

MINUTES OF THE 208TH MEETING OF THE EXECUTIVE COMMITTEE OF THE COUNCIL OF ARCHITECTURE, HELD ON FRIDAY, 13TH DECEMBER, 2019, IN THE OFFICE OF THE COUNCIL OF ARCHITECTURE, INDIA HABITAT CENTRE, CORE 6A, FIRST FLOOR, LODHI ROAD, NEW DELHI – 110 003.

PRESENT :

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| 1. Ar. Habeeb Khan | : | Chairman, in Chair |
| 2. Ar. Sapna | : | Vice-Chairperson |
| 3. Ar. N. K. Negi | : | Member |
| 4. Ar. Kapil Setia | : | Member |
| 5. Ar. Ramesh Kumar | : | Member |
| 6. Ar. Sadiq Ali D.A. | : | Member |

Ar. Bansan Singh Thangkhiew, Member, could not attend the meeting due to his pre-occupation and was granted leave of absence by the Committee.

In Attendance :

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

The Chairman welcomed the Vice-Chairperson and members to the 208th Meeting of the Executive Committee and thanked them for sparing their valuable time for participating in the meeting. Thereafter, the regular agenda of the meeting was taken up.

ITEM NO.1 CONFIRMATION OF THE MINUTES OF THE 207TH MEETING OF THE EXECUTIVE COMMITTEE.

The Chairman informed the members that as decided by the Executive Committee at its last meeting, the minutes of the 205th and 206th meeting were sent to the earlier EC members for their views/comments. The views/comments were received from Ar. Amogh Kumar Gupta and issue pointed out by him i.e. the Visit of President, COA, along with other Indian Architects to US, was already recorded in the Minutes.

The Chairman further informed the members that there was a typographical mistake in the Minutes of 206th Meeting about the period of extension of approval of MANIT, Bhopal, which is for 2 years as per decision of the EC but mentioned in Item No.6 as 1 year. Though the communication made to the Institution was for 2 years. The Executive Committee after deliberations in the matter decided that corrections be made in the Minutes of 206th Meeting stating the approval period for 2 years.

Thereafter, the Chairman draw the attention of the members towards the Minutes of 207th meeting and informed that no views/ comments were received from the Members. The Committee after deliberations decided to make

certain changes in the minutes and thereafter the Minutes were confirmed by the Executive Committee and signed by the Chairman, Executive Committee.

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

The Executive Committee perused the Action Taken Report (ATR) as annexed with the Agenda. While discussing ATR on item no.5 the members were informed that the Chandigarh University, Mohali and D.Y. Patil School of Architecture, Navi Mumbai has agreed to host the Thesis Awards Programme.

The Executive Committee decided that the next Council meeting may be held at Navi Mumbai during the conduct of Thesis Awards programme so that all Council members can attend the same. The Executive Committee authorized the Chairman to finalize the schedule and dates of award programme and Council meeting.

Further, while discussing the ATR Item No.7, the EC directed that the process of renovation of office at OKHLA be expedited and completed at the earliest. The EC also decided that the IHC may be requested for extension of Council's rented space at Core 4A, IHC, for a further period of 6 months.

While discussing item No.14 the EC decided to take legal opinion and opinion of a Chartered Account on the Indemnity clause provided in COA CPF Trust Deed and same be placed before the EC for its consideration.

Further, the EC while discussing Item No.16 observed that while regularizing the services of contractual employees, proper procedure as per COA Recruitment and Promotions Regulations have not been followed.

Further, while discussing the ATR on Item No.22, the EC decided that Ar. N. K. Negi shall act as Convenor of the Steering Committee setup to coordinate and monitor the activities of Training Centres.

The Executive Committee while discussing the ATR on Item No.24 decided that Shri R. K. Oberoi, Registrar, COA, be provided a copy of the Report of Administrative Reforms Committee for submitting his views/ clarifications on the findings of the Committee for further action in the matter.

ITEM NO.3 TO CONSIDER THE REVISED DRAFT MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION REGULATIONS 2017 (RENAMED AS 2019).

The Chairman informed the members that the Council received a letter no.4-59/2015-TS.VI dated 15th November, 2019, from the Ministry of Human Resource Development, Govt. of India, asking the Council to re-submit its proposal of Draft Minimum Standards of Architectural Education Regulations 2017 as discussed in the meeting held in MHRD.



