# Council of Architecture
## RULES 1973*

**G.S.R. 67 (E)** – In exercise of the powers conferred by Section 44 of **The Architects Act, 1972** (No.20 of 1972), (Amended Vide GSR 751 Notification dt. 10.10.1987) the Central Government hereby makes the following rules, namely:-

### CHAPTER I

### PRELIMINARY

1. **Short title and commencement –**

   (1) These rules may be called the Council of Architecture Rules 1973.

   (2) These rules shall come into force on the date of their publication in the official Gazette.

2. **Definitions – *In these rule, unless the context otherwise requires* –**

   (a) "Act" means the Architects Act, 1972;

   (b) "Form" means a form annexed to these rules;

   (c) "President" means the President of the Council of Architecture;

   (d) "Returning Officer" means any officer appointed as such by the Central Government for the purpose of these rules;

   (e) "Section" means a section of the Act.

Election to the Council under clause (a) of sub-section (3) of section 3.

3. **Representatives of the Indian Institute of Architect –**

   (1) The President shall, not later than sixty days before the date of occurrence of vacancy by the expiry of the term of office of a member, send intimation thereof to Central Government who shall, not later than forty five days before the date of occurrence of the vacancy, forward a notice by registered post to the Secretary of the Indian Institute of Architects requesting him to hold an election by a date not later than the date specified in the notice.

   (2) In the case of a vacancy under sub-section (2) or sub-section (3) of section 6 or any other vacancy, the President shall notify the Central Government as soon as possible the occurrence of such vacancy and the Central Government shall thereupon forward a notice by registered post to the Secretary of the Indian Institute of Architects requesting him to hold an election to fill that vacancy by a date not later than the date specified in the notice.

   (3) For the purpose of the first election under clause (a) of sub-section (3) of section 3, it shall be sufficient if the Central Government forward a notice by registered post to the Secretary of the Indian Institute of Architects requesting him to hold the election by a date not later than the date specified in the notice.

4. **Intimation of name of elected person to Central Government** – The name of the elected person shall be intimated by the Secretary of the Indian Institute of Architects to the Central Government who shall take steps to publish the name of the elected person in the Official Gazette.

Election to the Council under clause (c) of sub-section (3) of section 3.

5. **Persons entitled to vote and to stand for election** – All persons who are the heads of architectural institutions in India imparting full-time instruction for recognised qualifications shall be entitled to vote at and to stand for the election of a member under clause (c) of sub-section (3) of section 3.

6. **Returning Officer** – The Returning Officer shall call upon all the head of architectural institutions in India to elect such number of members as are referred to in clause (c) of sub-section (3) of section 3 and in the case of first election, five members shall be elected.

7. **Returning Officer to decide questions relating to right of persons to vote at or to stand for election** – If any question arises as to whether a person is or is not entitled to vote at or to stand for the election, the question shall be referred to the Returning Officer (for his decision)[1].

8. **Fixation of dates of various stages of election** – The Returning Officer shall appoint and notify in the Official Gazette and in such other manner as he thinks fit, the date, the time and place for –

   (a) the receipt of nomination papers and their scrutiny;

   (b) the despatch of voting papers to the elections;

   (c) the poll, the scrutiny and counting of votes.

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* Published in the Extra-ordinary Gazette of India Part-II Sec.3 Sub-Sec (i) on 20.2.1973.
1. Amended by Notification GSR No. 1104 dated 26.9.1973.

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9. **Nomination of Candidates** – Any person qualified to stand for the election under this chapter may be nominated as a candidates for election and such nomination shall be made by means of a nomination paper in Form No. 1 which shall be supplied by the Returning Officer to any elector who may apply for the same.

10. **Nomination Paper** –

(1) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more nominations than there are seats to be filled up:

Provided further that if more than prescribed number of nomination papers be subscribed by the same elector, the prescribed number of nomination papers first received by the Returning Officer shall, if otherwise in order, be held to be valid and if more than the prescribed number of nomination papers subscribed by the same elector be received simultaneously by the Returning Officer, all such nomination papers shall be held invalid.

(2) On receipt of each nomination paper, the Returning Officer shall forthwith endorse thereupon the date and hour of receipt.

11. **Rejection of nomination paper** – A nomination paper which is not received before the date and the time appointed in that behalf shall be rejected.

