



SATHYABAMA

INSTITUTE OF SCIENCE AND TECHNOLOGY
(DEEMED TO BE UNIVERSITY)

Accredited "A" Grade by NAAC | 12B Status by UGC | Approved by AICTE

www.sathyabama.ac.in

SCHOOL OF BUILDING AND ENVIRONMENT

DEPARTMENT OF ARCHITECTURE

Unit I – Introduction – SAR 1501

I. Introduction

Contents – Importance of Architectural Profession - Role of Architects in Society - Career options open for Architects-Prerequisites for Private Practice - Types of practices (Partnership/ Proprietary Concern /Associate - Architect's office and its management - Location, Infrastructure requirement - organizational structure, Basic accounts - Legal requirements, Registration of Firm, Tax Liabilities, Relationship with clients, contractors, Associate consultants and product Manufacturers.

The term 'architect' has been in existence for many centuries, however the architect as its own recognized profession is a relatively modern concept. The term and what it represents has evolved through history to its current form in which architects are seen as highly qualified and educated professionals.

Origins of architecture

- It is often assumed that **architecture as a profession** dates back to the ancient **Greeks, the Egyptians or the Romans**, and although the origins of the word date back to these times, it wasn't until much later that the architect became a recognized profession in its own right.
- **Vitruvius Pollio (born c. 80–70 BC, died after c. 15 BC)**, is often considered as the first recognizable '**architect**', known as a great Roman writer, engineer and builder. However Vitruvius wasn't **strictly an architect** and did not conform to our perception of architects today.
- After Vitruvius, the term architect fades into history, overshadowed by religious or political figures.
- It was the discovery by Florentine scholar Poggio Bracciolini of Vitruvius of the lost great book, **De Architectura ('On architecture', published as 'Ten Books on Architecture')** during the early Renaissance period that influenced and inspired the architectural movement and was a significant contributor to developing the architect as a profession in its own right.
- The book, in part, was an attempt, to summaries the professional knowledge of the day, and to describe the graphic conventions of classical design.

Origins of the profession in Europe

- It is The modern day term '**Architect**' dates back to the mid 16th century, from the **French architecte** and **Italian architetto**, originating from the “**Greek arkhitektn**”, where **arkhi** means '**chief**' and **tektn** '**builder**'.
- '**Architects**' first began to develop as a distinct discipline in Italy during the **renaissance period**. Until this time, the practice of architecture, as we understand it today, was not a recognized profession, and **unlike the painter or sculptor, the designer of buildings did not have a clearly defined place within the trades**.
- There was **no standard training for those wishing to engage in architecture**, there was **no guild devoted specifically to the professional interests of architects**, and the men who made the **plans for churches and palaces were ranked alongside humble artisans**.

- Evidence of the emergence of the architectural profession as an independent discipline can be seen in 1550 when *Giorgio Vasari* published the first edition of his history of Italian artists '**The Lives of the Most Excellent Painters, Sculptors and Architects**'.
- Subsequently, the French writer *Philibert Delorme* was influenced by the movements in Italy and by *the idea of the architect as a profession*. He envisaged a *self-governing profession of specialists with accepted standards of training and clearly defined responsibilities and privileges*.
- Philibert defined the roles appropriate **for the patron, the architect, and the workman** and created guidelines for their working relationship. What made **Philibert's view of the profession** so much more focused than his predecessors was that *he distinguished between the architect and those who designed buildings, but were not, in his view, architects*
- Arguably the **first architect practicing** in the way that we view the profession today was **Palladio** who worked almost entirely in what was the Venetian Republic in Italy. **Palladio** is regarded as the greatest and most prominent architect of the 16th century.
- His career was based almost entirely upon the **Vicenzan and Venetian nobles for whom he designed palaces and country estates**. His reputation was established by his successful entry in the 1549 competition to remodel the city council hall in Vicenza (the so called Basilica), by his numerous villa designs (*over twenty are illustrated in his Quattro Libri, published in Venice in 1570*) and by his palace projects (7).
- What also makes **Palladio comparable to the architect of modern times is his experimentation and use of a range of materials to suit individual clients needs**. His place in history as an architect is not only based on the beauty of his work but also for the variety of his clients, the varying scale of his buildings and their harmony with the culture of the time
- Architect's practice varied enormously in the sixteenth century, but it is clear that architects such as **Palladio and Alessi had a larger number of commissions than their predecessors**. Neither Palladio nor Alessi was attached to a court or to great patrons, and they were not obliged to supervise construction, although they often did.

Origins of the profession in Britain

- In 1534, **Henry VIII declared himself head of the Church of England**. At the time the church was the largest land owner in Britain, as well as having great wealth and political power. **Henry dismantled or destroyed the majority of significant cathedrals and monasteries across England and claimed their wealth and land for himself and the Royal court**.
- The word **architect** first **appeared in the English Oxford Dictionary in 1563**. One of the first Englishmen to call himself 'architect' was **John Shute**, in his 1563 publication *The First and Chief Groundes of Architecture*. Shute's origins are unknown, but **he seems to have trained as a painter and was sent to Italy in 1550 by his employer, the Duke of Northumberland**.

- **Shute's ideas and writings inspired and influenced others at the time and reflected the aspirations of the architectural patrons of the post Reformation era**, where there were new land-owning politicians, civil servants and nouveaux-riches such as the Cecils of Burghley and Hatfield and John Thynne of Longleat.
- Up until this point the state and church had designed and built its own buildings 'in-house' and no individual designers are particularly known. However with the **new influx of wealthy land owners, Henry had created, there was now a very apparent need for architects to design and build new homes and landmarks to signify the wealth of these individuals.**



Figure 1 – History of Architectural Profession in India

Architectural governing bodies

- Without established **governing bodies, guilds, qualifications or legal safeguards, almost anyone could call themselves an architect**, and architects had very few legal protections.
- The **Royal Building Administration in France** (formed during the reign of Charles V (1364-80)) was intended **to maintain good standards within the builders and masons guilds**, but although architects had to work by these standards, they did not relate specifically or solely to architects.
- In the UK, The **Royal Institute of British Architects (RIBA)** was established in 1834. Architects subsequently **campaignned for protection of the title 'architect' and the creation of an architects' registration body** to regulate the profession and protect the title.
- In 1931, the **Architects (Registration) Act** created the **Architects Registration Council of the United Kingdom (ARCUK)**.

- In 1993, the Warne Report, prepared by senior civil servant John Warne, recommended that both ARCUK and **protection of the title** should be **abolished**, or failing this, that ARCUK's functions should be transferred to the RIBA. However, under pressure from architects themselves, a compromise position was reached.
- In 1996, Part III of the **Housing Grants, Construction and Regeneration Act** reconstituted ARCUK as the **Architects Registration Board (ARB)** and in 1997, the previous 1931 and 1938 acts were consolidated in the Architects Act of 1997 and the slimmed down regulatory body, the Architects Registration Board (ARB) created.

The establishment of architectural governing bodies and institutes in other countries is outlined below:

- Ireland: 1839 - Royal Institute of Architects of Ireland
- Holland: 1842 - Royal Institute of Dutch Architects (BNA)
- USA: 1857 - American Institute of Architects (AIA)
- Denmark: 1879 - The Architects Association of Denmark
- Japan: 1887 – The Japan Institute of Architects (Zouka Gakkai)
- South Africa: 1899 & later 1927 National institutes merged in 1996 - The South African Institute of Architects SAIA
- Philippines: 1902 - United Architects of the Philippines (UAP)
- Germany: 1903 - Association of German Architects BDA
- Canada: 1907 - The Royal Architectural Institute of Canada
- India: 1917 - The Indian Institute of Architects (the regulating body for architecture in India is the Council of Architecture, constituted by the Government of India under the provisions of the Architects Act, 1972)
- Egypt: 1917 - Society of Egyptian Architects (SEA)
- Malaysia: 1920 - Malaysian Institute of Architects (PAM)
- Brazil: 1921 - Institute of Architects of Brazil (IAB)
- Australia: 1930 - The Australian Institute of Architects
- France: 1940 – Validated in 1945 – Ile-de-France Association of Architects Currently regulated under 1948 - International Union of Architects and regionally governed under 1977- Ordre Des Architectes
- Egypt: 1917 - Society of Egyptian Architects (SEA)
- Malaysia: 1920 - Malaysian Institute of Architects (PAM)
- Brazil: 1921 - Institute of Architects of Brazil (IAB)
- Australia: 1930 - The Australian Institute of Architects

- France: 1940 – Validated in 1945 – Ile-de-France Association of Architects Currently regulated under 1948 - International Union of Architects and regionally governed under 1977- Ordre Des Architecte
- China: 1953 – Architectural Society of China
- Hong Kong: 1956 - The Hong Kong Institute of Architects
- Sri Lanka: 1957 - Sri Lanka Institute of Architects
- Singapore: 1961 - Singapore Institute of Architects
- Republic of Korea: 1965 - Korea Institute of Registered Architects (KIRA)
- Argentina: 1969 – reformed in 1988 - Argentina Federation of Organizations of Architects (FADEA)
- Bangladesh: 1972 - Institute of Architects Bangladesh
- Pakistan: 1975 - The Institute of Architects, Pakistan (IAP)
- Belgium: 1977 - Conseil national de l'ordre des architectes
- Russia: 1992 - Union of Architects of Russia (UAR)

Role of Architects in the Society:

- Before we start talking about role of Architect in society, lets talk about **who is an Architect?**
- By looking into situations in past till date **I define architect to be a person who can design a space (closed/ open) that can host a function or group of functions.** This definition can be changed a bit to better suit the time reference of human activity.
- In early days **any one with basic visualization power was able to fulfill the architectural requirements of society.** As few days passes **society needs demanded people with minimum visualization power and some experience in the work to plan or design the spaces for their needs.** In present days **society required skilled architects who are educated and trained to be in architectural profession.** The increase in meeting the complexities of society's desires is the sole reasons for change in the added requirements to call some as architect.
- In early days when **population is small and they are living with fewer and simple desires,** everyone acted as architect of his own space. Effectively in those days as an architect's role was just to, respond to the environment around him in a positive manner while satisfying his own needs. As stated previously along with the increase in population, **role of architect and complexity in his duties have increased, which resulted in transforming architecture as a profession and technically one has to do some course work to call themselves as an architect** and the same holds good for practicing in present days.

