

MINUTES OF 71ST MEETING OF THE COUNCIL OF ARCHITECTURE HELD ON SATURDAY, 27TH JULY, 2019, FROM 11:00 A.M. ONWARDS IN CASUARINA HALL, CONVENTION CENTRE, INDIA HABITAT CENTRE, LODHI ROAD, NEW DELHI-110003.

PRESENT

Ar. Vijay Garg : Acting President (in Chair)

MEMBERS:

- | | |
|---------------------------------|---------------------------------|
| 1. Ar. Raneer Vedamuthu | 23. Ar. Syam Kishore Singh |
| 2. Ar. Amogh Kumar Gupta | 24. Ar. P. D. Dhanjibhai |
| 3. Ar. Amitava Roy | 25. Ar. Nupur Banerjee |
| 4. Ar. Prakash S. Deshmukh | 26. Ar. Sadiqu Ali D.A. |
| 5. Ar. Jatinder Kumar Saigal | 27. Ar. B.S. Thangkhiew |
| 6. Ar. Pushkar Kanvinde | 28. Ar. V.N. Metha |
| 7. Ar. Ashutosh Kumar Agarwal | 29. Ar. P. Vaitinadin |
| 8. Ar. Rajiv Mishra | 30. Ar. Satish B. V. |
| 9. Ar. Mala Mohan | 31. Ar. P.S. Rajeev |
| 10. Ar. Kiran Mahajani | 32. Ar. P. Vaitianadin |
| 11. Ar. Ramesh Kumar | 33. Er. H.K. Mittal |
| 12. Ar. Kapil Setia | 34. Er. D. S. Bodke |
| 13. Ar. Maitreyi C. Gupta | 35. Ar. Lalchandami |
| 14. Ar. Vandana Sehgal | 36. Dr. G.S. Inda |
| 15. Ar. Kavita D. N. Rao | 37. Ar. Naveen Kanithi |
| 16. Ar. Arvind Kumar Ahirwar | 38. Ar. Yogeeta Rai |
| 17. Ar. Khan Habeeb A.M.A. Khan | 39. Ar. Anita Samyal |
| 18. Ar. Sapna | 40. Ar. Narmada Devi Yumnam |
| 19. Ar. Navneet Kumar | 41. Ar. Nilakshi D. Sharma |
| 20. Ar. N. K. Negi | 42. Ar. Bapilu Chai |
| 21. Ar. Chandan K. Parab | 43. Ar. Shashi Mohan Srivastava |
| 22. Ar. Gajanand Ram | |

IN ATTENDANCE:

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

The following members were granted leave of absence:

- | | |
|-------------------------|------------------------|
| 1. Ar. Alok Ranjan | 4. Ar. Arvind Bhargava |
| 2. Ar. Abhay V. Purohit | 5. Ar. Bimal H. Patel |
| 3. Ar. J. Manoharan | |

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

1. Ar. S. K. Patra
2. Shri Prashant Agarwal

ITEM NO.1 CONFIRMATION OF MINUTES OF 70TH MEETING OF THE COUNCIL OF ARCHITECTURE HELD ON 22.11.2018 AT NEW DELHI:

The Members perused the views sent by Ar. J. Manoharan, Member and Ar. Ashutosh Aggarwal on the recording of Minutes and after necessary corrections in the respective items, the Minutes of 70th Meeting of the Council were confirmed and signed by the Acting President.

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

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

ITEM NO.3 APPROVAL FOR RESTORATION OF NAMES TO THE REGISTER OF ARCHITECTS MAINTAINED BY THE COUNCIL OF ARCHITECTURE IN TERMS OF SECTION 32 OF THE ARCHITECTS ACT, 1972:

The Council granted ex-post facto approval of the action taken by the Registrar for restoring names of 3003 Defaulter-Architects' whose names were restored to the Register of Architects on payment of requisite fees during the period 01.11.2018 to 30.06.2019.

ITEM NO.4 APPROVAL FOR REMOVAL OF NAMES FROM REGISTER OF ARCHITECTS DUE TO REQUEST OR DEATH:

Some architects have surrendered their Certificate of Registration and requested the Council to remove their name from the Register of Architects.

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

Resolution No.: 507

Resolved that :

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

Sl. No.	Name & City	Registration no.
1.	Ar. J.D.P.Sardesai, Goa;	CA/1975/573
2.	Ar. Padmakar P. Velankar, Mumbai;	CA/1977/4098
3.	Ar. Anjali S.Mirajgaonkar, Thane; and	CA/1991/14150
4.	Ar. Vishwas Bhaskar Fadnis, Ujjain.	CA/1979/5391

Further, the Council noted with grief the passing away of some architects. The members expressed their deep condolences to the families of the deceased architects and observed one-minute silence.

The Council decided to remove their names from the Register of Architects in terms of Section 29(1) (b) of the Architects Act. Accordingly, the Council passed the following Resolution:

Resolution No.:508

Resolved that:

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

Sl. No.	Name & City	Registration no.
1.	Ar. K. B. Mohapatra, Cuttack	CA/1976/3298
2.	Ar. P. S. Jadhavrao, Pune	CA/1975/2272
3.	Ar. Archana Gupta, New Delhi	CA/1998/23962
4.	Ar. G. V. Patil, Kolhapur	CA/2001/28112
5.	Ar. V. M. Patil, Kolhapur	CA/1976/2978
6.	Ar. Gerald Ravel, Chennai	CA/1976/0690
7.	Ar. Chhotelal C. Thacker, Mumbai	CA/1975/1659
8.	Ar. Monika Mahindroo, Panchkula	CA/1997/22078
9.	Ar. A. W. Rohankar, Nagpur	CA/1980/5819
10.	Ar.V. C. Gupta, Mumbai	CA/1979/4958
11.	Ar.V.P.Raori, New Delhi	CA/1975/227
12.	Ar. Rajiv Gupta, Delhi	CA/1984/8325
13.	Ar. K. Rajagopalan, Chennai	CA/1975/944
14.	Ar. Jai Raj Nayyar, Bangalore	CA/1994/16944
15.	Ar. Shantanu Nag, Sonipat	CA/2016/73545
16.	Ar. Gajraj Singh D. Rao, Gurugram	CA/1975/0935

ITEM NO.5 TO RATIFY THE APPOINTMENT OF STATUTORY AUDITOR FOR AUDITING THE BOOKS OF ACCOUNTS OF COUNCIL FOR THE FINANCIAL YEAR 2018-19:

The Acting President informed the members that the Council at its 69th Meeting held on 13th& 14thApril, 2018 approved a panel of three auditors/firms on a fixed annual audit fees of Rs.32,000/- per annum and authorized the President, Council of Architecture to appoint the auditor for audit of accounts of the Council.

In terms of the above decision M/s. V. K. Verma & Co. New Delhi, were appointed as Statutory Auditor for auditing the books of accounts of the Council for the financial year 2017-18.