12. **Scrutiny of nomination paper** –

(1) On the date and at the time appointed by the Returning Officer for the scrutiny of the nomination papers, the candidates and the proposer and the seconder of each candidate may attend the office of the Returning Officer, who shall allow them to examine the nomination papers of the candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and decide all questions which may arise as to the validity of any nomination.[1]

13. **Withdrawal of candidate** –

(1) Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the Returning Officer not later than seventeen clear days before the date appointed for the poll.

(2) A candidate who has withdrawn his candidates shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

(3) The Returning Officer shall, on receiving a notice of withdrawal, publish the fact of such withdrawal in the Official Gazette.

14. **Procedure of election** –

(1) Where the number of candidates validity nominated is equal to or less than the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected.

(2) Where the number of such candidates is less than the number of members to be elected, the Returning Officer shall commerce fresh proceedings for the election of the remaining members to be elected under clause (c) of sub-section (3) of section 3.

(3) Where the number of such candidates exceeds the number of members to be elected, the Returning Officer shall forthwith publish their names and addresses in the Official Gazette and shall further cause their names to be entered in the voting paper in Form No. II.

(4) If a poll is found necessary, the Returning Officer shall, fourteen days before the date appointed therefore, send by post to each elector a letter of intimation in Form No. IV together with a numbered declaration paper in Form No. III containing the names of the candidates in alphabetical order and bearing the Returning Officer's initials or facsimile signature, a voting paper cover addressed to him (the Returning Officer) and an outer cover also addressed to him. A certificate of posting shall be obtained in respect of each such letter of intimation sent to an elector:

Provided that the voting paper and other connected papers may also be sent to any elector on his applying to the Returning Officer for the same before the date appointed for the poll, if the Returning Officer is satisfied that the papers have not been sent to him.

(5) An elector who has not received the voting and other connected papers sent to him by post or who has lost them or in whose case the papers before their return to the Returning Officer have been inadvertently spoilt, may transmit a declaration to that effect signed by himself and request the Returning Officer to send him fresh papers and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt.

(6) In every case in which fresh papers are issued, a note shall be kept in a register maintained for the purpose to denote that fresh papers have been issued to certain members.

(7) No election shall be invalid by reason of the non-receipt by an elector of his voting paper.

15. **Votes to be sent by registered post** – Every elector desirous of recording his vote shall, after filing up the declaration paper and the voting paper according to the directions given in the letter of intimation, enclose the voting paper in the voting paper cover, seal up the cover, enclose the cover and declaration paper in the outer envelope addressed to the Returning Officer, and send the outer envelope by registered post at the elector's own cost to the Returning Officer, so as to reach him not later than the date fixed for the poll and all envelopes after that day shall be rejected.

1. Amended by Notification GSR No. 1104 dated 26.9.1973.

16. **Endorsement by Returning Officer on registered cover** – On receipt by registered post of the envelopes containing the declaration paper and the closed cover containing voting paper, the Returning Officer shall endorse on the outer envelops the date and hour of receipt.

17. **Candidates may be present when registered covers are opened –**

(1) The Returning Officer shall open the outer envelopes immediately after the closing of the poll at the place to which the envelopes are addressed to him.

(2) Any candidate may be present in person or may send a representative duly authorised by him in writing to attend at the time the outer envelopes are opened.

18. **Rejection of voting papers –**

(1) A voting paper cover shall be rejected by the Returning Officer if: –

(a) the outer envelope contains no declaration paper outside the voting paper cover; or

(b) the declaration paper is not the one sent by the Returning Officer; or

(c) the declaration paper is not signed by the elector, or

(d) the voting paper is placed outside the voting paper cover; or

(e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope.

(2) In each case of rejection, the word "Rejected" shall be endorsed on the voting paper cover and the declaration paper.

(3) After satisfying himself that the electors have affixed their signatures to the declaration papers, the Returning Officer shall keep all the declaration papers in safe custody, pending disposal under rule 20(1).

19. **Scrutiny and counting of votes –**

(1) The Returning Officer shall attend, for the purpose of scrutiny and counting of the votes at the date, time and place appointed by him in this behalf:

Provided that the date so appointed shall not be later than three days from the date fixed for the poll.

(2) All the voting paper covers, other than whose rejected under rule 18, shall be opened and the voting papers taken out and mixed together. The voting papers shall then be scrutinised and the valid votes counted.

(3) A voting paper shall be invalid if –

(a) it does not bear the Returning Officer's initials, or facsimile signature; or

(b) a voter signs his name or writes a word or makes any mark on it, by which it becomes recognizable as his voting paper; or

(c) no vote is recorded thereon; or

(d) the number of votes recorded there on exceeds the number of seats to be filled; or

(e) it is void for uncertainty of the vote exercised.