- bottom line of an architect's role in society is to **respond with the surrounds environment in a positive manner while rendering his/clients needs**. The trend in present days is that one who designs is different from the one who is getting it built to the one who is going to use. **It's a difficult job for him to satisfy the needs of all those people while keeping the effective environment of the place/ space intact.**
- Even if one was success full in doing all the, **it's not certain that the space will cater to the expected function for a minimum of 30 years**. For various reason it could host a completely different function, to the one it was planned for. So **architect need to have proper idea of what could be the potential of the space in the near future, and educate client about it.**
- If required to **modify the function of the space they are working or selecting another site for the function client is looking for** he should be educated about it.
- For doing these functions **he should be aware of trends and needs of the society**. As a person with maximum knowledge about **spatial planning and designing structures** that become part of environment.
- It's the **duty of architect to educate people about environmental protection in the built environment; through practice and writing publications to create awareness among people.**
- Then another important role of an architect is to train architects for future. **He should educate and guide the young and upcoming architects about their role in society as an architect**, and also should take part in **teaching architecture students who are going to become the future generation architects.**
- With this discussion on the architect's role in society during present days and olden days; it very well evident that how exactly architect's role in society has modified with time and what are the reasons behind it.



Figure 2 – Career options for an Architect

	BUSINESS	PROFESSION
OBJECTIVE	EARNING PROFIT	RENDERING SERVICE
QUALIFICATION	NOTHING	SPECIALIZED KNOWLEDGE REQUIRED
ESTABLISHMENT	ENTERPRENEUR DECISION AND FULFILLMENT OF LEGAL FORMALITIES	MEMBERSHIP OF THE PROFESSIONAL AND CERTIFICATE OF PRACTICE IS NEEDED
CODE OF CONDUCT	NO PRESCRIBED COC	PRESCRIBED COC NEED TO BE FOLLOWED
ADVERTISEMENT	CAN BE DONE	STRICTLY PROHIBITED AS PER COC
REWARD	PROFIT	PROFESSIONAL FEE
CAPITAL	REQUIRES BASED ON SIZE AND NATURE OF BUSINESS	LIMITED CAPITAL REQUIRED

Table 1 – Difference between Business and Profession

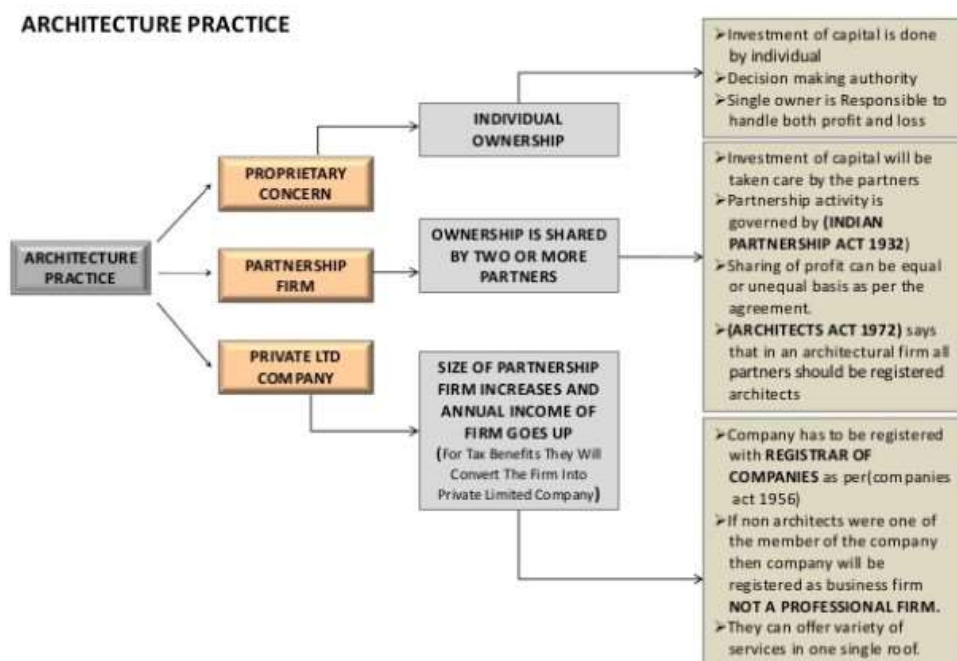


Figure 3 – Types of Architectural Practice

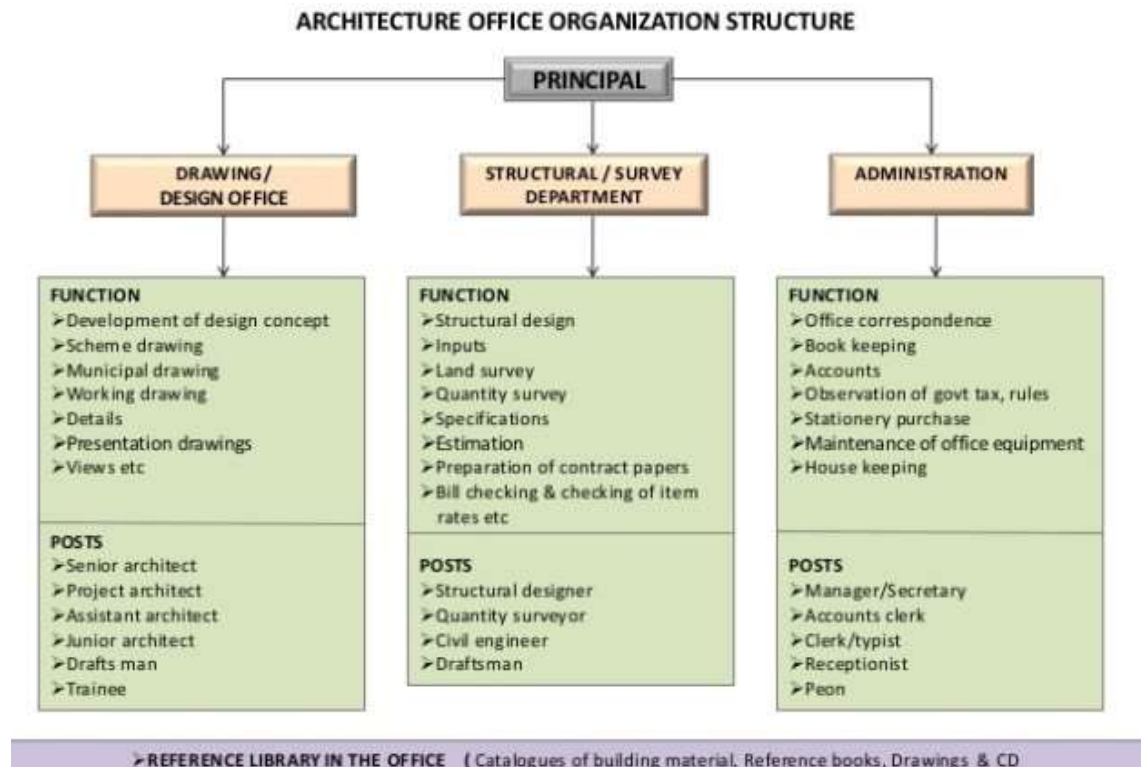


Figure 4 – Office Organization Structure

ARCHITECTURE PRACTICE – SETTING UP THE OFFICE

- Office is an entity different from yourself
- Capital invested is a loan to office
- The office should pay back the money in the form of profit with interest too.

1. **Start** your proprietary firm
2. Open a **Fresh Bank Account** apart from ongoing personal account
3. **Office Account** (strictly office account)
4. **Capital** is deposited in this account
5. All **office expense** is taken care by this account
6. **Fees** will also be deposited in this account
7. Detailed **Pay In Slip Book** should be maintained for all cheque with proper **Bill No**
8. Office account is usually **Current Account**, so no need to keep huge amount, you **wont get interest** as it's not an saving account.