Since, the audit of the books of accounts of the Council for the financial year 2018-19 was due, he approved the continuation of M/s.V.K. Verma & Co.

New Delhi, as Auditors for auditing the books of accounts for the financial year 2018-19 on the same fees.

The Council ratified the action taken by the Acting President.

ITEM NO.6 TO CONSIDER THE ANNUAL REPORT AND AUDITED STATEMENTS OF ACCOUNTS OF COUNCIL OF ARCHITECTURE FOR THE FINANCIAL YEAR ENDING 2018-19:

The President reported that the Executive Committee in its 206th Meeting held on 26.07.2019 has considered the Annual Report and Audited Statement of Accounts of the Council for the financial year ending on 31st March, 2019. The Executive Committee has recommended for placing the same before the Council and that the same may be accepted.

The Audited Statement of Accounts for the year ending 31.03.2019 of the Council of Architecture, Council of Architecture (Contributory Provident Fund) Account and Council of Architecture Employees' Group Gratuity Scheme and the Annual Report for the period, as annexed with the Agenda, were perused and approved by the Council and accordingly, the Council passed the following resolution:

Resolution No:509

Resolved that:

- (a) The Annual Report together with Audited Statement of Accounts as placed before the Council be approved for the period ended on 31.03.2019;
- (b) The same be published in the Gazette of India as required under the provisions of the Architects Act, 1972; and
- (c) A copy of the same be sent to the Central Government in terms of the provisions of the Architects Act, 1972.

ITEM NO.7 TO HEAR THE FOLLOWING ARCHITECT(S) FOUND GUILTY OF PROFESSIONAL MISCONDUCT BY THE COUNCIL:

- i) **CA/DC/332, Shri Shabir A.Tambawala, Mumbai V/s. Architect Hafeez Contractor & Ar. Suhas Joshi, Mumbai:**

In terms of the decision of the Council taken in its 70th meeting held on 22nd November, 2018 the Complainant and Respondent Architects were asked to appear before the Full Council to provide them an opportunity of hearing in terms of the Section 30 of the Architects Act, 1972.

The Complainant appeared in person along with his advocate. The Respondent Architects also appeared along with their advocates.

The Council first requested the Complainant to briefly state about his complaint.

The Complainant stated that he purchased flats Nos.1901 A, B, C and D in Tivoli building, Mumbai from Lakeview Developers a group company of Hiranandani Group.

He stated that at the time of purchase of flat the Lakeview Developers in its brochure had shown the building layout plan including Swimming Pool, Club house, Gymnasium, squash and tennis court etc. and the development of said building was stated to be in accordance with the plan approved by the Municipal Corporation of Greater Mumbai on 03.03.2001. The Petitioner was handed over possession of Flat in September 2004. Though the construction of Building was over and occupancy certificate was issued by the Corporation, yet the Club House was not constructed. The Petitioner asked the Developer to show him a copy of the approved Occupation Certificate plan which reflected 10 buildings and one common club house on Sector IV-A.

He stated that in May 2006 the Developer sent a letter/e-mail along with a copy of the layout plan dated 11.05.2004 for adjacent under construction building 'Evita', purportedly approved by MCGM, seeking permission for connecting podium ramp to the said building. The Developer also informed that the main common access road to the said building would be shared with Evita and two more buildings after deleting space reserved for common club house. The building plan was signed by the Respondent No.2 on behalf of Respondent No.1.

The Complainant stated that he obtained copies of layout plan dated 03.03.2001 and 11.05.2004, as approved by MCGM. On comparison both were different.

The Complainant stated that Respondent No.1 and 2 at the instance of developer gave a false impression as if the disputed layout plan was already approved by MCGM. Whereas the MCGM sanctioned the building plan on 11.05.2004 and amended layout plan on 24.06.2005. Thus, the Respondents are guilty of professional misconduct as Respondent No.2 put a rubber stamp of Respondent No.1 to certify that the disputed layout plan is sanctioned/ approved.

Thereafter the Respondent Architects were requested to make their submissions.

Respondent No.1 (Ar. Hafeez Contractor) submitted as under :

It is true that the Respondent No.1 had been working as an Architect for Powai Area Development Scheme Project and for the properties held by Hiranandani Group in Greater Mumbai on an oral understanding. His clients were fully aware of the Conditions of Engagement and Scale of Charges and agreed that these conditions

are basis of his appointment. His client has been paying the Bills raised by him.

The Respondent No.1 has granted Respondent No.2 limited powers to execute layout and building plans or letters or other documents for submission before relevant municipal/ government authorities by the Power of Attorney. However, Respondent No. 2 was never authorized by the Respondent No.1 to certify any copy of layout plan for submission to the Developer i.e Lake View or any other Authority. There is no dispute, nor any allegation made by the Complainant relating to execution of the layout plan before the Bombay Municipal Corporation or any other authority.

The copy of plan which was signed by Respondent No.2 was pursuant to the request of Hiranandani Builder directly to Respondent no.2. Respondent No.2 who is an Architect in his own right had signed and stamped the copy of plan in his personal independent capacity and not signed the plan acting under the power of attorney of Respondent No.1. The Complainant is not his client. Hence, the complaint be dismissed.

Respondent No.2 (Ar. Suhas Joshi) submitted as under :

The Respondent No.2 stated that since the year 1997/98, the Lake View Developers are developing a residential cum commercial scheme at Powai, Mumbai known as 'Hiranandani Gardens'. The land on which Tivoli building is constructed forms part of a larger layout, comprising of many other buildings, including the Building Tivoli. Tivoli Building was constructed in accordance with approved plan dated 03.03.2001 by Municipal Corporation of Greater Mumbai (MCGM).

He further stated that the complainant purchased four flats in the building "Tivoli" from Lake View Developerson 21.02.2004. A full occupation certificate was granted by the Municipal Corporation on 11.05.2004. Subsequent to the earlier approved layout plan dated 03.03.2001, the MCGM approved the amended layout plan on 24.06.2005.

Respondent No.1, further stated that on 06.05.2006 complainant's society received two e-mails from the Lake View Developers requesting permission from the Society to take access from Tivoli for a building under construction by the name "Evita". On 12.05.2006 society received another e-mail seeking access ramp would connect "Evita" and one another building to come up as "Tivoli II (Belicia)". On 29.11.2006, the Club House was approved by the MCGM. On 29.01.2007, the Complaint filed a suit in Bombay High Court against Lake View Developers. On 03.02.2007 the Managing Committee of Tivoli CHS passed a Resolution resolving that Society has no objectionas regards the common internal access at present enjoyed by Tivoli and that will be enjoyed by Evita building and also by Tivoli-II

and that society has no objection to sanctions granted and/ or which may be granted by Corporation; and claims and contentions of the Complainant are his personal claims.