Accordingly, after removing sub-clause (D) of Appendix-B (List of Postgraduate Programme for the purposes of recruitment as Faculty in Architectural Institutions) and carrying out other minor changes, wherever required and after approval of Executive Committee, by circulation of papers, the same has been submitted to MHRD for approval vide Council's letter no.CA/193/2019/MSAER (MHRD) dated 03.12.2019.

The Executive Committee approved the action taken in the matter and requested the Central Government to approve the Regulations at the earliest so that Institutions can notified of the same and inspections are conducted by the Council as per new norms.

ITEM NO.4 TO TAKE NOTE OF THE PROGRESS MADE REGARDING APPOINTMENT OF SERVICE PROVIDER FOR NATA 2020.

The Chairman informed the members that consequent upon constitution of NATA Coordination Committee in the 207th Meeting of EC, Ar. Arvind Ahirwar and Ar. Sadiq Ali, were appointed as members with Ar. Ranees Vedamuthu as Convenor. However, Ar. Arvind Ahirwar and Ar. Sadiq Ali have expressed their inability due to their other commitments.

The Executive Committee after deliberations re-constituted the NATA Coordination Committee as under:

1. Ar. Ranees Vedamuthu, Convenor
2. Ar. Sapna, Member
3. Ar. Abhay Purohit, Member; and
4. Ar. R. Ramesh Kumar, Member.

Further, the Executive Committee decided that the Committee shall be paid sitting fee for its meetings as and when conducted.

Shri Deepak Kumar Singh, Asst. Administrative Officer in the Council shall assist the Committee and maintain all records.

The Executive Committee perused the Draft Tender Documents along with the e-mail dated 04.12.2019 and after detailed deliberations suggested some changes such as, increase in number of cities, examination centres, enhancement in amount of security deposit and performance guarantee, duration of services – two years, in the Draft Tender Document for inviting Tenders for Service provider of NATA 2020 Examination.

Further, it was decided that the Tender Document - Technical Bid and Financial Bid shall be opened by the NATA Coordination Committee and appropriate recommendations will be made for appointment of service provider by the Executive Committee.

The Executive Committee decided that the exam shall be conducted two times i.e. on 19.04.2020 and 31.05.2020 in 125 cities with 250 Centres which can be

reviewed from time to time after completion of registration of candidates for the particular centre/ city.

ITEM NO.5 TO CONSIDER THE ASSESSMENT REPORTS SUBMITTED BY THE INSPECTION COMMITTEES APPOINTED BY THE COUNCIL WHICH CONDUCTED SURPRISE INSPECTION OF INSTITUTIONS.

The Executive Committee pursued the surprise inspection reports (as annexed with the Agenda at Appendix-E) of the three institutions and after detailed deliberations decided as under:

Sl.No.	List of institutions	Course
1.	HR11- Ganga Institute of Architecture & Town Planning Kablana, Bahadurgarh-Jhajjar Road Distt.Jhajjar-124104 (Haryana	B.Arch/M.Arch

The Institution be asked to provide following information/ documents to the Council:

- The yearwise attendance records (including biometric attendance) of the faculty employed for B.Arch. & M.Arch. course as well as students pursuing B.Arch. & M.Arch. course, being imparted at Ganga Institute of Architecture & Town Planning, Jhajjar since 2015 onwards.
- The course curriculum of B.Arch. & M.Arch. course duly approved by the university.
- The yearwise examination schedule/calendar of B.Arch. & M.Arch. course duly approved by the university.

Further, the concerned University be asked to provide the following information:

- The course curriculum of B.Arch. & M.Arch. course being imparted at Ganga Institute of Architecture & Town Planning, Jhajjar, duly approved by the university.
- The yearwise examination schedule/calendar of B.Arch. & M.Arch. course duly approved by the university.

Accordingly, the Registrar-Secretary was asked to send the communications to the concerned authorities.

2.	HR22- Bhagwan Mahaveer School of Architecture Jagdishpur,, Near O.P. Jindal University Sonapat-131030, Haryana	B.Arch.
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The Executive Committee perused the report of the inspection committee which conducted surprise inspection at the Institution and noted the following deficiencies/lapses as pointed out in the report:

- Full-time faculty is very less in numbers than required by COA Norms.
- As per the faculty, salary is not released in time.
- The building in which institution is running is not properly maintained.
- The attrition rate of faculty is very high. The Head also keeps changing frequently.

