

MINUTES OF THE 81ST MEETING OF THE COUNCIL OF ARCHITECTURE HELD ON SATURDAY, 09th DECEMBER, 2023, FROM 02.00 P.M. ONWARDS, IN CASUARINA HALL, CONVENTION CENTRE, INDIA HABITAT CENTRE, LODHI ROAD, NEW DELHI.

PRESENT:

Ar. Abhay V. Purohit : President (In Chair)
Ar. Gajanand Ram : Vice-President

MEMBERS :

1.	Ar. Amitava Roy	20.	Ar. Vidyadhar S. Wodeyar
2.	Ar. Navin Sharma	21.	Ar. P. S. Rajeev
3.	Ar. Punit Sethi	22.	Ar. Harinder Arora
4.	Ar. Lalichan Zacharias	23.	Ar. Aldrina K. Marak
5.	Ar. Minakshi Jain	24.	Ar. Yogesh Kumar Garg
6.	Ar. Ashutosh Kumar Aggarwal	25.	Ar. Rajiv Rampher Mishra
7.	Ar. Millind Kollegal	26.	Ar. V. Neilazo Metha
8.	Ar. Radhika Nagpal	27.	Ar. Sushant Kumar Patra
9.	Ar. K. Senthil Kumar	28.	Ar. Tarun Garg
10.	Ar. R. Thanigai Arasu	29.	Ar. P. Vaitianadin
11.	Ar. R. Ramesh Kumar	30.	Ar. Ritu Singh
12.	Ar. Naveen Kanithi	31.	Ar. T. Loganathan
13.	Ar. Bapilu Chai	32.	Ar. Ravi Kumar R.
14.	Ar. Atonu Baruah	33.	Ar. Vandana Sehgal
15.	Ar. Anil Kumar	34.	Ar. Manish Chakraborti
16.	Ar. Sandeep Laxman Bangde	35.	Er. Sandip Kumar Deb
17.	Ar. Vijay Garg	36.	Dr. G.S. Inda
18.	Ar. Sanjeev Kumar		
19.	Ar. Nand Lal Chandel		

IN ATTENDANCE:

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

The following members were granted leave of absence:

1.	Ar. Abhijit D. Shirodkar	2.	Ms. Saumya Gupta
3.	Ar. Rajesh Pradhan	4.	Ar. Kapil Setia
5.	Ar. Sanjiban Datta	6.	Ar. Kiran S. Mahajani
7.	Ar. Nadisha V. M	8.	Ar. Vishal Arun Kumar Vyas

No information was received, about their absence, from following members:

1.	Ar. M. P. Singh	2.	Ar. Marwin C. Gomes
3.	Er. Mahavir B Chopda	4.	Ar. Benjusingh Nongthomban
5.	Ar. George Lalzuia	6.	Ar. Sashi Mohan Srivastava

The Registrar-Secretary welcomed the members and thanked them for sparing their valuable time for the meeting. He requested the Hon'ble members to introduce themselves for the benefit of all the members.

The President welcomed all the members and informed that this meeting is called on the sidelines of maiden **India Art, Architecture & Design Biennale 2023** being conducted by Ministry of Culture, Government of India. The Council is one of the important outreach partners of this event.

He also informed that **the “India Art, Architecture and Design Student Biennale - Samunnati 2023 – 9th December, to 15th December, 2023” being conducted by the Council would be inaugurated by Ms. Meenakashi Lekhi, Hon'ble Minister of State, Ministry of Culture, Government of India.**

The President requested the Hon'ble Members to join for the inauguration of “Samunnati 2023” in the evening at 05:00 p.m. at Lalit Kala Academy, New Delhi and also **Thesis Awards function** on 10th December, 2023 from 10.00 a.m. onwards at Lalit Kala Academy, New Delhi.

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

ITEM NO.	PARTICULARS OF THE ITEMS
01	CONFIRMATION OF MINUTES OF THE 80th MEETING OF THE COUNCIL.
	The President informed the members that the Minutes of the 80 th meeting of the Council was circulated to the Hon'ble members on 09 th October, 2023. No comments were received from any member. The Council perused the minutes and approved the same. Accordingly, the minutes were signed by the President.
02	ACTION TAKEN REPORT ON THE MINUTES OF THE 80th MEETING OF THE COUNCIL.
	The Registrar-Secretary briefed the members on the action taken report on the Minutes of the 80 th meeting of Council. The Hon'ble Members noted the action taken report.
03	APPROVAL FOR RESTORATION OF NAMES TO THE REGISTER OF ARCHITECTS MAINTAINED BY THE COUNCIL OF ARCHITECTURE UNDER SECTION 32 OF THE ARCHITECTS ACT, 1972.
	The Council granted ex-post facto approval to the action taken by the Registrar for restoring names of 1770 defaulter Architects, in terms of Section 26(2) of the Architects Act, 1972, whose name were restored to the Register of Architects on payment of requisite fees during the period from 1.08.2023 to 15.11.2023.
04	APPROVAL FOR REMOVAL OF NAMES FROM REGISTER OF ARCHITECTS:
(a)	ON REQUEST FROM THE CONCERNED ARCHITECT:

