

Ref. No. CA/15/2020/AE
December 13, 2021

The Chief Secretary
Government of West Bengal
Nabanna, 13th floor, 325,
Sarat Chatterjee road,
Mandirtala Shibpur, Howrah-711102
Email: cs-westbengal@nic.in

Subject: Licensing of Architects by local bodies/Municipal/ Department Authorities in the State of West Bengal in violation of the Architects Act, 1972.

Sir,

This is in continuation of the Council's letter no. CA/15/2020/AE dated 22.10.2020 on above subject. The Council of Architecture is statutory authority established under the Architects Act, 1972 to regulate Architectural Education and Profession in the Country and to provide registration of Architects throughout the territory of India. The Act extend to the whole of India.

The attention of the Council of Architecture is drawn that Asansol Municipal Corporation is insisting Architects registered with the Council of Architecture to obtain license by paying fees for carry on the profession of architects under its jurisdiction. Similarly, representations have been received about Kolkata Municipal Corporation, WSIDC, WBIC, WIIDC and other local authorities insisting license for Architects to practice under their jurisdiction.

The Parliament of India enacted the Architects Act, 1972 with the consent of all State Governments, to provide for registration of architects on all over India basis and to regulate the standards of the Architectural Education and Professional Conduct of Architects.

The Act was enacted by the Parliament with the objective that since independence and more particularly with the implementation of the Five-year Plan, the building construction activity in our country is expanded on a phenomenal scale. A large variety of buildings, many of extreme magnitude like multi stores, factory buildings and residential houses is being constructed each year. With this increase the building activity many unqualified persons calling themselves as Architects are undertaking the construction of building which are uneconomically and quite frequently unsafe, thus bringing into disrepute to the profession of Architects. With the passing of this legislation, it will be illegal for any person to designate themselves as Architect unless he has required qualification is registered under Architects Act, 1972.

The relevant provisions of the Act are as under:

- (i) Section 2(a) : "Architect" means a person registered under the Architect Act, 1972.
(ii) Section 35(1) : 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) : A person who is registered in the register shall get preference 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.



Page 1 of 3