(4) Any candidate may be present in person or may send a representative duly authorised by him in writing to watch the process of counting.

(5) The Returning Officer shall show the voting papers, if requested to do so, to the candidates or their authorised representatives at the time of scrutiny and counting of votes.

(6) If any objection is made to any voting paper on the ground that it does not comply with the requirement or to any rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer.[1]

(7) The Returning Officer shall nominate such number of scrutinizers as he thinks fit in accordance with such directions as may be issued in this behalf by the Central Government.

20. **Declaration of result –**

(1) When the counting of the votes has been completed, the Returning Officer shall draw up a list of candidates in the order of highest votes polled by each and shall declare the result of the successful candidates in that order according to the number of seats to be filled up.

(2) When an equality of votes is found to exist among any candidates and there is difficulty in declaring the result, the determination of the person or persons who shall be deemed to have been elected shall be made by lot to be drawn by the Returning Officer or any other officer authorised by him and in such manner as he may determine.

(3) The Returning Officer as soon as the result is declared shall inform the successful candidate by letter of his being elected to the Council.

21. **Voting papers to be retained for six months –** Upon the completion of the counting and after the result has been declared, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and shall not destroy or cause to be destroyed the records even after six months without the previous concurrence of the Central Government.

22. **Result of election** – The Returning Officer shall intimate the name of the elected candidates to the Central Government.

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1. Amended by Notification GSR No. 1104 dated 26.9.1973.

## CHAPTER IV

## ELECTION OF PRESIDENT AND VICE-PRESIDENT OF THE COUNCIL UNDER SUB-SECTION (1) OF SECTION 4

**23. Election of President –**

(1) The President of the Council shall be elected by the members of the Council present at the time of election from amongst themselves.

(2) The date, time and place of election shall be intimated, to each of the members of the Council by the nominated President of the Council.[1]

(3) Any member present shall be entitled to propose the name of any other member present for election as the President and that proposal shall be required to be seconded by a member other than the proposer or the one whose name is proposed :

Provided that one member shall be entitled to propose or second only one name.

(4) Any candidate may withdraw his candidature before the actual election.

(5) If the name of only one candidate is duly proposed and seconded, the Returning Officer shall forthwith declare in Form No.VIII such candidate as duly elected.

(6) If the number of candidates duly proposed and seconded exceeds one, an election shall be held by secret ballot.

(7) Before the commencement of the election, the Returning Officer shall invite the members of the Council to inspect the ballot box, in case they like to do so, and he shall then lock the box.

(8) At the time of actual election, the members present in the meeting shall, one by one, sign against their names in the list containing the names of all the members in alphabetical order and placed along side the ballot box.

(9) After a member has signed his name in the said list, he shall be given a ballot paper in Form No. VII which he shall drop into the ballot box after affixing there on a cross (X) mark against the name of the candidate of his choice.

(10) As soon as the members present and wishing to exercise the right to vote have done so, the Returning Officer shall open the ballot box and take out from it all the ballot papers, examine them and reject as invalid such of them:

(a) on which the vote has been given in favour of more than one candidate; or

(b) on which vote mark is placed in such a manner as to make it doubtful as to which candidate the vote has been given.

(11) The Returning Officer shall then proceed to arrange the valid votes according to the candidates in whose favour they have cast and count them separately for each.

(12) After the counting is over, the Returning Officer shall make an announcement in the meeting about the votes secured by each of the candidates and the Returning Officer shall also declare in Form No. VIII the candidate securing the largest number of valid votes as duly elected to be the President of the Council.

(13) In the event of two or more candidates securing the same number of votes and that number being more than the number of votes secured by any candidate other than the two or more securing the same number of votes, the determination as between such candidates shall be by draw of lots and the candidate on whom the lot falls, shall be declared elected.

**24. Election of Vice-President** – For the election of the Vice-President, the provisions of rule 23 shall apply as if for the expressions "President" and "Nominated President" occurring therein, the expressions "Vice-President and "Elected President" were respectively substituted.

## CHAPTER V

## ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE OF THE COUNCIL UNDER SUB-SECTION (2) OF SECTION 10

**25. Election of member –**

(1) The President of the Council shall intimate the date, time and place of the election of members of the Executive Committee to each of the members of the Council.[2]

(2) On the date, time and place fixed for the purpose any member of the Council present may propose the name of any other member of the Council for election as member of the Executive Committee and such proposal shall be required to be seconded by a member of the Council other than the proposer or the one whose name is proposed:

Provided that no member can propose or second more names than there are seats of the Executive Committee to be filled up.

