake of 97 institutions for B.Arch. Course. 12 Institutions were granted additional intake. 6 institutions were put on "No Admissions" and 5 institutions who applied for closure were closed.

Thus, the Council has sanctioned 24179 seats in B.Arch. Course and 1570 seats in M.Arch. course.

ITEM NO.11 COUNCIL'S PROPOSAL ON AMENDMENTS TO THE ARCHITECTS ACT, 1972.

The Acting President informed the members that the draft proposal for comprehensive amendments to the Architects Act, 1972, has been circulated to

all the EC Members, Council Members and all the Architects all over India by e-mail and they have been given 30 days' time to submit their views/ suggestions in the matter.

The Acting President suggested that a Committee of the following Members be constituted to consider the suggestions received by the Council and to decide whether the same needs to be incorporated in the proposal of the Council:

1. Ar. Amogh Kumar Gupta, Convenor;
2. Ar. Mala Mohan, Member; and
3. Ar. Kapil Setia, Member

Further, Ar. P. R. Mehta, former President, COA and Ar. Balbir Verma, former President, IIA, may be invited as Special Invitee in the Committee, to consider the views/suggestions received from various stake holders on the draft proposal for comprehensive amendments to the Architects Act, 1972.

The Council accepted the proposal of the Acting President and decided that the Committee after receipt of suggestions may consider and finalize the Draft proposal and the same be circulated to Council Members before submission to Central Government.

ITEM NO.12 TO CONSIDER THE REPORT/ RECOMMENDATIONS OF THE COMMITTEE ON RECOGNITION OF FOREIGN QUALIFICATIONS.

The Council perused the report/ recommendations of the Committee on Recognition of Foreign Qualifications and after detailed deliberations in the matter, resolved as under :

Resolution No:506

Resolved that :

1. The Integrated degree of Bachelor of Science in Architecture and Master of Science in Architecture Degree awarded by Politecnico Di Milano, Milan, Italy, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification;
2. B.Arch. Degree awarded by American University of Sharjah, UAE, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification.
3. B.A. (Hons) (Architecture) awarded by Yale University, USA and M.Arch. Degree awarded by Columbia University, combined together, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification.
4. B.Arch. Degree awarded by University of Texas at Austin School of Architecture, USA, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification.

5. B.SC Built Environment and M.Sc. in Architecture, combined together, awarded by University of Moratuwa, Sri Lanka, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification.
6. Bachelor of Technology in Architecture (B.Tech.Arch.) awarded by Federal University of Technology, Akure, Nigeria, be recognized under the Architects Act, 1972 by the Central Government as a recognized qualification.

The Council decided that the report of the Committee along with Comparative Statement of syllabus/Course of the above qualifications be also sent to the Central Government for their kind perusal.

Further, the Council also decided that the Central Government be communicated that the requests received from Ms. Ayusha Patel and Ms. Neha Shah (Vin) may not be considered as they do not fulfill the minimum course of studies prescribed by the Council of Architecture.

ITEM NO.13 TO CONSIDER THE ORDER DATED 14.08.2018, OF THE HON'BLE DELHI HIGH COURT IN W.P. (C) NO.1787 OF 2017, RAJINDER KUMAR V/S. COUNCIL OF ARCHITECTURE & ANOTHER.

The Acting President reported that the Council at its 64th Meeting held on 27.08.2015, opined that there is prima facie case of alleged professional misconduct against Ar. Rajinder Kumar.

Accordingly, the matter was referred to Disciplinary Committee for detailed investigation. The Disciplinary Committee vide its report dated 08.08.2016 found the Respondent Architect Guilty of violation of the Architects (Professional Conduct) Regulations, 1989. The said report was accepted by the Council in its 66th Meeting held on 25.08.2016. Accordingly, the Respondent Architect was summoned to appear before the Council to provide him opportunity of Hearing in terms of Section 30 of the Architects Act, 1972.

