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UPAA/MP/2026/L-343

दिनांक-07 अगस्त, 2026

सेवा में,

डॉ. लक्ष्मीकांत बाजपेयी जी

माननीय सांसद, राज्यसभा

मेरठ, उत्तर प्रदेश

विषय: वास्तुकला प्रैक्टिस से संबंधित जनहित विषय पर प्रस्तावित तारांकित प्रश्न एवं उनके समर्थनार्थ आवश्यक दस्तावेज प्रेषित करने के संबंध में।

माननीय महोदय,

सादर प्रणाम।

यह पत्र वास्तुकला प्रैक्टिस से संबंधित एक महत्वपूर्ण जनहित विषय पर तैयार किए गए प्रस्तावित तारांकित प्रश्न आपके अवलोकनार्थ एवं विचारार्थ प्रेषित करने के उद्देश्य से प्रस्तुत किया जा रहा है। यह विषय सार्वजनिक सुरक्षा, भवन गुणवत्ता तथा पेशेवर उत्तरदायित्व से प्रत्यक्ष रूप से संबंधित है तथा इसका प्रभाव देशभर में भवन निर्माण एवं नगरीय विकास की प्रक्रिया पर परिलक्षित हो रहा है।

वर्तमान में आर्किटेक्ट्स अधिनियम, 1972 की व्याख्या एवं उससे उत्पन्न व्यावहारिक परिस्थितियों के कारण वास्तुकला क्षेत्र में कुछ ऐसी चुनौतियाँ सामने आ रही हैं, जिनसे न केवल इस पेशे की मूल भावना प्रभावित हो रही है, बल्कि दीर्घकाल में जनहित एवं संरचनात्मक सुरक्षा से जुड़े गंभीर प्रश्न भी उत्पन्न हो रहे हैं। इन्हीं महत्वपूर्ण विषयों को प्रस्तावित तारांकित प्रश्नों के माध्यम से विनम्रतापूर्वक उठाया गया है।

प्रस्तावित तारांकित प्रश्नों में उल्लिखित तथ्यों एवं विषयवस्तु को अधिक स्पष्ट, वस्तुनिष्ठ एवं समग्र रूप से प्रस्तुत करने के उद्देश्य से, आपकी सुविधा एवं संदर्भ हेतु कुछ महत्वपूर्ण दस्तावेज



समर्थनार्थ इस पत्र के साथ संलग्न किए जा रहे हैं, जिससे विषय के विधिक, प्रशासनिक तथा शैक्षणिक पक्ष एक साथ दृष्टिगोचर हो सकें। संलग्नक निम्नानुसार हैं—

अनुलग्नक-1: प्रस्तावित तारांकित प्रश्नों की प्रति।

अनुलग्नक-2: संबंधित सचिवालयीय पत्राचार की प्रति।

अनुलग्नक-3: भारत के सर्वोच्च न्यायालय के निर्णय की प्रति।

अनुलग्नक-4: वास्तुकला एवं इंजीनियरिंग पाठ्यक्रमों का तुलनात्मक शैक्षणिक विवरण।

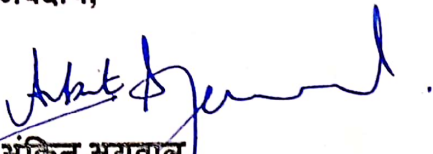
इन संलग्नकों का उद्देश्य केवल प्रस्तावित तारांकित प्रश्नों में उठाए गए विषयों के समर्थन में आवश्यक तथ्य एवं संदर्भ उपलब्ध कराना है, ताकि विषय की पृष्ठभूमि, उससे जुड़ी व्यावहारिक कठिनाइयों तथा उससे उत्पन्न व्यापक प्रभाव को बेहतर ढंग से समझा जा सके।

आशा है कि आप इस जनहित विषय की गंभीरता पर सहानुभूतिपूर्वक विचार करते हुए संलग्न प्रस्तावित तारांकित प्रश्नों का अवलोकन करेंगे तथा उन्हें संसद में उठाने हेतु अपना बहुमूल्य मार्गदर्शन एवं सहयोग प्रदान करने की कृपा करेंगे।

आपके बहुमूल्य समय एवं ध्यान के लिए हम हृदय से आभारी हैं।

सादर,

भवदीय,


अंकित अग्रवाल
अध्यक्ष

Starred Questions**Ministry of Housing & Urban Affairs**

तारांकित प्रश्न

आवास एवं शहरी कार्य मंत्रालय

1. Whether the Hon'ble Minister of Housing and Urban Affairs is aware that under the Architects Act, 1972 enacted by the Parliament, the title of Architect is protected and not the practice of Architect?