(3) Any candidate may withdraw his candidature before the actual election.

(4) Where the number of candidates duly proposed and seconded is equal to or less than the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected.

(5) Where the number of such Candidates is less than the number of Candidates to be elected, the Returning Officer shall commence fresh proceedings for the election of the remaining members of the Executive Committee to be elected.

(6) Where the number of candidates duly proposed and seconded exceed the number of members to be elected, election shall be held by secret ballot.

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1. Amended by Notification GSR No. 543(E) dated 31.12.1973.
2. Amended by Notification GSR No. 543(E) dated 31.12.1973.

(7) Before the commencement of the election, the Returning Officer shall invite the members of the Council present to inspect the ballot box, in case they like to do so, and he shall then lock the ballot box.

(8) At the time of actual election the members present in the meeting shall, one by one, sign against their names in the list containing names of all the members in alphabetical order and placed along side the ballot box. After the member has signed his name in the said list, he shall be given a ballot paper in Form No. IX which he shall drop into the ballot box after affixing thereon cross (X) marks against the names of as many candidates of his choice as there are seats to be filled up.

(9) As soon as all the members present and wishing to exercise the right to vote have done so, the *Returning Officer* shall open the ballot box and take out from it all the ballot papers, examine them and reject as invalid such of them. –

(a) on which the vote has been given in favour of more candidates than there are seats to be filled up; or

(b) on which vote mark is placed in such a manner as to make it doubtful as to which candidate or candidates the vote has been given.

(10) The Returning Officer shall proceed to arrange the valid votes according to the candidates in whose favour they have been given and count them separately for each.

(11) After the counting is over, the Returning Officer shall make an announcement in the meeting about the votes secured by each of the candidates and the Returning Officer shall also declare in Form No. X the requisite number of the candidates securing the largest number of valid votes as duly elected to be the members of the Executive Committee of the Council.

(12) In the event of two or more candidates securing the same number of votes, the determination as between such candidates shall be by draw of lots and the candidate on whom the lot falls shall be declared elected.

## CHAPTER VI

**26. Tribunal** – When any dispute arises as a result of the election to the Council, the aggrieved party shall, within thirty days from the date of declaration of the result of the election, make an application giving full particulars of the facts supported by documentary evidence, if any, to the Secretary of the Council, who shall refer the matter to the Tribunal appointed by the Central Government under sub-section (2) of section 5.

**27.** Deleted.[1]

**28. List of registered architects and cost of list** – The Council shall cause to be published in the Official Gazette list of registered architects along with their registration number as on the first day of April each year and the printed copy of the said list shall be made available on payment of a fee of Rs.2.

**29. Application for registration** – Every architect who desires to have his name entered in the register shall submit an application in Form No. XI together with documentary evidence about his eligibility for registration accompanied by a draft of Rs. 500* in favour of the Secretary, Council of Architecture, New Delhi, for issue of a certificate of registration and the certificate of registration shall be issued in Form No. XII.

**30. Renewal fee** – The renewal fee under sub-section (1) of section 27 shall be Rs.500* with an option for one time payment of Rs.5000*.

**31. Manner of endorsement on a certificate of registration:**- As soon as the renewal fee is paid within the specified period, the Registrar shall endorse the certificate of registration in a separate space specifically left for the purpose stating that the certificate is valid upto the 31st December.....

**32. Restoration to the register** – The Council may, on an application received in this behalf from a person whose name has been removed from the register due to non-payment of renewal fee, consider the eligibility of the restoration of his name in the register and restore his membership on payment of a restoration fee of Rs.1000*.

**33. Entry of additional qualifications** – An architect who desires to have additional qualification entered in the register may do so by paying Rs.100** for each additional qualification and the additional qualifications shall be entered in the certificate of registration under a separate column.

**34. Duplicate certificate** – Where it is shown with sufficient evidence to the satisfaction of the Registrar that the original certificate of registration has been lost or destroyed, a duplicate certificate shall be issued in Form No. XIII on payment of Rs. 500* and the fact of the issue of duplicate certificate shall be notified in the Official Gazette.

## CHAPTER VII

**35. Complaints and enquiries relating to professional misconduct of an architect –**

(1) (a) All complaints against architects shall be investigated and all enquiries relating to misconduct of architects shall be held by a committee of the Council consisting of three members, of whom one shall be elected by the Council from among its members; one member from among the members nominated under clause (b) and one member among referred to in clause (d) of sub-section 3 of section 3.