	The Council noted that some Architects have surrendered their Certificate of Registration and have requested for removal of their name from the Register of Architects. The Council approved for removal of the names of the architects from Register of Architects as requested by them, in terms of Section 29(1) (a) of the Architects Act, 1972, and accordingly passed the following Resolution: Resolution No. :568 Resolved that: (i) The names of the following architect be removed from the Register of Architects as per their request in terms of Section 29(1) (a) of the Architects Act, 1972: <table><tr><th>Sl. No.</th><th>Name of Architect</th><th>State/City</th><th>Regn no.</th><th>Reason of Removal of Name</th></tr><tr><td>1</td><td>Ms. Varsha Swami</td><td>Meerut</td><td>CA/2018/91521</td><td>Do not want to Practice as an architect</td></tr><tr><td>2</td><td>Ms. Karishma Korada</td><td>Mumbai</td><td>CA/2002/29510</td><td>Due to Personal reasons</td></tr><tr><td>3</td><td>Sh. Naveen Anto Arakkal</td><td>Thrissur</td><td>CA/2022/150408</td><td>Currently settled in United Kingdom England</td></tr><tr><td>4</td><td>Sh. Ashwanth Birla B.</td><td>Virudhnagar [TN]</td><td>CA/2018/93615</td><td>Currently settled in Germany</td></tr><tr><td>5</td><td>Ms. Mary Sharon</td><td>Kanchipuram [TN]</td><td>CA/2020/121307</td><td>Currently settled in Ireland</td></tr><tr><td>6</td><td>Ms. Falak Javed</td><td>Moradabad</td><td>CA/2018/91343</td><td>Currently settled in USA</td></tr><tr><td>7</td><td>Sh.Vijayaraj M.</td><td>Tiruvallur [TN]</td><td>CA/2014/65848</td><td>Currently settled in Germany</td></tr><tr><td>8</td><td>Sh. Saksham</td><td>UNA-H.P.</td><td>CA2019/113266</td><td>Currently settled in Ireland</td></tr><tr><td>9</td><td>Ms.Shipra Popli</td><td>New Delhi</td><td>CA/1999/25266</td><td>Currently settled in Canada</td></tr><tr><td>10</td><td>Ms. S Anitha</td><td>Bangalore</td><td>CA/1992/15327</td><td>Currently settled in USA</td></tr><tr><td>11</td><td>Mr. Harsh Prafulkumar Pandya</td><td>Vadodara</td><td>CA/2018/102521</td><td>Pursuing Examination for Bar Council of India.</td></tr></table>	Sl. No.	Name of Architect	State/City	Regn no.	Reason of Removal of Name	1	Ms. Varsha Swami	Meerut	CA/2018/91521	Do not want to Practice as an architect	2	Ms. Karishma Korada	Mumbai	CA/2002/29510	Due to Personal reasons	3	Sh. Naveen Anto Arakkal	Thrissur	CA/2022/150408	Currently settled in United Kingdom England	4	Sh. Ashwanth Birla B.	Virudhnagar [TN]	CA/2018/93615	Currently settled in Germany	5	Ms. Mary Sharon	Kanchipuram [TN]	CA/2020/121307	Currently settled in Ireland	6	Ms. Falak Javed	Moradabad	CA/2018/91343	Currently settled in USA	7	Sh.Vijayaraj M.	Tiruvallur [TN]	CA/2014/65848	Currently settled in Germany	8	Sh. Saksham	UNA-H.P.	CA2019/113266	Currently settled in Ireland	9	Ms.Shipra Popli	New Delhi	CA/1999/25266	Currently settled in Canada	10	Ms. S Anitha	Bangalore	CA/1992/15327	Currently settled in USA	11	Mr. Harsh Prafulkumar Pandya	Vadodara	CA/2018/102521	Pursuing Examination for Bar Council of India.
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(b)	Due to death																																																												
	The Council noted with grief the passing away of some Architects. The members expressed their condolences to the families of the deceased Architects and observed one minutes silence. The Council decided to remove their names in terms of Section 29(1) (b) of the Architects Act, 1972 and passed the following resolution: Resolution No. : 569 Resolved that:																																																												

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05	CONDUCT OF NATIONAL APTITUDE TEST IN ARCHITECTURE (NATA 2024).																																							
	The Registrar- Secretary informed the members that the President, Council of Architecture constituted NATA Coordination Committee consisting of Ar. P. Vaitianadin, as Convenor and Ar. Milind Kollegal, Ar. Radhika Nagpal, Ar. Ajay Kulkarni and Ar. Milind Gujarkar as members of the Committee. The NATA Coordination Committee, based on a nationwide survey on conduct of previous NATA examinations, has recommended for revision in the pattern. The Test is proposed to be conducted at Test Centres identified by the Council at various institutions approved by UGC/ AICTE/ COA, having sufficient infrastructure and facilities. The proposed NATA examination schedule and pattern of examination is as under: <table><tr><th colspan="2">Date & Time of Examination</th></tr><tr><td>NATA Examination commencement from:</td><td>06-04-2024 onwards (On all weekends till July)</td></tr><tr><td>Session 1 10.00 a.m. to 1.00 pm (180 mins/3.0 hours)</td><td>Session 2 1.30 pm to 4.30 pm (180 mins/ 3.0 hours)</td></tr></table> Questions & Marks of Examination Part A - Drawing and Composition Test - Offline Test - 90 Minutes A1 – 1 Question – Composition and Color -25 Marks A2 - 1 Question – Sketching & Composition (Black and White)- 25 Marks A3 – 1 Question - 3D Composition - 30 Marks Total 3 Questions - 80 Marks Part B - MCQ - Computer based Test - 90 Minutes B1 - 30 Questions x 2 Marks - 60 Marks B2 - 15 Questions x 4 Marks - 60 Marks Total 45 Questions – 120 Marks The Council also perused the following fees structure for NATA examination: <table><tr><th rowspan="2">Applica- tion Fee for</th><th colspan="3">In India (Fee in₹)</th><th rowspan="2">Outside India (Fee in₹)</th></tr><tr><th>General/OBC(</th><th>SC/ST/EWS/PwD</th><th>Transgender</th></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>				Date & Time of Examination		NATA Examination commencement from:	06-04-2024 onwards (On all weekends till July)	Session 1 10.00 a.m. to 1.00 pm (180 mins/3.0 hours)	Session 2 1.30 pm to 4.30 pm (180 mins/ 3.0 hours)	Applica- tion Fee for	In India (Fee in₹)			Outside India (Fee in₹)	General/OBC(	SC/ST/EWS/PwD	Transgender																						
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	The Council appreciated the efforts made by the NATA 2024 Co-Ordination Committee and after detailed deliberations approved the proposed NATA examination schedule/ pattern and fee structure.																																
06	TO CONSIDER THE COMPLAINTS RECEIVED AGAINST ARCHITECTS FOR ALLEGED PROFESSIONAL MISCONDUCT FROM THE ARCHITECTS, GENERAL PUBLIC AND GOVT. AGENCIES.																																
	The Sections 22 and 30 of the Architects Act provide for filing of Complaints for Professional Misconduct against Architects with the Council. The Registrar-Secretary has received several Complaints and the same were dealt with as per procedure laid down under Council of Architecture Rules, 1973. The Council perused all the Complaints together with the Statement of Defence received from Respondent Architects as placed in the agenda. The Council after considering the Complaints together with the Statement of Defence and Preliminary Report received from the Council members to whom the respective complaints were referred, passed the following Resolution: Resolution No. : 570 Resolved that : <table><tr><td>1</td><td> CA/DC/561- With Regard to the Complaint filed by Ar. Alok B Bele, against Ar. Dhananjay Bhaisare, the Council noted that the Complaint against the Respondent Architect is that he supplanted the previous Architect (complainant) by not obtaining his NOC for Construction of Clinic, Hospital and Residence of Dr. Shweta Promod Rathi, CTS No. 53/13-31/1 near Tukdoji School ground, Pratap Nagar, Wardha. The Complainant also stated that the Respondent Architect resubmitted the fresh drawings to the Municipality for the approval of the Municipal Authorities which bear major resemblance to the earlier drawings submitted by him and thus also violated his intellectual property rights. The Respondent Architect in his statement of Defence denied having any previous knowledge of the work being handed by the Complainant. He stated that he prepared drawings as per directions and instructions given by client, Dr.Shweta Promod Rathi /Dr. Bhushan Patil. He further stated that his clients did not inform him about their having approached the complainant previously. As per requirement and consultation with the client the drawing was prepared and submitted to Municipal Council for sanction by Respondent. </td></tr></table>						1	CA/DC/561- With Regard to the Complaint filed by Ar. Alok B Bele, against Ar. Dhananjay Bhaisare, the Council noted that the Complaint against the Respondent Architect is that he supplanted the previous Architect (complainant) by not obtaining his NOC for Construction of Clinic, Hospital and Residence of Dr. Shweta Promod Rathi, CTS No. 53/13-31/1 near Tukdoji School ground, Pratap Nagar, Wardha. The Complainant also stated that the Respondent Architect resubmitted the fresh drawings to the Municipality for the approval of the Municipal Authorities which bear major resemblance to the earlier drawings submitted by him and thus also violated his intellectual property rights. The Respondent Architect in his statement of Defence denied having any previous knowledge of the work being handed by the Complainant. He stated that he prepared drawings as per directions and instructions given by client, Dr.Shweta Promod Rathi /Dr. Bhushan Patil. He further stated that his clients did not inform him about their having approached the complainant previously. As per requirement and consultation with the client the drawing was prepared and submitted to Municipal Council for sanction by Respondent.																									
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		The Council noted that the Complainant was engaged by his client Dr. Shweta Promod Rathi /Dr. Bhushan Patil, but there was no signed agreement between them. The client admitted of having appointed the Complainant for providing Architectural Services. Even the drawings submitted by Respondent were allegedly bearing resemblance to what was prepared by the Complainant. The Respondent took the work without ensuring that the services of previous architect were terminated or not and/ or his fees was paid or not. The Council after deliberations and application of its mind opined that there is a prima facie case against the Respondent Architect and referred the matter to the Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The decision of the Council be communicated to the concerned parties as per the procedures.
	2.	CA/DC/562- With Regard to the Complaint filed by Shri K. Gurunathan, Madurai against Ar. Harish Muniasamy, the Council noted that the Complaint against the Respondent Architect is that the Complainant engaged the Respondent Architect to prepare the plans, drawings and elevation for their proposed House. The Respondent claimed himself to be a big Contractor and agreed to construct the House on the plot of the Complainant. The Complainant alleged that the Respondent Architect instead of working as per terms and conditions of the agreement worked for unlawful enrichment and manipulated in the material and deviated in the Construction. The complaint also alleged that stability of the building is at risk and the Respondent Architect has violated the code of conduct prescribed by the Council of Architecture. The Respondent threatened the Complainant to withdraw the case filed by him in consumer forum. The Respondent Architect in his defence submitted that the Complainant approached him for designing and construction of a building for his Residential house at Madurai. The Complainant agreed to pay Rs. 1,49,750 at the rate of Rs. 50/- per square feet for 2275/- Sq. feet area. The Complainant made the Respondent to provide more than 8 complete changes in the Scheme plan. Later on, the Complainant completely changed the concept floor plans and due to budget restrictions asked the Respondent to remove the first floor portion and provide the revised floor plans. The Complainant told the Respondent that that he would pay only architectural fees on completion of construction. Lot of Changes have been carried out by the Complainant without prior consent or approval of the Respondent. The Respondent had also given clarifications/ justifications for various allegations made by the Complainant. The Council after deliberations noted that the Respondent Architect has entered into an agreement for providing Architectural as well as construction services. On the one hand the Respondent has claimed that the Complainant has failed to pay the outstanding amount and verbally abused him on the other he has stated that he is ready to make good any inhabitable human error. The Council after deliberations and application of its mind opined that there is a Prima facie case against the Respondent Architect and referred the