The Respondent stated that the club house shown in layout plan of 03.03.2001 was only as proposed and the MCGM has approved amended layout plans on 24.06.2005 and 29.11.2006.

The Respondent further stated that clerk cum Assistant of the Respondent No.2 inadvertently stamped the plan as "the true copy stamp of Full Occupation Certificate of Tivoli Building instead of true copy of stamp of approved layout plan dated 24.06.2005, which was inadvertently signed by him. There was no fraud, collusion or malafide intention at all in the matter. No particulars of collusion have been provided by the Complainant. The Respondent No.2 has not misused the Power of Attorney given to him by Respondent No.1. The Respondent No.2 have a signed agreement governing the terms of his professional relationship.

He tendered his unconditional apology to the Council for inadvertent stamping and signing a building plan.

Thereafter, the Complainant was afforded an opportunity to rebut the submissions made by the Respondents and he reiterated the contents of his earlier submissions and contents of complaint.

Thereafter, the Complainant and Respondent Architects were asked to leave the meeting hall to enable the Council to deliberate in the matter.

The Council after detailed deliberations in the matter and on perusing the written submissions of both the complainant and Respondent Architects by majority decided that there is no professional misconduct either on the part of Respondent No.1 or the Respondent No.2. However, Respondent No.2 has committed a mistake by signing and Stamping a Building Plan on 24.06.2005 and he must apologize to the Complainant as well as the Council and assure that such conduct would not be repeated.

Thereafter, the Complainant and Respondent Architects were requested to be present in the meeting hall and were informed the decision of the Council by the President that the Council do not find the Respondent Architects guilty of professional misconduct. However, Respondent No.2 has committed a mistake by signing and Stamping a Building Plan on 24.06.2005. Accordingly, the complaint is dismissed. Further, the Respondent No.2 shall apologise to the Complainant as well as to the Council and assure that such conduct would not be repeated.

The Registrar-Secretary is directed to communicate the decision of the Council to the Complainant and Respondent Architects.

ii) **CA/DC/383, Shri Jaisingh S.Patil, Mumbai V/s. Ar.Anil Ghatge & Ar.Vijay Khade, Mumbai:**

In terms of the decision of the Council taken in its 70th meeting held on 22nd November, 2018 the Complainant and Respondent Architects were asked to appear before the Council to provide them an opportunity of hearing in terms of the Section 30 of the Architects Act, 1972.

The Complainant appeared in person. The Respondent Architects also appeared along with one advocate to represent them.

The Council first requested the Complainant to briefly state about his complaint.

The Complainant stated that the Respondent No.1 had prepared a layout plan for obtaining land use conversion and getting the status of Non-Agriculture (N.A.) by preparing a layout plan which was incorrect and which did not take into account the factual position on ground whereby existing buildings were shown as non-existent.

He further submitted that the Respondent No.2 submitted plans of building for approval to the concerned authorities by using the layout plan provided by Respondent No.1 and also showing existing buildings as new proposals to be approved. The Respondent No.2 also included parcels of land which were not part of the land parcel which was given in N.A. Certificate. Thus, it was highly unethical on their part to submit false information/ plans/ documents before the statutory authorities. Thus, the NA was obtained by manipulation.He also stated that it has come to his notice that Council has given approval for architectural college on the same site and requested that the Council should not give approval to a college in an unapproved building.

He also stated that the Disciplinary Committee of the Council already found the Respondents guilty. Thus, the Council should take strict action against them.

Thereafter, the Council requested the Respondent Architects to make their submissions.

The Respondent No.1 (Ar. Anil Ghatge) submitted as under :

The Respondent No.1 stated that all basic initiations and works of the project and process of approvals was done by an Engineer and based on which the Revenue Authorities including the Collector as well as Town Planning Authorities inspected the Land and Building and accorded initial sanction of the project. The Complainant was a third party and acting against the Owner of the project for long time on

some old disputes and has many litigations, many of which are still pending.

He further stated that the land and existing Buildings were originally approved by the Local Authorities, property taxes and charges were paid then as prescribed as per Panchayat Act and Rules. He further stated that he had performed based on the instructions of owner and helped him in the overall interest of the project. There is no manipulation of plans as alleged, the same were done earlier by an Engineer and checked and inspected by all the concerned Revenue and Planning Authorities and granted approval. Thus, no misconduct has been committed by him.

Respondent No.2 (Ar. Vijay Khade) submitted as under:

One Vitthal Todkar and Associates, Consulting Engineer has submitted the layout plan to the Collector of Kolhapur District through Sahayyak Sanchalak, Nagar Rachna, Kolhapur which approved the same.

After temporary Non-agriculture (N.A.) as per procedure we applied for Final layout plan. The Respondent No.1 has submitted Final Layout Plan to the Collector and Sahayyak Sanchalak, Nagar Rachna, Kolhapur. The Final Layout plan was based on survey plan, measurement was done correctly. There is no question of manipulation in the area statement.

N.A. Orders provided by the government authority are related to RSN No.118 and 120 located at Jaysingpur. The Complainant is wrongly saying such survey numbers are not available in this area. These survey nos are in Mouje Jaysingpur and not in Agar Bhag, Jaysinpur. Deep Public School is located in RSN no.118 & 120 and not in 141/1/2 and RSN No.141 and 141/1/2 is only adjacent to RSN No.118 & 120. Deep Public School's buildings are constructed after permission by Gram Panchayat. The Complainant also made complaints to CBSE about the said School but the School is functioning with the affiliation of CBSE. All permissions are given by government authorities and construction is not illegal. The Complainant himself is an encroacher on public land. The complainant has no locus standi to make any complaint against them. Thus, the complaint be dismissed.

Thereafter, the Complainant was offered an opportunity to rebut the submissions made by the Respondents.

The Complainant stated that it is mentioned in the government records that there existed a building prior to the submission of proposed building plans by the Respondents. The Respondents have submitted false information to government authorities about vacant land while seeking approval of the Proposed Building plans of Deep

Public School Campus. My complaint is very clear and the Disciplinary Committee report clearly upholds his version.

Thereafter, the Complainant and Respondent Architects were asked to leave the meeting hall to enable the Council to deliberate in the matter.

The Council after detailed deliberations in the matter and considering the oral and written submissions of both the complainant and Respondent Architects noted that there is no professional misconduct either on the part of Respondent No.1 or the Respondent No.2 since the building plans are already approved by the concerned authorities. No complaint is made by any public authority/ govt. office who inspected the site about any misrepresentation of facts by the Respondent Architects.

Thereafter, the Complainant and Respondent Architects were requested to be present in the meeting and were informed the decision of the Council by the President that the Council do not find the Respondent Architects guilty of professional misconduct since the building plans are already approved by the concerned authorities. No complaint is made by any public authority/ govt. office who inspected the site about any misrepresentation of facts by the Respondent Architects. Accordingly, the complaint is dismissed.