However, the Respondent Architect challenged the same before Hon'ble Delhi High Court in W.P. (C) No.1787 of 2017. The Hon'ble High Court vide order dated 07.08.2018 held as under :

“18. In view of the above, the disciplinary proceedings initiated against the Petitioner as well as the impugned report are set aside. However, it is clarified that the Council may examine the matter afresh and if it is of the opinion that there is prima facie case against the petitioner, the Council may cause any enquiry to be made in the matter by the Disciplinary Committee.”

The Council after deliberations in the matter decided that no further action is required in the matter.

ITEM NO.14 CONDUCT OF CENTRAL COUNSELLING FOR CANDIDATES SEEKING ADMISSION TO FIRST YEAR OF 5-YEAR B.ARCH. DEGREE COURSE.

The Acting President informed the members that the Executive Committee of the Council in its 196th Meeting held on 21.10.2018, considered and approved the proposal for conduct of Central Counseling by the Council based on NATA scores for candidates seeking admission to first year of 5 Year B.Arch. Degree course in the institutions, recognized by COA for imparting Architectural education in the country.

This mechanism will be provided on optional basis to the institutions/Universities registering themselves to avail the same on a trial basis, on payment of counseling fees/charge as fixed by the Council. The merit list of the candidates will be prepared based on the marks secured in NATA and 10+2 examination.

It is envisaged that this system will not only help the student's community at large against submission of single application for admission in institutions all over India but also to the institutions in enabling them to fill up the seats allotted by the Council on the basis of the merit list. It will also ensure that the norms prescribed by the Council for admission into B.Arch. course are uniformly followed throughout the country and the students need not have to apply for admission in different institutions all over India, thus saving their cost, time and efforts. In addition the allotted seats in the concerned institutions are likely to get filled up.

The Council upon deliberations in the matter decided that a detailed concept note along with modalities be prepared and be placed in its next meeting.

ITEM NO.15 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

(i) Printing and Publishing of Magazine of Council of Architecture, Time Space and People.

The Acting President informed the members that printing and publication of the Council's magazine has been restored by allowing the existing printer/ publisher to continue to print/publish the magazine without making any payment of royalty to Council of Architecture for a period of 6 months.

(ii) Allotment of land to Council by Bengaluru University :

The Acting President informed the members that the Bengaluru University vide letter No. DEV/COA/Land/2018-19 dated 20.11.2018 has informed the Council that the Bengaluru University syndicate in its meeting held on 19th November 2018 considered the request of Council of Architecture made vide letter dated 27.10.2018, for allotment of land at Jananabharathi Campus at Bengaluru University and resolved to allocate 2 Acres of land to Council of Architecture on lease basis for a period of 30 years with a condition that the facilities developed in the Centre would

be shared with Bengaluru University free of cost, subject to approval from the Dept. of Higher Education, Government of Karnataka.

The members appreciated the efforts made by Acting President and Ar. Satish B.V., Member from State of Karnataka and decided that a communication regarding acceptance of the same be sent to the University at the earliest.

Further, the Members desired that the Council should enquire from the Bengaluru Development Authority about the feasibility of withdrawal of its application and for full refund of the amount deposited by the Council with BDA. In case, the BDA agrees to refund 100% amount deposited by the Council, the funds may be used for developing the land allotted by the Bengaluru University.

(iii) **Appointment of Architects by PSUs :**

With the permission of the Chair, Ar. Ashutosh Kumar Agarwal, member, requested that the Council must assess and analyse the issue of practice cum trading of architectural services by various PSUs. This practice is detrimental to interests of common man to have good architecture as well as it is monopolistic by nature.

The Acting President assured that the matter would be examined in the light of the provisions of the Architects Act, 1972 and Regulations framed thereunder and appropriate action would be taken.

The meeting ended at 4.30 p.m. with a vote of thanks to the Chair.

R. K. Oberoi
Registrar – Secretary

Vijay Garg
Acting President

Dated :