		matter to the Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The decision of the Council be communicated to the concerned parties as per the procedures.	
	3.	CA/DC/563- With Regard to the Complaint filed by Mrs. Gunjan Bhatia, Panipat, against the Ar. Parveen Chopra, Panipat the Council noted that the Complaint against the Respondent Architect is that Respondent Architect offered to construct the office of the Complainant at village Sodhapur, Panipat during the course of construction it was found that the steel being used was very poor quality and it had banded at several places. Even the structure constructed had developed many cracks and there was no proper finishing of the structure. The Complainant through its director and summoned the Respondent to the site and had shown him the defects in the construction work being done and other shortcomings such as cracks in the walls, poor finishing. The Respondent succeeded in taking a sum of Rs. 1,98,24000- from the Complainant. On Complaint the Respondent claimed that he would remove the defect at the time of finishing and the Petitioner should not bother about it. However, as and when the Complainant tried to persuade respondent for construction of the office building, the staff of the Respondent, who used to be at the site simply stated that the respondent cannot do better construction than being done and when pressure was raised for the architect Shri. Parveen Chopra to come and visit the site but he alongwith his staff abandoned the project. The efforts were made to persuade the Respondent to restart the work but he completely refused to restart the work. The complainant made various other allegations. The Respondent Architect in his defence submitted that the Complainant has not come with clean hands before this forum and her frivolous, false petition is a counter blast to the complaint earlier filed by the Respondent. The respondent filed a commercial suit at Panipat court to recover the impugned amount in question. Hence, the matter is sub-judice. The Complainant's allegations about that the material used by the Respondent were of inferior quality was a total a lie. At the time of construction, the persons of Complainant were consistently in touch with the process of construction with permanent employee of Complainant who used to send photographs of everyday work to the Complainant and the Complainant also personally visited to site within three-four days. During all this time the Complainant never raised any finger or ever objected with respect to the material and construction. Hence, Complaint is an afterthought objection and self-concocted story. Respondent Architect submitted that the total cost of the contract was to the tune of Rs. 3,31,24,000/- while the payment has been received to the tune of Rs. 1,68,00,300/- against the bill. The Respondent also stated that all the contents in the present complaint are frivolous false and have been made in order to mislead this forum. He requested the Council to dismiss the Complaint.	

		The Council after deliberations and application of its mind opined that the Complainant continued with the services of the Respondent till almost completion of the project and did not find any lapse in the services till everything was amicable between both of them. The Complaint is filed with the Council only after filing of recovery suit by the Respondent to avoid liability. Accordingly, the Council decided that there is no prima facie case against the Respondent Architect and dismissed the Complaint. The decision of the Council be communicated to the concerned parties as per the procedures.	
	4.	CA/DC/564- With Regard to the Complaint filed by Mr. Pawan Kumar Garg and Mr. Raman Kumar Garg, New Delhi against the Respondent Ar. Sanjay Kumar Bhateja, New Delhi the Council noted that the Complaint against Respondent Architect is: (1) manipulation in site plan; and (2) Wrongful and illegal submission of site plan by exploiting the Saral Scheme without the consent of co-owners in a single plot. The matter is in the court between the property co-owners and the Court has granted a stay on construction by the court dated 09th August, 2023. The Respondent Architect in his defence submitted that the owner Shri Subhash Chand Gupta approached him to get sanction of the building plan for the whole property under the online/offline simplified scheme. For this purpose, he asked the Respondent to facilitate measuring the construction at existing property. To this, Complainant readily agreed & fixed & date for taking measurements. On the fixed date full measurement was done without any ado. The Respondent asked him to submit the requisite documents for the approval. Afterwards the copies of the property paper were handed over to Respondent by Shri Subhash Chand Gupta. He directed the Respondent to submit the proposal and accordingly the same was submitted by the Respondent me on the MCD online site. After uploading on the site, the plan was not further processed by Respondent as the same was incomplete in terms of documents/ formalities, and the position of the plan is still the same on the online site. Moreover, the construction/renovation at the site was got not done by Respondent and not a single brick was allowed by him as no plan was got sanctioned by Respondent from the authorities. Respondent further stated that as far as the order of the Hon'ble Court is concerned, the same was pronounced afterwards, on 9th August, 2023. He was not briefed about the pending court case by anyone and he was completely kept in the dark. The Respondent further stated that the complainant against him is false, concocted and without any basis and requested for dismissal of the same. The Council after deliberations and application of its mind opined that the Respondent Architect has submitted a Building plan in the MCD as per request of his client, the MCD did not approve the same due to lack of Complete documents/ formalities by owner.	