क्या माननीय आवास एवं शहरी कार्य मंत्री इस तथ्य से अवगत हैं कि संसद द्वारा अधिनियमित आर्किटेक्ट्स अधिनियम, 1972 के अंतर्गत आर्किटेक्ट की उपाधि संरक्षित है, न कि वास्तुविद् (आर्किटेक्ट) की प्रैक्टिस?

2. Whether the Hon'ble Minister is seized of the problem of unqualified individuals engaged in architectural practice, in view of the facts given in the Contextual Note?

क्या माननीय मंत्री प्रसंग विवरण में दिए गए तथ्यों को ध्यान में रखते हुए इस समस्या से अवगत हैं कि अयोग्य व्यक्ति वास्तुकला की प्रैक्टिस कर रहे हैं?

3. Whether such complexes like the New Parliament Building and the Supreme Court Building could also have been designed by unqualified individuals or Engineers, as they have been engaged in architectural practice across the country? Since Engineers—whose curriculum does not contain even an iota of architectural design—and other unqualified individuals, who do not possess the professional or technical qualifications required under Article 19(6) of the Constitution of India for practicing any profession, are being granted licences by local authorities throughout India to practice architecture?

क्या नए संसद भवन और सर्वोच्च न्यायालय भवन जैसे महत्वपूर्ण परिसरों को भी अयोग्य व्यक्तियों या इंजीनियरों द्वारा ही डिज़ाइन किया जा सकता था, जैसे कि ये लोग देशभर में वास्तुकला की प्रैक्टिस कर रहे हैं? क्योंकि इंजीनियर—जिनके पाठ्यक्रम में वास्तु डिज़ाइन का एक भी अंश नहीं है—तथा अन्य अयोग्य व्यक्ति, जिन्हें भारत के संविधान के अनुच्छेद 19(6) के अनुसार किसी भी पेशे का अभ्यास करने हेतु आवश्यक व्यावसायिक या तकनीकी योग्यता प्राप्त नहीं है, उन्हें देशभर के स्थानीय प्राधिकरणों द्वारा वास्तुकला की प्रैक्टिस करने के लिए लाइसेंस दिया जा रहा है।

4. Whether the Government would take up the requisite amendment in a larger public interest and safety to protect the practice of architect in a similar way as that of the Advocate Act or IMA Act to protect these professions?

क्या सरकार बड़े जनहित और जनसुरक्षा में, अधिवक्ता अधिनियम या भारतीय चिकित्सा संघ अधिनियम की तर्ज पर इस पेशे की विधिक सुरक्षा की तरह ही वास्तुविद् के अभ्यास की सुरक्षा हेतु आवश्यक संशोधन लाने पर विचार करेगी?

5. Whether the Hon'ble Minister would give an assurance for the requisite amendment to protect the practice of architect in the Architects Act, 1972 within a fixed time frame, as otherwise the sole objective of enactment of the Act is being defeated?

क्या माननीय मंत्री आर्किटेक्ट्स अधिनियम, 1972 में संशोधन कर वास्तुविद् के अभ्यास की सुरक्षा हेतु एक निर्धारित समय-सीमा के भीतर आवश्यक संशोधन का आश्वासन देंगे? अन्यथा अधिनियम के निर्मित होने का मूल उद्देश्य ही विफल हो रहा है।

CONTEXTUAL NOTE

The objective to enact the Architects Act, 1972 was that a large variety of buildings with many extreme complexities and magnitudes were being constructed. With the increase in building activities, many unqualified persons calling themselves architects were undertaking the construction of buildings which were uneconomical and quite frequently unsafe, thus bringing the profession of architects into disrepute. There was a need for statutory regulation to protect the general public from unqualified individuals working as architects. Thus, the Architects Act, 1972 was enacted by Parliament.

