PARLIAMENT OF INDIA

RAJYA SABHA

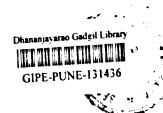
THE ARCHITECTS BILL, 1968

REPORT OF THE JOINT COMMITTEE

(Presented on the 28th November, 1969)



RAJYA SABHA SECRETARIAT
NEW DELHI
NOVEMBER, 1969



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COMPOSITION OF THE JOINT COMMITTEE ON THE ARCHITECTS BILL, 1968

1. Shri Mudumala Henry Samuel-Chairman

MEMBERS

Rajya Sabha

- 2. Shri M. Ruthnaswamy
- 3. Shri Prem Manohar
- 4. Shri Rewati Kant Sinha
- 5. Sardar Narindar Singh Brar
- 6. Shri U. N. Mahida
- 7. Shri M. M. Dharia
- 8. Shrimati Vidyawati Chaturvedi
- 9. Shri Anand Chand
- 10. Shri Baharul Islam
- 11. Shri N. Sri Rama Reddy
- 12. Shri Syed Hussain
- 13. Shri Sinam Krishnamohan Singh
- 14. Shri A. C. Gilbert
- 15. Shri C. L. Varma

Lok Sabha

- 16. Shri Ramchandra J. Amin
- 17. Shri J. B. S. Bist
- 18. Shri Anil K. Chanda
- 19. Shri Tulsidas Dasappa
- 20. Shri Kansari Halder
- 21. Shri J. N. Hazarika
- 22. Shri Hem Barua
- 23. Shri S. M. Joshi
- 24. Shri Dhireswar Kalita
- 25. Kumari Kamla Kumari
- 26. Shri Sitaram Kesri
- 27. Shri Balraj Madhok
- 28. Shri Bijoy Modak
- 29. Shri Piloo Mody
- 30. Shrimati Shakuntala Nayar
- 31. Shri Chintamani Panigrahi
- 32. Shri Anantrao Patil
- 33. Shri V. Narasimha Rao
- 34. Shri P. Antony Reddi

- 35. Shri V. Sambasiyam
- 36. Shrimati Tara Sapre
- 37. Shri Erasmo de Sequeira
- 38. Shrimati Jayaben Shah
- 39. Shri Naval Kishore Sharma
- .40. Shri Prakash Vir Shastri
- 41. Shri P. Sivasankaran
- 42. Shri S. D. Somasundaram
- 43. Shri M. G. Uikey
- 44. Shri G. Venkatswamy
- 45. Dr. V. K. R. V. Rao.

REPRESENTATIVES OF THE MINISTRIES

Ministry of Law

- 1. Shri P. L. Gupta, Additional Legislative Counsel.
- 2. Shri R. N. Shinghal, Deputy Legislative Counsel.

Ministry of Education and Youth Services

- 1. Shri L. S. Chandra Kant, Joint Educational Adviser.
- 2. Shri M. N. Baliga, Assistant Educational Adviser (T).

SECRETARIAT

- 1. Shri S. S. Bhalerao, Joint Secretary.
- 2. Shri S. P. Ganguly, Deputy Secretary.
- 3. Shri Kishan Singh, Under Secretary.

REPORT OF THE JOINT COMMITTEE

I, the Chairman of the Joint Committee to which the Bill* to provide for the registration of architects and for purposes connected therewith, was referred, having been authorised to submit the Report on their behalf, present this their Report, with the Bill as amended by the Committee, annexed thereto.

- 2. The Bill was introduced in the Rajya Sabha on the 10th December, 1968. The motion for reference of the Bill to a Joint Committee of the Houses was moved by Prof. V. K. R. V. Rao, Minister of Education, on the 15th May, 1969 and was adopted by the House on the same day (Appendix I).
- 3. The Lok Sabha discussed and concurred in the motion on the 16th May, 1969 (Appendix II).
 - 4. The message from Lok Sabha was reported to Rajya Sabha on the 16th May, 1969.
 - 5. The Committee held nine sittings in all.
 - 6. At their first sitting held on the 17th May, 1969 the Committee decided that a Press Communique be issued inviting opinions from various individuals, associations and other bodies interested in the subject-matter of the Bill and advising them to send memoranda thereon to the Rajya Sabha Secretariat by the 14th June, 1969. The Committee also desired that some leading organisations connected with architectural profession be approached for giving their views on the Bill.
 - 7. Twenty-seven Memoranda etc. on the Bill were received by the Committee (Appendix III).
 - 8. The Committee heard evidence tendered by six witnesses (Appendix IV).
 - 9. The Committee decided that the evidence tendered before them may be laid on the Table of the House.
 - 10. The Report of the Committee was to be presented by the 29th August, 1969. The Committee were however granted an extension of

^{*}Published in Part II, Section 2 of the Gazette of India Extraordinary, dated the 10th December, 1968.

time upto the last day of the Seventieth (November-December, 1969) Session of the Rajya Sabha.

- 11. The Committee considered and adopted the Draft Report on the 21st November, 1969.
- 12. The principal changes suggested by the Committee in the Bill and the reasons therefor are set out in the succeeding paragraphs:—

CLAUSE 2

Paragraph (a).—During the course of tendering oral evidence before the Committee some witnesses contended that the definition of the term "architect" as given in the Bill could be construed to mean that a person other than an architect would not be qualified to design and supervise the erection of any building. Such an interpretation, it was apprehended, would debar a large number of persons including Civil Engineers to continue to earn their livelihood as architects even though they had been practising that profession for a number of years. Several members of the Committee also felt the same doubt.

To remove this misgiving the Committee have amended the definition of the term "architect" so that the title may be used by all persons, irrespective of their qualification, whose names are borne on the register of architects to be maintained by the Architect's Registration Council.

Paragraph (f) (Original).—Consequent on the amendment to paragraph (a) above defining the term "architect" the definition of the expression 'registered architect' in paragraph (f) has become redundant. The Committee have, therefore, deleted the paragraph.

CLAUSE 3

Sub-Clause (3).—The Committee are of the opinion that in the matter of constitution of the Architect's Registration Council, heavy weightage has been given in the Bill to those holding office under the Government and Semi-Government bodies as nominees of those bodies, leaving very little scope for representation of non-official professional bodies.

In order, therefore, to increase the representation of non-officials on the Council the Committee have decided that:

(i) the Governments of States need not necessarily be represented on the Council by an architect to the Government of the State concerned or by an architect serving under that Government. Instead, the Government of a State should have discretion to nominate any architect from that State. Paragraph (f) has been

- (ii) the representation of the Institution of Engineers (India) to the Council should be increased from one to two persons. Paragraph
 (g) has been amended to provide for such increased representation.
- (iii) the Institution of Surveyors of India should also be represented in the Council by one of its members. A new paragraph (h) has been added for the purpose.

A new Explanation has been added to the sub-clause which is of a clarificatory nature.

Sub-clause (4).—The Committee are of the opinion that pending the preparation of the register of architects, the Central Government may nominate to the first Council, persons referred to in paragraph (a) of sub-clause (3) only in consultation with the Indian Institute of Architects.

The sub-clause has therefore, been amended suitably.

Sub-clause (5) (new).—The sub-clause has been added to facilitate representation of persons referred to in paragraph (f) of sub-clause (3) from each State in the first Council pending the preparation of the register in consultation with the State Government concerned.

CLAUSE 5

The Committee are of the opinion that where any dispute arises regarding any election, it should appropriately be referred for decision to a Tribunal appointed by the Central Government for the purpose. The clause has been amended suitably to achieve the object. Ancillary matters have also been provided for in the clause.

CLAUSE 8

The Committee are of the opinion that a person convicted and sentenced to imprisonment for not less than two years, for whatever offence should be debarred from election or nomination to the Council. While amending the clause for the purpose, the Committee have also fixed five years as the period for which such a person should continue to be ineligible for election or nomination to the Council after his release.

CLAUSE 16

The scope of the clause has been widened in order to enable the Central Government to amend Part I or Part II of the Schedule after consultation with the Council for the purpose of recognising any architectural qualification.

CLAUSE 20

The Committee are of the opinion that the procedure for withdrawal of recognition of any qualification awarded by an institution, as originally provided in the clause was time-consuming and should, if possible, be simplified. The Committee have accordingly amended the clause to simplify the procedure.

CLAUSE 25

The Committee have liberalised the condition for registration of a person as an architect who does not hold any recognised qualification but who has been engaged in practice as an architect for a period of not less than 5 years. Two of the conditions prescribed for the purpose in the original clause viz. (i) that the practice as an architect should have been his principal means of livelihood; and (ii) that he should be a member of the Indian Institute of Architects, have been removed.

CLAUSE 31 (ORIGINAL)

The Committee are of the opinion that since the removal of the name of an architect from the register on the grounds enumerated in sub-clause (2) of clause 29, would be ordered by the Council only when the Council was fully satisfied as to the justification thereof after giving the said architect reasonable opportunity of being heard and making such further enquiry as the Council might think fit, there was no need for making further provision for an appeal to the Central Government in this regard. The clause has, therefore, been deleted.

CLAUSE 34 (ORIGINAL CLAUSE 35)

After the coming into force of this Act, a person who is not entitled to use the title and style of architect cannot call himself an architect. If therefore, a plan or a certificate in respect of any building is required by or under any law from an architect it must be signed by a person whose name is borne on the register to be maintained under this Act. The Committee, therefore, are of the opinion that a provision like the one made in sub-clause (2) (original) of this clause is not required and have accordingly deleted the sub-clause.

CLAUSE 37 (ORIGINAL)

The Committee are of the view that if the clause is allowed to stand, every architect, irrespective of the fact whether he is or is not eligible for registration, might after the commencement of the Act and before the register is completed be liable to punishment. The clause has therefore been deleted.

CLAUSE 36 (ORIGINAL CLAUSE 38)

The original clause contemplated protection to the profession of architect. The Bill, as now amended by the Committee however, provides for the protection of the use of the title and style of architect only. The clause has accordingly been amended to suit the requirements of provisions of the Bill, as it has emerged from the Committee.

THE SCHEDULE

The Committee have revised the Schedule so as to make it more comprehensive by including therein all the architectural qualifications that are approved by the U.P.S.C. for the purpose of recruitment to the post of architect.

The other changes made in the Bill are of consequential or drafting nature.

13. The Committee recommend that the Bill, as amended, be passed.

MUDUMALA HENRY SAMUEL, Chairman of the Joint Committee.