		The Council opined that there is no prima facie case of Professional Misconduct against the Respondent Architect and dismissed the Complaint. The decision of the Council be communicated to the concerned parties as per the procedures.
	5.	CA/DC/565- With Regard to the Complaint filed by Mr. Anand Pawan Kumar Khosla, Mumbai, against Ar. Ameet G. Pawar the Council noted that the Complaint against the Respondent Architect is that the Respondent Architect submitted the plan/application to the Municipal Commissioner MCGM, Mumbai at the instance of Phoenix Mills Limited for change of user of the Building from Commercial use i.e. shops and offices to Mall. The proposal submitted to the MCGM did not have the NOC or approval of Existing Tenants. The proposal and plans were approved by the Municipal Corporation of Greater Mumbai on 28.09.2020. In the aforesaid plans, units of the Complainant and his family members were willfully and deliberately not shown. The aforesaid plans were submitted without the knowledge and consent of the Complainant and his family members. M/s Aakar Consultants re-submitted the aforesaid proposal and plans, which were titled as Amend-2 to the Municipal Corporation of Greater Mumbai on 15.04.2021. The aforesaid proposal and plans were approved by the Municipal Corporation of Greater Mumbai on 10.03.2022. It is pertinent to note that aforesaid proposal for the first time depicted 4 units of the complainant and his family members by unilaterally changing/replacing its unit numbers, without mentioning indicating area of each unit and also have changed the Locations of the units and unit nos. from their original location on the third floor, without the consent, knowledge and or approval of the complainant and his family members. The aforesaid proposals both Amend-I and Amend-2 were prepared and submitted with scant regards to fire safety and Escalator shown in the Amend-1 in unit No's T-9,10,11 and 12 to get the approval for the fire safety norms, etc. and the same was removed in the drawing Amend-2. The Respondents - M/s. Aakar consultants under signature of Ar. Pawar Ameet Ganpatrao, have acted highly unprofessional and misconducted themselves by submitting the said plans without the consent of the complainant and his family, who are statutorily protected tenants of The Phoenix Mills Ltd. The Respondent Architect in is defence submitted that complainant has suppressed the material fact that there is an ongoing dispute between the complainant and Phoenix Mills Limited, viz. RAD suit Nos. 343, 344, 345 and 346 of 2020 before the learned small causes court at Dhobi Talao. The tenancy rights of the Complainant in the premises mentioned in paragraph 1 of the said complainant (for short, "Premises in question") are dispute in the said proceedings. The complainant has no locus to make the said complainant. Since the question of the complainant's tenancy is sub-judice before the Learned Small Causes court and has not been decided yet, even on this ground the complainant ought not to be entertained and deserves to be dismissed. It is not the complainant, but Phoenix Mills Limited which has engaged the services of the Respondent under various documents, viz. Letter of Appointment dated 06.07.2019 and the work order dated 30.07.2019. Thereafter, by work change order dated 30.12.2020, Phoenix Mills Limited

		made changes in the scope of work vis-à-vis the original work order dated 30.07.2019. The Respondent has been duly appointed by Phoenix Mills Limited vide the aforesaid documents, pursuant to which the respondent has carried out the work as per the terms and conditions agreed and the instructions of Phoenix Mills Limited. The allegations made in the said complaint admittedly do not arise out of the services provided or promised to be provided by the respondent to the complainant. It is also not the complainant's case that the terms of appointment or terms of work order provide that the respondent is required to take consent from purported tenants of Phoenix Mills Limited. The respondent has not deviated from the instructions of Phoenix Mills Limited and the proposals referred to in the said complaint, titled as Amend-1 and Amend-2(hereinafter referred to as "said plans and proposals") are made under the instructions of Phoenix Mills limited and nothing is in teeth of the terms of services of Phoenix Mills Limited. The complainant has no locus to file any complaint against the respondent for the services that have been extended by the respondent to third-party and not the complainant. Respondent submitted that the complainant has filed the said complaint on the basis that he is a tenant of Phoenix Mills limited. This position aside from being untenable, baseless, and completely unfounded, is also disputed before a court of law. Therefore, even as per the erroneous position held by the complainant, the complainant has no locus to file the said complaint. Respondent further submitted that the complaint is made with the ill-intension to hinder the Respondent's work of providing services to Phoenix Mills Limited, as the complainant is in dispute with Phoenix Mills Limited over the premises in question. The Council after deliberations noted that the Respondent Architect was appointed by Phoenix Mills Limited and prepared drawings/ plans as per their requirements and no cause of action lies against the Respondent Architect. Accordingly, the Council opined that there is no prima facie case of Professional Misconduct against the Respondent Architect and dismissed the Complaint. The decision of the Council be communicated to the concerned parties as per the procedures.
	6.	CA/DC/566 - With Regard to the Complaint filed by Ms. Kalaivani Nagaraj against Ar. Johanna Rajesekaran, the Council noted that the Complaint against the Respondent Architect is that the Respondent Architect made false Representation and guarantees that the Respondent is experienced and would complete the project to the satisfaction of the Petitioner. The Respondent had specifically mentioned in an email to the Complainant that the Respondent are an architectural design studio and has been practicing architecture, interior design and landscape for one year in Bangalore. The Respondent stated that she had completed 3 successful projects. Based on such assurance and warranties from the Respondent, the Complainant agreed to engage her services and design and implementation of their studio and office.