आर्किटेक्ट्स अधिनियम, 1972 को लागू करने का उद्देश्य यह था कि विभिन्न प्रकार की अत्यधिक जटिलता और बड़े पैमाने के भवनों का निर्माण हो रहा था। भवन निर्माण गतिविधियों में वृद्धि के साथ, कई अयोग्य व्यक्ति स्वयं को आर्किटेक्ट बताकर भवनों का निर्माण कर रहे थे, जो कि अक्सर अव्यवहारिक और असुरक्षित सिद्ध होते थे, जिससे आर्किटेक्ट पेशे की प्रतिष्ठा प्रभावित हो रही थी। इसलिए, जनता को अयोग्य व्यक्तियों से बचाने के लिए वैधानिक विनियमन की आवश्यकता थी। इसी उद्देश्य से संसद ने आर्किटेक्ट्स अधिनियम, 1972 अधिनियमित किया।

In the year 2020, the Supreme Court of India gave a decision that Section 37 of the Architects Act, 1972 protects the title of Architect but not the practice of architecture like the Advocate Act or Indian Medical Association Act where the practice of Advocates and Doctors is protected.

वर्ष 2020 में, भारत के सर्वोच्च न्यायालय ने निर्णय दिया कि आर्किटेक्ट्स अधिनियम, 1972 की धारा 37 केवल आर्किटेक्ट की उपाधि की रक्षा करती है, न कि वास्तुकला की प्रैक्टिस की—जबकि अधिवक्ता अधिनियम और भारतीय चिकित्सा संघ अधिनियम में अधिवक्ताओं और डॉक्टरों के अभ्यास की विधिक सुरक्षा प्रदान की गई है।

This has opened the plethora where individuals not having requisite qualifications in the architecture stream have been giving architectural design and submitting building plans for sanction to various local authorities, as the local authorities throughout India are giving

licenses. In the engineering curriculum, there is not an iota of architectural design of buildings, but taking note of the decision of the Courts, the unqualified individuals and engineers are engaged in architectural practice.

इससे व्यापक स्थिति उत्पन्न हो गई है जहाँ वास्तुकला क्षेत्र में आवश्यक योग्यता न रखने वाले व्यक्ति वास्तु डिज़ाइन कर रहे हैं और विभिन्न स्थानीय प्राधिकरणों में भवन योजनाएँ स्वीकृति हेतु प्रस्तुत कर रहे हैं क्योंकि देशभर के स्थानीय प्राधिकरण ऐसे व्यक्तियों को लाइसेंस जारी कर रहे हैं। इंजीनियरिंग पाठ्यक्रम में भवन वास्तु डिज़ाइन का एक भी अंश नहीं होता, फिर भी न्यायालय के निर्णय का लाभ उठाते हुए अयोग्य व्यक्ति और इंजीनियर वास्तुकला को प्रैक्टिस कर हैं।

Article 19(6) of the Constitution of India empowers the State to make laws relating to the professional or technical qualifications necessary for practicing any profession. Though the Architects Act, 1972 is a Central Act, all the States follow it, and while giving licenses to professionals like Architects, Town Planners, Engineers, Structural Engineers, Supervisors, and Draftsmen etc., the State Governments do not follow the constitutional obligation and simply copy and paste, without applying mind, the suggestive guidelines from the National Building Code which is not legally binding. It is a voluntary Code for reference only. The land and building is a State subject and within the exclusive legislative and executive jurisdiction of the State. Hence, buildings and matters like norms as well as other aspects covered in NBC are within the exclusive legislative and executive jurisdiction of the States.

भारत के संविधान का अनुच्छेद 19(6) राज्य को यह शक्ति प्रदान करता है कि वह किसी भी पेशे का अभ्यास करने के लिए आवश्यक व्यावसायिक या तकनीकी योग्यता से संबंधित कानून बना सके। यद्यपि आर्किटेक्ट्स अधिनियम, 1972 एक केंद्रीय अधिनियम है, सभी राज्य इसका पालन करते हैं, परंतु आर्किटेक्ट्स, टाउन प्लानर्स, इंजीनियर, स्ट्रक्चरल इंजीनियर, सुपरवाइज़र और ड्राफ्ट्समैन आदि को लाइसेंस जारी करते समय राज्य सरकारें अपनी संवैधानिक जिम्मेदारी का पालन नहीं कर रही हैं। वे बिना विचार किए केवल नेशनल बिल्डिंग कोड की सलाहकार गाइडलाइन की नकल कर देती हैं, जबकि NBC विधिक रूप से बाध्यकारी नहीं है और केवल संदर्भ हेतु एक स्वैच्छिक कोड है। भूमि और भवन राज्य विषय हैं और इनके सभी मानक तथा NBC में सम्मिलित प्रावधान राज्य के विशिष्ट विधायी एवं कार्यकारी अधिकार क्षेत्र में आते हैं।

➤ **Amendment in Architects Act, 1972: Needed**

In the absence of clear provisions in the Architects Act, 1972 to protect the practice of architect, like in the Advocate Act or IMA Act, it is of utmost importance in the larger public interest to amend the Act to protect the practice of architect; otherwise, the very objective of enacting the Act is being defeated and violated.