New Delhi; November 21, 1969.

MINUTE OF DISSENT

With Clause 38 standing as in the original Bill, the Act would have debarred any person, other than a registered Architect, from practising the profession of an Architect.

In such circumstances, I feel that the provision of Clause 25(1)(b) (which enables registration of any citizen who does not hold any qualification mentioned in the Schedule, but has been engaged in practice as an Architect for a period of not less than 5 years) would have been both justified, and necessary. Otherwise, we would have debarred those who have already been practising this profession for a long time, from continuing to practise.

Now that the provisions of Clause 38(1) have been modified to debar not the practice of the profession of an Architect, but only the use of the name and style of Architect. I cannot find justification for the continuation in the Bill of the provisions of Clause 25(1)(b).

In fact I feel that it is unfair to permit a person, who is not a qualified Architect, to use the name and style of Architect, especially when the purpose of the Bill is now restricted only to the protection of this name and style. As such, I feel that sub-clause (1) (b) of Clause 25 should have been deleted from the Bill.

ERASMO DE SEQUEIRA.

THE ARCHITECTS BILL, 1968

ARRANGEMENT OF CLAUSES

CHAPTER I

PRELIMINARY

CLAUSES

- Short title, extent and commencement.
- 2. Definitions.

CHAPTER II

ARCHITECTS' REGISTRATION COUNCIL

- 3. Constitution of Council.
- 4. President and Vice-President of Council.
- 5. Mode of elections.
- 6. Term of office and casual vacancies.
- 7. Vacancies in Council not to invalidate action taken.
- 8. Disabilities.
- 9. Meetings of Council.
- 10. Executive Committee and other committees.
- 11. Fees and allowances to President, Vice-President and members.
- 12. Officers and employees of Council and their remuneration.
- 13. Finances of Council.
- 14. Recognition of qualifications granted by authorities in India.
- Recognition of architectural qualifications granted by authorities in countries with which there is a scheme of reciprocity.
- 16. Powers of Central Government to amend Schedule
- 17. Effect of recognition.
- Power to require information as to courses of study and examinations.
- 19. Inspection of examinations.
- Withdrawal of recognition.
- 21. Minimum standard of architectural education.
- 22. Professional conduct.

CLAUSES

CHAPTER III

REGISTRATION OF ARCHITECTS

- 23. Preparation and maintenance of register.
- 24. First preparation of register.
- 25. Qualification for entry in register.
- 26. Procedure for subsequent registration.
- 27. Renewal fees.
- 28. Entry of additional qualification.
- 29. Removal from register.
- Procedure in inquiries relating to misconduct.
- 31. Restoration to register.
- 32. Issue of duplicate certificates.
- 33. Printing of register.
- 34. Effect of registration.

CHAPTER IV

MISCELLANEOUS

- 35. Penalty for falsely claiming to be registered.
- Prohibition against use of title.
- Failure to surrender certificate of registration.
- Cognizance of offences.
- Information to be furnished by Council and publication thereof.
- 40. Protection of action taken in good faith.
- 41. Members of Council and officers and employees to be public servants.
- 42. Power to remove difficulties.
- 43. Power of Central Government to make rules.
- 44. Power of Council to make regulations.

THE SCHEDULE

THE ARCHITECTS BILL, 1968

[AS REPORTED BY THE JOINT COMMITTEE]

[Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions.]

A

BILL

to provide for the registration of architects and for purposes connected therewith.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Architects Act, 1969.

Short title, extent and commencement.

(2) It extends to the whole of India.

21 of 1860. 15

- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
 - 2. In this Act, unless the context otherwise requires,—

Defini-

- (a) "architect" means a person whose name is for the time tions. being entered in the register;
 - (b) "Council" means the Architect's Registration Council constituted under section 3;
 - (c) "Indian Institute of Architects" means the Indian Institute of Architects registered under the Societies Registration Act, 1860;

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- (d) "recognised qualification" means any qualification in architecture for the time being included in the Schedule;
- (e) "register" means the register of architects maintained under section 23;
- (f) "regulation" means a regulation made under this Act by the Council:
- (g) "rule" means a rule made under this Act by the Central Government.

CHAPTER II

ARCHITECTS' REGISTRATION COUNCIL

Constitution of Council.

- 3. (1) The Central Government shall, by notification in the Official Gazette, constitute, with effect from such date as may be specified in the notification, a Council to be known as the Architects' Registration Council, which shall be a body corporate, having perpetual succession and a com- 15 mon seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and may by that name sue or be sued.
- (2) The head office of the Council shall be at Delhi or at such other place as the Central Government may, by notification in the Official 20 Gazette, specify.
 - (3) The Council shall consist of the following members, namely:-
 - (a) five * architects possessing recognised qualifications elected by the Indian Institute of Achitects from among its members;
 - (b) two persons nominated by the All India Council for Techni- 25 cal Education established by the Resolution of the Government of India in the Ministry of Education No. F. 16-10/44-E. III, dated the 30th November, 1945;
 - (c) five persons elected from among themselves by heads of architectural institutions in India imparting full-time instruction 30 for recognised qualifications.
 - (d) the Chief Architects in the Ministries of the Central Government to which the Government business relating to defence and railways has been allotted and the head of the Architectural Organisation in the Central Public Works Department, ex-officio;
 - (e) one person nominated by the Central Government;
 - (f) an architect from each State nominated by the Government of that State;
 - (g) two persons nominated by the Institution of Engineers (India) from among its members; and
 - (h) one person nominated by the Institution of Surveyors of India from among its members.

Explanation.—For the purposes of this sub-section—

(a) "Institution of Engineers (India)" means the Institution of Engineers (India) first registered in 1920 under the Indian Companies Act, 1913 and subsequently incorporated by a Royal Charter in 1935.

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21 of 1860.

- (b) "institution of Surveyors" means the institution of Surveyors registered under the Societies Registration Act, 1860.
- (4) Notwithstanding anything contained in clause (a) of sub-section (3), the Central Government may, pending the preparation of the re-5 gister, nominate to the first Council, in consultation with the Indian Institute of Architects, persons referred to in the said clause (a) out of persons who are eligible for registration in the register, and such persons shall hold office for such period as the Central Government may, by notification in the Official Gazette, specify.
- (5) Notwithstanding anything contained in clause (f) of sub-section 10 (3), the Central Government may, pending the preparation of the register, nominate to the first Council, in consultation with the State Government concerned, a person referred to in the said clause (f), out of persons who are eligible for registration in the register, and such persons shall 15 hold office for such period as the Central Government may, by notification in the Official Gazette, specify.
 - 4. (1) The President and the Vice-President of the Council shall be elected by the members of the Council from among themselves:

President and Vice-President of Coun-

Provided that on the first constitution of the Council and until the 20 President is elected, a member of the Council nominated by the Cencil. tral Government in this behalf shall discharge the functions of the President.

(2) An elected President or Vice-President of the Council shall hold office for a term of three years or till he ceases to be a member of the 25 Council, whichever is earlier, but subject to his being a member of the Council, he shall be eligible for re-election:

Provided that-

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- (a) the President or the Vice-President may, by writing under his hand addressed to the Vice-President or the President, as the case may be, resign his office;
- (b) the President or the Vice-President shall, notwithstanding the expiry of his term of three years, continue to hold office until his successor enters upon his office.
- (3) The President and the Vice-President of the Council shall exer-35 cise such powers and discharge such duties as may be prescribed by regulations.
 - 5. (1) Elections under this Chapter shall be conducted in such manner Mode of as may be prescribed by rules.

elections.

(2) Where any dispute arises regarding any such election, the matter 40 shall be referred by the Council to a Tribunal appointed by the Central Government in this behalf, and the decision of the Tribunal shall be final:

Provided that no such reference shall be made except on an application made to the Council by an aggrieved party within thirty days from the date of the declaration of the result of the election.

(3) The expenses of the Tribunal shall be borne by the Council.

Term
of office
and casual vacancies.

- 6. (1) Subject to the provisions of this section, an elected or nominated member shall hold office for a term of three years from the date of his election or nomination or until his successor has been duly elected or nominated, whichever is later.
- (2) An elected or nominated member may, at any time, resign his 5 membership by writing under his hand addressed to the President, or in his absence to the Vice-President, and the seat of such member shall thereupon become vacant.
 - (3) A member shall be deemed to have vacated his seat—
 - (i) if he is absent without excuse, sufficient in the opinion of the Council, from three consecutive ordinary meetings of the Council; or
 - (ii) in the case where he has been elected under clause (a) of sub-section (3) of section 3, if he ceases to be a member of the Indian Institute of Architects, or
 - (iii) in the case where he has been elected under clause (c) of 15 sub-section (3) of section 3, if he ceases to hold his appointment as the head of an institution referred to in the said clause.
- (4) A casual vacancy in the Council shall be filled by fresh election or nomination, as the case may be, and the person so elected or nominated to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was elected or nominated.
- (5) Members of the Council shall be eligible for re-election or renomination.

Vacancies in
Council
not to
invalidate
action
taken,

- 7. No act or proceeding of the Council shall be invalid merely by reason of—
 - (a) any vacancy in, or defect in the constitution of, the Council, or
 - (b) any defect in the election or nomination of a person acting as a member thereof, or

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(c) any irregularity in procedure not affecting the merits of the case.

Disabilities.

- 8. A person shall not be eligible for election or nomination as a member of the Council, if he—
 - (a) is an undischarged insolvent; or

(b) has been convicted by a Court in India for any offence and sentenced to imprisonment for not less than two years, and shall continue to be ineligible for a further period of five years since his release.

Meetings of Council

- 9. (1) The Council shall meet at least once in every six months at 40 such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by regulations.
- (2) Unless otherwise prescribed by regulations, nine members of the Council shall form a quorum, and all the acts of the Council shall 45 be decided by a majority of the members present and voting.

- (3) In the case of an equal division of votes, the President or, in his absence, the Vice-President or, in the absence of both, the member presiding over the meeting, shall have a second or casting vote.
- 10. (1) The Council shall constitute from among its members an Execu-5 Executive Committee, and may also constitute other committees for tive Comsuch general or special purposes as the Council deems necessary to carry out its functions under this Act.

and other committees.