		The Complainant further stated that several discussions were held between the Complainant and the Respondent and she had explained the requirements and standards for the studio. Based on such discussions, the Complainant entered into an Architectural Partner Agreement dated 21st May 2022 with the Respondent for the Project. The Respondent had misrepresented the professional capacities for her team while the Respondent had specifically mentioned to the Complainant that the Respondent runs an architectural design studio having experienced architects in her team. The Respondent had even evaded her professional ethics and obligations and had breached various terms of the Agreement. The Respondent had unilaterally terminated the Agreement by being absent from the site and not completing the Project. The Respondent had not provided the invoices of material to the Complainant, whenever the transactions were cross-checked. On questioning the Respondent on any transactions, the Respondent showed hostile attitude towards the Complainant and threatened that the contractor engaged by the Respondent would quit the project. The Respondent had never allowed any communication between the Complainant and the contractor. The Complainant's project was halted due to mismanagement by the Respondent resulting in the contractor quitting the Project. Thus, the Respondent had violated the clause 2(VII), (VIII) and (X) of Architects (Professional Conduct) Regulations 1989. The Respondent Architect in her defence stated the complainant and she were put in contact with each other through a person who was mutually acquainted with the complainant and myself. The agreement was signed on 24.05.2022. A perusal of the agreement entered with the complainant would reveal that there was no consideration at all. After the Agreement was signed and multiple discussions, the Respondent had furnished spatial and furniture layout, which the complainant had perused and approved. The complainant had a consultant about the acoustics of the studio and there was no delay in finalizing the layout on her part. The layout was finalized after multiple conversations, discussions and corrections suggested by the Complainant and sound consultant. The Respondent Architect further stated that she had procured the materials locally at prevailing market prices through the contractor who was engaged by her to execute the project. The contractor was a very reputed contractor with many years of experience, who had conditions, keeping in mind the brief given by the Complainant about the cost of project. The Respondent further stated that as a young professional in this profession having 4 years of experience. The complainant was referred to her by a friend and she had taken up the project without any consideration, only for the purpose of executing the work to the satisfaction of the client. She had sought for the help of two of her acquaintances one of whom is an independent qualified architect and other is independent qualified Civil engineer. Thus, three of them worked on the project without receiving any remuneration whatsoever and in fact they had incurred substantial cost to complete the project.	
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	She further stated that she was eager to take up work without any consideration only for the purpose of gaining experience in this profession. The complainant was also able to force a contract without any consideration only because of the fact that she was young Professional. She was not even aware of my rights, especially in a contract and how to safeguard the same. She had designed and executed the project, procured the materials on behalf of the Complainant, coordinated with the contractors, spent her own money for transportation and other costs, forced to pay out of my pocket, an amount of Rs. 58,064/- had to endure an enquiry in a police station. She is now facing the present complaint without having got any consideration whatsoever for the work. The complainant is disparaging her and attacking her reputation. The Council after deliberations noted that the Respondent Architect had enter into an Agreement with the Complainant for designing the offices space that includes studio making arrangements, to procure raw materials and workmanship etc. In lieu of the same the Respondent was granted following consideration/ favors: a) Respondent logo in the credits of video for office; b) Respondent name and website link on studio video description' c) Publicity post from lady kash to share on social media platforms (optional-Partner's preference); d) Brochure(s) of Respondent in office space; e) Respondent logo on Respondent's website; f) On-site video tour by lady Kash filmed by label media personnel which would highlights Respondent and their contribution(s) Further, it was agreed that the Complainant will reimburse Respondent for fuel/uber costs (capped at 15000 INR) for purposes only towards Project upon provisions of bills. The Council further noted that the Respondent ought not to have entered into such an agreement wherein she has not followed conditions of engagement and scale of charges prescribed by the Council. Though remuneration is not in cash but it is in kind by way of publicity and acknowledgement and reimbursement of expenses of Respondent. The Council after deliberations and application of its mind opined that there is a prima facie case against the Respondent Architect and referred the matter to the Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The decision of the Council be communicated to the concerned parties as per the procedures.
7.	CA/DC/569 - With Regard to the Complaint filed by Shri Dhara Dhupar, New Delhi, against Ar. Kulbir Singh Sodhi the Council noted that the Complaint against the Respondent Architect is that he was engaged by the Complainant as consultant for getting, 2nd floor of their property no. G-18/5 terrace, Rajouri Garden, New Delhi, sanctioned from Municipal Corporation of Delhi. The Respondent was paid Rs. 1,147000 and he provided MCD Receipt of Rs. 520 only. The work is pending and the Respondent Architect is neither returning money nor completing the task assigned to him. The Respondent Architect in his defence submitted that Mrs. Dhara Dhuper and her husband, came to him from a very close known acquaintance for

	getting his half Terrace portion of Second floor of the property bearing number G18/5 Terrace Rajouri Garden, New Delhi, sanctioned from Municipal Corporation of Delhi (MCD) in the name of his wife. He categorically informed the husband of Mrs. Dhara Dhuper, that from time to time he would be charging his Professional fees towards the consultancy and advisory services for doing their work at different stages because the work required lot of consultation and coordination from different departments to which they agreed. The Respondent noticed that one of the chains is missing from the property documents and as such he asked the husband of Mrs, Dhara Dhuper to get him the complete chain of the property, which is a necessary document for getting any property sanctioned but Mrs. Dhara Dhuper and her husband failed to get him the aforesaid document and because of which the work could not be completed. The Respondent further stated that he prepared the drawings of the said property for submission to MCD in online mode by checking of building, bye laws as to whether it is sanctioned or not. He also arranged and compiled the file of the said property of Mrs. Dhara Dhuper and submitted the hard copy of the same in the newly scheme launched by the MCD for sanctioning of the building plan floor wise. Subsequently, a query was raised by the MCD Department wherein they asked to get some compliance done so that the file can be proceeded for further course of action. As Mrs. Dhara Dhuper and her husband failed to get the aforesaid compliances done, the file of Mrs. Dhara Dhuper was rejected. Thereafter, the husband of Mrs. Dhara Dhuper husband requested him to appeal against the aforesaid decision of the rejection by the department to which he submitted an appeal for re-opening of the case of the property of Mrs. Dhara Dhuper. The Respondent further submitted that in the meantime during the work was going on, Mrs. Dhara Dhuper and her husband sold off the said property to some third party and did not inform him about the same. As he was not aware that the property has been sold off by Mrs. Dhara Dhuper, he continued with their work. The complaint is completely false and does not contain the complete and true facts of the case. The Council after deliberations and application of its mind opined that there is a Prima facie case against the Respondent Architect as from the records submitted by the Complainant it appeared that Respondent was not responding to the Complainant. Further, Respondent collected cash fees from the Complainant but did not enter into any agreement detailing of scope work and his services. The Council, therefore, referred the matter to the Disciplinary Committee for detailed investigation as per Council of Architecture Rules, 1973. The decision of the Council be communicated to the concerned parties as per the procedures.
8.	CA/DC/571 - With regard to the Complaint filed by Shri Keron Babu Navarengon, Kerala against the Ar. Ajay Tce A. Simon, the Council noted that the Complaint against the Respondent Architect is that the Respondent Architect was engaged for construction of new house of the Complainant for providing fall design, drafting, reviewing, programming, administrative tasks, and any additional work necessary for the completion of the design of

	this location as well as the supervision and scrutiny of construction contract of above location. Any and all services rendered during the term of this architect agreement by the Architect shall conform to all state standards and regulations. The Architect will provide any plans and documents required to the state office for inspection as well as provide assistance in any state inspection during the term of the agreement. Architect's role is limited to providing documents and details only. The Complainant stated that Respondent Architect failed to provide proper invoice. He failed to reduce the area of Building to 3000 to 2000 Sq.feet. He terminated his services unilaterally and asked for Higher fees @ 3000 per Sqf. Thus, he did not conduct himself in a professional manner and caused losses to the Complainant. The Respondent Architect in his defence stated that the Initially the scope of work was only for a single residential building, for which the respondent has provided multiple designs. The Complainant revised the scope of the design to facilitate the convenience of the parents since, he has decided to stay back in U.S.A. Since the first design got aborted due to the convenience of the complainant the idea of the second design came up which was exclusively in accordance with the requirements of his parents at their old age. Hence, the carpet area in the design was reduced and also demanded isolated space for the individual living for the Complainant as and when he visit the parents, which was also supported with an isolated study cum maid room. Both the designs consumed 3 years from the inception of the agreement solely for the reasons owned by the complainant. The Respondent further submitted that he has a meritorious standing of 9 years of active practice in India and abroad along with a team of Architects which has contributed ever so many prestigious designs. He further stated that the attempt of the Complainant with the ulterior motive is to discredit the respondent and also not to make the payment due to the respondent. The Council after deliberations noted that no fault can be found on the part of the Respondent Architect as the delay in the project was happened due to the revision of drawings by the Complainant several times. The Complainant continued to avail the services of the Respondent Architect for 4 years without any complaint with the Respondent Architect. The Council, therefore, opined that there is no Prima facie case of Professional Misconduct is made out against the Respondent Architect. The Council therefore dismissed the Complaint. The decision of the Council be communicated to the concerned parties as per the procedures.	
07	TO CONSIDER THE PROPOSAL FOR AMENDMENTS IN THE ARCHITECTS ACT, 1972.	
	The President informed the members that the Council in its 80th meeting approved the proposal on the amendments in the Architects Act, 1972 in principal and authorized the President, COA to finalize the same. The draft proposal was shared with Indian Institute of Architects and Institution of Engineers India so as to receive their views and suggestions if any on the same.	