The Registrar-Secretary was directed to communicate the decision of the Council to the Complainant and Respondent Architects.

ITEM NO.8 TO CONSIDER THE REPORT(S) OF DISCIPLINARY COMMITTEE IN RESPECT OF CASES REFERRED TO THE COMMITTEE FOR INVESTIGATION:

The Disciplinary Committee upon conduct of detailed hearing has submitted its Report(s) in respect of following cases, in terms of Council of Architecture Rules, 1973:

1. CA/DC/380- Shri Adesh J.Jani, Mumbai V/s. Ar.V.B.Sambrekar, Sangli:

The Council considered the report of the Disciplinary Committee dated 12.07.2019 and noted its observations seeking clear directions from the Full Council as to the reasons / intent for referred the matter back to the Disciplinary Committee.

The Council recalled its deliberations held in 63rd Meeting held on 06.02.2015 and noted that the matter was referred back to the Committee in view of some material available on record regarding violation of exam procedures by the Respondent Architect.

Thereafter, the Council considered entire matter in detail and noted that the Respondent Architect who was working in an Architectural Institution

at that time was found violating exam procedures & rules and have already been fined by the Maharashtra University and was permanently disqualified from examination work. The Council also noted the Complainant was not attending the hearings by the Disciplinary Committee to put his side of story.

The Council after detailed deliberations in the matter decided to **dismiss the complaint** since the Respondent Architect had already been indicted by his competent authority for his acts of omissions and commissions and no case of professional misconduct is proved against the Respondent Architect.

Accordingly, Registrar-Secretary was directed to inform the decision of the Council to both Complainant and Respondent Architect.

2. **CA/DC/398 – Late Shri Amir Miya Ahmed Miya Patel, Raigad V/s. Ar. Anjali Damle, Raigad:**

The Council considered report of the Disciplinary Committee and noted that the Complainant has died and his legal heirs are not interested to pursue the complaint since several communications sent by the Disciplinary Committee have returned undelivered.

The Council, therefore, decided to **dismiss the complaint for non-pursuance** as recommended by the Disciplinary Committee.

Accordingly, the decision of the Council be communicated to the concerned parties.

3. **CA/DC/397-Shri Sudhir J.Thorat, Thane V/s. Ar.Sukumar K.Nashine, Nagpur:**

The Council considered the report of the Disciplinary Committee and noted that the Complainant has written an e-mail dated 22.05.2019, withdrawing his complaint against the Respondent Architect.

The Council after deliberations **dismissed the complaint as withdrawn.**

Accordingly, the decision of the Council be communicated to the concerned parties.

4. **CA/DC/401- Shri Prasanna Shantaram, Mumbai V/s. Ar.Anand V.Dhokay:**

The Council considered the report of the Disciplinary Committee and after deliberations accepted the same.

The Council decided that a copy of the report be provided to both parties and they be **summoned to appear before the Council** to provide them an opportunity of hearing in terms of the provisions of Section 30 of the Architects Act, 1972.

Accordingly, the decision of the Council be communicated to the concerned parties.

5. CA/DC/404- Shri Rakesh Kumar Singh, New Delhi V/s. Ar. Arun Patwal, New Delhi:

The Council considered the Report of the Disciplinary Committee and noted that the Complaint against Respondent Architect is that he supplanted the Complainant who was earlier appointed by client (M/s. Simplex Infrastructure Ltd) for the same project.

The Council noted that the report of the Disciplinary Committee is clear that Respondent Architect was appointed much after the termination of the services of the Complainant and a petition filed by the Complainant in Delhi High Court regarding his termination was also dismissed by the High Court.

The Council, therefore, **dismissed the Complainant** as no case of alleged professional misconduct is proved against the Respondent Architect.

Accordingly, the decision of the Council be communicated to the concerned parties.

6. CA/DC/409- Shri Sudhir K Vohra, New Delhi V/s. Ar. Shorab S. Dalal, New Delhi:

The Council considered the report of the Disciplinary Committee and noted that the matters relates to practice of architecture through companies and use of tile and style of architect by companies in their name and Memorandum of Association. The Respondent was director of a Company with the name "Designplus Architecture Private Limited" with main objects to act as "Architects". Later on the company changed name and deleted the word "Architects" from its objects.

The Council also noted the order of Single judge of Delhi High Court in W.P. (C) No.934 of 2012 and also that an Appeal has been filed by the Council of Architecture in the matter before the High Court.

The Council after detailed deliberations in the matter decided to keep the matter **in abeyance** till the disposal of the case in Court cases on this issue.

Accordingly, the decision of the Council be communicated to the concerned parties.

7. CA/DC/410- Shri Sudhir K.Vohra, New Delhi V/s. Ar.Sonali Bhagwati, New Delhi:

The Council considered the report of the Disciplinary Committee and noted that the matters relates to practice of architecture through companies and use of title and style of architect by companies in their name and Memorandum of Association. The Respondent was director of a Company with the name "Designplus Architecture Private Limited" with main objects to act as "Architects". Later on the company changed name and deleted the word "Architects" from its objects.

The Council also noted the order of Single judge of Delhi High Court in W.P. (C) No.934 of 2012 and also that an Appeal has been filed by the Council of Architecture in the matter before the High Court.

The Council after detailed deliberations in the matter decided to keep the matter **in abeyance** till the disposal of the case in Court cases on this issue.

Accordingly, the decision of the Council be communicated to the concerned parties.

8. CA/DC/429-Ar.D.T.Vinod Kumar, Secunderabad V/s. Ar.Vilas V.Avachat & Ar.Vijay Shriram Kapse, Nagpur:

The Council considered the report of the Disciplinary Committee and upon deliberations decided by majority to **refer back the case to the Committee** for making its clear report/ observations as to whether the Respondents are guilty of alleged professional misconduct or not, after examination of the report of the inspectors about the land records of the concerned institution.

Accordingly, the decision of the Council be communicated to the concerned parties.

9. CA/DC/452- Shri Samresh Agarwal, New Delhi V/s. Ar. Upendra Tater, Rajasthan:

The Council considered the report of the Disciplinary Committee and noted that the complaint relates to preparation of two valuation reports by the Respondent Architect. However, the Respondent Architect has denied about his making the Second valuation report. Even the company i.e. AU Finance which engaged his services as valuer clarified that the valuation report in question (in respect of Mr. Sandeep Ghosh) was not assigned to the Respondent Architect.

The Council after deliberations in the matter **dismissed the complaint** as no case of professional misconduct is proved against the Respondent Architect.

Accordingly, the decision of the Council be communicated to the concerned parties.

10.CA/DC/469 - Shri Sunil Arora & Ors. New Delhi V/s. Ar. M.D. Budhiraja, New Delhi.

The Council considered the report of the Disciplinary Committee and after deliberations accepted the same.

The Council decided that a copy of the report be provided to both parties and they be **summoned to appear before the Council** to provide them an opportunity of hearing in terms of the provisions of Section 30 of the Architects Act, 1972.

