



वास्तुकला परिषद  
Council of Architecture

(वास्तुविद् अधिनियम, 1972 के अंतर्गत भारत सरकार का एक स्वायत्त सांविधिक निकाय)  
(An Autonomous Statutory Body of Government of India, under the Architects Act, 1972)

Ref. No. CA/15(IVI)/2023/AE  
November 04, 2024

**The Chief Secretary**  
Government of Himachal Pradesh  
H P Secretariat, Shimla – 171002  
Email: [cs-hp@nic.in](mailto:cs-hp@nic.in)

**Shri Bhupender Kumar Attri**  
Commissioner  
Shimla Municipal Corporation,  
Old Judicial Complex, Near  
DC Office, The Mall Shimla,  
Himachal Pradesh - 171001  
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**Subject: Violation of Architects Act, 1972 and Judgment of Hon'ble Supreme Court of India in appointment of a non-Architect on the post of Public Information Officer, Cum-Architect Planner, M. C. Shimla-reg.**

Respected Sir(s),

This is continuation of Council's letter dated 19.10.2023(copy enclosed) requesting, Government of Himachal Pradesh and Shimla Municipal Corporation to not to allow any non-Architect to be appointed to any post which carries the title and style of Architect and/or duties and functions of an Architect. Section 2(a), 35, 36 and 37 of the Architects Act, 1972 prohibit use of title and style of "Architect" by non-Architects and violation of the same is punishable offence.

It was also brought to your kind notice that Shimla Municipal Corporation has appointed Mr. Mehboob Ali Shiekh, a non-architect, as Architect Planner. However, till date no action is taken in the matter and Mr. Mehboob Ali Shiekh, still continues to violate the Architects Act, 1972 by holding the post of "Architect Planner."

Further, we would like to inform you that the Hon'ble Supreme Court of India in Civil Appeal No. 1819 of 2020 vide judgment dated 17<sup>th</sup> March, 2020 held that **only an Architect can be appointed to post of Architect**. A copy of the above judgment is enclosed herewith for your kind perusal.

Thus, the Government of Himachal Pradesh is once again requested to not to allow non-Architects to be appointed/ promoted to any post which carries the title and style of an "Architect" and/or duties and functions of an Architect and appropriate direction be issued to concerned Departments/ Local Authorities to comply with the provisions of the Architects Act, 1972 as well as judgment of Hon'ble Supreme Court of India as referred above.

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Pertinent to the matter, it is also informed that the Council of Architecture has prescribed guidelines on Role of Architects in Public Services with the object to address the concerns of Government Architects regarding their role, responsibilities, Cadre Strength and Organizational structure as the Government is the largest stakeholder in the construction of the buildings. A copy of the guidelines as approved by Council in its 75<sup>th</sup> meeting held on 28<sup>th</sup> and 29<sup>th</sup> August, 2021 is enclosed herewith for your kind perusal.

A line in reply of action taken in the matter will be highly appreciated.

Thanking you,

Yours faithfully,

R. K. Oberoi  
Registrar

Encl: as above

Copy for necessary action to:

Shri Mehboob Sheikh  
Shimla Municipal Corporation,  
Old Judicial Complex, Near DC Office,  
The Mall Shimla, Himachal Pradesh – 171001  
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