

- The **Council of Architecture (COA)** has been constituted by the Government of India under the provisions of the Architects Act, 1972, enacted by the Parliament of India, which came **into force on 1st September, 1972**. The Act provides for **registration of Architects, standards of education, recognized qualifications and standards of practice** to be complied with by the practicing architects. The Council of Architecture is charged with the responsibility to regulate the education and practice of profession throughout India besides maintaining the register of architects. For this purpose, the Government of India has framed Rules and Council of Architecture has framed Regulations as provided for in the Architects Act, with the approval of Government of India.

- Any person desirous of carrying on the profession of 'Architect' must have registered himself with Council of Architecture. For the purpose of registration, one must possess the requisite qualification as appended to the Architects Act, after having undergone the education in accordance with the Council of Architecture (Minimum Standards of Architectural Education) Regulations, 1983. The registration with Council of Architecture entitles a person to practice the profession of architecture, provided he holds a Certificate of Registration with up-to-date renewals. The registration also entitles a person to use the title and style of Architect. The title and style of architect can also be used by a firm of architects, of which all partners are registered with COA. Limited Companies, Private/Public Companies, societies and other juridical persons are not entitled to use the title and style of architect nor are they entitled to practice the profession of architecture. If any person falsely claims to be registered or misuses title and style of architect, such acts tantamount to committing of a criminal offence, which is punishable under section 36 or 37 (2) of the Architects Act, 1972.

- The practice of profession of an architect is governed by the Architects (Professional Conduct) Regulations, 1989 (as amended in 2003), which deals with professional ethics and etiquette, conditions of engagement and scale of charges, architectural competition guidelines etc. Pursuant to these Regulations, the Council of Architecture has framed guidelines governing the various aspects of practice. An architect is required to observe professional conduct as stipulated in the Regulations of 1989 and any violation thereof shall constitute a professional misconduct, which will attract disciplinary action as stipulated under section 30 of the Architects Act, 1972.

- There are 135 institutions, which impart architectural education in India leading to recognized qualifications. The standards of education being imparted in these institutions (constituent colleges/departments of universities, deemed universities, affiliated colleges/schools, IITs, NITs and autonomous institutions) is governed by Council of Architecture (Minimum Standards of Architectural Education) Regulations, 1983, which set forth the requirement of eligibility for admission, course duration, standards of staff & accommodation, course content, examination etc. These standards as provided in the said Regulations are required to be maintained by the institutions. The COA oversees the maintenance of the standards periodically by way of conducting inspections through Committees of Experts. The COA is required to keep the Central Government informed of the standards being maintained by the institutions and is empowered to make recommendations to the Government of India with regard to recognition and de-recognition of a qualification.

- **Definitions**

- (a) "Architect" means a person whose name is for the time being entered in the register;
- (b) "Council" means the Council of Architecture constituted under section 3;
- (c) "Indian Institute of Architects" means the Indian Institute of Architects registered under the Societies Registration Act, 1860;
- (d) "Recognised qualification" means any qualification in architecture for the time being included in the Schedule or notified under section 15;
- (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.

- **What is Architects Act, 1972?**

- The main purpose of the architects act, 1972 as given in the preamble is to provide
- for the registration of architects and for matters connected therewith. It has already
- come into force and extends to the whole India. It contains 45 sections along with
- one schedule.

- The act can briefly be studied under the following heads:

1. Use of title "Architect"
2. Council of Architecture
3. Qualification for Registration

- **Use of title 'Architect'**

- A person is prohibited from using the title and the style of 'Architect' unless he is a
- person registered in the Register of Architects (section 37). This prohibition does not
- affect the use of designation as "Landscape Architect" or "Naval Architect".
- Contravention will lead to fine on first conviction and on subsequent conviction with
- imprisonment or fine or both (section 37(2)).

- **Architects' Registration Council**

- The Act provides for the establishment of Council of Architecture, a body cooperative consists of members from Institutions, Councils, Central and State Government nominees. The members will select Vice president and President from among them.
- The term of Council is for a period of three years from the date of election of members, or nomination or until the successor, as the case may be has been duly elected or nominated whichever is later.
- Section 14 and Schedule provide for the basic qualification for the purpose of registration.

- **Function and Powers of Council**

- a) Appoint registrar and such other officers and employees as are necessary to carry out its functions.
- b) To maintain proper account of finance.
- c) To maintain a registrar of architects registered under the Act, on payment of prescribed fees by the architect and to renew the registration from time-to-time.
- d) Remove the name of the architect from the register either on his own application or when he is dead or on account of other moral turpitudes.
- e) To enquire into matters relating to misconduct.
- f) To furnish reports, copies of minutes and the other information to Central Govt.
- g) Issue of registration certificate and also duplicates if necessary.

- **Powers**

- a) To acquire, hold and dispose of the property both movable and immovable.
- b) To enter into a contract.
- c) To sue or be sued.
- d) Powers to appoint inspectors to inspect any college or institution where architectural education is given or to attend any examination conducted by such bodies for the purpose of recommending to the Central Government, recognition of architectural qualifications granted by such bodies.
- e) Powers of withdrawing of recognition under certain circumstances and prescribing minimum standard of architectural education.
- f) To prescribe standards of professional conduct and etiquette and a code of ethics for the architects.
- g) Powers to make regulations.

- **Note:** by virtue of section 25(b) those persons who were engaged in practice as
- architect for a period of not less than 5 years prior to the date appointed under
- Sub-section (2) of section 24 are also entitled to get their names entered in the
- register on payment of necessary fees.

- **Qualifications for Registration**

- Section 14 read with schedule prescribes the following qualifications for the purpose of registration:

- **1. Bachelor of architects**

- Degree awarded by Indian Universities established by an Act of Central or State Legislature; by Indian Institute of Technology, Kharagpur.

- **2. Diplomas in Architecture**

- a) National Diploma by All India Council for Technical Education
- b) Five year full time diploma of Sir J.J School of Art, Bombay, after 1941.
- c) i) of State Board of Technical Education and Training of Andhra Pradesh with effect from 1960;
- ii) Diploma of Government College of Arts and Architecture, Hyderabad, till 1959 subject to condition that candidates concerned have passed special final examination held by State Board of Andhra Pradesh as given above.
- d) Of University of Nagpur with effect from 1965.
- e) Of Government of Maharashtra.
- f) Of Kalabhavan Technical Institute, Baroda.
- g) School of Architecture, Ahmadabad.

- **3. Membership of the Indian Institute of Architects**

- A few of the Architect's Liabilities to the Contractor: The architect is not a
- party to the contract and as such extent of liabilities is very limited to the contractor
- depending upon the circumstances of the case. In general,
 1. The architect cannot incur any personal liability to the contractor
 2. The architect is not bound for losses to the contractor for his actions even if they are improper but within his authority.
 3. Contractor cannot take any action against architect for certifying less interim payments than what are due.
 4. When the architect exceeds his authority, he will be liable for damages.
 5. For defects in the drawings, specification or qualities, the architect owes no responsibility to the contractor.