आर्किटेक्ट्स अधिनियम, 1972 में वास्तुविद की प्रैक्टिस को सुरक्षा प्रदान करने वाले स्पष्ट प्रावधानों के अभाव में—जैसा कि अधिवक्ता अधिनियम या भारतीय चिकित्सा संघ अधिनियम में है—यह बड़े जनहित में अत्यंत आवश्यक है कि इस अधिनियम में संशोधन किया जाए, अन्यथा अधिनियम के निर्मित होने का मूल उद्देश्य ही विफल और प्रभावित हो रहा है।

F.No. 5/6/2025-Deregulation
Government of India
(Bharat Sarkar)
Cabinet Secretariat
(Mantri Mandali Sachivalaya)

New Delhi, the 25th June, 2025

To
Chief Secretaries of all States

Subject: National Building Code, 2016 - clarification reg.

Sir/Madam,

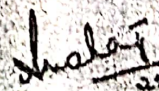
I am directed to refer to Cabinet Secretariat's OM no. 082/2/1/2020-CA.V(Vol.III) dated 24.01.2025 constituting a Task Force to pursue de-regulation and compliance reduction, to promote ease of doing business and ease of living, towards faster development and job creation. In its interactions with the State Governments, several of them have raised an issue regarding the National Building Code, 2016.

2. The matter has been examined in consultation with the Bureau of Indian Standards and accordingly the following clarifications are issued:-

- (i) The National Building Code is not legally binding. It is a voluntary code for reference. It is not a "code" in the legally binding sense.
- (ii) Being a voluntary document, the National Building Code does not fall under Section 29, read with Section 17, of the Bureau of Indian Standards Act, 2016, and hence non-compliance with the National Building Code does not constitute an offence. In other words, the National Building Code is not "criminalized" and hence, there is no question of "decriminalization".
- (iii) The subject of "Land & Buildings" is listed in List II (State List) in the Constitution (entry 18). Fire Services are also in the State domain, vide Entry 5 of the State List read with the Twelfth Schedule (Entry 7) of the Constitution. Hence, buildings and matters like norms for Floor Area Ratio/Floor Space Index, set back, ground coverage, parking, green area, fire regulation etc. as well as other aspects covered in National Building Code are within the exclusive legislative and executive jurisdiction of the States. The Centre does not have legislative competence over such subjects in respect of State Governments.

3. The above clarifications are for information and necessary action.

Yours faithfully,


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SUPREME COURT CASES

(2020) 16 SCC

(2020) 16 Supreme Court Cases 446

2J

(BEFORE DR D.Y. CHANDRACHUD AND AJAY RASTOGI, JJ.)

COUNCIL OF ARCHITECTURE

Appellant;

Versus

Respondents.

MUKESH GOYAL AND OTHERS

Civil Appeals No. 1819 of 2020† with
Nos. 1820-822 of 2020‡, decided on March 17, 2020

A. Architects Act, 1972 — Ss. 37 and 35 — Use of title “Architect” by individuals not registered with Council of Architecture — Impermissibility — Held, S. 37 prohibits unregistered individuals from using “title and style of architect” — Further held, under scheme of Architects Act, only individuals possessing statutorily recognised minimum educational qualification can apply for registration as an “architect” — Thus, registration as an architect is guarantee of possessing certain minimum educational qualifications and specialised knowledge associated with architects — Words and Phrases — “Architect”

B. Architects Act, 1972 — Ss. 37 and 35 — Noida Promotion Policy, 2005 — Holding post of Architecture Assistant, Associate Architect, Architect, Senior Architect by individuals not registered with Council of Architecture — Impermissibility

