



U.P. ARCHITECTS ASSOCIATION[®]

Regd. under the Societies Registration (Uttar Pradesh Amendment) Act, 1975 since 1987.

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UPAA/CE/2026/L-340
Date: 29.07.2026

To
The Chief Engineer
Ghaziabad Development Authority
Ghaziabad, Uttar Pradesh

Subject: Request for Reconsideration of Empanelment Fee in Light of the Architects Act, 1972 and Council of Architecture Guidelines

Respected Sir/Madam,

We respectfully invite your kind attention to the **Request for Proposal (RFP) for Empanelment of Architectural and Engineering Firms** issued by the Ghaziabad Development Authority, wherein an **Empanelment Fee of ₹25,000/- (Non-refundable)** has been prescribed.

We wish to respectfully submit that the **Council of Architecture (COA)**, constituted under the **Architects Act, 1972**, has issued guidelines advising that architects should not be required to pay any Processing fees, empanelment, performance fees etc. for empanelment with Government Departments, Development Authorities, Public Sector Undertakings, or other public bodies. Such a requirement may not be in consonance with the intent of the Architects Act, 1972 and the professional framework governing the architectural profession.

For your kind reference, we have enclosed, as **Annexure-I**, a copy of the guidelines issued by the Council of Architecture in this regard, which may kindly be taken into consideration while examining the present matter.

Empanelment is intended to facilitate the engagement of qualified professionals for public projects. In this regard, the requirement of a non-refundable empanelment fee may inadvertently create an additional financial burden on registered architects and could discourage wider professional participation.

In view of the above, we most respectfully request your good office to kindly examine this matter and consider:

1. Waiving the requirement of the **₹25,000/- Non-refundable Empanelment Fee** for

For U.P. ARCHITECTS ASSOCIATION


PRESIDENT

architects participating in the empanelment process;

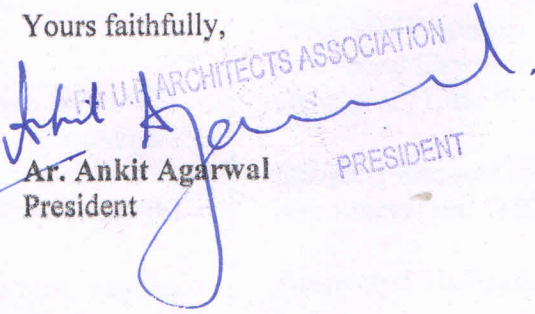
2. Issuing an appropriate clarification or corrigendum, so that the empanelment process remains aligned with the spirit of the **Architects Act, 1972** and the guidelines issued by the **Council of Architecture**.

3. Considering that the above representation may require examination and an appropriate decision by the Authority, we also respectfully request your good office to **extend the last date for submission of bids** by a reasonable period. This will ensure that all prospective applicants receive equal opportunity to participate in the bidding process after the necessary clarification or corrigendum.

We are confident that your kind consideration of this representation will further promote transparency, fairness, and wider participation of qualified architectural professionals in public projects.

We shall be grateful for your favourable consideration and look forward to your kind response.

Yours faithfully,


Ar. Ankit Agarwal
President

ARCHITECTS ASSOCIATION
PRESIDENT

Encl.:

Annexure-I: Copy of the Council of Architecture guidelines regarding levy of empanelment/registration fees.

Annexure-I

Ref. no. CA/80/2023/AOA
June, 15 2023

The Chief Secretary
Government of Uttar Pradesh
101, 'B' Block, Lok Bhawan,
U.P. Secretariat, Lucknow - 226001
Email: csup@nic.in

The Chairman
Uttar Pradesh State Road Transport Corporation
HQ, Tehri Kothi,
MG Marg Lucknow - 226 001
Email: info@upsrtc.com, helpline@upsrtc.com

Subject: Tender for Selection of Architect for providing Architectural Services for Construction of Bus Station at Jankipuram, Lucknow.

Sir,

The Council of Architecture is a statutory body established by the Architects Act, 1972 (A Special Central Act), for regulating architectural education and profession throughout the territory of India.

It has come to the notice of the Council that the Uttar Pradesh State Road Transport Corporation, Lucknow has invited Tender under two cover system-prequalification document and Price Bid document from Architects for providing their professional services for the proposed Construction of Bus Station at Jankipuram, Lucknow.

Pertinent to the matter, I have to inform you that the profession of architects is regulated, controlled and maintained under the procession of the Architects Act, 1972 and Regulations framed thereunder. The Council is empowered under Section 22 of the Act to lay down, by Regulations, standards of professional conduct and code of ethic of Architects. These Regulations have overriding effect over any other law for the time being in force in India.

Accordingly, the Council has framed the Architects (Professional Conduct) Regulations, 1989. The Regulation 2(1) (xiv) of the said Regulations provides that an architect shall not prepare designs in competition with other Architects for a Client without payment or for a reduce fee (except in a competition conducted in accordance with the Architectural Competition Guidelines approved by the Council). Further, Regulation 2(1) (xii) provides that an architect shall observe and uphold the Council's Conditions of Engagement and Scale of Charges.

The Regulation 2(1) (xvi) provides that an Architect shall comply with Council's guidelines for Architectural Competitions and inform the Council of his appointment as assessor for an Architectural Competition.

The Council has prescribed a complete code on Architectural Practice title as Manual of Architectural Practice. Volume 2 of the same provides the procedure for selection/appointment of Architects. A complimentary copy of Manual is enclosed herewith for your kind perusal.

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Architects are professional like Doctors, Advocates and Chartered Accountants, whose conduct and ethics are regulated and governed under the Act and hence should not be insisted to pay processing fee, earnest money, Performance/ Bank Guarantee, bid security or quote lowest fee, etc. on the lines of contractors.

Please also note that even under ease of doing business initiative of Government of India such conditions are not insisted.

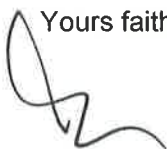
Under the provisions of the Architects Act, 1972, namely Sections 2 (a), 25, 35, 36 and 37 of the Act only an architect registered with the Council of Architecture or a partnership firm can only use the title and style of architect of any word/ derivate of word architect and none else. LLPs and companies cannot use the title and style or Architecture. Violation of this prohibition is a punishable offence under Section 36 and 37.

Any term and conditions prescribed in the bids/tender/ contract/agreement/ offer or any Manual/Guidelines of any Publication Body/ Authority for appointment of Architects shall have to be consistent with the above provisions of the Architects Act, 1972 and Regulations & other professional documents prescribed pursuant thereto.

In the view of the above, the Government of Uttar Pradesh is requested to issue appropriate direction in the matter to appoint Architect strictly as per the Regulations and Manual prescribed by Council.

Thanking you,

Yours faithfully,



R. K. Oberoi
Registrar

Encl: As above

Copy for information to:

The General Manager(P&ID)
Uttar Pradesh State Road Transport Corporation
HQ, Tehri Kothi,
MG Marg Lucknow - 226 001
Email: info@upsrtc.com, helpline@upsrtc.com