- (2) The Executive Committee shall consist of the President and the Vice-President of the Council who shall be members 10 and five other members who shall be elected by the Council from among its members.
 - (3) The President and the Vice-President of the Council shall be the Chairman and Vice-Chairman respectively of the Executive Committee.
- (4) A member of the Executive Committee shall hold office as such 15 until the expiry of his term as a member of the Council but subject to his being a member of the Council, he shall be eligible for re-election.
 - (5) In addition to the powers and duties conferred and imposed on it by this Act, the Executive Committee shall exercise such powers and discharge such duties as may be prescribed by regulations.
- 11. The President, the Vice-President and other members of the Coun- Fees and cil shall be entitled to such fee and allowances as the Council may, with allowanthe previous sanction of the Central Government, fix in this behalf.

President, Vice-President and members. Officers and employees of Council and their remune-

12. (1) The Council shall-

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- (a) appoint a Registrar who shall act as its Secretary and who may also act, if so decided by the Council, as its treasurer;
- (b) appoint such other officers and employees as the Council deems necessary to enable it to carry out its functions under this ration. Act:
- (c) with the previous sanction of the Central Government, fix the pay and allowances and other conditions of service of officers and 30 employees of the Council.
- (2) Notwithstanding anything contained in clause (a) of sub-section (1), for the first three years from the first constitution of the Council, the Registrar of the Council shall be a person appointed by the Central Gov-35 ernment, who shall hold office during the pleasure of the Central Gov-
 - (3) All the persons appointed under this section shall be the employees of the Council.
- 13. (1) There shall be established a Fund under the management Finan-40 and control of the Council into which shall be paid all moneys received ces of by the Council and out of which shall be met all expenses and liabilities Council properly incurred by the Council.

- (2) The Council may invest any money for the time being standing to the credit of the Fund in any Government security or in any other security approved by the Central Government.
- (3) The Council shall keep proper accounts of the Fund distinguishing capital from revenue.
- (4) The annual accounts of the Council shall be subject to audit by an auditor to be appointed annually by the Council.

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(5) As soon as may be practicable at the end of each year, but not later than the thirtieth day of September of the year next following, the Council shall cause to be published in the Gazette of India a copy of the audited accounts and the report of the Council for that year and copies of the said accounts and report shall be forwarded to the Central Government.

(6) The Fund shall consist of-

- (a) all money received from the Central Government by way of 15 grant, gift or deposit;
- (b) any sums received under this Act whether by way of fee or otherwise.

Recognition of qualifications granted by authorities in India.

- 14. (1) The qualifications included in Part I of the Schedule shall be recognised qualifications for the purposes of this Act.
- (2) Any authority in India which grants an architectural qualification not included in Part I of the Schedule may apply to the Central Government to have such qualification recognised, and the Central Government, after consulting the Council, may, by notification in the Official Gazette, amend Part I of the Schedule so as to include such qualification therein, 25 and any such notification may also direct that an entry shall be made in the Schedule against such architectural qualification declaring that it shall be a recognised qualification only when granted after a specified date.

Recognition of architectural qualification, granted by authorities in countries with which there is a scheme of reciprocity.

- 15. (1) The architectural qualifications granted by authorities outside 30 India which are included in Part II of the Schedule shall be recognised qualifications for the purposes of this Act.
- (2) The Council may enter into negotiations with an authority in any country outside India which by the law of such country is entrusted with the maintenance of a register of architects, for the settling of a 35 scheme of reciprocity for the recognition of architectural qualifications, and in pursuance of any such scheme, the Central Government may, by notification in the Official Gazette, amend Part II of the Schedule so as to include therein the architectural qualification which the Council has decided should be recognised, and any such notification may also direct 40 that an entry shall be made in the Schedule against such architectural qualification declaring that it shall be a recognised qualification only when granted after a specified date.
- (3) The qualifications included in Part II of the Schedule shall not entitle persons other than citizens of India to registration unless they 45 have been declared to be recognised qualifications in accordance with the provisions of sub-section (2).

16. Notwithstanding anything contained in sub-section (2) of section Powers i4 or sub-section (2) of section 15, the Central Government, after consultation with the Council, may, by notification in the Official Gazette, amend any part of the Schedule by directing that an entry be made therein in to am-5 respect of any architectural qualification.

tral Government end Schedule.

17. Notwithstanding anything contained in any other law, but subject Effect of to the provisions of this Act, any recognised qualification shall be a recognisufficient qualification for enrolment in the register.

18. Every authority in India which grants a recognised qualification Power to shall furnish such information as the Council may, from time to time, require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualification is conferred and generally as to the requisites for obtaining such and exa-15 qualification.

information as to courses of study tions.

19. (1) The Executive Committee shall, subject to regulations, if any, Inspecmade by the Council, appoint such number of inspectors as it may deem tion of requisite to inspect any college or institution where architectural education is given or to attend any examination held by any college or institu-20 tion for the purpose of recommending to the Central Government recognition of architectural qualifications granted by that college or institution.

- (2) The inspectors shall not interfere with the conduct of any training or examination, but shall report to the Executive Committee on the 25 adequacy of the standards of architectural education including equipment, accommodation, training and such other facilities as may be prescribed by regulations for giving such education or on the sufficiency of every examination which they attend.
- (3) The Executive Committee shall forward a copy of such report to 30 the college or institution and shall also forward copies with remarks, if any, of the college or institution thereon, to the Central Government.
 - 20. (1) When upon report by the Executive Committee it appears Withto the Council-

drawal of recogni-

(a) that the courses of study and examination to be under-tion. gone in, or the proficiency required from the candidates at any examination held by, any college or institution, or

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- (b) that the staff, equipment, accommodation, training and other facilities for staff and training provided in such college or institution,
- 40 do not conform to the standards prescribed by regulations the Council shall make a representation to that effect to the appropriate Govern-
- (2) After considering such representation the appropriate Government shall forward it along with such remarks as it may choose to make 45 to the college or institution concerned, with an intimation of the period within which the college or institution, as the case may be, may submit its explanation to the appropriate Government.

(3) On receipt of the explanation or where no explanation is submitted within the period fixed, then on the expiry of that period, the State Government, in respect of the college or institution referred to in clause (b) of sub-section (5), shall make its recommendations to the Central Government.

(4) The Central Government—

- (a) after making such further enquiry, if any, as it may think fit; in respect of the college or institution referred to in sub-section
- (b) on receipt of the explanation from a college or institution 10 referred to in clause (a) of sub-section (5), or where no explanation is submitted within the period fixed then, on the expiry of that

may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate part of the Schedule against the architectural 15 qualification awarded by such college or institution, as the case may be, declaring that it shall be a recognised qualification only when granted before a specified date and the Schedule shall be deemed to be amended

- (5) For the purposes of this section, appropriate means,government 20
 - (a) in relation to any college or institution established by an Act of Parliament or managed, controlled or financed by the Central Government, the Central Government, and
 - (b) in any other case, the State Government.

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Miniarchitectural education.

21. The Council may prescribe the minimum standards of architecmum stand. tural education required for granting recognised qualifications by colleges or institutions in India.

Professional conduct

- 22. (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) 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.

CHAPTER III

REGISTRATION OF ARCHITECTS

Preparation and maintenance of register.

- 23. (1) The Central Government shall, as soon as may be, cause to be prepared in the manner hereinafter provided a register of architects
- (2) The Council shall upon its constitution assume the duty of maintaining the register in accordance with the provisions of this

- (3) The register shall include the following particulars, namely:
- (a) the full name with date of birth, nationality and residential address of the * architect;
- (b) his qualification for registration, and the date on which he obtained that qualification and the authority which conferred it;
 - (c) the date of his first admission to the register;
 - (d) his professional address; and
 - (e) such further particulars as may be prescribed by rules.
- 24. (1) For the purposes of preparing the register of architects for First preto the first time, the Central Government shall, by notification in the paration Official Gazette, constitute a Registration Tribunal consisting of three of regispersons who have, in the opinion of the Central Government, the knowledge of, or experience in, architecture; and the Registrer appointed under section 12 shall act as Secretary of the Tribunal.

- (2) The Central Government shall, by the same or a like notification, appoint a date on or before which application for registration, which shall be accompanied by the fee to be prescribed by rules, shall be made to the Registration Tribunal.
- (3) The Registration Tribunal shall examine every application re-20 ceived on or before the appointed day and if it is satisfied that the applicant is qualified for registration under section 25, shall direct the entry of the name of the applicant in the register.
- (4) The first register so prepared shall thereafter be published in such manner as the Central Government may direct and any person 25 aggrieved by a decision of the Registration Tribunal expressed or implied in the register so published may, within thirty days from the date of such publication, appeal against such decision to an authority appointed by the Central Government in this behalf by notification in the Official Gazette.
- (5) The authority appointed under sub-section (4) shall, after giving the person affected an opportunity of being heard and after calling for relevant records, make such order as it may deem fit.
- (6) The Registrar shall amend, where necessary, the register in accordance with the decisions of the authority appointed under sub-35 section (4).
 - (7) Every person whose name is entered in the register shall be issued a certificate of registration in the form as may be prescribed by rules.
- (8) Upon the constitution of the Council, the register shall be given 40 into its custody, and the Central Government may direct that all or any specified part of the application fee for registration in the first register shall be paid to the credit of the Council.

- 25. A person shall be entitled on payment of the fee to be prescribed by rules to have his name entered in the register, if he resides or carr.es on the profession of architect in India and if he—
 - (a) holds a recognised qualification, or

Qualification for entry in register. (b) does not hold such a qualification but being a citizen of 5 India, has been engaged in practice as an architect * * * for a period of not less than five years prior to the date appointed under subsection (2) of section 24; * * *

Provided that no person other than a citizen of India shall be entitled to registration by virtue of a qualification—

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- (a) specified in Part I of the Schedule unless by the law and practice of a country outside India to which such person belongs, citizens of India holding architectural qualification registrable in that country are permitted to enter and practise the profession of architect in such country, or
- (b) specified in Part II of the Schedule unless the Central Government has, in pursuance of a scheme of reciprocity or otherwise, declared that qualification to be a recognised qualification.

Procedure for subsequent registration,

- 26. (1) After the date appointed for the receipt of applications for registration in the first register of architects, all applications for registration shall be addressed to the Registrar of the Council and shall be accompanied by such fee as may be prescribed by rules.
- (2) If upon such application the Registrar is of opinion that the applicant is entitled to have his name entered in the register he shall enter thereon the name of the applicant:

Provided that no person, whose name has under the provisions of this Act been removed from the register, shall be entitled to have his name entered in the register except with the approval of the Council.