The Executive Committee, therefore, decided to issue show cause to the Institution as

to why appropriate action should not be initiated against your institution for failing to impart B.Arch. degree course as per norms and Minimum Standards prescribed by the Council. The institution be also provided a copy of the inspection report.

3.	MH99- Ramesh Phirodia College of Architecture 105 A Guru Ganesh Complex Market Yardroad, Ahmednagar- 414001, MAHARASHTRA	B.Arch.
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The Executive Committee perused the report of the inspection committee which conducted surprise inspection at the Institution and noted the following deficiencies/lapses as pointed out in the report:

- 1) There is serious inadequacy in the staff structure violating all the required norms for qualification, experience and competency. Only 4 junior faculties were present.
- 2) As per Institution there are 38 and 32 students in 2nd and 3rd but they all were absent. Institution informed that Students are on preparation leave. Only six students in first year were present.
- 3) Academic work of students is not upto the mark.
- 4) School is running without any direction and without appropriate qualified and experienced teachers.
- 5) Serious corrective measures are required to keep the Institution on track.

The Executive Committee, therefore, decided to issue show cause to the Institution as to why appropriate action should not be initiated against your institution for failing to impart B.Arch. degree course as per norms and Minimum Standards prescribed by the Council. The institution be also provided a copy of the inspection report.

ITEM NO.6 TO CONSIDER THE LETTER RECEIVED FROM BR03-BIRLA INSTITUTE OF TECHNOLOGY, (DEEMED UNIVERSITY), PATNA CAMPUS, PATNA (BIHAR), FOR REGULARISATION OF THE UNAPPROVED BATCH OF B.ARCH COURSE.

The Chairman informed the members that the Executive Committee of the Council of Architecture at its 205th Meeting held on July 8, 2019, considered letter dated 16.04.2019, submitted by the institution and noted that the UGC, vide letter dated F.1-1/2016 dated 11.12.2018 has accorded approval for treating the degrees of the students already passed and presently enrolled in, among others, Patna campus of BIT, Meshra as valid.

It was also informed that the Executive Committee in its 162nd meeting held on 06.08.2016, while considering the application for extension of approval to BR03-Birla Institute of Technology, (Deemed University), Patna Campus for academic session 2016-2017, noted that the institution was not approved by the Central Government and UGC for imparting degree courses and such degrees may not be valid as per UGC Norms.

Accordingly, the Council, vide its letter dated 10.08.2016, had asked the institution to furnish approval of Central Government/UGC for running off-campus and off-shore at Patna and Ras Al Khaimah (UAE) from the commencement of B.Arch. degree courses respectively and submit the same to the Council, failing which, the Council shall not be able to consider the

application for extension of approval to B.Arch. degree course for the Academic session 2016-17.

Since no approval of UGC was communicated by the institution to the Council, the Council did not grant approval to the institution for imparting B.Arch. course for academic session 2016-2017. However, the institution without obtaining approval of the Council, admitted students in the B.Arch. course during 2016-2017.

The Executive Committee, as per its decision in past meetings, had decided that a fine of Rs.20,000/- per annum per student (i.e. Rs.1,00,000/- per student) admitted without approval of the Council should be deposited by the Institution in order to discourage such things in future so as to regularize the excess admissions made in the B.Arch. Course during said session, subject to fulfilment of eligibility criteria for admission to B.Arch. course prescribed by the Council. Accordingly, letter dated 16.07.2019 was sent to the institution by the Council.

The Chairman further informed the members that the institution vide its letters dated 03.11.2019 and 22.11.2019, has communicated to the Council that since the UGC has already accorded its approval without imposing any penalty /fine, the decision to impose fine may be reconsidered. The institution has also requested that the enrolment numbers may be issued by the Council to the B.Arch. students admitted during 2016-2017 so that they may apply for registration as an architect with the Council after completion of course.

The Executive Committee perused the letters dated 03.11.2019 and 22.11.2019 of the Institution and decided that a legal opinion be taken in the matter from Council's advocate whether the Council can insist on Penalty for regularising the admissions of students made without approval of the Council or should reject the regularisation of students straightway.

ITEM NO.7 TO CONSIDER CASES OF STUDENTS WHO WERE ADMITTED INTO B.ARCH COURSE WITHOUT PASSING AN APTITUDE TEST IN ARCHITECTURE BY UP 33-FACULTY OF ARCHITECTURE AND TOWN PLANNING RAJA BALWANT SINGH ENGINEERING TECHNICAL CAMPUS BICHPURI, AGRA.

