



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(iv)/2020/AE

October 23, 2020

✓ Shri A. K Singh, IAS

Advisor to Administrator

Dadra & Nagar Haveli and Daman & Diu

Ground Floor, Secretariat,

Fort Area, Moti Daman,

Daman (U.T.) - 396220

**Subject: - Enforcement of the Architects Act, 1972-Licensing of Architects by Daman Municipal Corporation-reg.**

Dear Sir,

The Council of Architecture is statutory authority established under the Architects Act, 1972 to regulate Architectural Education and Profession in the Country.

The attention of the Council has been drawn again and again by the practicing architects that Daman Municipal Corporation is insisting architects to seek registration or license from it to carry on the profession of architecture under its jurisdiction.

The Parliament of India enacted the Architects Act, 1972 with the consent of all States to prescribe standards of the Architectural Education and Professional in the Country and to provide for registration of architects throughout the territory of India.

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.

Pertinent to the matter, I would like to state that Architects Act, 1972 is special Act dealing with registration of Architects all over India. 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 be deemed to be reference to an Architect registered under the Architects Act, 1972.



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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.

The Architects registered with the Council of Architecture are entitled to carry on the profession of architecture throughout the territory of India. After coming into force of the Architects Act 1972, and no local body/authority is competent to register/license any person as an "Architect" to carry on the profession of architecture.

Further, I would like to state that the Hon'ble High Court of Delhi in L.P.A. No.59 of 1975, The Municipal Corporation of Delhi & Ors. Vs. Shri ram Kumar Bhardwaj & Ors. vide order dated 02<sup>nd</sup> April, 1980 held that :

*The Architects Act, 1972 is a special law dealing with the qualifications to be possessed by persons for being registered as architects and restricting the terms "architect" or "registered architect" to such persons only. Since the possession of a registration certificate under the Architects Act, 1972 regarded by Parliament as sufficient qualification for the practice of architects and since all related questions have been dealt with in respect of architects by the said Act, it become unnecessary for the Corporation to do thereafter. In view of section 502 of the Act, the provisions referred to above which could be construed as authorizing to regulated the licensing of architects and draughtsman could not be so construed after coming into force of the Architects Act, 1972.*

SLP(Civil) Nos. 6469 and 9396 of 1980 filed against the above order were dismissed by the Hon'ble Supreme Court of India vide order dated 22.04.1983. Copies of the above orders are enclosed herewith for your kind perusal.

I am enclosing herewith copies of the communications sent by Central Government to all State Governments informing that it is only Council of Architecture which can grant registration to a qualified person as an Architect.

I am also enclosing herewith copies of the directions issue by other State Governments to their concerned local bodies in the matter for your kind perusal and ready reference.

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In view of the above, UT Administration of Dadar & Nagar Haveli and Daman & Diu is requested to issue appropriate directions in the matter to all Municipal Corporations, development Authorities, Municipal Councils and local bodies under its jurisdiction to not to insist Architects registered with the Council of Architecture to obtain any registration/license for carrying the profession of architect under their jurisdiction and also not to grant any registration/license as an "Architect" to any person.

Thanking You,

Yours faithfully,

R.K. Oberoi  
Registrar

Encl: As above

Copy for information to:

1. Ms. Tapasya Raghav  
Secretary, Public Works Department  
Ground Floor, Secretariat,  
Fort Area, Moti Daman,  
Daman (U.T.) – 396220
2. Ms. Gurpreet Singh  
Chief Officer  
Daman Municipal Council,  
Fort Area Moti Daman,  
Daman (U.T.) – 396220
3. Ar. Jignesh Kapadia  
'Vastukala'  
Opp. UCO Bank  
Nr. Char Rasta  
Nani Daman  
Daman-396210  
Ph No. 0260-2254533
4. Ar. Tusharkumar Patel  
Aakruti Designers  
15, Amar Shopping Centre  
Dilip Nagar, Nani Daman  
Daman-396210  
Email: aakrutidesigners@gmail.com

**In the High Court of Delhi**

**IN THE HIGH COURT OF DELHI AT NEW DELHI  
L.P.A. No.59 of 1975**

1. The Municipal Corporation of Delhi, through the Commissioner, Town Hall, Delhi.
2. The Commissioner the Municipal Corporation of Delhi, Town Hall, Delhi.
3. The Executive Engineer (Bld), Building Department (HQ), Town Hall, Delhi. ....PETITIONERS

**VERSUS**

1. Shri Ram Kumar Bhardwaj, S/o. Shri Ram Chandra Sharma, 25/149, Shaktinagar, Delhi-7.
2. Shri Kasturi Lal, S/o. Shri Panju Ram, 76-A, East Azad Nagar, Shahdara Delhi.
3. Shri Miri Lal Sanoriya, S/o. Shri Nanak Chand Sanoriya, 2/44 Roop Nagar, Delhi-7
4. Shri R.G. Sanoria, S/o Shri Niader Mal Sanoria, 243, Ajmeri Gate, Delhi-6
5. Shri C.L. Ghal, S/o. Jiwand Lal, 1/32 B, Poorvi Marg, New Delhi-6.
6. Shri Radhe Lal Saxena, S/o. Shri Brj. Basl Lal Saxena, C-1/44, S.J.D.A., New Delhi-7
7. Shri Chanan Ram Sharma, S/o. Sh. Manak Chand Sharma, 4/60, Roop Nagar, Delhi-7.
8. Shri P.S. Jain, S/o. Sh. Bansari Das Jain, 2153, Gali Hanuman Pershad, Masjid Khajoor, Delhi-6. ....RESPONDENTS

LETTERS PATENT UNDER X OF THE LETTERS PATENT AGAINST THE JUDGEMENT DATED 23.5.1975 BY HON'BLE MR. JUSTICE S. RANGARAJAN IN C.W.P. NO. 509/75 and 515/75.

This the 2nd day of April, 1980.

**CORAM:**

HON'BLE THE CHIEF JUSTICE MR. JUSTICE V.S. DESHPANDE  
HON'BLE MR. JUSTICE B.N. KIRPAL.

**FOR THE PETITIONER:**

SHRI MAHARAJ KISHAN WITH SHRI P.R MONGA, ADVOCATE.