— Held, S. 37 does not prohibit practice of architecture by unregistered individuals, but prohibits unregistered individuals from using “title and style” of architect — When individual is called “architect” it is assumed that he is registered under the 1972 Act and consequently possesses requisite educational qualifications and specialised knowledge associated with architecture — Holding post using term “Architect” has real-world consequence of being referred to as an architect which is not matter of mere nomenclature — To promote individual who does not possess degree in Architecture to post using title or style of “architect” would violate prohibition on use of title of “architect” contained in S. 37

— On facts held, though power of Noida Authority to choose title to various posts under its supervision and to provide and modify minimum eligibility criteria for promotion is acknowledged but it cannot be permitted to promote or recruit individuals not registered with COA to a post that uses title or style of “architect” — Liberty granted to authority to change nomenclature of post as long as it does not violate provisions of the 1972 Act — Noida Promotion Policy, 2005 — Noida Service Regulations, 1981 — Regn. 16 — U.P. Industrial Area Development Act, 1976 (6 of 1976), Ss. 3 and 19

† Arising out of SLP (C) No. 18752 of 2014. Arising from the Judgment and Order in *Mukesh Goyal v. State of U.P.*, 2014 SCC OnLine All 2638 (Allahabad High Court, Writ-A No. 57577 of 2008, dt. 19-2-2014)

‡ Arising out of SLPs (C) Nos. 25524-526 of 2014

a C. Architects Act, 1972 — Ss. 35, 37, 2(a), 14, 15, 17 and 23 — Individuals not registered under the Architects Act — Whether can practise activities undertaken by architects, including design, supervision and construction of buildings — Held, S. 37 creates legal prohibition on use of “title and style of architect” and not practice — Title and style are distinct from practice — While prohibition on use of title merely restricts individual from attaching said title to their name, prohibition on practice creates bar on actual undertaking of specific actions — Architects Act does not prohibit b unregistered individuals from practising activities undertaken by architects — Besides, profession of architecture involves wide range of activities carried out by architects in concert with other actors including draughtspersons, builders, engineers and designers — Position contrasted with that obtaining under the Medical Council Act and the Advocates Act, respectively

c — If absolute prohibition is imposed against unregistered individuals from “practising architecture” it would lead to confusion as to what activities form practice of architecture and what not, which may result in host of other legitimate professionals being barred — Varied professions form essential cogs in overall machinery of construction, and design, supervision, construction cannot be done by architects alone — Advocates Act, 1961 — S. 29 — Indian Medical Council Act, 1956, S. 15(2)

d D. Interpretation of Statutes — Basic Rules — Determination of legislative intent/Object of legislation — Held, intention of legislature is best evidenced by text of statute itself — However, where plain reading of statute leads to absurd or unreasonable meaning, text of statute must be construed in light of object and purpose for which statute was enacted

e — Statement of Objects and Reasons of Architects Act makes it evident that legislature was undoubtedly concerned with risk of unqualified persons undertaking construction of buildings leading to costly and dangerous buildings — To guard against that risk minimum standard of statutorily recognised qualifications were stipulated before an individual was designated as “architect” — However, legislature did not intend to create prohibition on f practice of architecture and associated activities by unregistered individuals

g — As opposed to case of physicians or surgeons under the Medical Council Act or advocates under the Advocates Act, legislature consciously chose to employ less stringent measure in case of architects, merely prohibiting unregistered individuals from using “title and style” of architect — Court cannot delve into reasons for legislature’s choice — Architects Act, 1972 — Ss. 35, 37, 2(a), 14, 15, 17 and 23 — Advocates Act, 1961 — S. 29 — Indian Medical Council Act, 1956, S. 15(2)

h E. Administrative Law — Subordinate/Delegated Legislation — Primacy of Parent Statute/Primary Statutes — Reiterated that delegated legislation is susceptible to invalidity on ground of being ultra vires not only its parent legislation but also other primary legislation

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that the authority has significant discretion in how it chooses to title the various posts under its supervision. However, to permit Noida to continue to title a post that includes individuals who are not registered architects under the Architects Act as "Associate Architect" would result in a violation of Section 37 of the Architects Act. In *Tulya Gogoi*⁶ the High Court of Gauhati expressly held that the prohibition on the use of title and style of architect contained in Section 37 of the Architects Act applies to both private individuals and government employees. The reasoning of the High Court on this issue commends itself for our acceptance. The text of Section 37 makes no distinction between government employees and private individuals.