Figure 5 – Setting up the Office

ARCHITECTURE PRACTICE – FINANCE MANAGEMENT – ELEMENTARY ACCOUNTS

<p>Book of account and other documents need to be maintained in an office under the rules of income tax act</p> <p>Following are the documents :</p> <ol style="list-style-type: none"> 1. CASH BOOK 2. JOURNAL 3. CARBON COPIES OF MACHINE NUMBERED BILLS 4. BILLS, RECEIPTS AND VOUCHERS 5. LEDGER <p>➤ CASH BOOK</p> <p>-Its a Record Of All Transactions (income and expenditure in cash)</p> <p>-Each expenditure shall be supported by either a Receipt Or Voucher</p> <p>-if there is no cash transactions in office no need to maintain cash book</p> <p>PETTY CASH BOOK</p> <p>It's a record of day to day expenditure (tea, coffee, stationery) of small value is entered in this book)</p>	<p>➤ LEDGER</p> <p>Transactions recorded in cash book and journal are posted in the ledger under Different head of accounts.</p> <p>For an architects office different head of expenditure mentioned below:</p> <ol style="list-style-type: none"> 1. Office rent and other charges like common service charges of the building or property tax 2. Stationery & printing charges 3. Postage 4. Electricity bills 5. Telephone bills 6. Salary bill paid to slip 7. Fees paid to consultants & surveyors 8. Interest paid to loan amount 9. Membership fees, registration charges in professional bodies and clubs, expenses for attending professional seminars, conventions, workshops, meetings etc. 10. Purchase of book, periodicals, newspapers etc 11. Travelling expenses 12. Entertainment
--	---

Figure 6 – Finance Management – Elementary Accounts

ARCHITECTURE PRACTICE – FINANCE MANAGEMENT –INCOME TAX & LIABILITIES

<p>INCOME TAX</p> <p>This is the central government tax on the income of an individual and of company as well.</p> <p>GROSS INCOME – ALLOWABLE EXPENSES = NET INCOME</p> <p style="text-align: center;">(100 Rupees) (60 Rupees) (40 Rupees)</p> <p style="text-align: center;">(Net income alone is considered for taxation)</p> <p>Expenditure under all the above Heads Explained Under Ledger above up to certain proportion is Allowable Expense</p>
<p>Many ways to save money and to pay minimum taxes</p> <p>Money spend on the Following Schemes will Help In Reducing The Tax</p> <ol style="list-style-type: none"> 1. LIFE INSURANCE 2. PUBLIC PROVIDENT FUND 3. NATIONAL SAVING SCHEME 4. LOAN FROM BANK <p>➤ Hand loan when returned is not deductible from the gross income.</p> <p>➤ Money if borrowed from any bank, the loan and the interest paid will be deductible from the gross income.</p> <p>Its convenient to borrow money for the development of office</p>

Figure 7 – Finance Management - Income Tax & Liabilities

ARCHITECTURE PRACTICE – ACTS TO BE FOLLOWED BY IN THE PRACTICE

When an architect employs more than **Ten Employees** then its **No more a small office**.

The office has to be covered under the definitions of an industry as per **Industrial Disputes Act Of 1947**

The owner of the office has to make following provisions:

➤ PAYMENT OF GRATUITY ACT

Person who has completed minimum five years of service in a company is eligible to get gratuity at his time of termination of service.

➤ PAYMENT OF BONUS ACT

This is applicable to an establishment where **Twenty Or More Person** are employed.

Under this act employer has to pay **8.33% Of Annual Salary** (one month salary) and maximum up to 20 %

(even though the office is small, u should keep your employee happy by giving gracious amount per year as per your capacity)

➤ EMPLOYEES PROVIDENT FUND ACT

This is applicable to an establishment where **Twenty Or More Person** are employed.

Under this act, it's a legal responsibility of an employer to deduct from the salary of an employee, **A Certain Amount Will Be Paid To The Government Treasury Along With Employer's Contribution**

➤ T.D.S (TAX DEDUCTED AT SOURCE)

Payment of **Income Tax And Professional Tax** is an **Individual's Responsibility**

If the office grow big, this **Responsibility Is Taken Care By The Employer**.

Income and professional tax will be deducted and paid to the government treasury by the employer.

Figure 8 – Acts to be followed in Practice

ARCHITECT PROFESSION

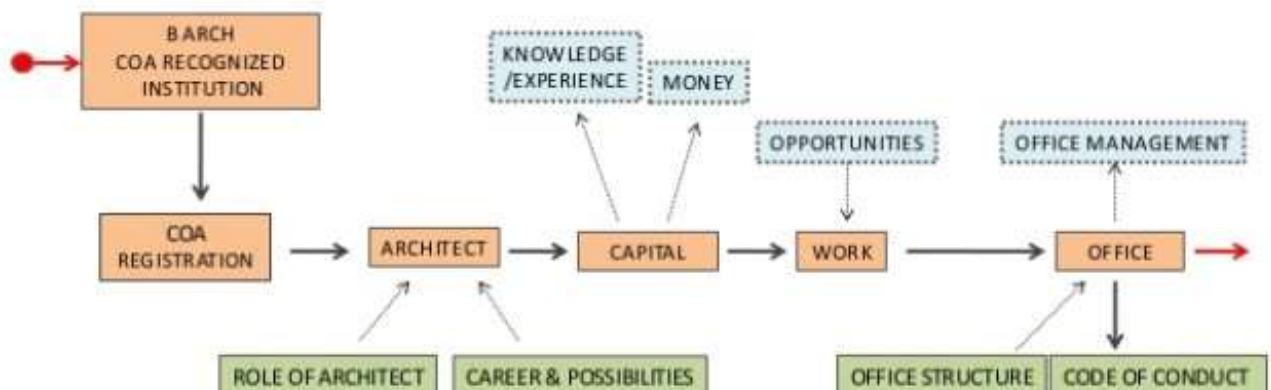


Figure 9 – Flow chart of Architect and his Profession

ROLE OF AN ARCHITECT

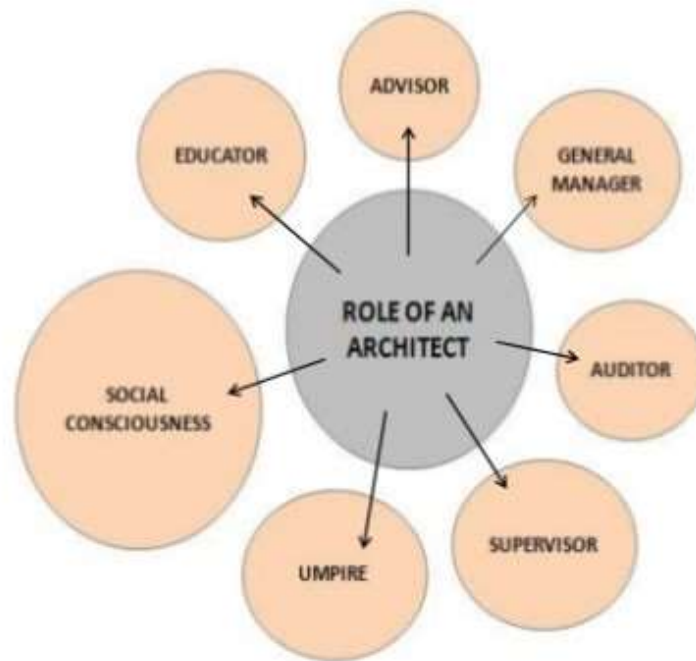


Figure 10 & 11 – Various roles of an Architect

<ol style="list-style-type: none"> 1. ADVISOR -Using the best of his knowledge and experiences he should advise the client. -His advice must be only in the interest of his client. 2. GENERAL MANAGER -He is entrusted with financial undertakings -He has to co ordinate with many agencies like a general manager -His honesty of purpose must be above suspicion 3. AUDITOR -He has to certify bills, payments & fees to the contractors and other consultant -He has to work as an auditor -He must be selfless & impartial 4. SUPERVISOR -Architect must frequently visit work under construction irrespective of the distance -He has to inspect site, either work has been carried out as per conditions and specification of the contract -The owner or the client completely rely on the architect in this aspect 5. UMPIRE -He has to work like an umpire in case of dispute between the owner & the contractor -He must act with entire impartiality 6. SOCIAL CONSCIOUSNESS -He has the moral responsibility towards the society -His behavior in the society reflects upon the architectural fraternity as a whole 7. EDUCATOR -He shall educate directly or indirectly, his clients and the society to improve quality of living and environment -these are the moral and legal expectations of an architect 	<p>AT THE COMMENCEMENT OF THE CAREER, ARCHITECT HAS THE FOLLOWING OPTIONS:</p> <ul style="list-style-type: none"> ➤ To buy a practice or may inherit the practice ➤ To work in a firm and climb the ladder of promotion to the stage of becoming a principal or the partner of firm ➤ Leave the firm and start his own practice ➤ To win a competition and start his own practice ➤ Individual joining together and starting a practice as partners <p>ADVANTAGES OF WORKING IN A WELL ESTABLISHED FIRM :</p> <ul style="list-style-type: none"> ➤ Pleasant atmosphere, location, situation etc ➤ High salary ➤ High standard for design and its preparation ➤ Sufficient time available for research ➤ Able to handle big projects within a short time <p>SHORT COMINGS OF THE OWN PRACTICE:</p> <ul style="list-style-type: none"> ➤ As he is the principal architect he has to do all technical and research work himself and he will thus lack in good technical information ➤ Less productivity ➤ Long period of experience required to handle big projects ➤ Cannot satisfy the client so far as the speed is concerned ➤ No vacation for the principal, when he is ill, the work will suffer
---	---