**FOR THE RESPONDENT:**

SHRI D.D CHAWLA, SR. ADVOCATE WITH SHRI C.L CHAUDHERY, ADVOCATE

**ORDER**

**V.S. DESHPANDE C.J. (ORAL):**

The respondents are registered as architects under the Architects Act, 1972 and practice as such in the Union Territory of Delhi. They filed two writ petitions challenging the power of the Delhi Municipal Corporation to impose restrictions on their right to practise as architects. The restrictions and the basis on which the restriction was imposed may be described as below :-

Section 2 (25) of the Delhi Municipal Corporation Act, 1957 (the Act) is as below:

"Licensed architect" "licensed draughtsman" "licensed engineer, "licensed plumber, "licensed surveyor" and "licensed town planner" mean respectively a person licensed under the provisions of this Act as an architect, draughtsman, engineer, plumber, surveyor and town planner."

Since the definition of section 2(25) contemplates that a licensed architect or a licensed draughtsman, it is necessary to know the provisions which empower the Corporation to license an architect or a draughtsman under the Act. Section 430 (1) of the Act states that whenever it is provided in this Act or any bye-law made there-under that a license or a "written permission may be

granted for any purpose, such license or a written permission shall be signed by the Commissioner or by the officer empowered to grant the same under this Act or the bye laws made thereunder". There is no specific provision in the Act itself empowering the Corporation to issue license to an architect or a draughtsman. Section 481 (1) of the Act empowers the Corporation to make bye-laws for various matters. Part F thereof empowers the making of bye-laws relating to buildings. Part L thereof empowers the making of bye-laws relating to miscellaneous matters. Clause (7) of Part L is as follows :-

"(7) Any other matter which is to be or may be prescribed by bye-laws made under this Act or in respect of which this Act makes no provisions or makes insufficient provision and provision is, in the opinion of the Corporation, necessary for the efficient municipal government of Delhi."

This is a residuary power to make bye-laws given to the Corporation, if the making of such bye-laws is necessary "for the efficient municipal government of Delhi".

Whatever may have been the position before the coming into force of the Architects Act, 1972, what we have to consider is whether after the coming into force of the said Act the Delhi Municipal Corporation has any power to regulate the practice of architects by the insistence that they must possess a license issued by the Corporation. The Architects Act, 1972 sets out the qualification to be possessed by the persons to be registered as architects under the said Act. It also prohibits persons who do not have such registration from describing themselves as architects and also deals with disciplinary action for misconduct of architects. It is, therefore, a complete enactment the effect of which is that a person cannot call himself an architect unless he is registered under the said Act. Of course, unlike the Advocates Act, which restricts thereunder, the Architects Act does not restrict the practice by architects to persons registered under the said Act. Therefore, some persons who cannot call themselves architects may still be free to do the work which is ordinarily done by architects and they are not dealt with by the Architects Act; whether the Corporation can deal with such persons is not a question which arises before us. Our considerations is limited to the question whether the corporation can regulate the profession and practice of architects registered under the Architects Act, 1972 by insisting that the architects practicing in Delhi and submitting plans for construction of buildings for the approval of the corporation must possess licenses issued by the Corporation.

The provisions in the Act on which such authority could be claimed by the corporation have been discussed above and it has been found that there is no specific provision in the Delhi Municipal Corporation Act itself authorising the corporation to issue licenses to architects. We have, therefore, to seek for such provisions in the bye-laws. 69 Bye-laws 6, 9 and 10(2) of the Building Bye-laws, 1959 refer to the licensed architects as being persons who can submit building plans. In view of the definition of "licensed architects" in section 2(25) the licensed architects referred to in the bye-laws have to be persons who are licensed under the provisions of the Act. The result is that on a consideration of these bye-laws the Commissioner, Delhi Municipal Corporation, issued the letter, dated 7th May, 1974 which is Annexure A to writ petition. In this letter it was proposed that the corporation may frame bye-laws for licensing and registration, inter alia, of draughtsman and architects as required by virtue of powers under 2(25) read with sections 430 and 481 of the Act, and Bye-laws 6 and 9 of the Building bye-laws, 1959. In the bye-laws proposed in this letter, provision is sought to be made to prescribe qualifications to be held by architects and draughtsman before licenses could be issued to them; for payment of license fees, deposit of security amounts by them and certain penalties to be imposed on them for contravention of these bye-laws. The whole scheme of such regulation was challenged by the respondents.

The writ petitions of the respondents are allowed by the learned Single Judge, who granted reliefs prayed for, namely to declare that this regulatory scheme was contrary to the Architects Act, 1972 and superseded by the said Act and, therefore, the purported action of the Corporation was ultra vires the Delhi Municipal Corporation Act, 1957. The resolution No.724, dated 3.9.1974, and the orders dated 2.4.1975 and 15.4.1975 were also apparently quashed by, allowing the writ petitions as a whole. These appeals have been preferred by the Corporation against the said decisions of learned Single Judge.

Two considerations are relevant to determine the authority of the Corporation to regulate the practice of the architects submitting building plans to the Corporation for approval. Firstly, whether the Act and bye-laws framed validly thereunder authorise the Corporation to do so, and secondly, what is the effect on the authority of the Corporation, if any, of the passing of the Architects Act, 1972.

#### CONSIDERATION NO. 1

Presumably, section 2(25) of the Act contemplated issue of licenses to architects and draughtsman because at the time the was framed and enacted there was no Act providing for the registration of architects and issuing of registration certificate to them and thus regulating the profession and practice of Architects. Further, there may be other persons who cannot be registered as architects under the Architects Act, 1972 and in respect of such persons it is arguable that the Corporation had to make some provision because the building plans submitted to the Corporation have to be by persons who are qualified to the satisfaction of the Corporation. It is necessary for the Corporation to ensure that building plans are made by qualified persons and since Corporation authorities cannot be expected to scrutinise the building plans with a view to redrafting them in each and every case some preliminary safeguard that the plans have been prepared by qualified persons could be insisted upon by corporation.

Authority for making bye-laws for this purpose is somewhat tenuous, but it may be spelt out from the provision of section 481 part and Part L, particularly sub section (i) of part L containing the words necessary for the efficient municipal Government of Delhi. In far as the building plans submitted to the Corporation made by persons who are not architects under the Architects Act, 1972 are concerned, we need not say anything as to the power of the Corporation to insist on such to the persons possessing licenses to be issued by the Corporation under the bye-laws framed by the Corporation. In our view, therefore, the authority of the Corporation, if any, is restricted to the licensing and making other related provisions to govern the qualifications and conduct of persons other than the registered architects while submitting building plans to the Corporation. But as will be shown under the second consideration below, the Corporation does not possess any such power after the coming into force of the Architects Act, 1972 in relation to persons who are registered as architects there under.