55. The U.P. Industrial Area Development Act provides Noida with the power to make rules for the management of its internal affairs. In exercise of this power, Noida formulated the 1981 Service Regulations. Regulation 16 of the Service Regulations sets out the "Sources of Recruitment" for posts under Noida's authority. By clause (iv) of Regulation 16, Noida has the power to modify the sources of recruitment for posts under its supervision. It is in exercise of this power that Noida formulated the 2005 Promotion Policy which sets out the sources and qualifications for recruitment in its various departments. It is well established that delegated legislation is susceptible to invalidity on the grounds of being ultra vires its parent legislation but also ultra vires other primary legislation. Where the provisions of a primary legislation (the Architects Act) are contradictory to the provisions of a delegated legislation (the 2005 Promotion Policy), the provisions of the primary legislation must prevail. This principle is well established and has received articulation by this Court on several occasions. In *Indian Express Newspapers (Bombay) (P) Ltd. v. Union of India*¹² Venkataramiah, J. speaking for a three-Judge Bench of this Court stated: (SCC p. 689, para 75)

"75. A piece of subordinate legislation does not carry the same degree of immunity which is enjoyed by a statute passed by a competent legislature. Subordinate legislation may be questioned on any of the grounds on which plenary legislation is questioned. In addition, it may also be questioned on the ground that it does not conform to the statute under which it is made. *It may further be questioned on the ground that it is contrary to some other statute. This is because subordinate legislation must yield to plenary legislation.* It may also be questioned on the ground that it is unreasonable, unreasonable not in the sense of not being reasonable, but in the sense that it is manifestly arbitrary." (emphasis supplied)

The distinction made by the Allahabad High Court, that the 2005 Promotion Policy was passed under a State legislation, namely, the U.P. Industrial Area Development Act, and thus did not need to comport with the terms of the Architects Act as a Central legislation is incorrect.

56. For the reasons stated above, in response to the first question we affirm² the decision of the High Court of Allahabad and hold that Section 37 of the

⁶ *Tulya Gogoi v. Assn. of Architects*, 1999 SCC OnLine Gau 190 : (1999) 3 Gau LR 179

¹² (1985) 1 SCC 641 : 1985 SCC (Tax) 121

² *Mukesh Goyal v. State of U.P.*, 2014 SCC OnLine All 2638

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Architects Act does not prohibit individuals not registered under the Architects Act from undertaking the practice of architecture and its cognate activities. In response to the second question we disapprove of the view of the High Court of Allahabad and hold that Noida cannot promote or recruit individuals who do not hold a degree in architecture recognised by the Architects Act to a post that uses the title or style of "architect". However, the authority is free to change the nomenclature of the post to any alternative as long as it does not violate the provisions of the Architects Act by using the style and title of "architect" in its name.

57. The appeals are partly allowed in the above terms. There shall be no order as to costs. Pending application(s), if any, shall stand disposed of.

[CONNECTED ORDER (1)]

(2020) 16 Supreme Court Cases 475

(BEFORE DIPAK MISRA, C.J. AND A.M. KHANWILKAR
AND DR D.Y. CHANDRACHUD, JJ.)

3J

COUNCIL OF ARCHITECTURE

... Appellant;

Versus

INDIAN INSTITUTE OF ARCHITECTS AND OTHERS

... Respondents.

Civil Appeal No. 12649 of 2017[†], Order dated September 11, 2017

Architects Act, 1972 — Ss. 15, 25 and 37 — Reiterated, person not registered as architect under the Architects Act, 1972 can practise as an architect — [Ed.: Though as clarified in *Mukesh Goyal*, (2020) 16 SCC 446, the name and style of "Architect" can be used only by persons registered under the Architects Act.] (Para 3)

Council of Architecture v. Manohar Krishnaji Ranade, (2020) 16 SCC 476, affirmed
Manohar Krishnaji Ranade v. Pune Municipal Corpn., WP No. 1830 of 1988, order dated 29-11-2004 (Bom), cited

D/64305/9

Advocates who appeared in this case :

Naveen R. Nath (Advocate-on-Record) and Ms Lalit Mohini Bhat, Advocates, for the Appellant;

Tushar Mehta, Additional Solicitor General (Saket Sikri and Ms Ranjeeta Rohatgi, Advocates), for the Respondents.