	The President, further informed that the Council is yet to receive the feedback/ views/ suggestions from the Indian Institute of Architects. The Institution of Engineers (India) vide their letter Ref. No. SDG/SECTT/COA dated 01.12.2023 informed that they disagree with the proposal of the Council. The President informed the members that he would be sharing the proposal with former Presidents of the Council and senior architects all over India to seek their views/ suggestions on the same. The President requested all the members to go through the proposal and send their suggestions if any within 10 days so that they can be submitted to the Ministry of Education for further action in the matter.
08	TO TAKE NOTE OF THE FOLLOWING MATTERS :
	PREPARATION OF MANUAL ON UNIVERSAL ACCESSIBILITY
i)	The Registrar-Secretary informed the members that the Committee on Preparation of Manual on Universal Accessibility has held 26 meetings and has so far finalized of Volume 2, 3, 4 and 5. Volume 1, 6 and 7 are also being completed very soon. The Council also conducted a 1-week Training program on Universal Accessibility for training of Master trainers. The 2nd phase of training would commence after completion of Manual on Universal Accessibility. The members noted the information and appreciated the efforts made by the Council for enforcement of Universal Accessibility.
ii)	DELHI HIGH COURT DIVISION BENCH JUDGEMENT DATED 01.09.2023 in LPA no. 386 of 2018 REGARDING PRACTICE OF ARCHITECTURE BY COMPANIES.
	The Registrar-Secretary informed the members that the Council filed an Appeal against the Judgement of Single Judge of Hon'ble Delhi High Court dated 25.04.2018 which held that Architecture practice can be carried out by non-Architect natural person as well as Juridical entities like companies and LLPs without using the Title and Style of Architect. The Division Bench of Hon'ble High Court in its order dated 01.09.2023 held as under: <i>“As we have gone through issues which are raised in these instant appeals, it is evident that the issues which are canvassed in these appeals would have to be negated in light of the judgment rendered by the Supreme Court in Council of Architecture vs. Mukesh Goyal & Ors. (2020) 16 SCC 446]. Dealing with an identical question the Supreme Court in Council of Architecture has observed thus:</i> <i>25. The present case raises two questions that this Court must answer: (i) Question 1: Does Section 37 of the Architects Act prohibit individuals not registered as architects under the Architects Act from practicing the activities undertaken by architects, including the design, supervision and construction of buildings; and (ii) Question 2: Whether a post</i>

titled “Architect”, “Associate architect” or any other similar title using the term or style of “Architect” can be held by a person not registered as an architect under the Architects Act.

30. It is evident that the legislature did not intend to create a prohibition on the practice of architecture and associated activities by unregistered individuals. As opposed to the case of physicians or surgeons under the Indian Medical Council Act or advocates under the Advocates Act, the legislature consciously chose to employ a less stringent measure in the case of architects, merely prohibiting unregistered individuals from using the “title and style” of architect. It is not for this Court to delve into why the legislature made this choice. However, during the course of these proceedings a cogent and pragmatic reason for this choice has been placed before this Court, by the learned Attorney General of India and by way of the erudite opinion of Chief Justice Raveendran in the decision in Mukhesh Kumar Manhar to which we may briefly advert.

35. While we have held that Section 37 does not prohibit the practice of architecture by unregistered individuals, it certainly does prohibit unregistered individuals from using the “title and style” of architect. Under the scheme of the Architects Act, only individuals possessing the statutorily recognised minimum educational qualifications can apply for registration as an “Architect” under the Act. Registration as an architect under the statute is thus a guarantee of possessing certain minimum educational qualifications. Section 37 prohibits unregistered individuals from designating themselves or referring to themselves as “architects”. The consequence of this regulatory regime is that when an individual is called an “Architect” a reasonable person would assume that they are a registered architect under the Architects Act and as a consequence possess the requisite educational qualifications and specialised knowledge associated with architects.

37. In the present case, we recognise the power of NOIDA to provide and modify the minimum eligibility criteria for promotion of candidates to the posts of Associate Town Planner and Associate Architect. We further recognise that the authority has significant discretion in how it chooses to title the various posts under its supervision. However, to permit NOIDA to continue to title a post that includes individuals who are not registered architects under the Architects Act as “Associate Architect” would result in a violation of Section 37 of the Architects Act. In the case of TulyaGogoi the High Court of Gauhati expressly held that the prohibition on the use of title and style of architect contained in Section 37 of the Architects Act applies to both private individuals and government employees. The reasoning of the High Court on this issue commends itself for our acceptance.

39. For the reasons stated above, in response to the first question we affirm the decision of the High Court of Allahabad and hold that Section 37 of the Architects Act does not prohibit individuals not registered under the Architects Act from undertaking the practice of architecture and its cognate activities. In response to the second question we disapprove of the view of the High Court of Allahabad and hold that NOIDA cannot promote or recruit individuals who do not hold a degree in architecture recognised by the Architects Act to a post that uses the title or style of “architect”. However, the authority is free to change the nomenclature of the post to any alternative as long as it does not violate the provisions of the Architects Act by using the style and title of “architect” in its name.

2. We further find that while rendering judgment in the aforesaid matter, the Supreme Court has also specifically approved the judgment rendered by the learned Judge of this Court in Sudhir Vohra vs. Registrar of Companies & Others [2018 SCC Online Del 8576] and which forms subject matter of connected LPA 386/2018.