(b) The Chairman of the Disciplinary Committee shall be elected by the members of that Committee from among themselves.[2]

(2) Each complaint shall be made to the Council in Form No. XIV.

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* Amended by Notification GSR No. 14 dated 3.1.2002.
** Amended by Notification GSR No. 192 dated 26.9.1998.
1. Amended by Notification GSR No. 1104 dated 26.9.1973.
2. Amended by Notification GSR No. 669 dated 4.5.1977.

(3) Each complaint shall contain the following particulars, namely:-

(a) the acts and omissions which, if approved, would render the architect complained against guilty of any professional or other misconduct;

(b) the oral or documentary evidence relied upon in support of the allegations made in the complaint.

(4) The Secretary shall return the complaint which is not in the proper form or which does not contain the aforesaid particulars for representation after the compliance with such objection and within such time as the Secretary may satisfy.

(5) Within sixty days ordinarily of the receipt of complaint, the Secretary shall –

(a) if the complaint is against an individual architect, send a copy thereof to such architect at his address as entered in the Administrative Register:

(b) if the complaint is against a firm, send a copy of the complaint to the firm concerned at the address of the head office of the firm with a notice calling upon the firm to disclose the name of the architect concerned and to send a copy of the complaint to such architect.

(6) An architect against whom a complaint is made, may, within fourteen days of the receipt of a copy of the complaint, under sub-rule (5) or within such further time as the Secretary may allot, forward to him a written statement in his defence verified in the same manner as a pleading in Civil Court.

(7) If on perusal of a complaint, and the written statement if any, of the architect concerned and other relevant documents and papers, the Council is of the opinion that there is a *prima facie* case against such architect, the Council shall cause an enquiry to be made in the matter by the Disciplinary Committee. If the Council is of the opinion that there is no *prima facie* case against such architect, the complaint shall be dismissed and the complainant and the architect concerned shall be informed accordingly:

Provided that the Council may before dismissing the complaint, call for any additional particulars or documents connected with the case, either from the complainant or from the respondent, or from both, if in its opinion it is necessary to do so.

(8) Every notice issued by the Secretary or the Disciplinary Committee under this rule shall be sent to the architect or the firm concerned by registered post with acknowledgement due and if the notice is returned with an endorsement indicating that the addresses cannot be found at the address given, the Secretary shall ask the complainant to supply to him the correct address of the architect or firm concerned and send a fresh notice to the architect or firm at the address so supplied.

**36. Procedure in any inquiry before the Disciplinary Committee –**

(1) It shall be the duty of the Secretary to place before the Disciplinary Committee all facts brought to his knowledge which are relevant for the purpose of an inquiry by the Disciplinary Committee.

(2) An architect against whom a complaint is made shall have a right to defend himself before the Disciplinary Committee either in person or through a legal practitioner or any other architect of the Institute.

(3) Deleted.[1]

(4) Where during the progress of an inquiry the Disciplinary Committee undergoes a change of personnel for any reason whatsoever, the respondent shall have option to have his case heard *de novo* and the enquiry conducted accordingly.

**37. Report of the Disciplinary Committee –**

(1) The Disciplinary Committee shall submit its report to the Council.

(2) The Council shall consider the report of the Disciplinary Committee and if in its opinion a further inquiry is necessary, may cause such further inquiry to be made and a further report to be submitted by the Disciplinary Committee as it may consider necessary, and after considering such further report of the Disciplinary Committee, the Council shall proceed accordingly.

**38. Restoration of membership** – The fee for restoration of membership under section 32 shall be Rs. 1000*.

1. Amended by Notification GSR No. 1104 dated 26.9.1973.
*Amended by Notification GSR No. 14 dated 3.1.2002.

## FORM NO. I

### NOMINATION PAPER

{See Rule 10(1)}

Election under clause (c) of sub-section (3) of section 3 of the Arhcitects Act, 1972.

1. Name of candidate .....
2. Father's name .....
3. Age .....
4. Name of Architectural Institution headed by the candidate .....
5. Address. .....
6. Name of signature of proposer .....
7. Name of the Architectural Institution headed by the proposer .....
8. Name of signature of seconder .....
9. Name of the Architectural Institution headed by the seconder .....

(Declaration)

I hereby declare that I agree to his nomination.