- (3) Any person whose application for registration is rejected by the Registrar may, within three months of the date of such rejection, appeal 30 to the Council, who shall decide the same.
- (4) Upon entry in the register of a name under this section, the Registrar shall issue a certificate of registration in the form as may be prescribed by rules.

Rene-Wal fees.

- 27. (1) The Central Government may, by notification in the Official 35 Gazette, direct that for the retention of a name in the register after the 31st day of December of the year following the year in which the name is first entered in the register, there shall be paid annually to the Council such renewal fee as may be prescribed by rules and where such direction has been made, such renewal fee shall be due to be paid before the first 40 day of April of the year to which it relates.
- (2) Where the renewal fee is not paid before the due date, the Registrar shall remove the name of the defaulter from the register:

Provided that a name so removed may be restored to the register on such conditions as may be prescribed by rules.

- (3) On payment of the renewal fee, the Registrar shall in the manner to be prescribed by rules, endorse the certificate of registration accordingly.
- 28. An architect shall, on payment of the fee as may be prescribed by Entry 5 rules, be entitled to have entered in the register any further recognised qualification which he may obtain.

of additional qualification.

- 29. (1) The Council may, by order, remove from the register the name Removal of any architect
 - register.
 - (a) from whom a request has been received to that effect; or
 - (b) who has died since the last publication of the register.
- (2) Subject to the provisions of this section, the Council may order that the name of any architect shall be removed from the register where it is satisfied, after giving him a reasonable opportunity of being heard and after such further inquiry, if any, as it may think fit to make,-
- (a) that his name has been entered in the register by error or 15 on account of misrepresentation or suppression of a material fact; or
 - (b) that he has been convicted of any offence which, in the opinion of the Council, involves moral turpitude; or
 - (c) that he is an undischarged insolvent; or
- (d) that he has been adjudged by a competent court to be of 20 unsound mind.
- (3) An order under sub-section (2) may direct that any architect whose name is ordered to be removed from a register shall be ineligible for registration under this Act either permanently or for such period of 25 years as may be specified.
 - (4) An order under sub-section (2) shall not take effect until the expiry of three months from the date thereof.
- (5) A person whose name has been removed from the register under this section or under sub-section (2) of section 27 or where such person 30 is dead, his legal representative as defined in section 2 of the Code of Civil Procedure, 1908, shall forthwith surrender his certificate of registration to the Registrar, and the name so removed shall be published in the Official Gazette.

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30. (1) When on receipt of a complaint made to it, the Council is of Proce-35 opinion that any * architect has been guilty of professional mis-conduct dure in which, if proved, will render him unfit to practise as an architect, the inquiries Council may hold an inquiry in such manner as may be prescribed by ruies.

relating to misconduct.

(2) After holding the inquiry under sub-section (1) and after hearing the architect, the Council may, by order, reprimand the said architect or suspend him from practice as an architect or remove his name from the register or pass such other order as it thinks fit.

Restoration to register. 31. The Council may, at any time, for reasons appearing to it to be sufficient and subject to the approval of the Central Government, order that upon payment of such fee as may be prescribed by rules, the name of the person removed from the register shall be restored thereto.

Issue of duplicate certifi-cates.

32. Where it is shown to the satisfaction of the Registrar that a certificate of registration has been lost or destroyed, the Registrar may, on payment of such fee as may be prescribed by rules, issue a duplicate certificate in the form prescribed by rules.

Printing of register. 33. As soon as may be after the 1st day of April in each year, the Registrar shall cause to be printed copies of the register as it stood on the said date and such copies shall be made available to persons applying therefor on payment of such fee as may be prescribed by rules and shall be evidence that on the said date the persons whose names are entered therein were * architects.

Effect of registration.

- 34. (1) Any reference in any law for the time being in force to 15 an architect shall be deemed to be a reference to an architect registered under this Act.
- (2) After the expiry of one year from the date appointed under subsection (2) of section 24, a person who is not registered in the register shall not, except with the sanction of the Central Government, hold any appointment as an architect under the Central or State Government or in any school, college, university or other institution which is supported wholly or partially from public or local funds or in any institution which is recognised by the Central or State Government.

CHAPTER IV

MISCELLANEOUS

Penalty for falsely claiming to be registered.

35. 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.

Prohibition against use of title 36. (1) After the expiry of one year from the date appointed under sub-section (2) of section 24, no person other than an 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 "naval architect" or "landscape architect";
- (b) a person who, carrying on the profession of an architect in any country outside India, undertakes the function as a consul- 40 tant or designer in India for a specific project with the prior permission of the Central Government.

Explanation.—For the purposes of clause (a),—

- (i) "landscape architect" means a person who deals with the design of open spaces relating to plants, trees and landscape;
- (ii) "naval architect" means an architect who deals with design and construction of ships.

- (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 5 rupees or with both.
- 37. If any person whose name has been removed from the register fails without sufficient cause forthwith to surrender his certificate of registration, he shall be punishable with fine which may extend to one hundred rupees, and, in the case of a continuing failure, with an addi-10 tional fine which may extend to ten rupees for each day after the first registraduring which he has persisted in the failure.

Failure. to surcertificate of tion.

38. (1) No court shall take cognizance of any offence punishable under Cognizthis Act, except upon complaint made by order of the Council or a percon authorised in this behalf by the Council.

ance of offences.

- (2) No Magistrate other than a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.
 - 39. (1) The Council shall furnish such reports, copies of its minutes, Informaand other information to the Central Government as that Government tion to may require.

be furnished by Council

20 (2) The Central Government may publish, in such manner as it may and pubthink fit, any report, copy, or other information furnished to it under lication this section.

> tion of action in good faith.

40. No suit, prosecution or other legal proceeding shall lie against Protecthe Central Government or the Council, or any officer or employee of 25 the Council for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or any rule or regulation made thereunder.

> bers of Council and officers and employees to be public servants.

41. The members of the Council and officers and employees of the Mem-Council shall be deemed to be public servants within the meaning of 45 of 1860. 30 section 21 of the Indian Penal Code.

42. (1) If any difficulty arises in giving effect to the provisions of Power this Act, the Central Government may, by order published in the Offi- to recial Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing ties. 35 the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament and the provi-40 sions of sub-section (3) of section 43 shall apply in respect of such order as it applies in respect of a rule made under this Act.

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Power of Central Government to make rules.

- 43. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—
 - (a) the manner in which elections under Chapter II shall be conducted;
 - (b) the particulars to be included in the register of architects under sub-section (3) of section 23;
 - (c) the form in which a certificate of registration is to be issued 10 under sub-section (7) of section 24, sub-section (4) of section 26 and section 31;
 - (d) the fee to be paid under sections 24, 25, 26, 27, 28, 31 and 32;
 - (e) the conditions on which name may be restored to the regis- 15 ter under the proviso to sub-section (2) of section 27;
 - (f) the manner of endorsement under sub-section (3) of section 27;
 - (g) the manner in which the Council shall hold an enquiry under section 30;
 - (h) the fee for supplying printed copies of the register under section 33;
 - (i) any other matter which is to be or may be provided under this Act.
- (3) Every rule made under this section shall be laid, as soon as may 25 be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the 30 rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power of Council to make regulations.

- 44. (1) The Council may, with the approval of the Central Government, 35 make regulations not inconsistent with the provisions of this Act, or the rules made thereunder to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for—
 - (a) the management of the property of the Council;
 - (b) the summoning and holding of meetings of the Council and the Executive Committee or any other committee constituted under section 10, the times and places at which such meetings shall be held, the conduct of business thereat and the number of persons necessary to constitute a quorum;

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- (c) the functions of the Executive Committee or of any other committee constituted under section 10;
- (d) the powers and duties of the President and the Vice-President of the Council;
- (e) the courses and periods of study and of practical training, if any, to be undertaken, the subjects of examinations and standards of proficiency therein to be obtained in any college or institution for grant of recognised qualifications;
 - (f) the appointment, powers and duties of inspector;
- (g) the standards of staff, equipment, accommodation, training and other facilities for architectural education;
 - (h) the conduct of professional examinations, qualifications of examiners and the conditions of admission to such examinations;
- (i) the standards of professional conduct and etiquette and code of ethics to be observed by * architects;
 - (j) any other matter which is to be or may be provided under this Act and in respect of which no rules have been made.

THE SCHEDULE

(See sections 14 and 15)

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PART I

QUALIFICATIONS

- 1. Bachelor Degree in Architecture awarded by Indian Universities established by an Act of the Central or State Legislature.
- 2. National Diploma (formerly All India Diploma) in Architecture awarded by the All India Council for Technical Education.
 - 3. Degree of Bachelor of Architecture (B. Arch.) awarded by the Indian Institute of Technology, Kharagpur.
 - 4. Five-Year full-time Diploma in Architecture of the Sir J. J. School of Art, Bombay, awarded after 1941.
- 5. Diploma in Architecture awarded by the State Board of Technical Education and Training of the Government of Andhra Pradesh with effect from 1960 (for the students trained at the Government College of Arts and Architecture, Hyderabad).
- 6. Diploma in Architecture awarded by the Government College of 35 Arts and Architecture, Hyderabad till 1959, subject to the condition that the candidates concerned have subsequently passed a special final examination in architecture held by the State Board of Technical Education, Andhra Pradesh and obtained a special certificate.
- 7. Diploma in Architecture awarded by the University of Nagpur with 40 effect from 1965 to the students trained at the Government Polytechnic, Nagpur.

- 8. Government Diploma in Architecture awarded by the Government of Maharashtra (also awarded by the former Government of Bombay) to private and part-time students with effect from 1956, subject to the condition that the candidates concerned have, after acquiring two years 5 practical experience, also passed the following papers of the final examination for the five-year full-time diploma course:—
 - (a) Design;
 - (b) Engineering (two papers);
 - (c) Services and equipment.
- 9. Diploma in Architecture awarded by the School of Architecture, Ahmedabad.

PART II

QUALIFICATIONS

Australia

- Degree of Bachelor of Architecture awarded by the University of Adelaide.
 - 2. Degree of Bachelor of Architecture awarded by the University of Melbourne.
- 3. Degree of Bachelor of Architecture awarded by the University of 20 New South Wales, Kensington.

Germany

4. Diploma-Ingeniur awarded by the Technical Universities in the Federal Republic of Germany in architecture.

U.K.