3. In view of the aforesaid, we find no justification to interfere with the judgment impugned.

	<i>4. The appeals fail and shall stand dismissed.</i> The members perused the Judgements and observed that amendments in the Architects Act is the only solution for stopping unqualified and incompetent person from practicing as an Architect in India.
iii)	ORGANISING REGISTRATION/ RENEWAL CAMP AT NAGPUR ON 27TH AND 28TH OCTOBER, 2023.
	The Registrar-Secretary informed the members that the Council organized a registration/renewal camp at Nagpur in association with Nagpur Chapter of Indian Institute of Architects. About 350 Architects visited the camp and updated their address, photograph, applied for new certification of Registration certificates, paid renewal and restoration fees. About 70 applications were received for Registration as an Architect. The members noted the information and appreciated the efforts made by the Council and desired that such camps be organized all over India with the assistance of IIA so as to facilitate Architects to keep their Registration/ Renewal status updated.
iv)	CONDUCT OF THESIS AWARDS COMPETITIONS.
	The Registrar-Secretary informed the members that the Thesis awards competition for excellence in UG/PG Thesis are being held and final jury and award program will be held on 10th December, 2023. He requested all the members to join for the program.
v)	CONDUCT OF THE INDIA ART, ARCHITECTURE AND DESIGN STUDENT BIENNALE - SAMUNNATI 2023 BY THE COUNCIL FROM 8TH DECEMBER, 2023 TO 15TH DECEMBER, 2023 IN COLLABORATION WITH MINISTRY OF CULTURE, GOVERNMENT OF INDIA.
	The President informed the members that Hon'ble Prime Minister of India Shri Narendra Modi ji has inaugurated the maiden India Art, Architecture & Design Biennale 2023 (IAADB'23), organized by Ministry of Culture, Government of India at Red fort on 8th December, 2023. The Biennale will also act as a precursor to India's participation in the Venice Biennale 2024 and other such international Biennale and Design Weeks to come. The Council of Architecture has been selected as one of the outreach partners for the above event. He also informed the members that the Council is organizing, The India Art, Architecture and Design Student Biennale - Samunnati 2023 in collaboration with the Ministry of Culture, Government of India, from 9th December 2023 to 15th December, 2023 at Lalit Kala Academy, New Delhi. The Council has requested all the architectural institutions to participate in this international event. The event will bring together budding architects, aspiring students and Award-winning Professionals from all over the country to celebrate and exhibit their architectural & Design ingenuity. The Chairman also informed the

	members that Ms. Meenakashi Lekhi Hon'ble Minister of State, Government of India has agreed to be Chief Guest for this occasion. The President further informed that the Council would be organizing COA National Awards programme for excellence in Architectural Thesis in Undergraduate & Postgraduate courses in Architecture for the year 2023 at Lalit Kala Academy, New Delhi on December 10, 2023 from 10 AM onwards. The Council members appreciated the efforts made by the Council and suggested that such kind of events be organized in different states to spread awareness about Architecture and role of Architects in society. The Council also appreciated the Ar. Punit Sethi, Convenor of Biennale, Coordination Committee, other members and staff of the Council for their untiring efforts for this event. The President informed the members that though the Council has sought the sponsorship from different Institutions/ Organizations, yet it is expected that an expenditure of about Rs. 40/- Lacs would be incurred for this week-long event.
vi)	CONSTITUTION OF BOARD OF EDUCATION.
	The Registrar-Secretary informed the members that the Chairman, Executive Committee constituted a Board of Architectural Education for UG, PG and Diploma courses in order to prepare draft Regulations for the UG, PG and Diploma courses in line with National Education Policy (NEP) and the proposed amendments in Architects Act, 1972. The members of the board are as under: 1) Ar. P. Vaitianadin, Convenor 2) Ar. Nand Lal Chandel, Co Convenor 3) Ar. Kiran S. Mahajani, Member 4) Ar. Milind Kollegal, Member 5) Ar. Radhika Nagpal, Member 6) Ar. K. Senthil Kumar, Member 7) Ar. Chirayu Bhatt, Member 8) Ar. Mamatha P. Raj, Special Invitee 9) Ar. Ajay Monga, Special Invitee 10) Ar. Pushkar M. Kanvinde, Special Invitee 11) Ar. Sheetal Sharma, Special Invitee The Board has so far held five meetings. The Council noted the above information.
Vii)	RECONSTITUTION OF COMMITTEE ON FOREIGN QUALIFICATIONS.
	The Registrar-Secretary informed the members that the President, COA has reconstituted the Committee on foreign qualification. The Committee consist of following members: 1) Ar. Lalichan Zacharias, Convenor 2) Ar. Abhijit Digambar Shirodkar, Member 3) Ar. Kiran S. Mahajani, Member 4) Ar. Kavita Daryani N Rao, Special Invitee 5) Ar. Durganand Balsavar, Special Invitee

	This mandate of the Committee is to evaluate the requests forwarded by Ministry of Education from persons who possessed foreign Architecture qualification for recognition under section 15 of the Architects Act, 1972. The Council noted the above information.
viii)	RE CONSTITUTION OF ADVISORY COMMITTEE APPEALS
	The Registrar-Secretary informed the members that the President, Council of Architecture has re-constituted Advisory Committee (Appeals) of the Council for examining the appeals received from persons under section 26 (3) of the Architects Act, 1972, whose applications for registration are rejected by the Registrar. The section 26 (3) of the Architects Act, 1972 provides that any person whose application for registration is rejected by the Registrar may within three months from the date of such rejection, may appeal to the Council. The Council considers all such appeals by constituting an Advisory Committee Appeal(s) Committee for examining the same and takes appropriate decision based on the report/recommendations of the Appeal(s) Committee. The members of the Advisory Committee (Appeals) Committee are as under: 1. Ar. Lalichan Zacharias, Convenor; 2. Ar. Bapilu Chai Tawsik, Member; 3. Ar. Ravi Kumar R., Member; The Council arranges for a convening meeting of Advisory Committee (Appeals) as and when it receives sufficient appeals from applicants who have been rejected by the Registrar for registration u/s 25 of the Architects Act, 1972. The Council noted the above information.
09	TO CONSIDER POLICY FOR TAKEOVER AND MERGER OF THE ARCHITETURAL INSTITUTIONS.
	The Registrar-Secretary informed that the Council had constituted a Sub-Committee to prepare guidelines/norms for merger of institutions of a same Trust/ Society/ University/ Sponsoring body and change in Trust/Society/ University/Sponsoring body by a new sponsoring body for taking over an institution so that the sponsoring bodies/institutions may apply for the same to the Council. The Report was also placed in the last Council meeting and views and suggestions were sought from Hon'ble members of the Council. However, no comments were received by Council office. The policy on merger and take over was examined and certain changes were made. The President requested all the members to send their views and suggestions within 10 days so that the policy may be finalized for implementation from the academic session 2024-25 onwards.

