

Architects Act, 1972

Chapter III - Registration of Architects

- (1) The Central Government shall, as soon as may be, cause to be prepared in the manner hereinafter provided a register of architects for India.
 - (2) The Council shall upon its constitution assume the duty of maintaining the register in accordance with the provisions of this Act.
 - (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.
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Section 24 - First preparation of register

- (1) For the purposes of preparing the register of architects for the first time, the Central Government shall, by notification in the Official Gazette, constitute a Registration Tribunal consisting of three persons who have, in the opinion of the Central Government, the knowledge of, or experience in, architecture; and the Registrar 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 such fee as may be prescribed by rule, shall be made to the Registration Tribunal.
- (3) The Registration Tribunal shall examine every application received 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 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-section (4).
- (7) Every person whose name is entered in the register shall be issued a certificate of registration in such form as may be prescribed by rules.
- (8) Upon the constitution of the Council, the register shall be given into its custody, and the Central Government may direct that the whole or any specified part of the application fees for registration in

the first register shall be paid to the credit of the Council.

Section 25 - Qualification for entry in register

A person shall be entitled on payment of such fee as may be prescribed by rules to have his name entered in the register, if he resides or carries on the profession of architect in India and--

- (a) holds a recognised qualification, or
- (b) does not hold such a qualification but being a citizen of India, has been engaged in practice as an architect for a period of not less than five years prior to the date appointed under sub-section (2) of section 24, or
- (c) possesses such other qualifications as may be prescribed by rules:

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

- (a) recognised under sub-section (1) of section 15 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) unless the Central Government has, in pursuance of a scheme of reciprocity or otherwise, declared that qualification to be a recognised qualification under subsection (2) of section 15.

Section 26 - Procedure for subsequent registration

(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 re-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 to the Council.

(4) Upon entry in the register of a name under this section, the Registrar shall issue a certificate of registration in such form as may be prescribed by rules.

Section 27 - Renewal fees

(1) The Central Government may, by notification in the Official 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 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 such manner as may be prescribed by rules, endorse the certificate of registration accordingly.

Section 28 - Entry of additional qualification

An architect shall, on payment of such fee as may be prescribed by rules, be entitled to have entered in the register any further recognised qualification which he may obtain.

Section 29 - Removal from register

(1) The Council may, by order, remove from the register the name of any architect--

(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 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 unsound mind.

(3) An order under sub-section (2) may direct that any architect whose name is ordered to be removed from the register shall be ineligible for registration under this Act for such period as may be specified.

(4) An order under sub-section (3) shall not take effect until the expiry of three months from the date thereof.

Section 30 - Procedure in inquiries relating to misconduct

(1) When on receipt of a complaint made to it, the Council is of opinion that any architect has been guilty of professional misconduct which, if proved, will render him unfit to practise as an architect, the Council may hold an inquiry in such manner as may be prescribed by rules.

(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.

Section 31 - Surrender of certificates

A person whose name has been removed from the register under sub-section (2) of section 27, sub-section (1) or sub-section (2) of section 29, or sub-section (2) of section 30, or where such person is dead, his legal representative, as defined in clause (11) of 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.

Section 32 - Restoration to register

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.

Section 33 - Issue of duplicate certificates

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.

Section 34 - Printing of register

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 that said date the persons whose names are entered therein were architects.

Section 35 - Effect of registration

(1) Any reference in any law for the time being in force to an architect shall be deemed to be a reference to an architect registered under this Act.

(2) After the expiry of two years from the date appointed under sub-section (2) of section 24, a person who is registered in the register shall get preference for appointment as an architect under the Central or State Government or in any other local body or institution which is supported or aided from the public or local funds or in any institution recognised by the Central or State Government.