- 5. Degree in Architecture awarded by the Universities of Cambridge, Durham, Edinburgh, Glasgow, Liverpool, London, Manchester, Sheffield, Wales.
 - 6. Associateship Examination of the Royal Institute of British Architects, London (A.R.I.B.A. Examination).

U.S.A.

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- 7. Bachelor Degree in Architecture awarded by the American Universities Institutions, the curricula of which are accredited to the National Architectural Accrediting Board (USA).
- 8. Certificate of Fellowship awarded by the Frank Lloyd Wright Foundation, USA.

Yugoslavia

9. Doctorate Degree in Architecture awarded by the Zagreb University, Yugoslavia.

APPENDIX I

(Vide para 2 of the Report)

MOTION IN THE RAJYA SABHA FOR REFERENCE OF THE BILL TO A JOINT COMMITTEE

"That the Bill to provide for the registration of architects and for purposes connected therewith be referred to a Joint Committee of the House consisting of 45 members; 15 members from this House namely:—

- 1. Shri M. Ruthnaswamy
- 2. Shri Prem Manohar
- 3. Shri Rewati Kant Sinha
- 4. Sardar Narindar Singh Brar
- 5. Shri U. N. Mahida
- 6. Shri M. M. Dharia
- 7. Shrimati Vidyawati Chaturvedi
- 8. Shri Anand Chand
- 9. Shri M. H. Samuel
- 10. Shri Baharul Islam
- 11. Shri N. Sri Rama Reddy
- 12. Shri Syed Hussain
- 13. Shri Sinam Krishnamohan Singh
- 14. Shri A. C. Gilbert
- 15. Shri C. L. Varma;

and 30 members from the Lok Sabha;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make;

that the Committee shall make a report to this House by the 29th day of August, 1969.

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee."

APPENDIX II

(Vide para 3 of the Report)

MOTION IN THE LOK SABHA

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the registration of architects and for purposes connected therewith, made in the motion adopted by Rajya Sabha at its sitting held on the 15th May, 1969 and communicated to this House on the 15th May, 1969 and do resolve that the following thirty members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

- (1) Shri Ramchandra J. Amin
- (2) Shri J. B. S. Bist
- (3) Shri Anil K. Chanda
- (4) Shri Tulsidas Dasappa
- (5) Shri Kansari Halder
- (6) Shri J. N. Hazarika
- (7) Shri Hem Barua
- (8) Shri S. M. Joshi
- (9) Shri Dhireswar Kalita
- (10) Kumari Kamla Kumari
- (11) Shri Sitaram Kesri
- (12) Shri Bal Raj Madhok
- (13) Shri Bijoy Modak
- (14) Shri Piloo Mody
- (15) Shrimati Shakuntala Nayar
- (16) Shri Chintamani Panigrahi
- (17) Shri Anantrao Patil
- (18) Shri V. Narasimha Rao
- (19) Shri P. Antony Reddi
- (20) Shri V. Sambasivam
- (21) Shrimati Tara Sapre
- (22) Shri Erasmo de Sequeira

- (23) Shrimati Jayaben Shah
- (24) Shri Naval Kishore Sharma
- (25) Shri Prakash Vir Shastri
- (26) Shri P. Sivasankaran
- (27) Shri S. D. Somasundaram
- (28) Shri M. G. Uikey
- (29) Shri G. Venkatswamy
- (30) Dr. V. K. R. V. Rao"

APPENDIX III

(Vide para 7 of the Report)

Statement showing particulars of memoranda, representations, resolutions, etc., received by the Joint Committee and the action taken thereon

Sl. Nature of doo	rument From whom received Action taken
1 Letter	. The Association of Engineers, 24, Circulated to members. Netaji Subhas Road, Calcutta—1.
2 Letter	Indian Chamber of Commerce, Circulated to members. Indian Exchange, Calcutta—I.
3 Latter	. Young Architects Association, Ciruclatecd to members. 4, Usha Kiron, 2nd Pasta Lane, Coloba, Bombay—5.
4 Memorandum	 All India Association of Consulting Circulated to members and Engineers & Architects, 1/21, Asaf evidence taken on 7-10-69.
5 Suggestions .	bers Annexe, Dr. D. N. Road, Bombay—I.
6 Letter	 Architects Collaborated, 2, Church Circulated to members.
7 Letter	. Shri Virag Laud Circulated to members.
8 Memorandum	Indian Institute of Architects, 18/90, Circulated to members and Connaught Circus, New Delhi. evidence taken on 4-7-69.
9 Letter	Shri S.R. Pai, Virgincar Building, Circulated to members. Near Cime Lata, Margao.
O Letter	. Architect Ravindra H. Vadekar, C/o Circulated to members Atelier/Architects, Chandani near Dattamandir, Tanak, Bombay.
Letter	S.G. Watwe, Gadag.
Letter	Maulana Azad College of Technology, Circulated to members. Bhopal (M.P.)
Letter	. Principal Chandigarh College of Do. Architecture, Chandigarh.
Letter	. Director, School of Planning and Architecture, New Delhi. Circulated to members and evidence taken on 6-10-69.
Memorandum	The Association of Consulting Circulated to members. Engineers (India), New Delhi.
Memorandum	. Institution of Engineers (India), Calcutta. Circulated to members and evidence taken on 6-10-60.
Memorandum	Shri S. D. Somasundaram, member, Circulated to members. Joint Committee.
Letter	F.B. Pithavadian, Head of the School of Architecture of the Madras University, 13, College Road, Madras—6.

SL No.	Nature of document	From whom received	Action taken
19	Memorandum .	Faculty of Technology & Engineering, M.S. University of Baroda, Kala Bhavan, Baroda.	Circulated to members.
20	Memorandum	Institution of Chartered Engineers Anand Parbat, New Delhi—5.	Do.
21	Memorandum	Incorporated Association of Architects & Surveyors (London) India Branch, Bombay.	Do.
22	Letter	Institution of Surveyors, New Delhi.	Do.
23	Letter	The Institution of Structural Eng- ineers (I), Calcutta.	Do.
24	Letter	. Shri J.P. Gupta Champaran, Bihar.	Do.
25	Note	 Siri Ram Dhawan, Chief Drafts- man (Retired) Chandigarh. 	Resume of the note circulated to members.
26	Memorandum	. Indian Merchants Chamber, Bombay.	Circulated to members.
27	Letter	. The Executive Engineer, Project Division No. I, Chandigarh.	Do.

APPENDIX IV

(Vide para 8 of the Report)

LIST OF WIFNESSES WHO TENDERED EVIDENCE BEFORE THE JOINT COMMITTEE

Sl. No.	Name of organisation/individuals	Name of representatives	Date
	Indian Institute of Architects New Delhi.	Shri J.R. Bhalla	4-7-69
2	Institution of Engineers(I), Calcutta	Shri T.R. Gupta Lt. Gen R.A. Loomba Col. B.T. Nagrani	6-10-69
3	Shri T.J. Manickam, Director, School of Planning and Architecture, New Delhi.		6- 10-69
4	Sh. Mohd. Fayazuddin, Architect and Town Plan- ner, Hyderabad.	·	6-10-69
5	All India Association of Consulting Engineers and Architects, New Delhi.	Shri R.K. Varma Shri Hari Ram Mital Shri D.R. Prashar Shri R.L. Saxena Shri Chanan Singh Shri B.L. Mathur	7-10-69
6	Shri S.R. Kar Roy, Consulting Chartered Engineer, Architect and Valuer, Ranchi.		7-10-69

APPENDIX V

MINUTES OF THE MEETINGS OF THE JOINT COMMITTEE ON THE ARCHITECTS BILL, 1968

I

First Meeting

The Committee met at 5-00 P.M. on Saturday, the 17th May, 1969.

PRESENT

1. Shri Mudumala Henry Samuel—Chairman

MEMBERS

Rajya Sabha

- 2. Shri Rewati Kant Sinha
- 3. Shri U. N. Mahida
- 4. Shri M. M. Dharia
- 5. Shri N. Sri Rama Reddy
- 6. Shri Syed Hussain
- 7. Shri A. C. Gilbert

Lok Sabha

- 8. Shri Ramchandra J. Amin
- 9. Shri J. B. S. Bist
- 10. Shri Anil K. Chanda
- 11. Shri Tulsidas Dasappa
- 12. Shri Kansari Halder
- 13. Shri S. M. Joshi
- 14. Shri Dhireswar Kalita
- 15. Kumari Kamala Kumari
- 16. Shri Bal Raj Modhak
- 17. Shri Piloo Mody
- 18. Shri Chintamani Panigrahi
- 19. Shri P. Antony Reddi
- 20. Shrimati Jayaben Shah
- 21. Shri Prakash Vir Shastri
- 22. Shri P. Sivasankaran
- 23. Shri M. G. Uikey

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri G. K. Chandiramani, Addl. Secretary

Shri L. S. Chandra Kant, Joint Educational Adviser

Ministry of Law

Shri R. N. Shinghal, Deputy Legislative Counsel

SECRETARIAT

Shri S. P. Ganguly, Deputy Secretary

Shri Kewal Krishan, Under Secretary

Shri Kishan Singh, Under Secretary

- 2. The Chairman welcomed the Members of the Committee.
- 3. The Committee decided that a Press Communique be issued inviting opinions from various individuals, associations and other bodies interested in the subject-matter of the Bill and advising them to send memoranda thereon to the Rajya Sabha Secretariat by the 14th June, 1969.
- 4. The Committee desired that some leading organisations connected with architectural profession may also be approached for giving their views on the Bill. The representatives of the Ministry of Education agreed to supply a list of such organisations to the Rajya Sabha Secretariat.
- 5. The Committee desired that copies of foreign legislation on the subject, like the U.K. Act of Architects, be circulated to members.
- 6. The Committee felt that it would be conducive to the efficient and prompt discharge of their duties if they could meet at Bangalore for 3 days from the 3rd to the 5th July, 1969 to generally consider the Bill in its various aspects so that they would be able to formulate their approach to the subject matter of the Bill. The Chairman, however, informed the Committee that the venue of the meeting might be changed subject to the approval of the Deputy Chairman and intimation to this effect would be communicated to the members within a week's time.

As required under the Rules of Procedure and Conduct of Business in the Rajya Sabha, the Chairman of the Committee was authorised to approach the Chairman of the Rajya Sabha for permitting the Committee to meet at Bangalore.