This nomination paper was received by me at hour on the

Signature of the candidate
(date)
Returning Officer

**INSTRUCTIONS**

1. Nomination papers which are not received by the Returning Officer before (date) on (date) will be invalid.
2. The names of the proposer and seconder, as they appear in the Register should be written in Block letters below their respective signature.

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## FORM NO. II

### VOTING PAPER

{See Rule 14(3)}

Election to the Council of Architecture

| Sl. No. | Name of candidates | Vote |
|---|---|---|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |

Returning Officer

**Note:-**
(1) Each elector has the right to vote for as many candidates as is the number of members to be elected.
(2) He shall vote by placing mark 'X' opposite to the name of the candidate whom he prefers.
(3) The voting paper shall be invalid if –
  (a) it does not bear the Returning Officer's initials or fascimile signature; or
  (b) the voter signs his name or writes a word or makes any marks on it, by which it becomes recognisable as his voting paper, or
  (c) no vote is recorded thereon: or
  (d) if the mark 'X' is placed opposite the names of more than one candidate or if the mark is so placed as to render it doubtful to which candidate it is intended to apply.

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## FORM NO. III

{See Rule 14(4)}

### DECLARATION PAPER

Election to the Council of Architecture under clause (c) of sub-section (3) of section 3

Serial No.....

Elector's Name .....

Name of the Architectural Institution headed by the elector .....

(Elector's declaration)

I, ..... (Name in full, and designation, if any), declare that I am an elector for the election of a member, to the Council of Architecture and that I have signed no other voting paper at this election.

Station .....

Date ..... Signature .....

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## FORM NO. IV

{See Rule 14(4)}

### LETTER OF INTIMATION

Sir/Madam,

The persons whose names are listed on the voting paper sent herewith, have been duly nominated as candidates for election under clause (c) of sub-section (3) of section 3 of the Architects Act, 1972, to the Council of Architecture. Should you desire to vote at the election, I request that you will –

1. (a) fill up and sign the declaration paper (Form No. III);
   (b) mark your vote in the column provided for this purpose in the voting paper;
   (c) enclose the voting paper in the smaller cover and seal it up; and
   (d) enclose the smaller cover and the declaration paper in the outer envelope and return the same to me by registered post so as to reach me not later than_____ P.M. on the _____ of 20_____.
2. The voting paper will be rejected if –
   (a) the outer envelope enclosing the voting paper cover is not sent by registered post or received later than the hour fixed for the closing of the poll; or
   (b) the outer envelope contains no declaration paper outside the smaller cover; or
   (c) the voting paper is placed outside the voting paper cover; or
   (d) the declaration paper is not the one sent by the Returning Officer to the voter; or
   (e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope; or
   (f) the declaration is not signed by the elector; or
   (g) the voting paper is invalid.
3. A voting paper will be invalied, if –
   (i) it does not bear the Returning Officer's initials or fascimile signature; or
   (ii) a voter signs his name. or writes any word or makes any mark by which it becomes recognizable as his voting paper; or
   (iii) no vote is recorded thereon; or
   (iv) the number of votes recorded thereon exceeds the number to be filled; or
   (v) it is void for uncertainty of the vote exercised.
4. If a voter inadvertently spoils a voting paper, he can return it, not later than seven days before the date appointed for the poll, to the Returning Officer who will, if satisfied, of such inadvertence, issue to him another voting paper.
5. The scrutiny and counting of votes will begin on..... (date) at..... (hour).
6. No person shall be present at the scrutiny and counting except the Returning Officer, such other persons as he may appoint to assist him, the candidates or their duly authorised representatives.

Returning Officer

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## FORM NO. V

{See Rule 20(1)}

### RESULT OF COUNTING

| Sl. No. | Name of candidates | No. of valid votes cast | Signature of Scrutinizers |
|---|---|---|---|
| | | | 1. |
| | | | 2. |
| | | | 3. |

Signature of Returning Officer

## FORM NO. VI

{See Rule 20(3)}

### CERTIFICATE OF ELECTION

I declare that..... (Name)

of ..... (Address)

Registration No. ..... has been duly elected so fill the seat of .....

Place:.....

Date:.....

Returning Officer

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## FORM NO. VII

{See Rules 23 and 24}

### ELECTION OF PRESIDENT / VICE-PRESIDENT

| S. No. | Name of the Candidate |
|---|---|
| | |
| | |
| | |
| | |

**Instructions**

1. Each elector has only one vote.
2. The elector should place the mark (X) clearly opposite the name of the candidate of his choice.

