



वास्तुकला परिषद्
Council of Architecture

वास्तुविद अधिनियम, 1972 के अंतर्गत भारत सरकार का एक स्वायत्त सांविधिक निकाय
(An Autonomous Statutory Body of Govt. of India, under the Architects Act, 1972)

Ref. No. CA/15(A)/2021/AE

March 03, 2021

The Hon'ble Governor
State of Jharkhand
Raj Bhawan, Ranchi,
Jharkhand-834001

Subject: Implementation of the Architects Act, 1972 (Central Government) in the State of Jharkhand-reg.

Respected Sir,

I am directed to invite your kind attention in the matter towards the communications of the Council of Architecture regarding implementation of the provisions of the Architects Act, 1972 in the state of Jharkhand. Copies of the same are enclosed herewith for your kind perusal.

Sir, the attention of the Council is drawn by practicing Architects that Urban Development and Housing Department, Government of Jharkhand is insisting Architects registered with the Council of Architecture to seek further registration and to pay Rs. 1000/- for carrying the profession of architecture under the various local bodies such as Municipal Corporation, Nagar Parishad, Nagar Palika and Municipalities.

In this regard, it is once again informed that in view of the provisions of Architects Act, 1972, (a Central law) the State Governments are not required to further register architects already registered with the Council of Architecture under the Architects Act, 1972.

This legal position has been upheld by various High Courts including Hon'ble Supreme Court of India. It is, therefore, requested that the appropriate direction be issued in the matter to the concerned departments/officers to stop the practice of insisting architects registered with the Council of Architecture to seek further registration with the local bodies in the State of Jharkhand.

I am enclosing herewith the various communication/direction issued by other State Government on this issue for your kind perusal and necessary directions.

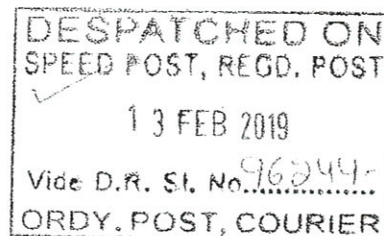
Thanking you,

Yours faithfully,

R.K. Oberoi
Registrar

Encl: As above

Ref No. CA/15/2019/AE
February 11, 2019



The Hon'ble Governor,
State of Jharkhand,
Raj Bhawan, Ranchi,
Jharkhand-834001

The Hon'ble Chief Minister,
Government of Jharkhand,
Chief Minister Office,
1st floor, Project Building,
Jharkhand 834001

Subject: Implementation of the Architects Act, 1972 (Central Government) in the State of Jharkhand-reg.

Respected Sir(s),

I am directed to state that the Indian Parliament has enacted the Architects Act, 1972, to regulate Architectural education and profession in the country. The Ministry of Human Resource Development, Government of India, is the Nodal Ministry of the Council of Architecture.

Pertinent to the matter, I would like to state that the Council is receiving repeated representations from registered Architects in Jharkhand that they are being compelled to seek further registration by local bodies in the Jharkhand in order to carry on the profession of Architect under their jurisdiction.

In this regard, it is informed that the Central Government in the Ministry of HRD, vide its letter No.17-9/81-T.3 dated 19.02.82, letter no. 17-01/83 T.13 dated 13.06.84 and letter no F-17-6/2002-TS.IV dated 19.12.2002 addressed to Chief Secretary of all States/UTs in India had asked all the State Governments/ Union Territories in India to advise the local bodies, namely, Municipal Corporation, Municipalities etc, under their control not to insist Architects registered with the Council of Architecture to seek further registration with the local Bodies. Further, the Hon'ble Bombay High. Court, Calcutta High Court, Delhi High Court, and Supreme Court of India have upheld that Architects registered with the Council of Architecture are not required to obtain any license/registration from any local authority in India to carry on their profession.

The Architects Act has been enacted by the Parliament in terms of Entry 66 of List 1 (Union List) of the Constitution of India and also Entry 26 List 3 (Concurrent List). Therefore, the field having been occupied by a Central Law, the State Government is not competent to make any laws to regulate the profession of Architects.



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