## CONSIDERATION NO. 2.

Section 502 of the Act is as follows :

"Save as provided in this Act, nothing contained in this Act shall be construed as authorising the disregard by the corporation or any municipal authority or any municipal officer or other municipal employees of any law for the time being enforce."

This salutory provision recognises that the Delhi Municipal Corporation Act being a general measure relating to the functioning of the Corporation is not expected to provide for the details of the various related questions with which the Corporation may have to deal for the time being only or in the absence of special law dealing with such matters. The Architects Act, 1972 is a special law dealing with the qualifications to be possessed by persons for being registered as architects and restricting the terms "architect" or "registered architect" to such persons only. Since the possession of a registration certificate under the Architects Act, 1972 regarded by Parliament as sufficient qualification for the practice of architects and since all related questions have been dealt with in respect of architects by the said Act, it became unnecessary for the Corporation to do so thereafter. In view of section 502 of the Act, the provisions referred to above which could be construed as authorising the corporation to regulate the licensing of architects and draughtsman could not be so construed after coming into force of the Architects Act, 1972.

We accordingly declare that the judgements under appeal by the learned single Judge are not to be understood to mean that the impugned actions of the Corporation including the bye-laws and the resolutions or orders referred to in relief (a) asked for in the writ petitions are quashed for all purposes. It is sufficient for us to declare that none of these provisions will affect in any way the status and practice of persons, including the possession of license and payment of license fee or amounts of security etc. and the respondents shall be free to act as architects and submit building plans to the Municipal Corporation of Delhi without having to comply with any of these provisions.

Subject to these observations, the appeals are dismissed without any order as to costs.

Sd/-  
B.N. Kirpal  
Judge

Sd/-  
V.S. Deshpande  
Chief Justice

Seal High Court of Delhi

Special Leave Petition in Supreme Court of India

Item No.10 Court No.7 041281 Section XIV

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL)

Nos. 6469 and 9396 of 1980 A/N

(From the judgement and order dated 2-4-80 of the High Court of Delhi at New Delhi)

In L.P.A. No. 59/75

Municipal Corpn. of Delhi .....PETITIONER(S)

VERSUS

Ram Kumar Bhardwaj & Ors. etc. (with appln for stay) .....RESPONDENT(S)

Date : 22-4-83. This petition was called on for hearing today.

**CORAM:**

Hon'ble Mr. Justice A. P. Sen  
Hon'ble Mr. Justice E. S. Venkatramiah

**FOR THE PETITIONER(S):**

Mr. L. N. Sinha, A. G. Mr. Subhash Bhatt &  
Mr. B. P. Maheshwari, Advs.

**FOR THE RESPONDENT(S):**

Mr. S. L. Bhatia, Sr. Adv. Mr. B. R. Aggarwal and  
Mr. K. S. Rohtagi, Advs.

Upon hearing counsel the Court made the following

**ORDER**

Special Leave Petitions are dismissed

Sd/-  
Court Master

In the High Court of Delhi

**IN THE HIGH COURT OF DELHI**  
No. C.W.No.547/80

Shri Om Prakash Mittal, through Shri Raghbir Malhotra with Mr. Yash Pal and Mukul Gupta, Advocates

**VERSUS**

Council of Architecture and ors., through Mr. K.R. Nagaraja, Advocates

Date of Decision : September 17, 1982.

**CORAM:**

The Hon'ble Mr. Justice S.B. WAD

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not? Yes
3. Whether their Lordships wish to see the fair copy of the Judgement? Yes

**S.B. Wad, J**

In this petition, under Section 226 of the Constitution the petitioner has challenged the order of the Council of Architecture passed on October 9, 1979, refusing the registration to the petitioner as an Architect, under Section 25(b) of the Architect Act, 1972. The relevant portion of the order reads:

"I regret to inform you that on the basis of the documents submitted, and your personal interview, you cannot be registered as an Architect under Section 25(b) of the Architects Act, 1972 as the Council is not satisfied that you were engaged in practice of ex service as an Architect for more than 5 years prior to 27th April, 1974."

The petitioner has also prayed for a declaration that Sections 35 and 37 of the Act violate Article 14 and 19(1) (g) of the Constitution and are, therefore, unconstitutional.

For appreciating the petitioner's grievance, the object and scheme of the Act will have to be noted. The statement of objects and reasons fully explain the reasons for the passing of the Act. The statement reads:

"Since independence and more particularly with the implementation of the Five-Year Plans, the building construction activity in our country has expanded almost on a phenomenal scale. A large variety of buildings, many of extreme complexity and

# IMPORTANT LETTERS OF CENTRAL/STATE GOVERNMENTS

No.F.17-6/2002-TS.IV, Government of India, Ministry of Human Resource Development  
(Deptt. of Secondary & Higher Education)

Shastri Bhawan, New Delhi  
the 19th December, 2002

To,

All Chief Secretaries of States/UTs

**Subject: Enforcement of the Architects Act, 1972 – issue of Licences by local authorities/agencies – Reg.**

Sir,

As you are aware, the Govt. of India enacted the Architects Act, 1972 under the Act of the Parliament for the registration of Architects and for matters connected their with. This Statutory legislation had come into force w.e.f. 1st September, 1972. The main purpose of this Act is to regulate the practice of Architects and thus to protect the general public from unqualified persons working as Architects and ensure the professional conduct of the practicing Architects.

2. As per the provisions of the Act only those persons "registered" with the Council of Architecture under Architects Act 1972 can use title and style of the "Architect". The Government, therefore, can not recognize any person other than a registered architect or a firm of registered architects practicing as an "Architect" for any purpose whatsoever.

3. In spite of these provisions and also the instructions issued at the level of Central Government vide this Ministry's letter no. 17-9/81-T.3 dated 19-02-82 and 17-01/83 T.13 dated 13.06.84, it is found that the complaints are still being received in the Ministry and the Council of Architecture from various quarters regarding the violation of the provisions of the Architects Act 1972 by local authorities/agencies etc.