## FORM NO. VIII

(See Rules 23 and 24)

### ELECTION OF PRESIDENT / VICE-PRESIDENT

I declare that.....

a member of the .....

has been duly elected to the office of the President/Vice-President of the said Council.

Place:.....

Date :.....

Returning Officer

## FORM NO. IX

(See Rule 25)

### ELECTION OF MEMBER OF THE EXECUTIVE COMMITTEE OF THE COUNCIL

| S. No. | Name of the Candidate |
|---|---|
| | |
| | |
| | |
| | |
| | |

**Instructions**

1. Each elector has as many votes as there are number of seats to be filled up.
2. The elector should place the mark (X) clearly opposite the names of as many candidates of his choice as there are seats to be filled up.

## FORM NO. X

(See Rule 25)

### ELECTION OF MEMBER OF THE EXECUTIVE COMMITTEE OF THE COUNCIL

I declare that.....

a member of the .....

has been duly elected as member of the Executive Committee of the said Council.

Place:.....

Date :.....

Returning Officer

IndiaCode

## FORM NO. XI

(See Rule 29)

### APPLICATION FOR REGISTRATION OF ARCHITECTS UNDER THE ARCHITECTS ACT, 1972

To,

The Secretary
Council of Architecture
New Delhi.

1. Name in full (in block letters).....
2. Father's Name.....
3. Nationality.....
4. Date of Birth .....
5. Residential address.....
6. Professional address.....
7. Particulars of qualification ..... (supported by attested copies)
8. Date of commencement of Profession/Service .....
9. Whether practising independently / as partner / or employed .....
10. Period of residence in India.....
11. Present address on which communication will be made.....
12. Any other particulars .....

I hereby undertake that if admitted as a registered architect, I will be bound by the provision of the Architects Act, 1972 and the rules and regulations framed thereunder or that may hereafter from time to time be made pursuant to the said Act.

I also enclose a draft of Rs.500/- as registration fee for the year.....

Yours faithfully,

Encl : List of Particular enclosed.

## FORM NO.XII

(See Rule 29)[1]

### COUNCIL OF ARCHITECTURE

Certificate of Registration under sub-section (7) of section 24 and sub-section (4) of section 26 of the Architects Act, 1972.

### CERTIFICATE OF REGISTRATION

This is to certify that the name of Shri/Shrimati..... has been entered in the register and his/her Registration No. CA/.....

This certificate is valid from the ..... day of 20..... RENEWALS

to the thirty first day of December 20..... inclusive. Valid Upto

Signature of Registrar

*List of Additional Qualifications :*

Given under the Common Seal of the Council of Architecture,

this ..... day of 20.....

Secretary (Seal) President

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## FORM NO. XII

(See Rule 34)[2]

### COUNCIL OF ARCHITECTURE

Certificate of Registration under sub-section (7) of section 24 and sub-section (4) of section 26 of the Architects Act, 1972.

### DUPLICATE CERTIFICATE OF REGISTRATION

This is to certify that the name of Shri/Shrimati..... has been entered in the register and his/her. Registration No. CA/.....

RENEWALS

This certificate is valid from the .....day of 20..... Valid Upto

to the thirty first day of December 20..... Signature of Registrar

The duplicate certificate is issued as the original one has been lost/destroyed.

Given under the Common Seal of the Council of Architecture,

this .....day of .....20.....

Secretary (Seal) President

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## FORM NO. XIV

{See Rule 35 (2)}

### FORM OF COMPLAINT

The Council of Architecture

Between ..... Petitioner.....

and ..... Respondent.....

Petitioner's address :

Respondent's address :

Particulars of complaint in paragraphs consecutively numbered.

Particulars of evidence, oral and documentary, if any to substantiate the complaint.

Signature

### *VERIFICATION*

I ..... , the petitioner do hereby declare that what is stated above is true to the best of my information and belief.

Verified today the..... day of .....20.....at.....

Signature

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1. Amended by Notification GSR No. 412 (E) of January, 1975.
2. Amended by Notification GSR No. 1104 dated 26.9.1973.

# MINISTRY OF HUMAN RESOURCE DEVELOPMENT
## (Department of Higher Education)

**NOTIFICATION**

New Delhi the 25th June, 2009

G.S.R.457(E)_In exercise of the powers conferred by clauses (a) and (h) of sub-section (2) of section 44 of the Architects Act, 1972, (20 of 1972), the Central Government hereby makes the following rules further to amend the Council of Architecture Rules, 1973, namely :-

1. (1) Theses rules may be called the Council of Architecture (Amendment) Rules, 2009.