Accordingly, the decision of the Council be communicated to the concerned parties.

ITEM NO.9 TO CONSIDER THE REPORT OF COMMITTEE FOR PREPARATION OF MODALITIES AND PROCEDURE FOR RANKING OF ARCHITECTURAL INSTITUTIONS IN THE COUNTRY:

The Council considered the Report of the Committee on Modalities and procedure for ranking of Architectural institutions in the country and appreciated the work done by the members. The Committee consisted of Ar. Pushkar Kanvinde, Ar. Rajiv Mishra and Ar. Habeeb Khan. The members appreciated the work done by the Committee. The Council after deliberations decided that the Council may discuss the modalities with NBA/NIRF to start the ranking/accreditation process of Architectural Institutions on behalf of the Council duly taking note of the Canberra Accord.

The Acting President requested all the members to send their views/ comments on the report within 15 days for further action on the same.

ITEM NO.10 TO CONSIDER THE REPORT OF COMMITTEE ON PREPARATION OF PERSPECTIVE PLAN FOR ARCHITECTS IN COUNTRY:

The Council considered the report of the Committee on Perspective Plan for Architects in the country. The Committee consisted of Dr. Kavita D. Rao, Convenor, Ar. Pushkar Kanvinde, Member, Ar. B. S. Thangkhiew, Member and Ar. Shyam Kishore Singh Members. The members appreciated the work done by the Committee. The Council after deliberations noted that Committee should also examine and report on perspective plan for practicing architects, availability of faculty members in architectural institutions, availability of office of architects for training/ internship of architectural students.

The Acting President requested all the members to send their views/ comments on the report within 15 days for further action on the same.

ITEM NO.11 PROPOSAL ON COMPREHENSIVE AMENDMENTS TO THE ARCHITECTS ACT, 1972:

The Acting President informed the members that in terms of the decision of the Council a Committee consisting of Ar. Amogh Kumar Gupta, Convenor, Ar. Mala Mohan Member and Ar. Kapil Setia, Member, along with Ar. P.R. Mehta, former President COA and Ar. Balbir Verma former President IIA, as special invitees was constituted.

The Committee had 4 meetings and submitted its Report after considering the views/ suggestions received by the Council's on its proposal for Comprehensive Amendments in the Architects Act, 1972.

The Council considered the report of the Committee and appreciated the work done by the Committee. The Acting President requested all the members to send their views/ comments on the report/ recommendations of the Committee within 15 days for further action on the same. The Members also requested that the Bhalla Committee report as submitted to MHRD be sent to all the members for their information.

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

The Council noted that a Committee consisting of Ar. Kiran Mahajani, Ar. J. Manoharan, Ar. Rajiv Mishra and Ar. Chandan Parab for examining references/ requests received for recognition of foreign qualifications. The Council after detailed deliberations on the report/ recommendations of the Committee unanimously resolved as under :

Resolution No.:510

Resolved that :

- i) The B.Arch. Degree awarded by KMUTT University, Thailand, be recognized under the Architects Act, 1972, by the Central Government as a recognized qualification; and
- ii) The Integrated B.Arch. and M.Arch. Degree awarded by Imam Khomeini International University, Tehran, Iran, be recognized under the Architects Act, 1972, by the Central Government as a recognized qualification.

The Council further resolved as under :

Resolution No.:511

Resolved that

- i) The B.Arch. Degree awarded by College of Architecture and Design, New Jersey, USA, be not recognized under the Architects Act, 1972, as the same is of 4 years duration and practical training is not part of the curriculum. The Master of Science Degree possess by the

Candidate Mr. Nidhip Mehta is not acceptable for Architecture Discipline;

- ii) The M.Arch. Degree awarded by Rochester Institute of Technology, New York, be not recognized under the Architects Act, 1972, as the same is 7 semester Postgraduate Course. The admission to the Course is open for all streams of graduates such as B.A., BFA or equivalent in addition to B.Arch. Course. Thus is not a programme specifically about architecture nor an integral course equivalent to B.Arch.Degree of an Indian University;
- iii) The request for recognition of B.Arch.Degree awarded by I.E. School of Architecture & Design, Spain, be not entertained in the absence of direct official request from the concerned University/College; and

ITEM NO.13 TO CONSIDER THE COMPLAINTS RECEIVED AGAINST ARCHITECTS FOR ALLEGED PROFESSIONAL MISCONDUCT FROM THE ARCHITECTS, GENERAL PUBLIC, GOVT. AGENCIES:

The Council perused all the complaints together with the statement of defence, as have placed in the respective appendices in respect of concerned complaints.

The Council after considering the complaints together with statement of defence and preliminary report received from the Council Member to whom the respective complaints were referred, unanimously passed the following Resolution :

Resolution No.:512

Resolved that :

1. **CA/DC/456** – With regard to the complaint filed by Ms.Manisha Raut, Thane against Ar.Nagsen Menidas, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as the real issue in the matter was dispute regarding plot of land between two individuals and the Architect has no role in such matters. Therefore, the complaint was dismissed.

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

2. **CA/DC/458** - With regard to the complaint filed by Shri Manish Pathak, Lucknow against Ar. Pradeep Kumar Singh, Lucknow, for alleged professional misconduct, the Council opined that that there is no prima facie case of professional misconduct against the Respondent Architect as the Complainant and the Respondent are next door neighbours and the complaint is about unauthorized constructions on the flat owned by the wife of the Respondent. Therefore, the complaint was dismissed.

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

3. **CA/DC/461** - With regard to the complaint filed by Shri S.R.Mahajan, Asst. Engineer, Municipal Corporation of Greater Mumbai, Mumbai against Ar. Suhas Mahant, Mumbai, for alleged professional misconduct, the Council opined that there is a prima facie case against the Respondent Architect as he submitted a proposal for redevelopment with Municipal Corporation showing plot as vacant whereas there were existing tenants on the same. The Council, therefore, referred the complaint to Disciplinary Committee for detailed investigation as per the procedures laid down under the Rules 36 and 37 of the Council of Architecture Rules, 1973.

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

4. **CA/DC/470** - With regard to the complaint filed by Shri Om Prakash Sharma, Mumbai, against Ar. Milind Gotu Shambhare, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as the he was not under any obligation to assist the Complainant in forming a society and the Respondent Architect had already made appropriate documentation to the concerned authority for issuance of completion certificate. Therefore, the complaint was dismissed.

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

5. **CA/DC/473** - With regard to the complaint filed by Shri Mohan Hiru Karanje, Mumbai against Ar. Pulkit B.S.Gupta, Mumbai, for alleged professional misconduct, the Council opined that there is a prima facie case against the Respondent Architect as no Revised Drawing/ plan has been shown in his statement of defence filed in response to complaint to indicate that he has submitted Revised Completion Certificate Plan to the concerned authority though a receipt for payment of scrutiny fee and other charges is attached. The Council, therefore, referred the complaint to Disciplinary Committee for detailed investigation as per the procedures laid down under the Rules 36 and 37 of the Council of Architecture Rules, 1973.