4. In view of above, you are requested to kindly arrange to issue necessary directions in terms of provisions of the Architects Acts, 1972 to all the local bodies viz. Municipal Corporation/Municipalities/Improvement Trust/Agencies etc. under your control to ensure that persons registered with the Council of Architecture under the Architects Act, 1972 are issued licenses to act as "Architect" only and bring to their notice also that any contravention of the rules will attract punishment under the Act.

Yours faithfully,

sd/-  
(V.S. Pandey)  
Joint Secretary (Technical)

Copy to The President, Council of Architecture, Zone 6-B, Habitat Centre, Lodi Road, New Delhi  
with reference to his letter dated 30th November, 2002 for information and necessary action.

sd/-  
(B.K. Bhadri)  
Education Officer (T)



# IMPORTANT LETTERS OF CENTRAL/STATE GOVERNMENTS AND ITS BODIES

No.F.17-9/81-T.3  
Government of India  
Ministry of Education & Culture  
(Deptt. Of Education)  
T-3 Section

New Delhi, the 19th February, 1982

To,

Chief Secretaries of State Government

Subject: Enforcement of the Architects Act, 1972, issue of Licences by local authorities -regarding

Sir,

As you are aware, the Govt. of India, with the concurrence of the State Governments, enacted the Architects Act, 1972 for the registration of Architects and for matters connected therewith. This statutory legislation had come into force w.e.f. 1st September, 1972. The main purpose of this Act is to regulate the practice of architects and thus to protect the general public from unqualified persons working as architects and ensure satisfactory practice of the profession. The Central Government constituted the Council of Architecture under Section 3(1) of the Architects Act, 1972 which has been vested with the powers to register architects and also to prescribe standards of professional conduct and etiquette and the code of ethics for architects. All the State Govts./ Union Territories have their nominees on the Council. The Office of the Council is at present located at New Delhi.

2. As per the provisions of the Act only those persons "registered" with the Council of Architecture under the Architects Act, 1972 can use the title and style of "Architect". The Government therefore cannot recognise any person other than a registered architect or a firm of registered architects practicing as an "architect" for any purpose whatsoever.

3. In spite of these provisions and also the fact that the matter has been taken up a number of times by the President of the Council of Architecture, it is found that complaints are still being received in the Council of Architecture from various quarters regarding the violation of the provisions of the Architects Act, 1972 by local authorities/agencies such as some State Govt. Deptts., Municipal Corporations, etc.

4. We shall, therefore, be grateful if you could kindly arrange to issue necessary directions in terms of the provision of the Architects Act, 1972 which has become a statutory legislation to all the Municipal Corporations/Municipalities/Improvement Trusts etc. under your control who are concerned with the issue of licences to persons to function as "architects" under their jurisdiction, to see that only persons registered with the Council of Architecture under the Architects Act, 1972 are issued licences to act as architects and bring to their notice also that any contravention of the rules framed under the Act will not be legally sustainable and will attract punishment as stipulated.

The Council of Architecture, 8-B, Shankar Market, Connaught Circus, New Delhi -110001 will be in a position to give any further information that is desired.

Yours faithfully,

sd/

(C. S. JHA)  
Educational Adviser (TECH.)  
Tele. No.381096

This refers to his letters  
dated 29.8.81 and 17.2.1982

sd/

(S.D. AWALE)  
Assistant Educational Adviser (T)  
Tele. No.381894

Copy to:

The President  
Council of Architecture,  
8-B; Shankar Market,  
Connaught Circus,  
NEW DELHI -1

संख्या 1699  
19-आ-3-1999

प्रोपक,

श्री अतुल कुमार मुन्ता,  
सचिव,  
उत्तर प्रदेश शासन।

सेवा में,

उपाध्यक्ष  
विकास प्राधिकरण,  
मुजफ्फरनगर।

आवास अनुभाग-3

लखनऊ : दिनांक 18 अगस्त, 1999

विषय: आर्किटेक्ट एक्ट-1972 के प्रावधानों को लागू किया जाना।

महोदय,

प्रशासनिक अधिकारी, काउन्सिल आफ आर्किटेक्चर द्वारा शासन के संज्ञान में लाया गया है कि मुजफ्फरनगर विकास प्राधिकरण क्षेत्र में कतिपय व्यक्तियों द्वारा अनधिकृत तरीके से आर्किटेक्ट के रूप में कार्य किया जा रहा है जोकि अनुचित है। उन्होने अनुरोध किया है कि जनसाधारण के हितों की सुरक्षा तथा आर्किटेक्चर प्रोफेशन के संरक्षण हेतु इस पर तत्काल प्रतिबन्ध लगाया जाना आवश्यक है।

2- इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि आर्किटेक्ट एक्ट-1972 एक केन्द्रीय कानून है तथा भारत सरकार के गजट नोटिफिकेशन के दिनांक (31 मई, 1972) से सम्पूर्ण भारतवर्ष में प्रभावी है। इस अधिनियम की धारा-3 के अन्तर्गत काउन्सिल आफ आर्किटेक्चर का गठन किया गया है तथा धारा-37 के प्रावधानों के अन्तर्गत काउन्सिल आफ आर्किटेक्चर से रजिस्टर्ड आर्किटेक्ट के अतिरिक्त किसी अन्य व्यक्ति द्वारा आर्किटेक्ट के वर्क के साथ कार्य करने पर पूर्ण प्रतिबन्ध है। अधिनियम की धारा-39 के अन्तर्गत ऐसा करना एक दण्डनीय अपराध भी है। इसके अतिरिक्त काउन्सिल आफ आर्किटेक्ट से रजिस्टर्ड आर्किटेक्ट को सम्पूर्ण भारतवर्ष में आर्किटेक्ट के रूप में कार्य करने के लिए किसी अन्य स्तर पर रजिस्ट्रेशन कराने अथवा लाइसेंस लेने की भी आवश्यकता नहीं है।

3- कृपया अपने प्राधिकरण क्षेत्र में आर्किटेक्ट एक्ट-1972 के प्रावधानों को प्रभावी ढंग से लागू कराएँ तथा अनधिकृत रूप से आर्किटेक्ट के रूप में प्रैक्टिस कर

रहे व्यक्तियों के विरुद्ध तत्काल आवश्यक कार्यवाही करने का कष्ट करें। कृत कार्यवाही से शासन को भी अवनत कराए।

भवदीय,



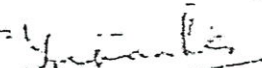
( अतुल कुमार गुप्ता )  
सचिव।

संख्या 1699 (1)/9-आ-3-1999 तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