The Executive Committee perused the request received from UP33- Faculty of Architecture and Town Planning Raja Balwant Singh Engineering Technical Campus, Agra for issuance of enrolment numbers to 5 students of B.Arch. course who were admitted in the B.Arch. course during 2013-2014 & 2014-2015 without passing aptitude test in Architecture. Further, one of the students passed NATA in 2017 while the another passed NATA in 2019.

The Executive Committee after detailed deliberations in the matter decided that a legal opinion be obtained so that further action can be taken in the matter.

ITEM NO.8 TO TAKE NOTE OF THE ORDER DATED 03.12.2019 OF HON'BLE SUPREME COURT OF INDIA IN SLP (c) No. 19752 OF 2014, COUNCIL OF ARCHITECTURE V/S. MUKESH GOYAL & ORS.

The Chairman informed the members that the Council of Architecture has filed SLP (C) No. 19752 of 2014 against order dated 19.02.2014 of Division Bench of Allahabad High Court in WPA No.22155/ 2011 inter alia holding that Architects Act, 1972 is not applicable in the service matters in the State Government.

The Chairman informed the members that the Hon'ble Supreme Court of India during hearing held on 03.12.2019, decided that MHRD and MOUD be made parties in the case and also sought assistance of Attorney General and/ or Solicitor General in the matter. The Committee perused the Order dated 03.12.2019 and unanimously resolved that the matter be pursued vigorously for setting aside the order of Allahabad High Court.

ITEM NO.9 TO CONSIDER ENHANCEMENT IN FEES BEING RECEIVED FROM ARCHITECTS TOWARDS, REGISTRATION, RENEWAL, RESTORATION, ETC.

The Executive Committee of the Council at its 208th Meeting held on 13th December, 2020, noted that the Council in the past vide its letter dated 18.04.2017 requested the Central Government to further amend the Council of Architecture Rules, 1973 for enhancing the fees being charged from Architects, in view of growing activities and functions of the Council and to meet the increasing cost of goods and services.

The Executive Committee also considered the letter no.4-52/2014-TS.VI dated 12th September, 2018, received from MHRD in the matter stating that it has been decided not to revise the fees charged by the Council at this stage, however, the Council may submit a fresh proposal with detailed justification for revision of fees in the year 2019-2020.

The Executive Committee noted that activities and functions of the Council are growing. Even the number of registered architects, architectural institutions have increased manifold since the last enhancement of fees in the year 2014.

Further, the Executive Committee decided that the Training and Research Centres of the Council should act as Centre of Excellence and should provide for academic upgradation, creating capacity building for faculty of architecture, support system for institutions and Creating intellectual bank of resource persons and facilitating online portal for connecting and digitizing libraries across institutions along with online research bank. For the purpose, the Council is required to strengthen the infrastructure and facilities at its Training Centres.

The Council is also required to enhance the facilities for digitization of working of the office of the Council and for streamlining the smooth conduct of inspections of Institutions, online payment of registration, renewal and other fees charged

from Architects. The existing ERP and software require upgradation including implementation of e-office. The website of the Council is also being re-designed to make it more user friendly and a repository of information for architects, general public and students etc.

The Council is also conducting awards programme for encouraging research and innovation in Architectural Education and Profession. Further, several committees have been set up for carrying out various assignments relating to architectural education and profession.

The Committee also noted that the Rule 28 of Council of Architecture Rules, 1973 provides for providing list of registered architects by the Council. The cost for the same is Rs.2/- prescribed in the year 1973 and has not been revised since then. The Committee deliberated on the same and suggested for revision of the cost of the same.

The Executive Committee, therefore, unanimously resolved to propose the following enhancement in the existing fees being charged from Architects :

Resolution No.:259

Resolved that :

- i) The existing Registration Fees of Rs. 600/- be enhanced to Rs.1,000/-.
- ii) The Existing Renewal Fee of Rs.600/- be enhanced to Rs. 1,000/- and onetime renewal fee of Rs. 6,000/-be enhanced to Rs.15,000/-.
- iii) The Existing Restoration Fee of Rs. 1,000/- be enhanced to Rs.2,000/-.
- iv) The Existing Duplicate Certificate of Registration Fee of Rs.600/- be enhanced to Rs.1,000/-.
- v) The Existing Additional Qualification Fee of Rs.200/- be enhanced to Rs.500/-
- vi) The existing cost of list of Registered Architects of Rs.2/- be enhanced Rs.200/-.
- vii) The proposal be placed before Full Council in its next meeting for approval and making recommendations to Central Government for further amending the Council of Architecture Rules, 1973.