Chronological list of cases cited

on page(s)

1. (2020) 16 SCC 476, *Council of Architecture v. Manohar Krishnaji Ranade* 476b
2. WP No. 1830 of 1988, order dated 29-11-2004 (Bom), *Manohar Krishnaji Ranade v. Pune Municipal Corpn.* 476b-c

[†] Arising out of SLP (C) No. 24267 of 2017. Arising from the Final Judgment and Order in *Manohar Krishnaji Ranade v. Pune Municipal Corpn.* (Bombay High Court, WP No. 1830 of 1988, order dated 29-11-2004)

**COMPARATIVE STATEMENT OF SUBJECTS & CONTACT HOURS OF
B.Arch. & B.E. (Civil) ON THE SUBJECT OF ARCHITECTURE COURSES**

.....by Prof. R. Ramaraju.

..... as per INDIAN INSTITUTE OF TECHNOLOGY, IIT KHARAGPUR Programmes - March 2019

S. No.	Subjects / Courses	Architecture Programme No. of Hours			Civil Engineering Programme No. of Hours			Remarks / Comments	
		Theory	Practical / Studio	Total Hours	Theory	Practical / Studio	Total Hours	Architecture	Civil Engineering
1.	Basic Design & Visual Arts	15	45	60	-	-	-	A special Subject of Creativity & Design	
								Study on Design Principles & Training on Visual Perceptions.	Not a Subject at all.
2.	Workshop & Model Making	-	90	90	-	-	-	A special Subject of Creativity & Design	
								Exercises to stimulate Expression of Thoughts & Creative Visualisation to develop the Design and Craftsmanship better by handling / using variety of materials.	Not a Subject at all.
3.	History of Architecture, Art & Culture	-	135	135	-	-	-	An exclusive Subject of Architecture	
								From Pre-historical, Vedic period to current level on People's Life-style, evaluation of culture and their needs including Materials, Technological Principles & Systems on Buildings, Villages & Towns and about Famous Architects, their Philosophies and Styles evolved throughout the World from ancient times.	Not a Subject at all.

4.	Theory & Principles of Architecture	Covered under Electives - 45			-	-	-	An exclusive Subject of Architecture	
								Composition & Connectivity of various Spaces and Spatial Relationships & effects, while organizing Built-Forms, Elements and Opens.	Not a Subject at all.
5.	Building Materials & Sciences	80	45	105	45	45	80	A basic Subject of Technology	
								Thorough coverage of all Building Materials and their applications in Buildings & also Testing them.	Characteristics of Materials including testing their strength / Quality
6.	Environmental Studies	45	-	45	30	-	30	A general Subject of Social Science	
								Apart from awareness, considered as highly sensitive and basic issues taken to account while dealing with developments.	Apart from awareness, focused as Problems of Pollutions as against development.
7.	Climatology and Built-forms	45	-	45	-	-	-	A special Subject of Climate & Built-Environment	
								Study on effects of General & Micro Climates with surrounding conditions and Orientation of Buildings & their openings with shading devices.	Not a Subject at all.
8.	Site Surveying	-	45	45	45	45	80	A basic Subject of Site Study	
								All types of Surveys and Instruments to measure lengths & levels to prepare a Plan of a particular Site or Location.	All types of Surveys including Total Station, GPS & Satellite configurations, etc. to locate points & places.
9.	Site Analysis & Planning	15	-	15	-	-	-	A special Subject of Site Study	
								Apart from Eng. Survey, study & collection of data on all Sensitive Factors of Site / Location along with prevailing potentials & problems with reference to specific purpose.	Not a Subject at all.

10.	Architectural Graphics & Drawings	15	45	60	15	45	60	A common Subject of Drawing Techniques	
								Same Syllabus. Fundamentals of Drawings. Architectural / Technical Representations.	
11.	Computer Aided Visualization	15	45	60	-	45	45	A common Subject of Drafting by Computer	
								Comprehensively dealt with Drafting & Visual effects including Walk-through.	Basic drafting of Building Drawings
12.	Architectural Design Assignments	105	675	780	-	-	-	Purely an exclusive Subject of Architecture	
								Nearly about 14 to 24 Assignments on Land & Building Development Projects - Design Solutions done after detailed study of various Human activities, functions & behaviours with space requirements for <u>both Physical & Mental Comforts for each and every activity</u> and after completion of thorough Case-studies on existing similar performing Projects. Design Assignments are mostly done individually.	Not a Subject at all.
13.	Building Construction Technology	60	225	285	-	180	180	An important Subject of Building Construction	
								Extensively covered all construction details including Civil Syllabus.	Limited coverage.
14.	Structural Mechanics, Designs & Systems	225	90	315	330	-	330	A common and Important Subject of Structural Engineering	
								Same content of Civil Syllabus. Except Soil Mechanics, all basic Structural Elements of Buildings are covered and the Principles of Special structures such as Domes, Arches, Vaults, Folded Slabs, etc. as well as the Implementations of Systems like Pre-tensile / stressed, Large Span & Tensile Structures are also studied at the time of Incorporation in Design.	All basic Materials & Members of Structures, but not Special and Large Structures.