(2) The shall come into force on the date of their publication in the Official Gazette.

2. In the Council of Architecture Rules, 1973 ( hereinafter referred to as the said rules ), for rule 3, the following rule shall be substituted, namely:-

"3. Representation of Indian Institute of Architects - (1) The President shall, not later than sixty days before the date of occurrence of vacancy by the expiry of the term of office of a Member or as soon as the vacancy occurs under sub-section (2) and (3) of section 6 or as the case may be, send intimation thereof to the Central Government, who shall not later than forty five days before the date of occurrence of the vacancy, forward a notice by registered post to the Secretary of the Indian Institute of Architects requesting him to hold and election by a date not later than the dated specified in the notice.

(2) For the purpose of first election under clause (a) of sub-section 3 of section 3, it shall be sufficient if the Central Government forwards a notice by registered post to the Secretary of the Indian Institute of Architects requesting him to hold the election by a date not later than the date specified in the notice.

(3) Where the President fails to inform the Central Government regarding occurrence of a vacancy as per sub-rule (1) or sub-rule (2), as the case may be, and if the Central Government is of the opinion that the vacancy has occurred, shall send the notice to the Secretary, Indian Institute of Architects to hold elections to fill up the vacancy by a date not later than the date specified in the notice."

3. For rule 5 of the said rules, the following shall be substituted, namely :-

"5. Filling of the vacancy- The Central Government shall notify in the Official Gazette any vacancy which occurs under clause (c) of sub-section (3) of section (3) and forward a copy of the notification and a notice to the Returning. Officer requesting him to hold election by a date not later than the date specified in the notice.

5A. Persons entitled to vote and stand for election - All persons who are the heads of Architectural Institution of India imparting full time instruction for recognized qualifications shall be entitled to vote and to stand for the election of a member under sub-section (3) of Section 3."

4. For Rule 7 of the said Rules, the following shall be substituted, namely :-

"7. Returning Officer to decide questions relating to right of person to vote and to contest for election - Returning Officer shall prepare electoral rolls for the election for which he has been appointed as Returning Officer and if any question arises, as to whether a person is or is not entitled to vote or to contest the election, the question shall be referred to the Returning Officer for his decision."

5. In rule 22 of the said rules, after the words "Central Government" the words, "who shall take steps to publish such names in the Official Gazette" shall be inserted.

6. In rule 23 of the said rules, -
(a) Sub-rule (1) shall be renumbered as sub-rule(1A) and before sub-rule(1A) as so renumbered, the following sub-rule shall be inserted, namely:-

"(1) The Central Government shall notify the vacancy in the Office of the President in the Official Gazette and forward a copy of the notification and a notice to the Returning Officer requesting him to hold election by a date not later than the date specified in such notice;
(b) In sub-rule 2, for the words "nominated President of the Council", the words "the Returning Officer" shall be substituted.

7. In rule 25 of the said rules, for sub-rule(1), the following shall be substituted, namely:-
"(a) The Central Government shall notify in the Official Gazette, any vacancy in the office of member of the Executive Committee and forward a copy of the notification and a notice to the Returning Officer requesting him to hold the election by a date not later than the date specified in the notice;
(1A) The Returnin Officer shall intimate the date, time and place of election of members of Executive Committee to each of the members of the Council."

8. In rule 35 of the said rules, for sub-rule(1), the following sub-rule shall be substituted namely :-
"1(a) All complaints against architects shall be investigated and all enquiries relating to misconduct of architects shall be held by a Committee to be constituted by the Central Government by notification in the Official Gazette.

(b) The Committee referred to in clause (a) shall consist of three members, of whom one member shall be elected by the Council from amongst its members; one member from amongst themselves nominated under clause (b) and one member from amongst the members referred to in clause(d) of sub-section (3) of section 3.

(c) The Chairman of the Committee shall be elected by the members of that Committee from amongst themselves."

[ No. F.4-30/2007-TS-VI]
N.K. SINHA, Jt.Secy.

Foot Note - the Principal rules where published in the Gazette of India extraordinary Part II Section 3, sub-section(i) vide number G.S.R.67(E), dated 20th February, 1973 and subsequently amended vide numbers G.S.R. No. 1104, dated the 26th September, 1973, and were last amended vide notification number No. G.S.R.14 dated the 3rd January, 2002.

(Note :- the above Notification is Sub-Judice vide Writ Petition No. 11359 of 2009 before Delhi High Court)