10	MATTERS PENDING FOR APPROVAL OF MINISTRY OF EDUCATION, GOVERNMENT OF INDIA.
a)	Amendment in Eligibility for admission to B.Arch. Course.
	The President informed the members that the Council has submitted a proposal for amendments in eligibility for B. Arch course for removal of PCM subjects for admission to 1st year of 5 years B. Arch course. Further, as decided in the 80th meeting of the Council the proposal for allowing lateral admission in the 2nd year of 5-year B. Arch course has also been submitted to the Ministry of Education, Government of India for according their approval for amending Council of Architecture (Minimum Standards of Architectural Education) Regulations 2020 in terms of Section 45 of the Architects Act, 1972. The President further informed that the Council is in receipt of order no. F. No. 4-03/2021-TS.VI(Pt.II) dated 01.12.2023 constituting a committee consisting of Prof. (Dr.) Kailasa Rao M, Director, SPA, Bhopal, Dr. Mohammed Firoz-HOD (architecture) NIT Calicut, Nominee of Director, IIT Roorkee- Prof. Gaurav Raheja, HOD, Department of Architecture and planning, IIT Roorkee, Nominee of Director, CEPT-Prof. Chirayu Bhatt , Deputy Secretary(NITs & SPAs) for examining the proposal of Council and submitting their report/ recommendation to the Ministry. The Council noted the above information.
b)	Re-Constitution of Disciplinary Committee.
	The President informed the members that the Council in its 80th meeting elected Ar. Naveen Kanithi as member of Disciplinary Committee. The Council vide its letter dated 13.10.2023 has requested the Ministry of Education, Government of India to issue Gazette notification for re-constitution of Disciplinary Committee. He informed the members that the COA would send another request to the Ministry for issuing appropriate Gazette notification at the earliest so that the pending complaints can be investigated by the Disciplinary Committee without any further delay.
c)	Approval of Enhancement of fees to be charged from Architects.
	The President informed the members that the Council has submitted a proposal for enhancing the fees charged by Council under Council of Architecture rules 1973 for Registration, Renewal and Restoration etc. The fees were last revised in the year 2014 and since then administrative fees of the Council has increase a lot in view of inflation. The Council is yet to receive approval of the Ministry in the matter. The Council deliberated in the matter and noted that the fees was last revised in the year 2014 and in view of escalation in cost of goods and services in last 10 years the administrative cost of the Council has increased and the revised fees structure as approved by the Council should be notified by the Central government by amending Council of Architecture Rules 1973.

	The Council requested the Secretary, Department of Higher Education to consider the matter favorably. The Registrar-Secretary was asked to send the request to Secretary, Higher Education, Ministry of Education for his kind consideration.
d)	Approval of Council of Architecture (Minimum Standards of Architectural Education) for PG courses.
	The President informed the members that the Council vide letter dated 02.11.2022 has submitted the draft Council of Architecture (Minimum Standards of Architectural Education) for PG courses Regulations to the Ministry for according its approval in terms of Section 45 of the Architects Act, 1972. The Council deliberated in the matter and requested Ms. Saumya Gupta, Joint Secretary and Member, Council of Architecture to use her good offices for approval of these regulations.
e)	Amendment in the Council of Architecture Rules, 1973 in terms of directions of Hon'ble Karnataka High Court in writ petition filed by Ar. Sharan Desai regarding prescribing requirements for nomination of members of Council.
	The President informed the members that the Hon'ble Karnataka High Court vide order dated 08.02.2023, in Writ Petition No.16114 of 2021 (GM-RES) directed the Union of India represented by Secretary, Ministry of Education, Govt. of India as under: X X X X X X X X X X <i>(iii) The Union of India shall take steps to notify certain criteria for nomination of members of the Council qua the qualification and experience under the Rules, which would become binding on every State Government, as expeditiously as possible.</i> In the in terms of the above order, the Ministry wrote a letter no.4-7/2020-TS.VI dated 17th April, 2023 to Council to examine the matter regarding adopting criteria for nomination of Members of the Council under Section 3(3)(f) of the Architects Act, 1972 and requesting the Council to submit a proposal to the Ministry. The Council vide its letter dated 12.05.2023, submitted the criteria for nomination of members of the Council. Thereafter, the Ministry issued GSR No. 623(E) dated 24.08.2023 for amending the Council of Architecture Rules, 1973. On receipt of the notification, we vide letter dated 15.09.2023 pointed out that the notification requires further amendment since it uses certain words like <i>“nomination to contest election” in Rule 22A and invitation of nomination by Department handling Technical Education or Higher Education of the concerned State/ UT in Rule 22A</i>, which are not as per the letter and spirit of the Section 3(3) (f) of the Architects Act, 1972. The Council has received a letter dated 01.11.2023, wherein the Ministry has informed that no further amendment is required in the notification dated 24.08.2023. In response, the President, COA vide letter dated 08.11.2023 requested the Ministry to amend the notification on account of following reasons:

	1) there is no provision for contest of elections in Section 3(3) (f) of the Act. No election process, voters etc. have provided either in the Act or in the Rules. Thus, making such a provision in Rule 22A of the notification is not in line with the Act and would result in further multiple litigations. 2) assigning the task of inviting nominations etc. and making nominations to the Council to only Technical Education Department or Higher Education Department is also not appropriate and will not only affect the existing members of the Council but will result in ignoring the Senior Architects working in Public Works, Road and Buildings Departments and Planning Departments of Various State Governments/ UTS. 3) in the past the Ministry as well as Council had always requested the office of Chief Secretary of the concerned State/ UT about nomination of nominee of the State, who in turn authorise the concerned department to communicate nomination. 4) it would be a serious administrative lapse in the Administrative State hierarchy, if the COA Rules directly authorise a Department to decide nominee of a state on a statutory body and bind the state with decisions taken in the Council by their nominee(s), without such action/ decision being approved/authorised by the Chief Secretary of the State/ Head of State/UT Administration. The Council deliberated the matter at length and unanimously agreed that the notification GSR No. 623(E) dated 24.08.2023 issued by the Ministry of Education, Government of India for amending the Council of Architecture Rules requires further urgent amendments to be in consonance with the Provisions of the Section 3(3)(f) of the Architects Act, 1972 as well as Karnataka High Court order in the matter. The Council asked the Registrar-Secretary to take up the matter with the Secretary, Department of Higher Education, Ministry of Education, Government of India for his immediate intervention in the matter.
f)	Proposal for grant of equivalence to Foreign PG Qualifications in Architecture.
	The President informed the members that the Council vide its letter dated 27.04.2023 submitted a proposal to the Ministry for according its approval to the Foreign PG Qualification equivalence scheme as approved by Council in its 79th meeting held on 12.03.2023. The Council deliberated in the matter and requested Ms. Saumya Gupta, Joint Secretary and Member, Council of Architecture to use her good offices for approval of the Regulations/ Scheme submitted by Council.
g)	Elections of five Representatives of Indian Institute of Architects for membership of the Council.
	The President informed the members that the term of members representing Indian Institute of Architects on the Council shall end on 27.12.2023. As provided under the Council of Architecture Rules, 1973 the Council has informed the Central Government for initiating further action in the matter. The Council noted the above information.

11	ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.
a.	GRANT OF AWARDS TO ARCHITECTS FOR THEIR PROJECTS IN VARIOUS CATEGORIES.
	The President, CoA informed the Members that in order to encourage and recognize the contribution of architects in society through their projects, the Council should grant them awards in different categories. The proposal was placed before the Executive Committee at its 254th Meeting which agreed with the proposal in principle. The Executive Committee also constituted a One-man Committee of Ar. Lalichan Zacharias to prepare the further modalities. The report and recommendations of the Committee shall be placed before the Executive Committee and full Council for its approval shortly.

The Vice-President thanked the President, Members of the Council for attending the meeting and making their valuable contribution. He also thanked the Registrar-Secretary, Officers and Employees of the Council for organizing the meeting. The meeting ended at 4:30 p.m.