7. The Committee then adjourned at 5-35 P.M. to meet again on Thursday, the 3rd July, 1969.

II

Second Meeting

The Committee met at 3-30 P.M. on Thursday the 3rd July, 1969.

PRESENT

1. Shri Mudumala Henry Samuel—Chairman

Members

Rajya Sabha

- 2. Shri Rewati Kant Sinha
- 3. Shri U. N. Mahida
- 4. Shri M. M. Dharia
- 5. Shrimati Vidyawati Chaturvedi

- 6. Shri Baharul Islam
- 7. Shri A. C. Gilbert
- 8. Shri C. L. Varma

- 9. Shri J. B. S. Bist
- 10. Shri Anil K. Chanda
- 11. Shri Kansari Halder
- 12. Shri J. N. Hazarika
- 13. Shri Hem Barua
- 14. Shri Dhireswar Kalita
- 15. Kumari Kamla Kumari
- 16. Shri Bal Raj Madhok
- 17. Shri Piloo Mody
- 18. Shri Chintamani Panigrahi
- 19. Shri Anantrao Patil
- 20. Shri P. Antony Reddi
- 21. Shri Erasmo de Sequeira
- 22. Shrimati Jayaben Shah
- 23. Shri Naval Kishore Sharma
- 24. Shri Prakash Vir Shastri
- 25. Shri P. Sivasankaran
- 26. Shri S. D. Somasundaram
- 27. Shri M. G. Uikev
- 28. Dr. V. K. R. V. Rao

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri G. N. Vaswani, Deputy Educational Adviser

Ministry of Law

Shri R. N. Shinghal, Deputy Legislative Counsel
Secretariat

Shri S. S. Bhalerao, Joint Secretary

Shri S. P. Ganguly, Deputy Secretary

Shri Kishan Singh, Under Secretary

- 2. The Minister of Education and Youth Services at the request of the Chairman explained briefly the salient features of the Bill.
- 3. The Committee thereafter held general discussion on the subject-matter of the Bill.
- 4. The Committee decided to invite Shri J. R. Bhalla, President, Indian Institute of Architects, for giving oral evidence before the Committee at 11-00 A.M. on Friday, the 4th July, 1969.
- 5. The Committee then adjourned at 5-05 P.M. to meet again at 10-00 A.M. on Friday, the 4th July, 1969.

Ш

Third Meeting

The Committee met at 10-00 A.M. on Friday, the 4th July, 1969.

PRESENT

1. Shri Mudumala Henry Samuel-Chairman

MEMBERS

Rajya Sabha

- 2. Shri Rewati Kant Sinha
- 3. Shri U. N. Mahida
- 4. Shri M. M. Dharia
- 5. Shrimati Vidyawati Chaturvedi
- 6. Shri Baharul Islam
- 7. Shri A. C. Gilbert
- 8. Shri C. L. Varma

Lok Sabha

- 9. Shri J. B. S. Bist
- 10. Shri Anil K. Chanda
- 11. Shri Kansari Halder
- 12. Shri J. N. Hazarika
- 13. Shri Hem Barua
- 14. Shri Dhireswar Kalita
- 15. Kumari Kamla Kumari
- 16. Shri Bal Raj Madhok
- 17. Shri Piloo Mody
- 18. Shri Chintamani Panigrahi
- 19. Shri P. Antony Reddi
- 20. Shri Erasmo de Sequeira
- 21. Shrimati Jayaben Shah
- 22. Shri Naval Kishore Sharma
- 23. Shri Prakash Vir Shastri
- 24. Shri P. Siyasankaram
- 25. Shri S. D. Somasundaran
- 26. Shri M. G. Uikey
- 27. Dr. V. K. R. V. Rao

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri G. N. Vaswani, Deputy Educational Adviser

Ministry of Law

Shri P. L. Gupta, Additional Legislative Counsel

Shri R. N. Shinghal, Deputy Legislative Counsel

SECRETARIAT

Shri S. S. Bhalerao, Joint Secretary Shri S. P. Ganguly, Deputy Secretary Shri Kishan Singh, Under Secretary.

WITNESS

- Shri J. R. Bhalla, President, Indian Institute of Architects, New Delhi.
- 2. The Committee continued the general discussion on various provisions of the Bill.
- 3. The Committee thereafter heard the oral evidence tendered by Shri J. R. Bhalla, President, Indian Institute of Architects, New Delhi.

A verbatim record of the evidence was kept.

- 4. The Committee desired that the comments of the State Governments on the Bill received by the Ministry of Education and Youth Services be circulated to members. The representative of the Ministry agreed to supply copies of the comments to the Rajya Sabha Secretariat for that purpose.
- 5. The Committee considered the question of inviting some more witnesses for hearing their views and decided that the following individuals/organisations be invited for the purpose:—
 - 1. President, Institution of Engineers (India), 8, Gokhle Road, Calcutta.
 - 2. The Director, School of Planning and Architecture, Indraprastha Estate, New Delhi.
 - All India Association of Consulting Engineers and Architects, New Delhi.
 - 4. The Institution of Surveyors, Kashmir House, New Delhi.
 - 5. Mr. S. R. Kar Roy, Hony. Secretary, Builders Association of India, Bihar Centre, Ranchi.
 - 6. Mr. Sheo Dan Mal, 39, Ghatate Building, Nagpur-1.
- 6. The Committee then decided to hold their next sittings on the 6th and 7th and, if necessary, on the 8th October, 1969 to hear oral evidence from the above mentioned witnesses. The Committee also decided to sit both in the morning and in the evening on those days.
- 7. The Committee decided to ask for extension of time upto the last day of the 70th (November-December) Session of the Rajya Sabha for the presentation of their report and the Chairman was authorised to move the necessary motion in the House.

The Committee then adjourned at 12-20 P.M. to meet again at 10-30 A.M. on Monday the 6th October, 1969.

IV

Fourth Meeting

The Committee met from 10-30 A.M. to 1-00 P.M. and again from 4-00 P.M. to 5-35 P.M. on Monday, the 6th October, 1969.

PRESENT

Shri Mudumala Henry Samuel—Chairman

MEMBERS

Rajya Sabha

- 2. Shri M. Ruthnaswamy
- 3. Shri Rewati Kant Sinha
- 4. Sardar Narindar Singh Brar
- 5. Shri U. N. Mahida
- 6. Shri M. M. Dharia
- 7. Shri Baharul Islam
- 8. Shri N. Sri Rama Reddy
- 9. Shri Sinam Krishnamohan Singh
- 10. Shri A. C. Gilbert

Lok Sabha

- 11. Shri J. B. S. Bist
- 12. Shri Anil K. Chanda
- 13. Shri Tulsidas Dasappa
- 14. Shri Kansari Halder
- 15. Shri J. N. Hazarika
- 16. Shri Hem Barua
- 17. Shri S. M. Joshi
- 18. Shri Dhireswar Kalita
- 19. Kumari Kamla Kumari
- 20. Shri Sitaram Kesri
- 21. Shri Bijoy Modak
- 22. Shri Piloo Mody
- 23. Shrimati Shakuntala Nayar
- 24. Shri Anantrao Patil
- 25. Shri V. Narasimha Rao
- 26. Shri P. Antony Reddi
- 27. Shri V. Sambasiyam
- 28. Shrimati Tara Sapre
- 29. Shrimati Jayaben Shah30. Shri Naval Kishore Sharma
- 31. Shri Prakash Vir Shastri
- 32. Shri P. Sivasankaran
- 33. Shri S. D. Somasundaram
- 34. Shri M. G. Uikey
- 35. Shri G. Venkatswamy

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri M. N. Baliga, Assistant Educational Adviser (T)

Ministry of Law

Shri R. N. Shinghal, Deputy Legislative Counsel

Secretariat

Shri S. P. Ganguly-Deputy Secretary

WITNESSES

- I. Representatives of the Institution of Engineers (India), Calcutta:
 - (i) Shri T. R. Gupta
 - (ii) Lt. Gen. R. A. Loomba
 - (iii) Col. B. T. Nagrani
- II. Shri T. J. Manickam, Director, School of Planning and Architecture, New Delhi.
 - III. Shri Mohd. Fayazuddin, Architect and Town Planner, Hyderabad.
- 2. The Committee heard the oral evidence tendered by the following witnesses:—
 - (i) Representatives of the Institution of Engineers (India), Calcutta.
 - (ii) Shri T. J. Manickam, New Delhi.
 - (iii) Shri Mohd. Fayazuddin, Hyderabad.

A verbatim record of the evidence was kept.

- 3. The Committee then held general discussion on some provisions of the Bill.
- 4. The Committee thereafter adjourned at 5-35 p.m. to meet again at 10-30 A.M. on Tuesday, the 7th October, 1969.

V

Fifth Meeting

The Committee met from 10-30 A.M. to 12-30 P.M. and again from 3-00 P.M. to 5-05 P.M. on Tuesday, the 7th October, 1969.

PRESENT

Shri Mudumala Henry Samuel-Chairman

Members Rajya Sabha

- ••
- Shri M. Ruthnaswamy
 Shri Rewati Kant Sinha
- 4. Sardar Narindar Singh Brar
- 5. Shri U. N. Mahida
- 6. Shri M. M. Dharia
- 7. Shri N. Sri Rama Reddy
- 8. Shri Sinam Krishnamohan Singh

- 9. Shri A. C. Gilbert
- 10. Shri C. L. Varma

- 11. Shri J. B. S. Bist
- 12. Shri Anil K. Chanda
- 13. Shri Tulsidas Dasappa
- 14. Shri Kansari Halder
- 15. Shri J. N. Hazarika
- 16. Shri Hem Barua
- 17. Shri S. M. Joshi
- 18. Shri Dhireswar Kalita
- 19. Kumari Kamla Kumari
- 20. Shri Sitaram Kesri
- 21. Shri Bijoy Modak
- 22. Shri Piloo Mody
- 23. Shrimati Shakuntala Nayar
- 24. Shri Anantrao Patil
- 25. Shri V. Narasimha Rao
- 26. Shri P. Antony Reddi
- 27. Shri V. Sambasivam
- 28. Shrimati Tara Sapre
- 29. Shrimati Jayaben Shah
- 30. Shri P. Sivasankaran
- 31. Shri M. G. Uikey
- 32. Shri G. Venkatswamy

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri M. N. Baliga, Assistant Educational Adviser (T)

Ministry of Law

Shri R. N. Shinghal, Deputy Legislative Counsel

SECRETARIAT

Shri S. P. Ganguly, Deputy Secretary

WITNESSES

- I. Representatives of the All India Association of Consulting Engineers and Architects, New Delhi:
 - (i) Shri R. K. Varma
 - (ii) Shri Hari Ram Mital
 - (iii) Shri D. R. Prashar
 - (iv) Shri R. L. Saxena
 - (v) Shri Chanan Singh
 - (vi) Shri B. L. Mathur

- II. Shri S. R. Kar Roy, Consulting Chartered Engineer, Architect and Valuer, Ranchi.
- 2. The Committee heard the oral evidence tendered by the following witnesses:—
 - (i) Representatives of the All India Association of Consulting Engineers and Architects, New Delhi.
 - (ii) Shri S. R. Kar Roy, Ranchi.