ITEM NO.10 TO CONSIDER THE REQUESTS RECEIVED FROM SOME INSTITUTIONS FOR IMPARTING DIPLOMA COURSES IN ARCHITECTURE.

The Executive Committee perused the letter dated 20.11.2019 received from Dr. D.K. Garg, Delhi and letter dated 02.12.2019 received from the Aayojan School of Architecture, Jaipur, seeking clarification from the Council about the requirement of permission for Diploma Courses in Architecture, Architectural Assistantship & Interior Design from the Council of Architecture or AICTE.

The Executive Committee after detailed deliberations in the matter decided that a legal opinion be taken from the Council's advocate and be placed before EC so that appropriate decision can be taken in the matter.

ITEM NO.11 TO CONSIDER THE LEGAL OPINION OF COUNCIL'S ADVOCATE SHRI NAVEEN R. NATH, REGARDING JOINING IN OTHER ARCHITECTURAL INSTITUTION BY DR. P. SATHEESH KUMAR AND CONSEQUENCES THEREOF IN THE COUNCIL.

Dr. P. Satheesh Kumar, elected as a member of the Council under Section 3(3) (c) i.e. Heads of Architectural Institutions in the country has informed the Council vide his letter dated 30.10.2019 that he has been relieved from Chettinad School of Architecture, Chennai on 30.10.2019 in forenoon and joined as Dean in SRM Institute of Science and Technology, Kattankulathur Campus, Chennai on 30.10.2019 in afternoon.

The Council also received an e-mail dated 10.10.2019 from one Ar. Bharath Nagappan, Chennai, stating that Dr. P. Satheesh Kumar has ceased to be a member of the Council.

As directed, a legal opinion was taken in the matter from Shri Naveen R. Nath Advocate vide Council's letter dated 29.11.2019. Shri Naveen R. Nath, Advocate vide his letter dated 07.12.2019 sent his legal opinion in the matter and concluded in his opinion that change of institution by a member elected under Section 3(3) (c) does not result in cessation of the membership of the concerned member. He also stated that he is not in agreement with the communication of the MHRD in an earlier matter related to Ar. Milind Kollegal and also the legal opinion given by another advocate of Council earlier in the case of Ar. Milind Kollegal.

The Executive Committee deliberated in detail in the matter and decided that the matter be referred to Ministry of Human Resource Development for appropriate consideration and arriving at decision whether Dr. P. Satheesh Kumar has ceased to be a member of the Council or still a member consequent upon his joining in as Dean in a different institution.

ITEM NO.12 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

i) Holding Professional Outreach Programme all over India :

The Executive Committee deliberated that in order to ensure the presence of Council at far and distant places and also to spread awareness about the provisions of the Architects Act, 1972, Rules & Regulations framed thereunder and also to address the concerns of practicing architects, the Council should hold Professional Outreach programmes all over India.

The Executive Committee decided that the Chairman, Executive Committee is authorized to hold such programme at different places. Such programme may be held in collaboration with IIA and other professional bodies or with the support of sponsors wherever available.



The Council will bear the travel and stay expenses of the Chairman, Executive Committee.

ii) **Violation of Section 36 and 37 of the Architects Act, 1972 by quacks posing themselves as Architects:**

The Executive Committee deliberated that there are certain quacks who though are not registered with the Council but are posing / representing themselves as Architects for soliciting architectural work.

The Executive Committee decided that a communication be sent to Indian Institute of Architects and its Chapters and Centre that they may bring the violation of Architects Act, 1972 to the notice of Council for taking further action.

iii) **Issuance of certain important communications with the Approval of President, Council of Architecture:**

The Executive Committee deliberated that important communications like communications to Central Government, State Governments, Architectural Institutions, obtaining legal opinions and other important matters be submitted for direction of President, COA and further action on the same be taken as per his written directions.

iv) **Completion of recruitment process for filling up the vacant posts in the Council:**

The Committee noted that the Council has advertised some vacant posts in the Council in the month of July 2019 and the recruitment process is yet to be completed. The EC directed that the recruitment process must be completed at the earliest and in case the delay in completion process is in violation of DOPT Guidelines or the concerned rules the posts be re-advertised at the earliest.

The meeting ended at 4.50 p.m. with a vote of thanks to the Chair.


Registrar - Secretary


Chairman
Executive Committee