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

6. **CA/DC/476** - With regard to the complaint filed by Ar.Ramesh Tejan, Pune against Ar. Suhani Lal Sanghra, Pune, for alleged professional misconduct, the Council opined that there is a prima facie case against the Respondent Architect as the Respondent Architect accepted a project on which the Complainant was already working and his services were not terminated till the appointment of Respondent Architect. The Council, therefore, referred the complaint to Disciplinary Committee for detailed

investigation as per the procedures laid down under the Rules 36 and 37 of the Council of Architecture Rules, 1973.

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

7. **CA/DC/480** - With regard to the complaint filed by Shri Suresh Salunkhe, Mumbai against Ar.Rajendra S.Karnik, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect as the complaint is about submission of forged documents by Architects and submission of drawings/ plans without consent of the society. However, from the records it appears that no such issue was discovered in the Complaint made before the police authorities which closed the complaint. As regards, the issue of submission revised plans without approval of society it was noticed that the Respondent Architect was appointed by the Developer and not the society. The concern, if any, of Society had to be raised with the developer only. Therefore, the complaint was dismissed.

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

8. **CA/DC/482** - With regard to the complaint filed by Shri Ashok Manchekar, Mumbai against Ar.Ulhas Pagnis, &Ar. Rajendra Pagnis, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architects as issue in the complaint is about issuance of Commencement Certificate by Slum Rehabilitation Authority in favour of one Developer and later on Duplicate Commencement Certificate in favour of another Developer (M/s. Brizeal Realtors & Developers Ltd.) and unauthorized construction of 15th and 16th floors.It was noticed from the records that Respondent Architect Rajendra Pagnis was appointed by M/s. Brizeal Realtors & Developers Ltd. as Liasoning Architect and subsequently he has resigned from the project. Further, penalty and compounding fees for the extra two floors constructed prior to issue of re-endorsed commencement certificate were paid by the Developer. Ar. Ulhas Pagnis was never associated with the project in question.Therefore, the complaint was dismissed.

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

9. **CA/DC/483** - With regard to the complaint filed by Shri Ashok Manchekar, Mumbai against Ar.Samar Raut, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as complaint alleges some lapses on the part of the Respondent Architect during the process of change of developers. Whereas the role of architect in this process was limited only to issue an NOC to the architect of new

developer and informing the SRA about his resignation. Therefore, the complaint was dismissed.

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

10. CA/DC/484 - With regard to the complaint filed by Shri Ashok Manchekar, Mumbai against Ar. Manoj Vishwakarma, Mumbai, for alleged professional misconduct, the Council decided to refer the matter for re-examination of complaint to Ar. Chandan Prarab, Member, COA for his preliminary report in the matter.

11. CA/DC/485 - With regard to the complaint filed by Shri Sanjay Kumar D. Surve, Mumbai against Ar. Satish Ahuja, Mumbai, for alleged professional misconduct, the Council decided to refer the back to Ar. Kapil Setia for re-examining the matter and submitting his preliminary report.

12. CA/DC/486 - With regard to the complaint filed by Shri Sanjay Kumar D. Surve, Mumbai against Ar. Soyuz Talib, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as the drawings/ plans prepared by the Respondent Architect had been duly approved by the Competent Authority and commencement certificate was granted and later on after completion of construction, Occupation Certificate was granted by the Panvel Municipal Corporation. Therefore, the complaint was dismissed.

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

13. CA/DC/487 - With regard to the complaint filed by Shri Sanjay Kumar D. Surve, Mumbai against Ar. Soyuz Talib, Mumbai, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as the drawings/ plans prepared by the Respondent Architect had been duly approved by the Competent Authority and commencement certificate was granted and later on after completion of construction, Occupation Certificate was granted by the Panvel Municipal Corporation. Therefore, the complaint was dismissed.

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

14. CA/DC/488 - With regard to the complaint filed by Shri Prakash P. Kukreja, Ulhasnagar against Ar. Swapnil Sunil Mangala Wagh, Ulhasnagar, for alleged professional misconduct, the Council decided to refer back the complaint to Ar. Yogeeta Rai, Member, for re-examining the matter and submitting her preliminary report.

15. CA/DC/489 - With regard to the complaint filed by Shri Dhananjay Avdhoot Ghorpade, Maharashtra against Ar.V.S.Vaidya, Maharashtra, for alleged professional misconduct, the Council noted that the Respondent Architect had passed away on 29.04.2017 and accordingly decided to close the complaint.

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

16. CA/DC/490 - With regard to the complaint filed by Shri T.K.Jose, Principal Secretary to Govt. of Kerala, Kerala against Ar. Jafar Ali, Kerala, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as drawings plans/ construction was modified as per the requirements of the Kerala Panchayat Building Rules. The revised plans have been approved by the Panchayat Authorities. Therefore, the complaint was dismissed.

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

17. CA/DC/491 - With regard to the complaint filed by Mrs.Meenaxee Padhy, Thane against Ar.Makarand Toraskar, Thane, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as the Respondent Architect was appointed by her client for regularization of additions and alterations in her flat and the same had been duly approved and regularized by the Thane Municipal Corporation. Therefore, the complaint was dismissed.

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

18. CA/DC/492 - With regard to the complaint filed by Shri Jadhav Jaysingh Dashrath, Pune against Ar.Kanhe Sachin Prabhakar, Pune, for alleged professional misconduct, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as it is owner who is responsible for the ownership and possession of the land and not the Architect. The Architect merely prepares plans as per the prevailing building bye-laws. Therefore, the complaint was dismissed.

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

19. CA/DC/493 - With regard to the complaint filed by Ms.Madhu Kishwar, New Delhi against Ar.Nabin Patra, New Delhi for alleged professional misconduct, the Council opined that there is a prima facie case against the Respondent Architect, as there appears to be violation of building bye-laws in terms of total height of building leading to denial of Completion Certificate by the local authority and other related issues.

The Council, therefore, referred the complaint to Disciplinary Committee for detailed investigation as per the procedures laid down under the Rules 36 and 37 of the Council of Architecture Rules, 1973.

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

20. CA/DC/481 - With regard to the complaint filed by Shri Ashoka Vaidya, Mumbai, against Ar. Shantanoo Rane, the Council opined that there is no prima facie case of professional misconduct against the Respondent Architect, as the Competent Authority i.e. Slum Rehabilitation Authority has already granted Occupation Certificate to the concerned society in the year 2017 on the basis self-certification of the Architect. Therefore, the complaint was dismissed.