- 1- श्री कै० गोपाल कृष्ण भट्ट, प्रशासनिक अधिकारी, काउन्सिल आफ आर्किटेक्चर, इण्डिया हेवीटाट सेन्टर, 6-ए, प्रथम तल, लोदी रोड, नई दिल्ली को उनके पत्रांक सी.ए./28/99/ए.ई. दिनांक 27.3.99 जो मुख्य सचिव, उ० प्र० शासन को सम्बोधित है, के संदर्भ में।
- 2- स्टाफ आफिसर, मुख्य सचिव, उत्तर प्रदेश शासन।
- 3- आवास आयुक्त, आवास एवं विकास परिषद, उत्तर प्रदेश, लखनऊ।
- 4- उपाध्यक्ष, समस्त विकास प्राधिकरण, उत्तर प्रदेश।
- 5- प्रेसीडेन्ट, यू०पी० चैम्बर, इण्डियन इंस्टीट्यूट आफ आर्किटेक्ट, 58-हजरतगंज, लखनऊ।

आज्ञा से,

  
(यशवीर सिंह चौहान)

विशेष सचिव।

प्रेषक,

श्री जे.एस. सिंघ,  
सचिव,  
उत्तर प्रदेश शासन।

सेवा में,

1. आवास आयुक्त,  
उत्तर प्रदेश आवास एवं विकास परिषद,  
उत्तर प्रदेश।
2. उपाध्यक्ष,  
समस्त विकास प्राधिकरण,  
उत्तर प्रदेश।
3. अध्यक्ष,  
समस्त विशेष क्षेत्र विकास प्राधिकरण,  
उत्तर प्रदेश।
4. नियन्त्रक प्राधिकारी,  
समस्त विनियमित क्षेत्र,  
उत्तर प्रदेश।

आवास एवं शहरी नियोजन अनुभाग-3

लखनऊ; दिनांक: 22 अगस्त, 2003

विषय: आवास एवं विकास परिषद, विकास प्राधिकरणों तथा नियन्त्रक प्राधिकारियों द्वारा अनुज्ञापित व्यक्तियों को लाईसेन्स जारी किए जाने हेतु आर्कीटेक्ट एक्ट, 1972 के प्राविधानों को लागू किया जाना।

महोदय,

उपर्युक्त विषय के संदर्भ में मानव संसाधन विकास मंत्रालय, भारत सरकार ने इस तथ्य की ओर ध्यान आकर्षण किया है कि आर्कीटेक्ट एक्ट, 1972 एक केन्द्रीय कानून है जो दिनांक 01.09.1972 से लागू है एवं इसका मुख्य प्रयोजन प्रैक्टिसिंग आर्कीटेक्ट्स के प्रोफेशनल आचरण को नियन्त्रित करना तथा सामान्य जनता को ऐसे अपात्र व्यक्तियों से संरक्षण दिलाना है जो अनधिकृत रूप से आर्कीटेक्ट के रूप में कार्यरत हैं। उक्त एक्ट के प्राविधानों के अनुसार आर्कीटेक्ट की उपाधि के रूप में केवल वह व्यक्ति प्रैक्टिस कर सकता है जो काउन्सिल ऑफ आर्कीटेक्ट्स में पंजीकृत है। परन्तु इसके बावजूद मानव संसाधन विकास मंत्रालय के समक्ष ऐसी शिकायतें प्राप्त हो रही हैं कि स्थानीय अभिकरणों द्वारा लाईसेन्स जारी करने में आर्कीटेक्ट एक्ट, 1972 के प्राविधानों का उल्लंघन किया जा रहा है। अतः मानव संसाधन विकास मंत्रालय द्वारा उक्त एक्ट के प्राविधानों को लागू करने हेतु समस्त सम्बन्धित अभिकरणों को आवश्यक निर्देश जारी करने की अपेक्षा की गई है।

3. इस सम्बन्ध में मुझे यह कहने का निर्देश हुआ है कि 'नेशनल बिल्डिंग कोड' में आर्कीटेक्ट, इंजीनियर, स्ट्रक्चरल इंजीनियर, टाउन प्लानर व सुपरवाइजर की अर्हताएं एवं क्षमता सम्बन्धी गार्इडलाइन्स दी गई हैं जिनके आधार पर उत्तर प्रदेश नगर योजना और विकास अधिनियम, 1973 की धारा-57(डी) के अधीन आर्कीटेक्ट टाउन प्लानर, इंजीनियर सर्वेयर, डाफ्ट्समैन आदि को भवन मानचित्र, जलापूर्ति, ड्रेनेज एवं सीवरेंज प्लान बनाने हेतु राज्य सरकार के पूर्वानुमोदन से बनाए गए बाई-लॉज के अनुसार लाईसेन्स जारी करने का अधिकार है। आर्कीटेक्ट एक्ट, 1972 के अनुसार ऐसा तकनीकी व्यक्ति जो अर्ह आर्कीटेक्ट नहीं है एवं काउन्सिल ऑफ आर्कीटेक्ट्स में पंजीकृत नहीं है, आर्कीटेक्ट की हैसियत से व्यवसाय

3. नहीं कर सकता है। अधिनियम की धारा-39 के अन्तर्गत ऐसा करना एक दण्डनीय अपराध भी है। इसके अतिरिक्त काउन्सिल ऑफ आर्कीटेक्ट्स से पंजीकृत आर्कीटेक्ट को सम्पूर्ण भारतवर्ष में आर्कीटेक्ट के रूप में कार्य करने के लिए किसी अन्य स्तर पर पंजीकरण कराने अथवा लाइसेन्स लेने की भी आवश्यकता नहीं है।

4. उपर्युक्त के दृष्टिकोण आर्कीटेक्ट प्रोफेशन के संरक्षण तथा जनसाधारण के हितों की सुरक्षा हेतु अपने प्राधिकरण क्षेत्र में कृपया आर्कीटेक्ट एक्ट, 1972 के अधिनियम को प्रभावी रूप से लागू कराए तथा अनधिकृत रूप से आर्कीटेक्ट के रूप में प्रवृत्त रहे व्यक्तियों के विरुद्ध तत्काल आवश्यक कार्यवाही करना सुनिश्चित करें। कृत कार्यवाही से शासन को भी अवगत कराने का कष्ट करें।

भवदीय

(ज. एस. मिश्र.)

