


वास्तुकला परिषद्
Council of Architecture

वास्तुविद् 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
December 23, 2020

Shri Navneet Sehgal, IAS
Addl. Chief Secretary
MSME & Export Promotion
Government of Uttar Pradesh
Room No. 110, C Block,
Lok Bhavan, Lucknow,
Uttar Pradesh-226001,

Subject: Violations of the Architects Act, 1972 in Bhadohi Industrial Development Authority (BIDA)-reg.

Sir,

The attention of Council of Architecture is drawn that as per Bhadohi Industrial Development Authority Regulation 2014 only an architect is allowed to carry out work related to building permission of all plans including submission of plans and related information. However, the authority is giving license to non-architects to carry on the functions of an architect. Further, the architects registered with the Council of Architecture are insisted to seek empanelment with the BIDA.


Pertinent to the matter, it is informed that as per provision of the Architects Act, 1972 only a person registered with the Council of Architecture can use the title and style of an architect for carrying on the profession of the architecture in India.

Pertinent to the matter, may I point out that the architects registered with the Council of Architecture are entitled to carry on the profession of architecture throughout the territory of India and no local body/authority is competent to seek further registration /license to carry on the profession of architecture under their jurisdiction is contrary to the provisions of Architects Act, 1972. Engineers cannot be empaneled as "Architects". Mis-representation and misuse title and style of Architects is punishable offence.

As per Section 35(1) of the Act, any reference in any law for the time being in force to an Architect shall be deemed to be reference to an Architect registered under the Architects Act, 1972. Section 35(2), provides that 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 recognized by the Central or State Government from the public or local funds or in any institution recognized by the Central or State government from the public or local funds or in any institution recognized.

The Hon'ble Bombay High Court in Writ Petition No. 1830/1988, M.K. Ranade V/s Pune Municipal Corporations and Another vide order dated 24.11.2019 held that:

Xxxx In the result, petitions are partly allowed and it is declared that the architects registered under the Architects Act, 1972 would not be required to obtain license under the MPMC Act byelaws made thereunder and the respondent Corporations are restrained from insisting upon the architects for obtaining such licenses. Petitions are disposed of accordingly with no order as to costs xxxx.



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