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

21. CA/DC/475 - With regard to the complaint filed by Shri Venkateshwar Singh, Lucknow against Ar. Rajnish Agrawal and Ar. Aekta Agrawal, for alleged professional misconduct, the Council opined that there is a prima facie case against the Respondent Architects, who admitted themselves to be engaged for corporation drawings in their Statement of Defence and in the documents attached with the complaint, the As per the record of Whatsapp conversation between the Complainant and Respondent Architect, the Respondent promised that his waterproofing expert will look into the damage caused to house of the Complainant. The Council, therefore, referred the complaint to Disciplinary Committee for detailed investigation as per the procedures laid down under the Rules 36 and 37 of the Council of Architecture Rules, 1973.

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

22. CA/DC/479 - With regard to the complaint filed by Shri Mukesh Mehta, Mumbai, against Ar. Hiten Sethi, Navi Mumbai, for alleged professional misconduct, the Council decided refer the matter for re-examination to Ar. Rajiv Mishra, Member, for his preliminary report in the matter.

ITEM NO.14 TO FRAME/ ADOPT REGULATIONS ON ANTI RAGGING IN ARCHITECTURAL INSTITUTIONS IN TERMS OF ORDERS OF HON'BLE SUPREME COURT OF INDIA:

The Acting President informed the members that Hon'ble Supreme Court of India in Civil Appeal No. 887 of 2009, University of Kerala V/s Council's, Principals, Colleges, Kerala & Ors. Vide order dated 08th May, 2009 directed for creating of anti-ragging measures including Regulations on Anti-Ragging. The Hon'ble Supreme Court also directed that the Regulations on curbing the menace of ragging, formulated by the UGC should be implemented with urgency. It deserves and to be adopted by all other regulatory Bodies such as AICTE, MCI, DCI etc.

In view of these directions of the Hon'ble Supreme Court, the Council of Architecture is also required to either frame its own regulations for curbing the menace of ragging or adopt the regulations framed by the UGC.

The Council considered regulations framed by the UGC on Anti Ragging and unanimously passed the following Resolution:

Resolution No.:513

Resolved that:

- i) The University Grants Commission Regulations on Curbing of Ragging in Higher Education Institutions, 2009, along with its amendments from time to time, are adopted by the Council of Architecture in toto for Architectural Institutions in the country.
- ii) All the Architectural Institutions be requested to comply with the above Regulations to avoid incident of ragging in their institutions.

ITEM NO.15 MATTERS FOR KIND INFORMATION OF COUNCIL MEMBERS:

a) CONDUCT OF NATA 2019 EXAMINATION:

The Acting President informed the members that NATA 2019 was conducted twice. First Test was conducted on 14th April, 2019. A total of 35748 candidates have applied for the First Test and 32856 candidates have appeared for the Test and 27232 candidates have passed in the Examination.

Further, Second NATA Test was held on 07.07.2019. 35651 Candidates have applied for the Second Test and 18126 candidates appeared for the test and 14589 candidates have passed in the Examination.

B) INSPECTION AND APPROVAL OF ARCHITECTURAL INSTITUTIONS DURING ACADEMIC SESSION 2019-20:

The Council noted the information as detailed in the Agenda.

C) REVISION OF ELIGIBILITY CRITERIA FOR ADMISSION TO B.ARCH COURSE AS APPROVED BY THE CENTRAL GOVERNMENT:

The Council noted the eligibility as notified in the Gazette of India on 13.02.2019, upon approval of the Central Government.

D) CONUDCT OF ELECTIONS OF OFFICE BEARERS OF THE COUNCIL OF ARCHITECTURE BY THE RETURNING OFFICER APPOINTED BY CENTRAL GOVERNMENT:

The Council noted the information as detailed in the Agenda and desired that the elections of members representing IIA should be conducted at the earliest.

E) BUDGET ESTIMATES OF THE COUNCIL FOR THE FINANCIAL YEAR 2019-20 AS APPROVED BY THE EXECUTIVE COMMITTEE:

The Council perused the Budget estimates of the Council for the financial year 2019-20, as approved by the Executive Committee and ratified the same.

F) APPOINTMENT OF STAFF IN THE COUNCIL ON REGULAR BASIS:

The Council noted the appointment of following staff on regular basis in the Council :

1. Ms. Harpreet Kaur, Stenographer, in the pay scale of Rs.25500 (Level 4 in Pay Matrix).
2. Mrs. Yashoda Verma, LDC, in the pay scale of Rs.19,900- Grade pay 1900/-
3. Mr. Vishal, Peon, in the pay scale of Rs.18,000- Grade pay 1800/-
4. Mr. Kishan Tyagi, in the pay scale of Rs18,000- Grade pay 1800/-

The Council also noted the promotion of Shri Shankar Sharma as Junior Accounts Officer in the pay-scale of Rs.9300-34800- Grade pay 4600 (Level 7 in Pay Matrix).

G) SETTING UP OF COUNCIL OF ARCHITECTURE EMPLOYEES CONTRIBUTORY FUND TRUST DULY REGISTERED WITH CONCERNED AUTHORITIES:

The Council considered the Council of Architecture Employees Contributory Provident Fund Trust Deed and Rules, as approved by the Executive Committee, and by majority ratified the same.

H) ACTIVITIES OF TRAINING AND RESEARCH CENTRES OF COUNCIL OF ARCHITECTURE:

The Council noted the information as detailed in the Agenda.

ITEM NO.16 ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

I) TO TAKE NOTE OF CONDUCT OF INTERNAL AUDIT OF ACCOUNTS OF THE COUNCIL :

The Acting President informed the members that as per directions of the Full Council in its last meeting, M/s. Anjali Jain & Associates, Chartered Accountants, were appointed for conducting internal audit

of the Council for the F.Y.: 2018-19. The members perused the report of the Internal Auditors and noted the same.

II) TO CONSIDER THE ORDER DATED 04.06.2019, PASSED BY THE HON'BLE MADRAS HIGH COURT IN W.P. NO.34676 OF 0218, FILED BY THE T.A.S.A., CHENNAI, CHALLENGING THE 2017 MINIMUM STANDARDS PRESCRIBED BY THE COUNCIL:

The Acting President informed the members that the Academic Society of Architects (TASA), Chennai has filed a Writ Petition No.34676 of 2018 before the Hon'ble Madras High Court challenging the decision of Council to implement the Council of Architecture Minimum Standards of Architectural Education 2017.

The Division Bench of the Hon'ble Madras High Court has held that the Council cannot implement the 2017 Regulations unless they are approved by the Central Government and notified in the Gazette.

The Acting President further informed that the matter was considered by the Executive Committee in its 204th Meeting held on 16.06.2019 and it was decided to file an Special Leave Petition against the said order and the same would be filed soon.

III) W.P. NO.4280 OF 2019, DEVANSH S. MALVIYA & ORS. V/S. COUNCIL OF ARCHITECTURE & ORS. FILED BEFORE HON'BLE BOMBAY HIGH COURT, NAGPUR BENCH:

The Council perused information as detailed in the agenda and order of Hon'ble Bombay High Court dated 16.07.2019 and noted the same.