सचिव।

संख्या: 3883(1)/9-आ-3-2003 तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. श्री विनोद कुमार, रजिस्ट्रार, काउन्सिल ऑफ आर्कीटेक्ट, इण्डिया हैबिटाट सेन्टर, 6-ए, प्रथम तल, लोदी रोड, नई दिल्ली।
2. संयुक्त सचिव, तकनीकी, मानव संसाधन विकास मंत्रालय, सेकण्डरी एवं हायर एजुकेशन विभाग, भारत सरकार, शास्त्री भवन, आई दिल्ली को उनके पत्र संख्या एफ-17-6/2002-टीएस. ए. दिनांक 19.12.2002 के संदर्भ में।
3. स्टाफ ऑफिसर, मुख्य सचिव, उत्तर प्रदेश के अवलोकनार्थ।
4. अध्यक्ष समस्त विकास प्राधिकरण, उत्तर प्रदेश।
5. मुख्य नगर एवं ग्राम नियोजक, उत्तर प्रदेश।
3. अध्यक्ष यूपी.रेडको, लखनऊ।
4. अध्यक्ष, उत्तर प्रदेश आर्कीटेक्ट्स एसोसिएशन, 350, सेक्टर-28 नोएडा, उत्तर प्रदेश।
6. अध्यक्ष, यूपी. चैप्टर, इण्डियन इंस्टीट्यूट ऑफ आर्कीटेक्ट्स, लखनऊ।
7. अपर निदेशक, नियोजन, आवास वन्यु।

आज्ञा से

( दिवाकर त्रिपाठी )

विशेष सचिव।

प्रेषक,

पी.सी. शर्मा,  
सचिव,  
उत्तरांचल।

सेवा में

1. अध्यक्ष  
विशेष क्षेत्र विकास प्राधिकरण,  
दूनघाटी/नैनीताल/गंगोत्री।
2. सहायक  
विद्युत प्राधिकरण  
मसूरी-देहरादून/हरिद्वार।
3. नियत प्राधिकारी  
विनियमित क्षेत्र, लडकी/बदीनाथ/औली/कंदारनाथ/गोपेश्वर-चमोली/गौघर/चौपला/पौडी/उत्तरकाशी/श्रीनगर/नया टिहरी/चकराता  
(नवीन)/भिष्मसागड़/कोसानी/हल्द्वानी-बाठगोदान/रुद्रपुर/किष्वा/काशीपुर/ रामनगर/बाजपुर

आवास एवं शहरी विकास

देहरादून: दिनांक १४ जून २००१

विषय: आर्किटेक्चर एक्ट-१९७२ के प्रावधानों को लागू किया जाना।

महोदय,

प्रशासनिक अधिकारी, काउन्सिल ऑफ आर्किटेक्चर द्वारा शासन को संज्ञान में लाया गया है कि उत्तरांचल राज्य में कतिपय व्यक्तियों द्वारा जो वास्तुकार हेतु आवश्यक अर्हताएँ नहीं रखते हैं उन्मूलन से वास्तुकार के रूप में अपने को प्राधिकरणों तथा विनियमित क्षेत्रों में पंजीकृत करवाकर कार्य कर रहे हैं, जो कि आर्किटेक्चर एक्ट १९७२ की धारा २७ के प्रावधानों के विरुद्ध हैं। इससे न केवल वास्तुकारों के व्यवसाय पट्टिक भवनों के निर्माण संबंधी सुरक्षा तथा डिजाइन पर भी प्रतिकूल प्रभाव पड़ा है। वास्तुकारों के व्यवसाय को संरक्षण एवं जनसाधारण के हितों तथा जानमाल की क्षति की सुरक्षा हेतु इस पर तत्काल प्रतिबंध लगाये जाने हेतु उनके द्वारा अनुरोध किया गया है।

2. इस संबंध में मुझे यह कहने का निदेश हुआ है कि आर्किटेक्चर एक्ट १९७२ एक केंद्रीय कानून है तथा भारत सरकार को गजट नोटिफिकेशन संख्या २२९ दिनांक १ सितम्बर १९७२ से सम्पूर्ण भारतवर्ष में प्रभावी है। इस अधिनियम की धारा ३ के अंतर्गत काउन्सिल ऑफ आर्किटेक्चर का गठन किया गया है तथा धारा २७ के प्रावधानों के अंतर्गत काउन्सिल ऑफ आर्किटेक्चर से रजिस्टर्ड आर्किटेक्ट के अतिरिक्त किसी अन्य व्यक्ति द्वारा आर्किटेक्ट के टाइटिल को साथ कार्य करने पर पूर्ण प्रतिबन्ध है। अधिनियम की धारा ३५ के अंतर्गत ऐसा करना १५४ दण्डनीय अपराध भी है। इसके अतिरिक्त काउन्सिल ऑफ आर्किटेक्चर से पंजीकृत आर्किटेक्ट को सम्पूर्ण भारतवर्ष में आर्किटेक्ट के रूप में कार्य करने के लिये किसी अन्य स्तर पर रजिस्ट्रेशन कराने अथवा लाइसेंस लेने की भी आवश्यकता नहीं है, यदि उनका पंजीकरण नियमित रूप से नवीनीकरण हो रहा हो।
3. कृपया अपने क्षेत्र में आप आर्किटेक्चर एक्ट, १९७२ के प्रावधानों को प्रभावी रूप से लागू कराएँ। यदि आपके अभिकरण में कोई व्यक्ति जो काउन्सिल ऑफ आर्किटेक्चर द्वारा आर्किटेक्ट के रूप में पंजीकृत नहीं है तथा उसे इस प्रयोजन हेतु लाइसेंस दिया गया है तो उसका लाइसेंस तुरन्त निरस्त कर दिया जाये। अनाधिकृत रूप से आर्किटेक्ट के रूप में कार्य कर रहे व्यक्तियों के विरुद्ध तुरन्त आवश्यक कार्यवाही करके कृत कार्यवाही से शासन को भी अवगत कराएँ।

भवदीय  
Sd/-  
(पी.सी. शर्मा)  
सचिव

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

1. श्री के गोपाल कृष्ण भट्ट, प्रशासनिक अधिकारी, काउन्सिल ऑफ आर्किटेक्चर, इण्डिया हीवीटाट सेन्टर, ६ ए प्रथम तल, लोधी रोड़, नई दिल्ली को एक पत्रांक सी०ए०/२८/२००१/ईई दिनांक ०४ अप्रैल, २००१ जो मुख्य सचिव उत्तरांचल शासन, देहरादून को संबोधित है, के संदर्भ में।
2. स्टाफ ऑफिसर, मुख्य सचिव, उत्तरांचल शासन।
3. प्रमुख सचिव एवं आयुक्त, अवस्थपना, उत्तरांचल शासन।
4. प्रभारी अधिकारी नगर एवं ग्राम नियोजन विभाग, उत्तरांचल, देहरादून।

आज्ञा से,

Sd/-  
(पी.सी. शर्मा)  
सचिव







GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Implementation of the Architects Act, 1972 (Central Act No. 20 of 1972) in Andhra Pradesh – Instructions to Urban Development Authorities, Municipal Corporations and Municipalities – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M1) DEPARTMENT

G.O. Rt. No. 978 MA..