ARCHITECTS CAREER & POSSIBILITIES

DUTIES AND RESPONSIBILITIES OF A PRINCIPAL ARCHITECT
<p>By developing his one man practice architect gradually assumes the principal and a stage might come when he simply become an artist administrator .</p> <p>He is the chief man in the office with legal and financial responsibilities</p> <ul style="list-style-type: none"> ➤ To keep a steady flow of work so as to maintain the high standard of his office ➤ To take active part in the social activities ➤ To submit work for publication in technical journals ➤ To co ordinate with various consultants to obtain the desired results without any hitch and delay ➤ Proper distribution of work among office staff member ➤ Financing of the office ➤ Attend to contract, cost planning and time limit for the completion of the work

Figure 12 – Duties and responsibilities of a Principal Architect

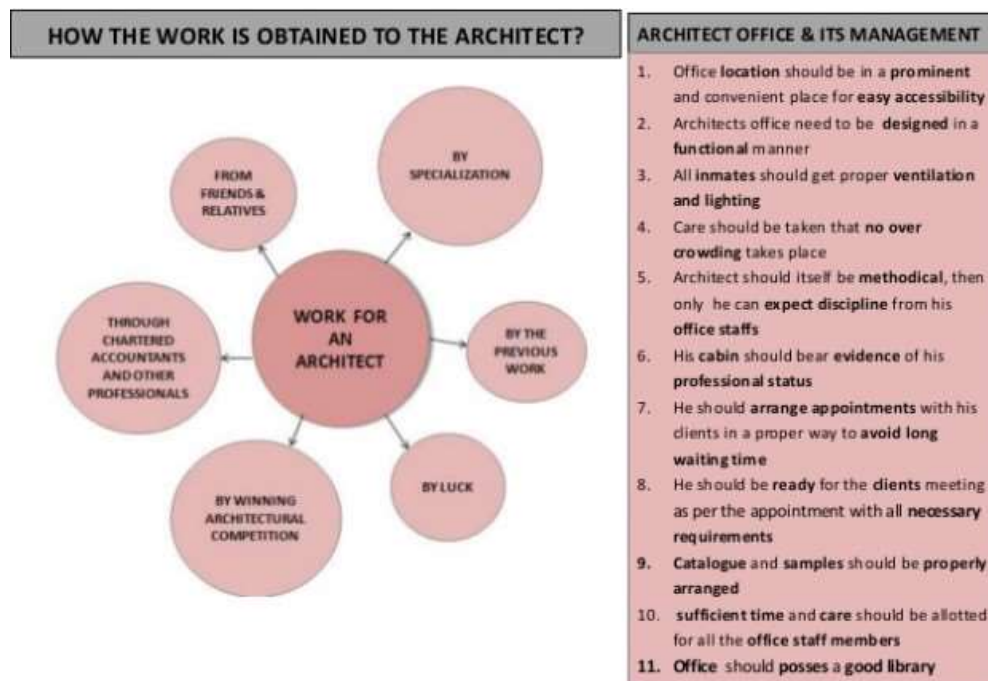


Figure 13 – Various opportunities for an Architect

How to start an Architecture Firm

- Firstly, a candidate have to register under the Council of Architecture, wherein the council gives a certificate to the candidate. **The Life time registration can be obtained for the registered practice of the profession in India.**
- The Architecture Firm can be started after obtaining Certificate from Council of Architecture
- A good Team is required for an Architecture firm to run successfully.

- **Trademark, Patent, and Copyright Registration are very important because securing your intellectual right is most important as it is very easy to copy any products/designs/works.**
- You can Link your business with Udyog Aadhar, Udyog Aadhar is an essential document for obtaining benefits from the government schemes so it will help your newly Architecture firm and you will get a loan from the bank on low-interest rates. Udyog Aadhar is a 12 digit unique number which is allotted by the Ministry of Micro, Small and Medium Enterprises.
- **GST Registration is also important for the services we provide and we have complied with the GST laws.** According to GST law if the turnover of any company is more than 20 lakh rupees, then it is mandatory to register under the GST laws and in some state, if turnover is more than 10 lakh rupees, then it is mandatory to register under GST.
- It is most important to incorporate your business under Indian Laws. You can start your architecture firm as **Company, LLP, Sole Proprietorship Firm, Partnership Firm, One Person Company.**

Architect and Client

- As professionals we have a responsibility to coach our clients about the architect's role and responsibility as well as the design and construction process.
- Cultivating an environment of education fosters trust, creates good communication, relieves frustration, and builds successful relationships with our clients.
- A good working relationship between the architect and client is crucial to the success of any project.
- When working with an architect, the value is there from the start in terms of time and money saved during the project.

Source: <https://www.wagstaffrogersarch.com/blog/theclient-architect-relationship>

Architect and Contractor

- Beware of the Contractor that does not want an Architect involved
- The Contractor – must be a responsible craftsman with expertise and the experience necessary to manage the trades and to build the project as designed and documented.
- As with a three-legged stool, each of the three (**Architect, Client, Contractor**) parties must work together in concert. They must maintain open dialogue and be able to troubleshoot as a team in order to respond to unforeseen issues or client-initiated changes. Limiting or eliminating any of these components will leave the client with a compromised solution.

Source: <https://www.clawsonarchitects.com/blog-entry/2011/04/understanding-client-architect.html>

Architect and Consultants

There are various works which have to be co ordinated by various consultants, e.g, Plumbing, HVAC, Electrical, Project Management, Fire System. As an Architect, one have to work in co

ordination with these consultants for medium and large scaled projects. The knowledge acquired during academics and practice have to be incorporated and the Lead has to be taken by the Architect.

Architect and Manufacturers

- As professionals we have a responsibility in choosing the right material for the construction
- We should value the responsible, reliable and wise manufacturer.
- We need not comfort the manufacturer by choosing their product, instead the manufacturer need to satisfy the need of an Architect by providing genuine products for the industry.

Accounting and Financing:

1. Monitor Cash Flow and Receivables Closely

It's important to keep track of the money that is coming in and going out of your business, as well as being aware of when projects are due for completion and when you can expect to be paid.

2. Make Your Payment Terms Clear

3. Keep Good Records

4. Calculate Your Real Costs

- Rent payments
- Utilities
- Insurance
- Decoration and furniture
- Office supplies
- Travel expenses and transportation costs
- Food and drink at business lunches.

5. Plan for Regular Budgeting

6. Hire a Professional for Handling Taxes

7. Pay Attention to the Terms and Conditions in Your Contracts

8. Invest in Business Automation and Efficiency

9. Make Regular Bookkeeping a Habit

10. Choose a Good Accounting Software Package



SATHYABAMA

INSTITUTE OF SCIENCE AND TECHNOLOGY

(DEEMED TO BE UNIVERSITY)

Accredited "A" Grade by NAAC | 12B Status by UGC | Approved by AICTE

www.sathyabama.ac.in

SCHOOL OF BUILDING AND ENVIRONMENT

DEPARTMENT OF ARCHITECTURE

Unit II – Code of Conduct and Ethics – SAR 1501

II. Code of conduct and Ethics

Contents – Role of Professional Body (The Indian Institute of Architects) History, Objectives, its relevance - Architects Act 1972 (Background, intent, objectives)- Council of Architecture (role and function with regard to Architectural practice) - Registration of Architects - Importance of Ethics - guidelines prescribed for professional code of conduct -punitive action for professional misconduct.