A verbatim record of the evidence was kept.

- 3. The Chairman informed the Committee that Shri Sheo Dan Mal of Nagpur who was to appear before the Committee today for giving oral evidence had sent a wire expressing regret that he would not be able to appear before the Committee.
- 4. The Committee desired that the views of the State Governments on the Architects Bill 1968, as and when received by the Ministry of Education and Youth Services may be circulated to the Members.
- 5. The Committee decided to hold their next series of meetings from the 3rd November to 5th November, 1969 for further discussion on the various provisions of the Bill and also to consider the Bill clause-by-clause.
- 6. The Committee also desired that these meetings may be held at Bangalore. The Chairman was however authorised to decide the venue of the meetings after taking necessary permission of the Chairman, Rajya Sabha, in the matter.
- 7. The Committee also decided that the Members desirous of giving notices of amendments to the Bill should send them so as to reach the Rajya Sabha Secretariat by the 31st October, 1969.
- 8. The Committee then continued general discussion on certain provisions of the Bill.
- 9. The Committee thereafter adjourned at 5-05 p.m. to meet again at 10-30 a.m. on Monday, the 3rd November, 1969.

VI

Sixth Meeting

The Committee met at 10.30 A.M. on Monday the 3rd November, 1969.

PRESENT

Shri Mudumala Henry Samuel—Chairman.

MEMBERS

Rajya Sabha

- 2. Shri M. Ruthnaswamy
- 3. Shri Rewati Kant Sinha
- 4. Sardar Narindar Singh Brar
- 5. Shri U. N. Mahida
- 6. Shri M. M. Dharia
- 7. Shrimati Vidyawati Chaturvedi
- 8. Shri Anand Chand

- 9. Shri Baharul Islam
- 10. Shri N. Sri Rama Reddy
- 11. Shri Sinam Krishnamohan Singh
- 12. Shri A. C. Gilbert
- 13. Shri C. L. Varma

- 14. Shri Ramchandra J. Amin
- 15. Shri J. B. S. Bist.
- 16. Shri Kansari Halder
- 17. Shri Hem Barua
- 18. Shri S. M. Joshi
- 19. Shri Dhireswar Kalita
- 20. Shri Sitaram Kesri
- 21. Shri Bijoy Modak
- 22. Shri Piloo Mody
- 23. Shrimati Shakuntala Nayar
- 24. Shri Chintamani Panigrahi
- 25. Shri Anantrao Patil
- 26. Shri V. Narasimha Rao
- 27. Shri P. Antony Reddi
- 28. Shri V. Sambasiyam
- 29. Shrimati Tara Sapre
- 30. Shri Erasmo de Sequeira
- 31. Shrimati Jayaben Shah
- 32. Shri Naval Kishore Sharma
- 33. Shri P. Sivasankaran
- 34. Shri S. D. Somasundaram
- 35. Shri G. Venkatswamy.

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri M. N. Baliga, Assistant Educational Adviser (T)

Ministry of Law

Shri F. L. Gupta, Additional Legislative Counsel

Shri R. N. Shinghal, Deputy Legislative Counsel

SECRETARIAT

Shri S. P. Ganguly, Deputy Secretary

2. The Chairman informed the Committee that the representative of the Ministry of Education had informed him that the Ministry had not

been able to finalise their amendments to the Bill as the Minister of Education was out of Delhi. The Chairman further informed that the representative of the Ministry had also informed him that the Minister was expected to arrive in Delhi by the evening and that they would finalise the amendments for circulation at the meeting of the Committee to be held tomorrow.

- 3. In the absence of Government amendments, the Committee could not take up clause-by-clause consideration of the Bill. The Committee then had a general discussion on the provisions of the Bill.
- 4. The Committee adjourned at 12.15 P.M. to meet again at 10.30 A.M. on Tuesday, the 4th November, 1969.

VII

Seventh Meeting

The Committee met from 10.30 A.M. to 1.10 P.M. and again from 3.00 P.M. to 5.10 P.M. on Tuesday, the 4th November, 1969.

PRESENT

Shri Mudumala Henry Samuel-Chairman.

Members

Rajya Sabha

- 2 Shri M. Ruthnaswamy
- 2. Sardar Narindar Singh Brar
- 4. Shri U. N. Mahida
- 5. Shri M. M. Dharia
- 6. Shrimati Vidyawati Chaturvedi
- 7. Shri N. Sri Rama Reddy
- 8. Shri Sinam Krishnamohan Singh
- 9. Shri A. C. Gilbert
- 10. Shri C. L. Varma

Lok Sabha

- 11. Shri Ramchandra J. Amin
- 12. Shri J. B. S. Bist
- 13. Shri Tulsidas Dasappa
- 14. Shri Kansari Haldar
- 15. Shri Hem Barua
- 16. Shri S. M. Joshi
- 17. Shri Dhireswar Kalita
- 18. Shri Sitaram Kesri
- 19. Shri Bijoy Modak
- 20. Shri Piloo Mody
- 21. Shrimati Shakuntala Nayar
- 22. Shri Chintamani Panigrahi
- 23. Shri Anantrao Patil

- 24. Shri V. Narasimha Rao
- 25. Shrimati Tara Sapre
- 26. Shri Erasmo de Sequeira
- 27. Shrimati Jayaben Shah
- 28. Shri P. Sivasankaran
- 29. Shri S. D. Somasundaram
- 30. Shri P. Antony Reddi
- 31. Shri V. Sambasivam
- 32. Dr. V. K. R. V. Rao

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri M. N. Baliga, Asstt. Educational Adviser (T)

Ministry of Law

Shri P. L. Gupta, Addl. Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Deputy Secretary.

Shri Kishan Singh, Under Secretary.

2. The Committee took up clause-by-clause consideration of the Bill.

CLAUSE 2

- (i) Paragraph (a).—The paragraph was adopted in the following amended form:—
 - '(a) "architect" means a person whose name is for the time being entered in the register;'.
- (ii) Paragraphs (b), (c), (d) and (e).—The paragraphs were adopted without any change.
 - (iii) Paragraph (f).—The paragraph was deleted.
- (iv) Paragraphs (g) and (h).—The paragraphs were adopted without any change.

The Clause, as amended, was adopted.

CLAUSE 3

The following amendments were accepted:-

- (i) Page 3, for lines 13—17, substitute the following:
- "(f) an architect from each State nominated by the Government of that State;
- (g) two persons nominated by the Institution of Engineers (India) from among its members; and
- (h) one person nominated by the Institution of Surveyors of India from among its members.

Explanation.—For the purposes of this sub-section—

- (a) Institution of Engineers (India) means the Institution of Engineers (India) first registered in 1920 under the Indian Companies Act, 1913 and subsequently incorporated by a Royal Charter in 1935.
- (b) Institution of Surveyors means the Institution of Surveyors registered under the Societies Registration Act, 1860."
- (ii) Page 3, for lines 18-24, substitute the following:-
- "(4) Notwithstanding anything contained in clause (a) of subsection (3), the Central Government may, pending the preparation of the register, nominate to the first Council, in consultation with the Indian Institute of Architects, persons referred to in the said clause (a) out of persons who are eligible for registration in the register, and such persons shall hold office for such period as the Central Government may, by notification in the Official Gazette, specify.
 - (5) Notwithstanding anything contained in clause (f) of Sub-section (3), the Central Government may, pending the preparation of the register, nominate to the first Council, in consultation with the State Government concerned a person referred to in the said clause (f), out of persons who are eligible for registration in the register, and such persons shall hold office for such period as the Central Government may by notification in the Official Gazette specify."

The Clause, as amended, was adopted.

CLAUSE 4

The Clause was adopted without any change.

CLAUSE 5

The Clause was adopted in the following amended form:-

- "5. Mode of elections.—(1) Elections under this Chapter shall be conducted in such manner as may be prescribed by rules.
- (2) Where any dispute arises regarding any such election, the matter shall be referred by the Council to a Tribunal appointed by the Centtral Government in this behalf, and the decision of the Tribunal shall be final:

Provided that no such reference shall be made except on an application made to the Council by an aggrieved party within thirty days from the date of the declaration of the result of the election.

(3) The expenses of the Tribunal shall be borne by the Council."

CLAUSES 6 AND 7

The Clauses were adopted without any change.

CLAUSE 8

The consideration of the Clause was held over.

CLAUSES 9-15

The Clauses were adopted without any change.

CLAUSE 16

The Clause was adopted subject to the deletion of the words "declaring that it shal be a recognised qualification only when granted before a specified date" occuring in lines 22-23, page 8.

CLAUSES 17-19

The Clauses were adopted without any change.

CLAUSE 20

The Committee were of the opinion that in the matter of withdrawal of recognition of an institution, the Council should correspond direct with the institution and the Government concerned and then only refer the matter to the Central Government with their recommendation for final decision. The Legislative Counsel was asked to submit a draft amendment to the Clause accordingly.

CLAUSES 21-24

The Clauses were adopted without any change.

CLAUSE 25

The following amendments were accepted:-

- (i) Page 11, lines 36-37, delete the words "as his principal means of livelihood".
 - (ii) Page 12, delete line 2.

The Clause, as amended, was adopted.

CLAUSES 26-30

The Clauses were adopted without any change.

CLAUSE 31

The Clause was deleted.

CLAUSES 32-34

The Clauses were adopted without any change.

CLAUSE 35

The Clause was adopted subject to the deletion of sub-clause (2), lines 1—3, page 15.

CLAUSE 36

The Clause was adopted without any change.

CLAUSE 37

The Clause was deleted.