Dated 15<sup>th</sup> November, 2001

Read:

From Sri. A.B. Reddy, President, Practicing Architects Association  
letter dated 06.12.1999.

\* \* \*

ORDER:

In the letter read above, the President, Practicing Architects Association has represented that the Architects qualified and registered under the Architects Act, 1972 (Central Act No. 20 of 1972) are entitled to practice anywhere in the country without any further permit or registration or empanelment or restriction imposed by any Municipality / Municipal Corporation or Urban Development Authority in view of the settled position of Law explained by the Hon'ble High Court of Delhi in their judgment in C.W.P. 509/75 and 515/75, LPA No. 59/1975 and in view of the dismissal of Special Leave Appeal No. 6469 and 9380 of 1980 by the Supreme Court of India. He also furnished a copy of the letter addressed by the Joint Educational Advisor Government of India, Ministry of Education and Culture, (Department of Education ) dated 28th May, 1984 to all the Chief Secretaries of State Governments wherein he has requested to advise all the local bodies i.e., Municipal Corporations , Municipalities, Urban Development Authorities, not to insist futher registration of fees from the Architects who already registered with the Council of Architecture. They have also submitted that inspite of the above position all the Municipalities and Municipal Corporations are insisting for separate registration / licence thereby causing hardship and imposing unnecessary restrictions. They have th .efore requested to issue necessary instructions to Municipalities / Municipal Corporations / Urban Development Authorities in state.

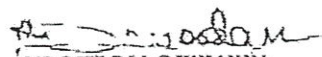
2. Government after careful examination of the matter hereby direct all the Municipalities, Municipal Corporations, and Urban Development Authorities in the state not to insist for separate registration of licence from the Architects registered with the Council of Architecture under the Architects Act, 1972 (Central Act. No. 20 of 1972). However the Architects shall submit the attested copy of the registration certificate along with the submitted plans.
3. The Commissioners of Municipalities / Municipal Corporations and Vice Chairman and Special Officers of Urban Development Authorities are therefore requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K. GOYAL  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioners of all Municipalities in the state (through R.D.D.T.Ps)  
The Commissioners of all Municipal Corporations  
The Vice Chairman and Special Officers of all Urban Development Authorities  
The Director of Town & Country planning, Hyderabad.  
The Chairman Indian Institute of Architects, A.P. Chapter.  
The President Practicing Architects Association, A.P.  
To All Regional Deputy Director of Town Planning (through D.T. & C.P., Hyd. )

//FORWARDED BY ORDER//

  
SECTION OFFICER



Municipal Administration and  
Water Supply Department,  
Secretariat, Chennai - 9

Letter No. 4495/MA/03-4 Dt. 23.3.04.

From  
Shri L.N. Vijayaraghavan, I.A.S.,  
Secretary to Government,  
To

The Commissioner of Municipal Administration, Chennai-5  
The Director of Town Panchayats, Chennai -108  
The Member Secretary, C.M.D.A, Chennai -8  
The Commissioner, Corporation of Chennai  
/Madurai/Coimbatore/Trichy/ Tirunelveli / Salem.

Sir,

Sub: Enforcement of the Architects Act, 1972 - Issue of licenses by local  
authorities/agencies - Regarding.

- Ref. 1. From the Joint Secretary (Technical) to Government of India,  
Ministry of Human Resource Development, New Delhi Lr. No. F-  
17-6/2002/TS IV dt. 19.12.2002.
2. From the Administrative officer, council of Architecture, New Delhi  
Ref.No. CA/28/2003/AE dt. 8.12.2003.
3. From the Commissioner of Town & Country Planning, Letter Rec  
No. 1163/2004/GR dt. 21.1.2004.

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I am directed to say that the Joint Secretary to Government of India, Ministry of Human Resources Development, Department of Secondary and Higher Education, New Delhi has stated that the Government of India enacted the Architects Act, 1972 under the Act of the Parliament for the registration of Architects and for matters connected therewith. This statutory legislation had come into force with effect from 1st September/ 1972. The main purpose of this Act is to regulate the practice of Architects and thus to protect the general public from unqualified persons working as Architects and ensure the professional conduct of the practicing Architects. As per the provisions of the Act only those persons registered with the council of Architecture under Architects Act 1972 can use title and style of the "Architect". The Government, therefore, can not recognise any person other than a registered architect or a firm of registered architects practicing as an "Architect" for any purpose whatsoever. In spite of these

provisions and also the instructions issued at the level of Central Government it is found that the complaints are still being received in the Ministry and the Council of Architecture from various quarters regarding the violation of the provisions of the Architects Act 1972 by local authorities / agencies etc.

2. The Administrative Officer, Council of Architecture, New Delhi has stated that the council of Architecture has been receiving various representations from architects (persons registered with the Council of Architecture) that they are being compelled to register themselves with the Development Authorities, Municipal Corporations, Municipalities in the State of Tamilnadu and pay the licensing fee for practicing (pursuing the profession of an Architect under their jurisdiction. In a case where Municipal Corporation of Delhi had insisted on fresh registration with the local body from the Architects registered with the Council of Architecture, the High Court of Delhi had given a judgement against the Municipal Corporation of Delhi. The latter went in for appeal to the Supreme Court, but the appeal had been dismissed by the Supreme Court on 22nd April 1983.

3. I am therefore directed to request you to implement the provisions of the Architects Act 1972 and ensure that persons registered with the council of Architecture under the Architects Act are issued licenses to act as "Architect" only and no further registration or fees are asked from the Architects already registered with the council of Architecture for practicing their profession. I am also to bring your notice that any contravention of the provision of the Act will attract punishment under the Act.