15.	Building Services & Equipment	180	-	180	60	60	120	A Common Subject of Buildings	
								Fully covered.	Not addressed comprehensively as in Architecture.
16.	Specification, Estimation & Valuation	90	-	90	-	45	45	A Common Subject of Buildings	
								Almost same but more Important on Specifications.	Almost same but squeezed to include the matters of Contracts, Tenders, etc.
17.	Landscape Design	30	-	30	-	-	-	A general Subject of Architecture	
								Outdoor Designing of Spaces functionally and aesthetically.	Not a Subject at all.
18.	Human Settlements Planning	45	-	45	-	-	-	An exclusive Subject of Architecture	
								Morphology of Settlements and their generating forces and characteristics.	Not a Subject at all.
19.	Urban Design & Planning Theories	45	-	45	-	-	-	An exclusive Subject of Architecture	
								Study of Urban forms & components and their theories, complex issues and solutions.	Not a Subject at all.
20.	Urban Housing & Humanities	90	15	105	-	-	-	An exclusive Subject of Architecture	
								Study on Housing Standards, Socio-economic aspects, Slums, Housing Concepts, Typologies and Policies.	Not a Subject at all.
21.	Professional Practice & Ethics and Building Bye-laws	90	-	90	-	-	-	An exclusive Subject of Architecture	
								Study on Practice of Architecture, Role of Architects & their Code of Ethics along with Professional Laws & Building Rules, Construction Management & Contracts with current Trends.	Not a Subject at all.
22.	Elective Subjects	240	-	240	240	-	240	Subjects intending towards their respective specialisation areas	

								Options are wider for pure Architecture as well as Technological subjects.	Listed only Engineering Subjects.
23.	Architectural Thesis – Complete Study & Design Solutions on a Project.	-	270	270	-	300	300	Subject towards Core Matters Thorough study & research on the Project, individually to come out with a Design Solution as being done by Professionals.	
24.	Practical Training / Internship	-	One Full Semester	90 Days	4 weeks	-	20 / 24 Days	Training towards Core Areas Systemized Training exactly at the place of Professional Field as a part of Curriculum.	
25.	Total No. of Years / No. of Hours	• 5 Yrs – 10 Semesters. • 3915 Contact Hours • One full Semester - Min. 90 days Mandatory Training under a 'Practicing Architect' Registered with CoA holding Minimum 5 years' experience.			• 4 Yrs – 8 Semesters. • 3240 Contact Hours • 30 - 36 days Training Exposure during Summer Holidays.			B. Arch. – Architecture is all about the matters of Land and Buildings in & around with reference to Human activities & their needs from Micro-Villages to Macro-Cities.	
								B.E. – Civil Engineering is about the matters of Materials & Members in Structures used in the constructions of Buildings, Bridges, Railways, Highways, Dams and other Irrigation-Structures, etc. with reference to their strength & quality.	

Basic Questions:

- When not even a single exercise of 'Planning and Designing of any Building' is done, is it not foolish to designate the Civil Engineers as competent Building Professionals?
- When more than 50% of Architecture Core Subjects not being known and learnt, on what ground can the Civil Engineers become capable to replace Architects?
- When not even a single word 'Planning' in any of its Subject in the Curriculum, how does the Civil Engineers become eligible to get appointed as Planners / Planning Engineers at the Government Offices of Town and Country Planning & Municipality Administrations?
- The Factor 'Making of Structure' alone is not constituting the entire Building and Architecture. There are many other important factors. While so, how could be the Civil Engineers termed as 'Master-Professionals of development of Land & Buildings in the place of Architects?

.....by Prof. R. Ramaraju.