



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/15/2020/AE (Haryana)  
February 14, 2020

**The Chief Secretary**  
Government of Haryana  
Haryana Secretariat  
CHANDIGARH - 160001

**Subject : Amendments in the Haryana Building Code 2017– reg.**

Sir,

The Council of Architecture is a statutory authority established under the Architects Act, 1972 enacted by the Indian Parliament and entrusted with the responsibility, inter alia, to regulate architectural education and profession in the country and register Architects on national level and also to take action against Architects in case professional misconduct. The Act was enacted with the consent of all State Governments.

It has come to notice of the Council that Government of Haryana is considering amendments in Haryana Building Code 2017 for allowing Supervisors to carry on the duties and functions similar to one meant for Architects registered with the Council of Architecture.

Pertinent to the matter, I would like to inform that the Role and functions of Architects and Engineers and other diploma holders is totally distinct and different. Engineers/Diploma holders cannot be allowed to carry the practice of profession of an Architect i.e. preparing building plans/ layouts, supervision and issuance of completion certificate of buildings etc.

In this regard I would like to invite your kind attention towards the following :

A. The Architects Act, 1972. The relevant provisions of the Act are stated as under :

- (1) Section 2 (a) states that “Architect” means a person whose name is for the time being entered in the register;
- (2) Section 2(e) states that “Register” means the register of architects maintained under Section 23;
- (3) Section 22 states that :
  - (1) The Council may by regulations prescribe standards of professional conduct and etiquette and a code of ethics for architects.
  - (2) Regulations made by the Council under sub-section (1) may specify which violations thereof shall constitute infamous conduct in any professional respect, that is to say, professional misconduct, and **such provision shall have effect notwithstanding anything contained in any law for the time being in force.**

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(4) Section 25 states that a person shall be entitled on payment of such fees as may be prescribed by rules to have his name entered in the register, if he resides or **carries on the profession of an architect** in India and –

- (a) Holds a recognized qualification, or
- (b) Does not hold such qualification but, being a citizen of India, has engaged in practice as an architect for a period of not less than five years prior to the date appointed under sub-section (2) of Section 24, or
- (c) Possesses such other qualifications as may be prescribed by rules.

(5) Section 35 states that :

- (1) Any reference in any law for the time being in force to an architect shall be deemed to be a reference to an architect registered under this Act.
- (2) After the expiry of two years from the date appointed under sub-section (2) of section 24, a person who is registered in the register shall get preference for appointment as an architect under the Central or State Government or in any other local body or institution which is supported or aided from the public or local funds or in any institution recognised by the Central or State Government.

(6) Section 36 states that If any person whose name is not for the time being entered in the register falsely represents that it is so entered, or uses in connection with his name or title any words or letters reasonably calculated to suggest that his name is so entered, he shall be punishable with fine which may extend to one thousand rupees.

(7) Section 37 states that :

- (1) After the expiry of one year from the date appointed under sub-section (2) of section 24, **no person other than a registered architect, or a firm of architects shall use the title and style of architect:**

Provided that the provisions of this section shall not apply to-

- (a) practice of the profession of an architect by a person designated as a “landscape architect” or “naval architect”;
  - (b) a person who, carrying on the profession of an architect in any country outside India, undertakes the function as a consultant or designer in India for a specific project with the prior permission of the Central Government.
- (2) If any person contravenes the provisions of sub-section (1), he shall be punishable on first conviction with fine which may extend to five hundred rupees and on any subsequent conviction with imprisonment which may extend to six months or with fine not exceeding one thousand rupees or with both.

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