CLAUSE 38

The Clause was adopted subject to the substitution of the words "under the title and style of architect" for the words "the profession of an architect" in line 25, page 15.

CLAUSES 39-46

The Clauses were adopted without any change.

THE SCHEDULE

The Schedule was adopted in the following amended form: —

"THE SCHEDULE

(See sections 14 and 15)

PART I

Qualifications

- 1. Bachelor Degree in Architecture awarded by Indian Universities established by an Act of the Central or State Legislature.
- 2. National Diploma (formerly All India Diploma) in Architecture awarded by the All India Council for Technical Education.
- 3. Degree of Bachelor of Architecture (B. Arch.) awarded by the Indian Institute of Technology, Kharagpur.
- 4. Five-year full-time Diploma in Architecture of the Sir J. J. School of Art, Bombay, awarded after 1941.
- 5. Diploma in Architecture awarded by the State Board of Technical Education and Training of the Government of Andhra Pradesh with effect from 1960 (for the students trained at the Government College of Arts and Architecture, Hyderabad).
- 6. Diploma in Architecture awarded by the Government College of Arts and Architecture, Hyderabad till 1959, subject to the condition that the candidates concerned have subsequently passed a special final examination in architecture held by the State Board of Technical Education, Andhra Pradesh and obtained a special certificate.
- 7. Diploma in Architecture awarded by the University of Nagpur with effect from 1965 to the students trained at the Government Polytechnic, Nagpur.
- 8. Government Diploma in Architecture awarded by the Government of Maharashtra (also awarded by the former Government of Bombay) to private and part-time students with effect from 1956, subject to the condition that the candidates concerned have, after acquiring two years practical experience, also passed the following papers of the final examination for the five-year full-time diploma course:—
 - (a) design
 - (b) Engineering (two papers)
 - (c) Services and equipment.
- 9. Diploma in Architecture awarded by the School of Architecture, Ahmedabad.

PART II

Qualifications

Australia

- 1. Degree of Bachelor of Architecture awarded by the University of Adelaide.
- 2. Degree of Bachelor of Architecture awarded by the University of Melbourne.
- 3. Degree of Bachelor of Architecture awarded by the University of New South Wales, Kensington.

Germany

4. Diploma-Inageniur awarded by the Technical Universities in the Federal Republic of Germany.

U.K.

- 5. Degree in Architecture awarded by the Universities of Cambridge, Durham, Liverpool, London, Manchester, Sheffield, Wales, Edinburgh, Glasgow.
- 6. Associateship Examination of the Royal Institute of British Architects, London (A.R.I.B.A. Fxamination).

U.S.A.

- 7. Bachelor Degree in Architecture awarded by the American Universities Institutions, the curricula of which are accredited to the National Architectural Accrediting Board (U.S.A.).
- 8. Certificate of Fellowship awarded by the Frank Lloyd Wright Foundation, U.S.A.

Yugoslavia

- 9. Doctorate degree in Architecture, awarded by the Zagreb University, Yugoslavia."
- 10. The Committee then adjourned at 5.10 P.M. to meet again at 11.00 A.M. on Wednesday, the 5th November, 1969.

VIII

Eighth Meeting

The Committee met at 11-00 A.M. on Wednesday, the 5th November, 1969.

PRESENT

Shri Mudumala Henry Samuel—Chairman

MEMBERS

Rajya Sabha

- 2. Shri M. Ruthnaswamy
- 3. Shri Rewati Kant Sinha
- 4. Shri U. N. Mahida

- 5. Shri M. M. Dharia
- 6. Shrimati Vidyawati Chaturvedi
- 7. Shri Anand Chand
- 8. Shri Baharul Islam
- 9. Shri A. C. Gilbert
- 10. Shri C. L. Varma

- 11. Shri Ramchandra J. Amin
- 12. Shri J. B. S. Bist
- 13. Shri Kansari Halder
- 14. Shri Hem Barua
- 15. Shri S. M. Joshi
- 16. Kumari Kamla Kumari
- 17. Shri Sitaram Kesri
- 18. Shri Bijoy Modak
- 19. Shrimati Shakuntala Nayar
- 20. Shri Chintamani Panigrahi
- 21. Shri V. Narasimha Rao
- 22. Shrimati Tara Sapre
- 23. Shri Erasmo de Sequeira
- 24. Shrimati Jayaben Shah
- 25. Shri Prakash Vir Shastri
- 26. Shri P. Sivasankaran
- 27. Shri S. D. Somasundaram
- 28. Dr. V. K. R. V. Rao

REPRESENTATIVES OF THE MINISTRIES

Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser

Shri M. N. Baliga, Asstt. Educational Adviser (T)

Ministry of Law .

Shri P. L. Gupta, Additional Legislative Counsel

SECRETARIAT

Shri S. P. Ganguly, Deputy Secretary Shri Kishan Singh, Under Secretary

2. The Committee resumed clause-by-clause consideration of the Bill.

The Committee first took up for consideration the held over clauses of the Bill.

CLAUSE 8

The clause was adopted subject to the substitution of the following paragraph for lines 19—21, page 5;—

"(b) has been convicted by a Court in India for any offence and sentenced to imprisonment for not less than two years, and shall continue to be ineligible for a further period of five years since his release".

CLAUSE 20

The following amendments were accepted: -

- (i) Page 9, lines 20-21, for the words "Central Government" substitute the words "appropriate Government".
 - (ii) Page 9, for lines 22-39, substitute the following:—
 - "(2) After considering such representation the appropriate Government shall forward it along with such remarks as it may choose to make to the college or institution concerned, with an intimation of the period within which the college or institution as the case may be, may submit its explanation to the appropriate Government.
 - (3) On receipt of the explanation or where no explanation is submitted within the period fixed, then on the expiry of that period, the State Government in respect of the college or institution referred to in clause (b) of sub-section (5) shall make its recommendations to the Central Government.

(4) The Central Government-

- (a) after making such further enquiry, if any, as it may think fit, in respect of the college or institution referred to in sub-section (3), or
- (b) on receipt of the explanation from a college or institution referred to in clause (a) of sub-section (5), or where no explanation is submitted within the period fixed then, on the expiry of that period,
- may, by notification in the Official Gazette, direct that an entry shall be made in the appropriate part of the Schedule against the architectural qualification awarded by such college or institution, as the case may be, declaring that it shall be a recognised qualification only when granted before a specified date and the Schedule shall be deemed to be amended accordingly.
- (5) For the purpose of this Section, appropriate Government means—(a) in relation to any college or institution established by an Act of Parliament or managed, controlled or financed by the Central Government, the Central Government, and (b) in any other case, the State Government".

The Clause, as amended, was adopted.

CLAUSE 38

The Committee reconsidered the amendments made earlier in subclause (1) and after some discussion adopted the clause with the following amendment in the sub-clause:—

- Page 15, for lines 23-25, substitute the following:-
- "38 (1) After the expiry of one year from the date appointed under sub-section (2) of section 24, no person other than an architect, or a firm of architects shall use the title and style of architect:".

CLAUSE 1, ENACTING FORMULA AND THE TITLE

The clause, the Enacting Formula and the Title were adopted subject to the following amendments:—

- (i) Page 1, line 1, for the word "Nineteenth", substitute "Twentieth"
 - (ii) Page 1, line 5, for the figures "1968" substitute "1969".
- 3. The Committee authorised the Legislative Counsel to carry out changes of a minor and consequential nature, if necessary, in the Bill.
- 4. The Committee decided to meet at 3-30 p.m. on Friday, the 21st November, 1969, to consider the draft report and the Bill, as amended.
- 5. The Committee then adjourned at 11-40 A.M. to meet again at 3-30 P.M. on Friday, the 21st November, 1969.

IX

Ninth Meeting

The Committee met at 3-30 p.m. on Friday, the 21st November, 1969.

PRESENT

Shri Mudumala Henry Samuel-Chairman

MEMBERS

Rajya Sabha

- 2. Shri Rewati Kant Sinha
- 3. Shri U. N. Mahida
- 4. Shri Baharul Islam

Lok Sabha

- 5. Shri Ramchandra J. Amin
- 6. Shri J. B. S. Bist
- 7. Shri Kansari Halder
- 8. Shri S. M. Joshi
- 9. Shri Dhireswar Kalita
- 10. Shri Bal Raj Madhok
- 11. Shri Bijoy Modak
- 12. Shrimati Tara Sapre
- 13. Shrimati Jayaben Shah
- 14. Shri Naval Kishore Sharma
- 15. Shri Prakash Vir Shastri
- 16. Shri S. D. Somasundaram
- 17. Dr. V. K. R. V. Rao

REPRESENTATIVES OF THE MINISTRIES

Ministry of Law

Shri P. L. Gupta, Additional Legislative Counsel Shri R. N. Shinghal, Deputy Legislative Counsel Ministry of Education and Youth Services

Shri L. S. Chandra Kant, Joint Educational Adviser Shri M. N. Baliga, Asstt. Educational Adviser (T)

SECRETARIAT

Shri S. S. Bhalerao, Joint Secretary Shri S. P. Ganguly, Deputy Secretary Shri Kishan Singh, Under Secretary

- 2. The Chairman made a reference to the passing away of Shrimati Violet Alva, ex-Deputy Chairman and sitting Member of the Rajya Sabha. Thereafter, the Committee observed one minute's silence, all members standing, as a mark of respect to the memory of Shrimati Violet Alva.
- 3. The Committee took up consideration of the draft Report and the Bill as amended, and adopted the same.
- 4. The Committee decided that the whole of the evidence tendered before them may be laid on the Table of both the Houses.
- 5. The Committee decided that the Minutes of Dissent, if any, may be sent so as to reach the Rajya Sabha Secretariat by 10-30 A.M. on Thursday, the 27th November, 1969.
- 6. The Committee authorised the Chairman or, in his absence, Shri U. N. Mahida to present the Report on their behalf and to lay the evidence on the Table of the Rajya Sabha after the presentation of the Report.
- 7. The Chairman announced that the Report would be presented to the Rajya Sabha on Friday, the 28th November, 1969 and that evidence would be laid on the Table the same day.
- 8. The Committee authorised Shri S. M. Joshi or, in his absence, Shri Bal Raj Madhok to lay the Report of the Committee and the evidence on the Table of the Lok Sabha on Friday, the 28th November, 1969.
 - 9. The Committee then adjourned at 3-45 P.M.