CODE OF PROFESSIONAL CONDUCT- 1989 UNDER THE ARCHITECTS ACT 1972	
<ol style="list-style-type: none"> 1. Ensure that his professional activities do not conflict with his general responsibility to contribute to the quality of the environment and future welfare of society 2. Apply his skill to the creative, responsible and economic development of his country 3. Provide professional services of a high standard, to the best of his ability 4. If in private practice, inform his Client of the conditions of engagement and scale of charges and agree that these conditions shall be the basis of the appointment 5. He will not pass on the work to another architect without prior agreement of his Client 6. Not give or take discounts, commissions, gifts or other inducements for the introduction of Clients or of work 7. Act with fairness and impartiality when administering a building contract 8. Maintain a high standard of integrity 9) Promote the advancement of Architecture, standards of Architectural education, research, training and practice 	<ol style="list-style-type: none"> 10) Conduct himself in a manner which is not derogatory to his professional 11) Character, nor likely to lessen the confidence of the public in the profession, nor bring Architects into disrepute 12) Compete fairly with other Architects 13) Observe and uphold the Council's conditions of engagement and scale of charges 14) Not supplant or attempt to supplant another Architect 15) Not prepare design free of charge or for a reduced fee ,however he may take part in competition approved by the council 16) Must not accept a project which he knows has been given to other architect , before he make sure that the previous appointment has been properly terminated and his dues has been settled. He must notify the previous architect before accepting the proposal. 17) Comply with Council's guidelines for Architectural competitions and inform the Council of his appointment as assessor for an Architectural competition

CODE OF PROFESSIONAL CONDUCT- 1989 UNDER THE ARCHITECTS ACT 1972	
<ol style="list-style-type: none"> 18) When working in other countries, observe the requirements of codes of conduct applicable to the place where he is working 19) Not have or take as partner in his firm any person who is disqualified for registration by reason of the fact that his name has been removed from the Register under Section 29 or 30 of the Architects Act, 1972 20) Provide their employees with suitable working environment, compensate them fairly and facilitate their professional development 21) Recognize and respect the professional contribution of his employees 22) Provide their associates with suitable working environment, compensate them fairly and facilitate their professional development 23) Recognize and respect the professional contribution of his associates 24) Recognize and respect the professional contribution of the consultants 25) Enter into agreement with them defining their scope of work, responsibilities, functions, fees and mode of payment 26) Shall not advertise his professional services nor shall he allow his name to be included in advertisement or to be used for publicity purposes save the following exceptions : 	<ul style="list-style-type: none"> ➤ A notice of change of address may be published on three occasions and correspondents may be informed by post ➤ Architect may exhibit his name outside his office and on a building, either under construction or completed, for which he is or was an Architect, provided the lettering does not exceed 10 cm. in height ➤ Advertisements including the name and address of an Architect may be published in connection with calling of tenders, staff requirements and similar matters ➤ May allow his name to be associated with illustrations and descriptions of his work in the press or other public media but he shall not give or accept any consideration for such appearances ➤ may allow his name to appear in advertisements inserted in the press by suppliers or manufacturers of materials used in a building he has designed, provided his name is included in an unostentatious manner and he does not accept any consideration for its use, ➤ may allow his name to appear in brochure prepared by Clients for the purpose of advertising or promoting projects for which he has been commissioned ➤ may produce or publish brochures, pamphlets describing his experience and capabilities for distribution to those potential Clients whom he can identify by name and position ➤ may allow his name to appear in the classified columns of the trade / professional directory and/or telephone directory/ website.

Figure 14 & 15 – Code of Professional Conduct 1989



Figure 16 – IIA and COA

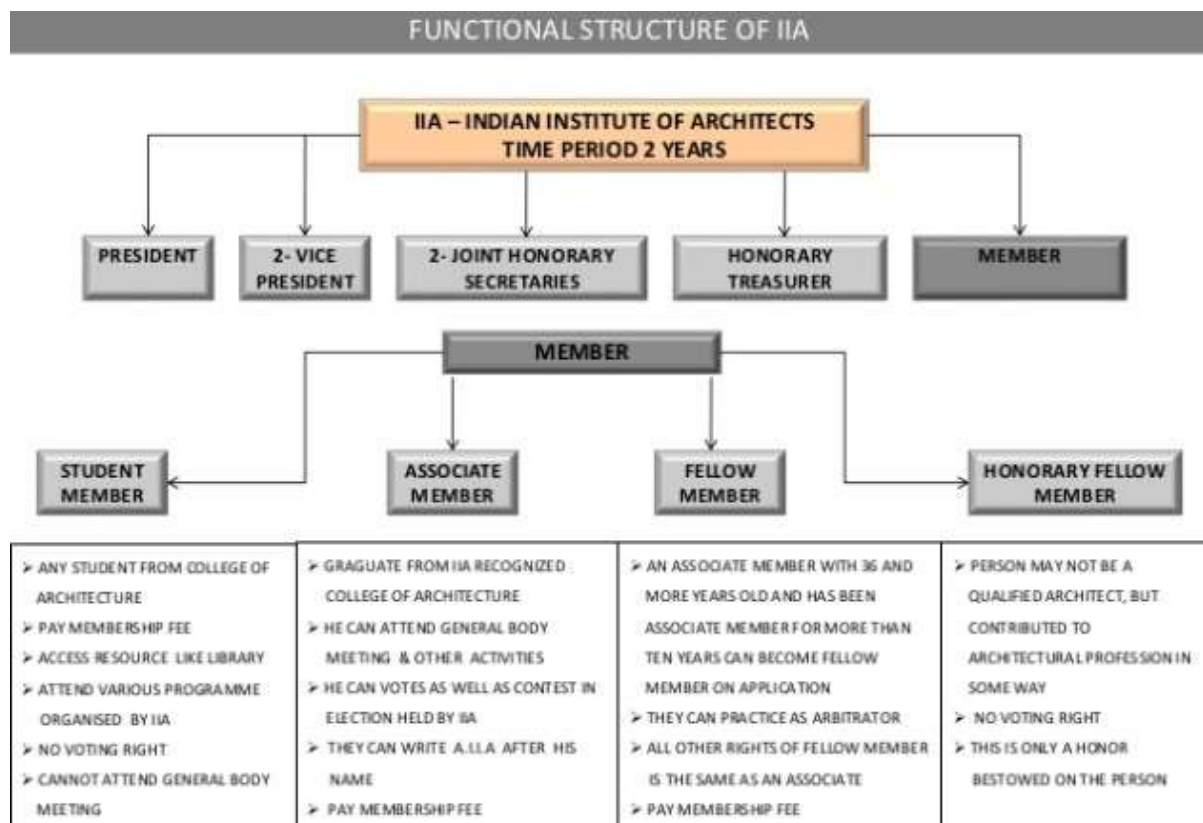


Figure 17 – Structure of IIA

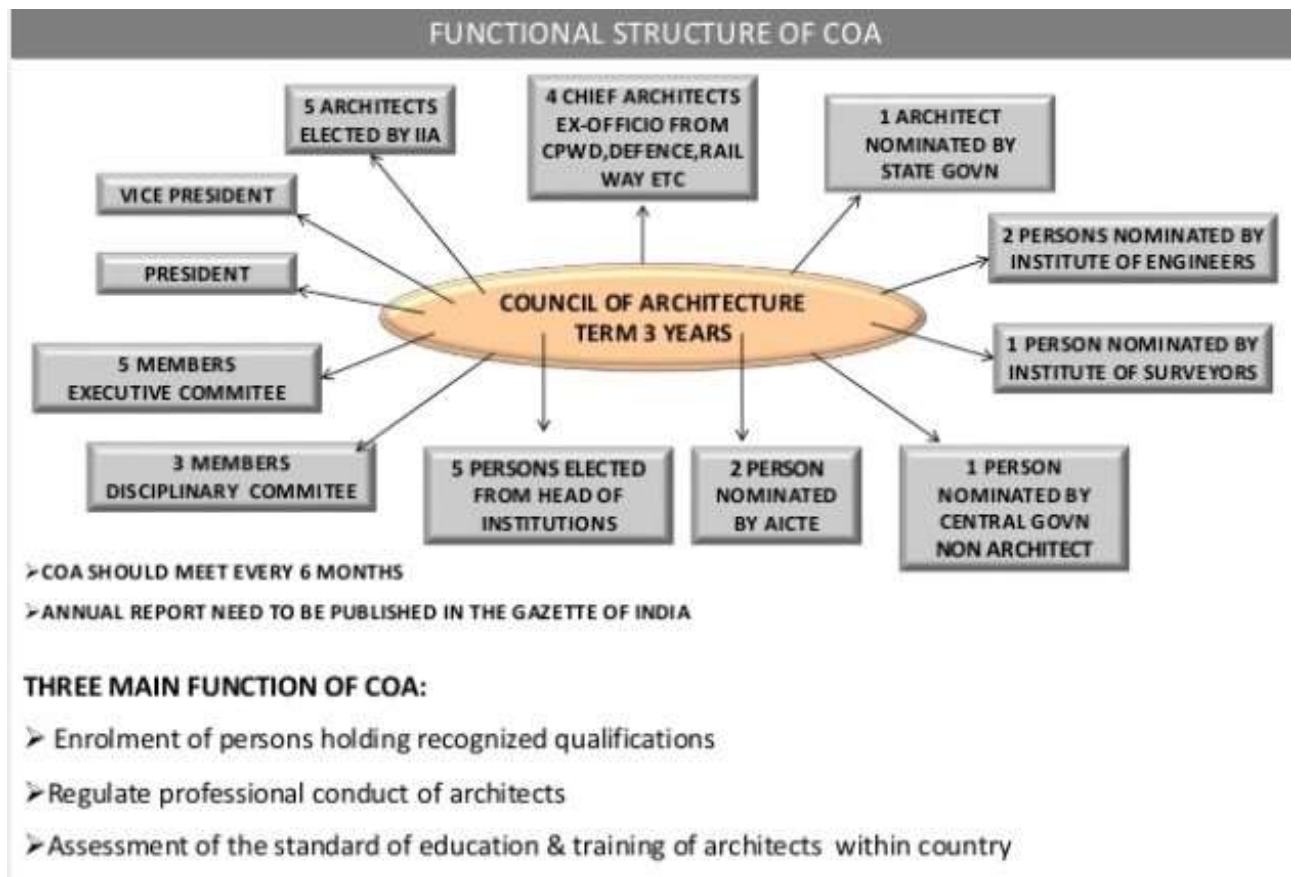


Figure 18 – Structure of COA

Role of IIA as Professional Body:

- In 1917, a group of people who were past students of architecture of Sir J.J. school of art decided to form themselves into an association and it was decided to christen the infant "the architectural students association"
 - The activities of the association showed, **steady progress, members began to seriously consider an improvement in status of the association.** The word "students" seemed inapt for a body that had now practicing architects within it.
- In 1922, it announced the formal inauguration of the rechristened association The "Bombay architectural students association" in Mumbai.
- Its affiliation to the **Royal Institute of British architects in 1925** and re-considered aims and objectives it was converted to **IIA in the year 1929.**
 - The **Indian Institute of Architects (IIA) is the national body of architects** in our country.
 - The institute today has more than **12000 members.**
 - The institute has a major role in **promoting the profession of architects by uniting and organizing in fellowship the architects of India to promote aesthetic, scientific and practical efficiency of the profession.**
 - IIA is represented on various **national and international committees** connected with **art, architecture and the building industry** is also actively associated with

- a) *International union of architects(UIA)*
- b) *Commonwealth association of architects(CAA)*
- c) *South Asian association for regional co-operation of architects.*

IIA has seven classes of membership

- a) **HONORARY FELLOWS** - any individual who is not necessarily a qualified architect but has contributed to the growth of architectural profession.
- b) **ASSOCIATES** - any person who has attained the age of 21 and graduated from one of the institutions registered with council of architecture
- c) **FELLOWS** – any associate who has attained the age of 36 and shall practice as an arbitrator.
- d) **LICENTIATES** - any person who is registered with coa is eligible to apply for licentiate member.
- e) **STUDENTS** - a student enrolled in any one of the architectural institutions – can on application, become a student member.
- f) **RETIRED MEMBERS** - any fellow, associate or licentiate after attaining the age of 55 and on completely retiring from service or profession can apply for this post.
- g) **SUBSCRIBERS** - a subscriber shall be either a person who was a member of the **Bombay architectural association** at the time of adoption of the original constitution of the institute, now amended or a person who in the opinion of the council is likely to render assistance in promoting the objects of the institute.

All affairs of the institute is be managed by the council, but will be subject to the control by the general body of the institute. The council holds office for a period of 2 official years.

Council consists of :

- President
- 2 Vice President
- Hon. treasurer
- 2 or more Joint Secretaries
- The immediate past President
- Chairman of 5 regional committees
- Chairman of all chapters
- The Hon. Editor of the Journal.

It encourages the **science and the art of planning and building the standards** of architectural education, training and practice, by **making grants to Technical Institutions, or by paying or assisting to pay the fees** and expenses of students or by providing and **giving scholarships, prizes or other rewards** to such students, or by any or all such methods.

It devises and imposes the means for testing the qualifications of the candidates for admission to membership of the Institute, by examination in theory and in practice, or by any other tests, or to arrange with any technical Institute or Institutions for the imposition of any such tests.

It looks into all factors affecting the practice of architecture and it initiates and watches over measures affecting, or likely to affect, the practice of Architecture, and to procure such changes of, and amendments in the law relating to or affecting the practice of Architecture.

It holds conferences or meetings for the discussion of, and the exchange of news and matters affecting or relating to architecture, the reading of papers and the delivery of lectures, and hold congresses or exhibitions (either jointly with any other body or Institution or otherwise) for the exposition of any matters affecting or relating to the theory or practice of Architecture or any allied subject; and **to award medals, certificates, prizes or diplomas in connection therewith**

It co-ordinates the activities of the building industry and of the Profession of Architecture, and too amalgamate or combine or act temporarily or otherwise, in conjunction with any other body or bodies, Institution or Institutions, having like or similar objects.

It purchases, leases, rents, holds and disposes of any land or property, and any building or hall and erects any such building or buildings to be used as place of meeting for the members of the institute, or as a college, school or reading room or library for the advancement of the object of the institute, and provides accommodation for any meeting, conference, exhibition or congress, whether promoted wholly or partly by the Institute or which, in the opinion of the Council, may conduce to or assist in the carrying on with the objects of the Institute or tend to do so.

It acquires by purchasing , donation, request or otherwise a library and collection of models, drawings, designs or other materials, and to maintain, extend and improve the same.

It formulates and notifies the law and practice relating to Architecture to members and the public, and to compile, collect, collate, revise, print and publish statistics, professional records or periodicals relating to any of the objects of the Institute;

It issues **appeals for funds in furtherance of the objects** of the Institute, to accept any gift, endowment or bequest made to the Institute, and to carry any trust attached to any such gift, endowment or bequest, and to borrow moneys, if required for the purpose of the Institute, provided such gifts, endowments, bequests or loans **shall be accepted if they are not accompanied by conditions inconsistent or in conflict with the objects** for which the Institute is established;

It ensures the advancement of the living standards of our people through their improved environment and to make the profession of ever increasing service to Society

It constitutes various classes of members including Honorary Fellows who are **influential and experienced people directly or indirectly from the field.**

Legal Status of the Institute:

- The Indian Institute of Architects is registered under the Societies Registration Act XXI of 1860 as a **voluntary organization of Architects**. The only other organization at the national level is the **Council of Architecture** established under the Architects Act 1972 with the statutory duty of Registration

Bye Laws:

- A member or student of IIA is governed by the constitutional bye-laws of the Indian institute of architects.

1. A member or student must not hold a position in which his interest is in conflict with his professional duties.
2. A member or student is remunerated solely by his professional fees payable by his client or by a salary payable by his employer. It is the duty of a member or student to uphold and apply the scale of professional fees and charges adopted by the IIA.
3. A member or student must not accept any work which involves discounts or commission.
4. (a). A member or student may be architectural consistent, advisor or assistant of building contractors, decorators, manufactures, house and estate agents, provided that he is paid by fee or salary and not by commission and that he does not solicit orders for the company.

4(b). As described in clause 4(a), his name and affix may appear only on the note paper of the firm or company used in connection with his professional services.

4(c). As described in clause 4(a), he shall not act in a professional capacity for a third party but if mutually agreed between all the parties he may act as an independent architect.
- 5(a). A member or student may be a partner, director or member of any company registered under any act of the Indian legislature; but his professional affix may not appear on the note paper of the company.
- 5(b). A member or student must not be a partner, director or member of a company connected with the building industry or trading in land or building for profit.
6. Member or student must not advertise or offer his services by means of circulars or otherwise, nor may he make paid announcements in the press, except :
 - 6(a). Advertisements, professional appointments open or wanted may be inserted in the press.
 - 6(b). One notice of change of address may also be inserted.
 - 6(c). A member or student may notify his correspondence by the post only once.
7. A member or a student may allow signed illustration and descriptions of his work to be published in the press, but he shall not:
 - 7(a). give monitory considerations for such insertions.
 - 7(b). allow such insertions to be used by the publishers for extorting advertisements for contributors.
8. A member or student may sign his buildings and may exhibit his name outside his office and on buildings in the course of construction; the lettering does not exceeding 5 cm in height.
9. A member or student must not compete with another architect by means of reduction of fees or by other inducements
10. A member or student on being approached or instructed to proceed with professional work upon which another architect was previously employed shall notify the fact to such architect before finally accepting the appointment.

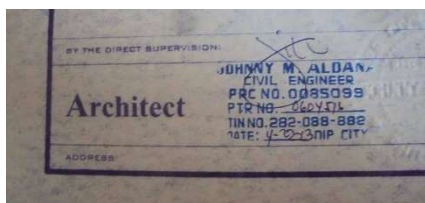
11. In all cases of dispute between building owner and contractors a member or student must act in an impartial manner

WHAT is COA, how is it different from IIA ?

- In India, we have the regulatory COA and the more “club-like” IIA – with programs, “fellowship” cocktail dinners and workshop-conventions.
- The Architects Act was passed in 1972, it paved way for a proper way of educating and registering Architects competent to handle the design and building of a truly “developing” nation , this is governed by the COA .
- Ever since COA has remained a body which primarily maintains a registry of Architects and monitors the minimum standards of architectural education in India.
- The COA, by virtue of the limitations of the Act and its purpose, has not endeared itself to its Registrants.
- Registered architects are not “members” of the Council of Architecture, it only registers and looks over the control of education in countless schools of Architecture. In this way COA is different from the IIA.
- Yet the actual truth is that the Act and the COA are the only legitimate things that architects have; the only instrument of power and recognition that can actually protect and improve the lot of the fraternity.