IV) EXECUTION OF SALE DEED OF OFFICE SPACE OF THE COUNCIL PURCHASED FROM NBCC, AT NBCC PLACE, OLKHLA, NEW DELHI:

The Council noted the information as detailed in the agenda.

V) TO CONSIDER THE DRAFT COUNCIL OF ARCHITECTURE MINIMUM STANDARDS OF ARCHITECTURAL EDUCATION REGULATIONS, 2019:

The Acting President informed the members that the Council in the year 2017 has approved COA Minimum Standards of Architectural Regulations 2017 and the same were sent to the Central Government for approval. However, in the meantime the eligibility for admission to B.Arch. Course was changed twice and some other requirements which were missed out were noticed.

Therefore, upon incorporating the eligibility as approved by the Central Government and taking note of other relevant issues, the Draft COA Minimum Standards of Architectural Education Regulations, 2019 have been drafted. These were placed in the 205th

Meeting of the Executive Committee and the members sought time to send their views on the same.

The Council considered the Draft 2019 Regulations and also noted the various representations received by the Council from candidates who do not possess 50% marks in aggregate in Physics, Chemistry and Mathematics subjects and resolved as under:

Resolution No.: 514

Resolved that :

- i) The Council of Architecture (Minimum Standards of Architectural Education) Regulations, 1983, as amended from time to time, be further amended, with the approval of the Central Government in terms of Section 45 of the Architects Act, 1972, as under :

“No candidate shall be admitted to architecture course unless she/ he has passed an examination at the end of the 10+2 scheme of examination with Physics, Chemistry & Mathematics and also at least 50% marks in aggregate of the 10+2 level examination or passed 10+3 Diploma Examination with Mathematics as compulsory subject with at least 50% marks in aggregate.”

- ii) The Central Government is requested to approve the above eligibility criteria.

Further, it was decided that all the members of the Council shall send their views/ comments on the Draft 2019 Regulations within 15 days of the date of the meeting.

VI) MISUSE OF TRC BHUBANESWAR OFFICE BY AR. MASTER AKASHDEEP, RESEARCH ASSOCIATE, COA:

The Council considered the information as detailed in the Agenda and deferred the matter for its next meeting so that the matter may be considered alongwith other relevant facts for further necessary action in the matter.

VII) ALLOTMENT OF LAND TO COUNCIL BY BANGALURU DEVELOPMENT AUTHORITY:

The Council noted the information as detailed in the agenda.

VIII) INTERIOR WORK OF THE COUNCIL'S OFFICE AT NBCC PLACE, OKHLA, NEW DELHI:

The Council noted the information as detailed in the agenda.

IX) COMPLAINTS FILED BY THE COUNCIL UNDER SECTION 39 OF THE ARCHITECTS ACT, 1972, BEFORE FIRST CLASS/ METROPOLITAN MAGISTRATE:

The Council noted the information as detailed in the agenda.

X) COMPLAINT FOR ALLEGED PROFESSIONAL MISCONDUCT FILED BY AR. D. T. VINOD KUMAR, AGAINST AR. BISWARANJAN NAYAK, FORMER PRESIDENT, COUNCIL OF ARCHITECTURE AND AR. N. RAMASWAMY:

The Acting President informed the members that office of the Council has received a complaint of alleged professional misconduct from Ar. D. T. Vinod Kumar, Secunderabad against Ar. Biswaranjan Nayak, Former President, Council of Architecture and Ar. N. Ramaswamy, Hyderabad.

As complaint was against the former President, COA, the matter was referred to one of the members of the Council Ar. Gajanand Ram vide Council's letter dated 25.10.2018, to examine whether the complaint can be treated as a complaint for professional misconduct or not. However, as he could not submit his report due to paucity of time, the matter was referred to Ar. Mala Mohan, member, who opined that the complaint should not be entertained and closed.

The Council after detailed deliberations decided to close the complaint.

XI) TO CONSIDER THE E-MAIL DATED 04.07.2019 RECEIVED FROM AR. YOGEEETA RAI, MEMBER, REPRESENTING STATE OF SIKKIM:

The Council perused the e-mail dated e-mail dated 4th July, 2019 of Ar. Yogeeeta Rai, Member, representing State of Sikkim on the Council, stating that the Architects Act, 1972, and noted that the Architects Act, 1972 is very much implemented in the State of Sikkim. However, appropriate communication be sent to the State Government for fully implementing the provisions of the Architects Act, 1972 in the State.

XII) TO TAKE NOTE OF STATUS OF CIVIL APPEAL NO.364 OF 2005, AICTE V/S. SHRI PRINCE SHIVAJI MARATHA BOARDING HOUSE'S COLLEGE OF ARCHITECTURE & OHTERS AND OTHER CONNECTED MATTER:

The Council perused the information as detailed in the agenda and expected that the outcome of the case would be in favour of Council of Architecture. The Council appreciated the efforts made by the lawyers and officers of the Council in the matter.

XII) REGULARISATION OF SERVICES OF SHRI RAJINDER KUMAR AS PEON IN THE COUNCIL:

The Council noted the appointment of Mr. Rajinder Kumar, Peon, in the pay scale of Rs.18,000 - Grade pay 1800/-.

XIII) DRAFT NATIONAL EDUCATION POLICY PREPARED BY THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT, GOVT. OF INDIA:

Ar. Ashutosh Agarwal, Member, with the permission of the Chair, requested that the Council should sent its views/ suggestions on the Draft National Education Policy at the earliest as the last date is approaching.

The Council after deliberations constituted a sub-committee of Ar. Pushkar Kanwinde, Ar. Arvind Kumar Ahirwar and Ar. Chandan Parab as members for examining the matter and submitting their report within a weeks' time for sending views/ suggestions of the Council on the Draft National Education Policy 2019.

XIV) REPORT SUBMITTED BY THE ADMINISTRATIVE REFORMS COMMITTEE:

Ar. Raneer Vedamuthu, Member, with permission of the Chair raised the issue of action taken by the Executive Committee on report of the Administration Reforms Committee submitted by her.

The Acting President clarified that despite repeated requests and reminders, the original report has not been submitted to him or the office of the Council till date by the former President or by the other members of the Committee. After detailed deliberations in the matter it was decided to circulate the report to members.

XV) Elections of Heads of Architectural Institutions:

With the permission of the Chair some members invited the attention of the Acting President that some institutions/managements of the institutions are being pressurized to vote for few candidates and to hand over blank ballot papers for the elections of the 5 Members of the Council from among Heads of Architectural Institutions.

After deliberations in the matter, the Council expressed its serious concern in the matter and decided that appropriate communication be issued by the Council for free and fair elections of the members of the Council.

The meeting ended at 8.00 p.m. with a vote of thanks to the Chair.