4. I am also directed to request you to communicate this letter to the executive authorities of all local bodies / Development authorities under your control, immediately.

Yours faithfully,

*M. S. Nandane*  
for Secretary to Government

Copy to: The Commissioner of Town and Country Planning, Chennai -2  
The Joint Secretary (Technical) to Government of India,  
Ministry of Human Resource Development, Department of Secondary  
and Higher Education Shree Bhavan, New Delhi.  
The Administrative Officer, Council of Architecture, India Habitat  
centre, Core 6-A 1st floor, Lodhi road, New Delhi, 110 005.  
The Housing & Urban Development (UD II) Department, Chennai -8.  
Stock File / Spare copies

पत्रांक-11/न०वि०मा०-03/2014 346... न०वि० एवं आ०वि०

बिहार सरकार

नगर विकास एवं आवास विभाग

प्रेषक:-

प्रधान सचिव,  
नगर विकास एवं आवास विभाग  
बिहार, पटना।

सेवा में,

नगर आयुक्त,  
सभी नगर निगम।  
नगर कार्यपालक पदाधिकारी,  
सभी नगर परिषद्/सभी नगर पंचायत।  
मुख्य कार्यपालक पदाधिकारी,

पटना महानगर क्षेत्र प्राधिकार/बिहारशरीफ आयोजना क्षेत्र प्राधिकार/राजगीर क्षेत्रीय आयोजना क्षेत्र प्राधिकार/गया आयोजना क्षेत्र प्राधिकार/बोधगया आयोजना क्षेत्र प्राधिकार/आरा आयोजना क्षेत्र प्राधिकार/मुजफ्फरपुर आयोजना क्षेत्र प्राधिकार/सहरसा आयोजना क्षेत्र प्राधिकार।

पटना, दिनांक- 07.03.2019

विषय :- वास्तुकला परिषद्, नई दिल्ली से निबंधित वास्तुविदों के संबंध में वास्तुकार अधिनियम, 1972 के प्रावधानों को नगरपालिकाओं एवं आयोजना प्राधिकारों में प्रभावी करने के संबंध में।

प्रसंग :- वास्तुकला परिषद्, नई दिल्ली का पत्रांक-CA/28/2016/AE, दिनांक-03.02.2016 एवं दिनांक-30.03.2017 को प्रकाशित Public Notice।

महाशय,

उपर्युक्त विषयक वास्तुकला परिषद् के प्रासंगिक पत्र एवं Public Notice की छायाप्रति संलग्न करते हुए कहना है कि

(1). वास्तुकला परिषद्, नई दिल्ली से प्राप्त प्रासंगिक पत्र में राज्य सरकारों से अधीनस्थ नगरपालिकाओं/विकास प्राधिकारों आदि से वास्तुविदों के निबंधन से छूट के संबंध में दिशानिदेश निर्गत करने का अनुरोध किया गया है, जो निम्न है :-

i) Not to Register any person as an Architect for practising the profession of an architect under their jurisdiction ; and

ii) Allow architects having valid registration as an Architect from the Council of Architecture to carry on the profession of architecture under their jurisdiction without any registration।

(2). वास्तुकला परिषद् द्वारा प्रकाशित Public Notice में माननीय सर्वोच्च न्यायालय द्वारा दिनांक-14.02.2017 को Civil Appeal Nos. 3346-3348 of 2005 में पारित आदेश के संदर्भ में संबंधित प्राधिकारों से किए गए अनुरोध निम्न हैं :-

i) Only an architect (or firm of registered architects) registered under the Architects Act, 1972 with the Council can practice as an architect in the country. Any person not registered as an architect with the Council be not allowed by the development authorities/local bodies/municipal authorities etc. to practice as an architect under their jurisdiction.

ii) No development authority/Local body/Municipal authority i.e; Municipal Corporation, Municipal Council, etc. should insist architects registered with the Council to obtain further registration/license to practice as an Architect under their jurisdiction.

iii) Development Authorities/Local bodies/Municipal Bodies, etc. should not register/license any person as an architect under their jurisdiction.

iv) The relevant existing building bye-laws/regulations requiring registration/licensing any architects be amended to comply with the provisions of the Architects Act, 1972 and the above Order of the Hon'ble Supreme Court of India.

(3). (i). बिहार नगरपालिका अधिनियम, 2007 की धारा-312(4) में वास्तुकार अधिनियम, 2007 के अधीन रजिस्ट्रीकृत वास्तुकार द्वारा योजना तैयार करने का प्रावधान किया गया है, जो निम्न प्रकार है - "Plan" means a plan prepared by a surveyor, or a draughtsman, or an engineer holding a degree of Bachelor of Engineering, or an Architect registered under the Architects Act, 1972 |

(ii). बिहार भवन उपविधि, 2014 के उपविधि-2(107) में Registered Architect को परिभाषित किया गया है, जो निम्न प्रकार है - "Registered Architect" means an Architect registered with the Council of Architecture and who has not been debarred by the Authority |

(iii). बिहार भवन उपविधि, 2014 में संशोधन के क्रम में विभाग के स्तर पर वास्तुविदों एवं अन्य तकनीकी व्यक्तियों तथा भवन निर्माताओं के Online Empanelment से संबंधित प्रावधान किए गए हैं, जो स्वीकृति के क्रम में प्रक्रियाधीन है।

उपरोक्त के आलोक में माननीय सर्वोच्च न्यायालय द्वारा पारित आदेश का अनुपालन करने, वास्तुकला परिषद्, नई दिल्ली से पंजीकृत वास्तुविदों द्वारा समर्पित नक्शा भवन उपविधि के तहत स्वीकृति हेतु मान्य किए जाने तथा इस कार्य हेतु इनका अलग से नगरपालिका एवं आयोजना प्राधिकार के स्तर पर निबंधन नहीं किए जाने का तत्काल निदेश दिया जाता है। नक्शा स्वीकृति से संबंधित आवेदन एवं नक्शे पर संबंधित वास्तुविद्, वास्तुकला परिषद् से आवंटित निबंधन संख्या का उल्लेख करेंगे।

अनुलग्नक - यथोक्त।

विश्वसभाजन

7/3/2019

प्रधान सचिव,

नगर विकास एवं आवास विभाग,  
बिहार, पटना।