Issues within the practice

- Unlicensed practice of Architecture is not new. The seriousness of using the title ‘Architect’ and practicing Architecture legally. **The safety of public health and welfare is a liability in practice.**
- In India too, the **core issues are various forms of illegal practices.**
- Unregistered directors of firms; unregistered foreign firms partnering with local firms; unregistered individual Architects practicing; and other companies Registered with the [Ministry of Corporate Affairs](#) who include Architecture as part of their services without licenses, are the malpractices witnessed.



Source:

<https://worldarchitecture.org/architecture-news/epmmn/the-architects-amendment-bill-2018-on-reforms-in-practice-and-education.html>

ARCHITECTS ACT, 1972

In this Act, unless the context otherwise requires,

- a. **"Architect"** means a person whose name is for the time being entered in the register;
- b. **"Council"** means the Council of Architecture constituted under Section 3;
- c. **"Indian Institute of Architects"** means the Indian Institute of Architects registered under the Societies Registration Act, 1860;
- d. **"Recognised qualification"** means any qualification in architecture for the time being included in the Schedule or notified under section 15;
- e. **"Register"** means the register of architects maintained under section 23;
- f. **"Regulation"** means a regulation made under this Act by the Council;
- g. **"Rule"** means a rule made under this Act by the Central Government.

The Council shall consist of the following members, namely:-

- a. **Five architects** possessing recognized qualifications elected by the Indian Institute of Architects from among its members;
- b. **Two persons** nominated by the All India Council for Technical Education established by the Resolution of the Government of India in the late Ministry of Education No.F.16-10/44- E.III, dated the 30th November, 1945;
- c. **Five persons** elected from among themselves by heads of architectural institutions in India imparting full-time instruction for recognised qualifications;
- d. **The Chief Architects** in the Ministries of the Central Government to which the Government business relating to defence and railways has been allotted and head of the Architectural Organization in the Central Public Works Department, ex officio;
- e. **One person** nominated by the Central Government;
- f. **An architect** from each State nominated by the Government of that state;
- g. **Two persons** nominated by the Institution of Engineers (India) from among its members; and
- h. **One person nominated** by the Institution of Surveyors of India from among its members.
- i. **ARCHITECTS (PROFESSIONAL CONDUCT) REGULATIONS, 1989**
- j. i. ensure that his professional activities do not conflict with his **general responsibility to contribute to the quality of the environment and future welfare of society,**
- k. ii. apply his skill to the **creative, responsible and economic development of his country,**
- l. iii. provide professional services of a **high standard, to the best of his ability,**
- m. iv. if in private practice, inform his Client of **the conditions of engagement and scale of charges and agree that these conditions shall be the basis of the appointment,**
- n. v. **not sub-commission to another Architect** or Architects the work for which he has been commissioned without prior agreement of his Client,
- o. vi. not give or take **discounts, commissions, gifts or other inducements for the introduction of Clients or of work,**

- p. vii. act with **fairness and impartiality** when administering a building contract,
- q. viii. maintain a **high standard of integrity**,
- r. ix. promote the **advancement of Architecture, standards of Architectural education, research, training and practice**,
- s. x. conduct himself in a manner which is not **derogatory to his professional character**, nor likely to lessen the **confidence of the public in the profession**, nor bring Architects into disrepute,
- t. xi. compete **fairly with other Architects**,
- u. xii. observe and uphold the **Council's conditions of engagement and scale of charges**,
- v. xiii. not supplant or **attempt to supplant another Architect**,
- w. xiv. not prepare designs in **competition with other Architects for a Client without payment or for a reduced fee** (except in a competition conducted in accordance with the Architectural competition guidelines approved by the Council)

Comprehensive Architectural Services

1. SCOPE OF WORK

The Architect is required to provide services in respect of the following :

Part I - ARCHITECTURE :

- 1. Taking Client's instructions and preparation of design brief.
- 2. Site evaluation, analysis and impact of existing and / or proposed development on its immediate environs.
- 3. Design and site development.
- 4. Structural design.
- 5. Sanitary, plumbing, drainage, water supply and sewerage design.
- 6. Electrical, electronic, communication systems and design.
- 7. Heating, ventilation and air conditioning design (HVAC) and other mechanical systems.
- 8. Elevators, escalators, etc.
- 9. Fire detection, Fire protection and Security systems etc.
- 10. Periodic inspection and evaluation of Construction works.

Part II _ ALLIED FIELDS :

- 1. 11 Landscape Architecture
- 2. 12 Interior Architecture
- 3. 13 Architectural Conservation
- 4. 14 Retrofitting of Buildings
- 5. 15 Graphic Design and Signage

2. SCHEDULE OF SERVICES :

The Architect shall, after taking instructions from the Client, render the following services:

CONCEPT DESIGN [STAGE 1] :

- 2.01 Ascertain Client's requirements, examine site constraints & potential ; and prepare a design brief for Client's approval.
- 2.02 Prepare report on site evaluation, state of existing buildings, if any ; and analysis and impact of existing and/ or proposed development on its immediate environs.
- 2.03 Prepare drawings and documents to enable the Client to get done the detailed survey and soil investigation at the site of the project.
- 2.04 Furnish report on measures required to be taken to mitigate the adverse impact, if any, of the existing and / or proposed development on its immediate environs.
- 2.05 Prepare conceptual designs with reference to requirements given and prepare rough estimate of cost on area basis.

PRELIMINARY DESIGN AND DRAWINGS [STAGE 2] :

- 2.06 Modify the conceptual designs incorporating required changes and prepare the preliminary drawings, sketches, study model, etc., for the Client's approval along with preliminary estimate of cost on area basis.

DRAWINGS FOR CLIENT'S/ STATUTORY APPROVALS [STAGE 3] :

- 2.07 Prepare drawings necessary for Client's/ statutory approvals and ensure compliance with codes, standards and legislation, as applicable and assist the Client in obtaining the statutory approvals thereof, if required.

WORKING DRAWINGS AND TENDER DOCUMENTS [STAGE 4] :

- 2.08 Prepare working drawings, specifications and schedule of quantities sufficient to prepare estimate of cost and tender documents including code of practice covering aspects like mode of measurement, method of payments, quality control procedures on materials & works and other conditions of contract.

APPOINTMENT OF CONTRACTORS [STAGE 5] :

- 2.09 Invite, receive and analyse tenders; advise Client on appointment of contractors.

CONSTRUCTION [STAGE 6] :

- 2.10 Prepare and issue working drawings and details for proper execution of works during construction.
- 2.11 Approve samples of various elements and components.
- 2.12 Check and approve shop drawings submitted by the contractor/ vendors.
- 2.13 Visit the site of work, at intervals mutually agreed upon, to inspect and evaluate the Construction Works and where necessary clarify any decision, offer interpretation of the drawings/specifications, attend conferences and meetings to ensure that the project proceeds generally in accordance with the conditions of contract and keep the Client informed and render advice on actions, if required.
- 2.14 In order to ensure that the work at site proceeds in accordance with the contract documents/ drawings and to exercise time and quality controls, the day-to-day supervision will be carried out by a Construction Manager (Clerk of Works/ Site Supervisor or Construction Management Agency in case of a large and complex project), who shall work under the guidance and direction of the Architect and shall be appointed and paid by the Client.

2.15 Issue Certificate of Virtual Completion of works.

COMPLETION [STAGE 7] :

2.16 Prepare and submit completion reports and drawings for the project as required and assist the Client in obtaining "Completion/ Occupancy Certificate" from statutory authorities, wherever required.

2.17 Issue two sets of as built drawings including services and structures.

3. PROFESSIONAL FEE :

3.01 In consideration of the professional services rendered by the Architect, he shall be paid professional fee and other charges in accordance with the Scale of Charges.

3.02 Any tax levied by law, such as Service tax, etc. contingent to professional services rendered by the Architect, shall be payable by the Client, over and above the gross fees charged by the Architect in relation to the services provided.

4. SCHEDULE OF PAYMENT :

The Architect shall be paid professional fee in the following stages consistent with the work done plus other charges and reimbursable expenses as agreed upon :

Retainer On appointment/ Signing of Agreement/ cceptance of offer.	Rs. 20M* or 5% of the total fees payable, whichever is higher, adjustable at the last stage.
Stage 1 On submitting conceptual designs and rough estimate of cost.	10% of the total fees payable.
Stage 2 On submitting the required preliminary scheme for the Client's approval along with the preliminary estimate of cost.	20% of the total fees payable less payment already made at Stage 1.
Stage 3 a. On incorporating Client's suggestions and submitting drawings for approval from the Client/ statutory authorities, if required. b. Upon Client's / statutory approval necessary for commencement of construction, wherever applicable.	30% of the total fees payable less payment already made at Stages 1 and 2. 35% of the total fees payable less payment already made at Stages1 to 3a.
Stage 4 Upon preparation of working drawings, specifications and schedule of quantities sufficient to prepare estimate of cost and preparation of tender documents.	45% of the total fees payable less payment already made at Stages1 to 3a.
Stage 5 On inviting, receiving and analysing tenders; advising Client on appointment of contractors.	55% of the total fees payable less payment already made at Stages 1 to 4.

Stage 6

On submitting working drawings and details required for commencement of work at site.

- On completion of 20% of the work
- On completion of 40% of the work
- On completion of 60% of the work
- On completion of 80% of the work
- On Virtual Completion

65% of the total fees payable less payment already made at Stages 1 to 5.

70% of the total fees payable less payment already made at Stages 1 to 6a.

75% of the total fees payable less payment already made at Stages 1 to 6b(i).

80% of the total fees payable less payment already made at Stages 1 to 6b(ii).

85% of the total fees payable less payment already made at Stages 1 to 6b(iii).

90% of the total fees payable less payment already made at Stages 1 to 6b(iv).

Stage 7

On submitting Completion Report and drawings for issuance of completion/ occupancy certificate by statutory authorities, wherever required and on issue of as built drawings

100% of the fees payable less payment already made at various stages and retainer.

* Refer explanatory note 3 under Scale of charges.

Source:

<https://www.coa.gov.in/index1.php?lang=1&level=2&sublinkid=294&lid=81>

5. EFFECTING PAYMENT TO THE ARCHITECT :

5.1 The fee payable to the Architect shall be computed on the actual cost of works on completion. The payment due to the Architect at different stages be computed on the following basis:

5.1.1 Retainer : On rough estimate of cost.

5.1.2 At Stage 1 : On rough estimate of cost.

5.1.3 At Stages 2 to 4 : On preliminary estimate of cost.

5.1.4 At Stages 5 to 6 : Accepted tender cost.

5.1.5 At Stage 7 : Actual total cost.

5.2 Progressive, on account, payments shall be made by the Client to the Architect against any of the above stages based on the quantum of work done during that stage, as may be mutually agreed to between the Client and the Architect.

5.3 No deductions shall be made from the fee of the Architect on account of penalty, liquidated damages, part rates or other sums withheld from payment or recovered from contractors/ suppliers.

5.4 When the work is executed wholly or in part with old materials or labour or carriage is provided by the Client, the percentage fees shall be calculated as if the work had been executed wholly by the contractor supplying all labour and new materials.

5.5 The actual cost of the completed works shall include cost of execution of assigned works, referred to in Scope of Work and also the cost of equipment & machinery such as Transformers, DG Sets, Sub-stations, Lifts, Air Conditioning Machines, Pumps & Motors, Water and Sewage Treatment Plant, etc., but excluding the cost of land.

6. DOCUMENTATION AND COMMUNICATION CHARGES :

Apart from the professional fee, the Client shall pay to the Architect Documentation and Communication charges, @ 10% of the professional fee payable to the Architect at all stages.

7. REIMBURSABLE EXPENSES :

In addition to the amounts reimbursable against site visits by the Architect/ Consultant, the Client will reimburse the Architect the following expenses incurred by him for discharge of his obligations:

7.01. Actual cost of travel (to & fro), boarding & lodging and local transport for any visit made by his staff to the site or such other place as may be necessary in connection with the execution of work and in connection with the performance of duties referred to in this agreement.

7.02. Cost of presentation models, computer simulation, presentation drawings, etc., prepared at the instance of the Client for purposes other than the Design and execution of the project.

8. CLIENT'S ROLE AND RESPONSIBILITIES :

The Client shall discharge all his obligations connected with the project and engagement of the Architect as follows:

8.01 To provide detailed **requirements of the project.**

8.02 To provide property **lease/ ownership documents.**

8.03 To provide **a site plan, to a suitable scale, showing boundaries, contours at suitable intervals, existing physical features including any existing roads, paths, trees, existing structures, existing service and utility lines and such lines to which the proposed service can be connected.** In case such information is not readily available, the Client shall arrange for the survey/ collection of necessary information and pay for the same.

8.04 To furnish **reports on soil conditions and test as required by the Architect or pay for the preparation of the same.**

8.05 To furnish **specific conditions/ Statutory stipulations/ Codes of Practice/Schedule of rates, etc., desired to be followed.**

8.06 To pay all the **fees, levies, security deposits and expenses in respect of statutory sanction.**

8.07 To give effect to the **professional advice of the Architect and cause no changes in the drawings and documents without the consent of the Architect.**

8.08 To honour **Architect's bills within one month of its submission.**

8.09 To appoint a **Construction Manager (Clerk of Works/ Site Supervisor or Construction Management Agency in case of a large and complex project) as per the Architect's advice.**

9. EXECUTION OF THE ASSIGNMENT :

9.01 The Architect shall **keep the Client informed about the progress of work in his office.**

9.02 The Architect shall **appoint specialised consultants in consultation with the Client, if necessary.**

9.03 The Architect shall be responsible for the direction and integration of the consultants work. The consultants, however, shall be fully responsible for the calculations, the detailed design and periodic inspection and evaluation of the work entrusted to them. **The Architect shall, if requested, make available the design calculations.**

9.04 The Architect will advise the **Client on the Time Schedule (Bar Chart/PERT/ CPM Network) prepared by the contractors for the completion of work, if required.**

9.05 The Architect shall supply **to the Client, free of cost, upto six sets of drawings at different stages.**

9.06 The Architect shall not make any **deviations, alterations or omissions from the approved drawings, involving financial implications without prior consent of the Client.**

9.07 Any professional services to be rendered by the Architect **at the instance of the Client after the agreed project completion period shall be compensated for on mutually agreed terms.**

9.08 The Architect shall exercise **all reasonable skill, care and diligence in the discharge of his duties and shall exercise such general superintendence and inspection** as may be necessary to ensure that works are being executed in accordance with the Conditions of Contract.

9.09 Any revision in the drawings, tenders and documents, once approved, required to be made by the Client shall be compensated as additional services rendered by the Architect and paid for **@ 50% of the fee prescribed for the relevant stage(s).**

9.10 **No change shall be made in the approved drawings and specifications** at site without the consent of the Architect.

9.11 Any curtailment of the professional services, beyond Stage 2, shall make it obligatory for the client to pay at least **20% of the fee for the remaining Stage(s) of the curtailed work/ Services.**

10. TIME SCHEDULE :

The Architect shall, in consultation with the Client, prepare a Time Schedule in respect of various services to be rendered and discharge of Client's obligations.

11. INDEMNIFICATION :

In the event that a claim or suit is brought against the Architect or the Consultants by any third party for damages arising from personal injury or property damage caused wholly by the Client, or anyone employed by the Client, or anyone for whose acts the Client may be held responsible, then the Client shall indemnify the Architect and fully reimburse any loss, damage or expenses, including the attorney's fees, which the Architect may incur in connection therewith.

12. OWNERSHIP OF COPYRIGHT :

Architectural design is an intellectual property of the Architect. The drawings, specifications, documents and models as instruments of service are the property of the Architect whether the project, for which they are made, is executed or not. The Client shall retain copies of the Architect's models, drawings, specifications and other documents for his information and use in connection with the project. These shall not be used for any other project by the Client or the Architect or any other person, except for the repetition as stipulated in the Scale of Charges.

13. TERMINATION OF AGREEMENT :

13.1 Agreement between the Architect and the Client may be terminated by either one giving the other a written notice of not less than 30 (thirty) days, should either fail substantially to perform his part of responsibilities/duties, so long as the failure is not caused by the one initiating the termination.

13.2 When termination of this Agreement is not related or attributable, directly or indirectly to any act, omission, neglect or default on the part of the Architect, the Architect shall be entitled to professional fees as stipulated under Clause 4 and sub-clauses 9.09 and 9.11 of Clause 9.

13.3 In the event of Architect's firm closing its business or the Client having terminated the agreement, the Client shall have the right to employ another Architect to complete the work, after making payment to the previous architect's firm.

14. INTERPRETATION :

In case of any ambiguity or difficulty in the interpretation of the Conditions of Engagement and Scale of Charges, the interpretation of the Council of Architecture shall be final and binding on the Architect and the Client.

15. ARBITRATION :

All disputes or differences which may arise between the Client and the Architect under "Conditions of Engagement and Scale of Charges" with regard to the meaning or interpretation or matter or things done or to be done in pursuance hereof, such disputes and differences shall be referred for arbitration to the Council of Architecture. The arbitrator shall be appointed by the President, Council of Architecture. The arbitration shall be conducted as per the provisions of the Arbitration and Conciliation Act, 1996. The decision and award of the arbitrator shall be final and binding on the Architect and the Client.



SATHYABAMA

INSTITUTE OF SCIENCE AND TECHNOLOGY
(DEEMED TO BE UNIVERSITY)

Accredited "A" Grade by NAAC | 12B Status by UGC | Approved by AICTE

www.sathyabama.ac.in

SCHOOL OF BUILDING AND ENVIRONMENT

DEPARTMENT OF ARCHITECTURE

Unit III – Statutory provisions governing Architectural Profession – SAR 1501

III. Statutory provisions governing Architectural Profession

Contents – Important Acts and Regulations governing the design of buildings- (Town & Country Planning Act, Consumer Protection Act, Copy Right Act, Persons with Disabilities Act, Coastal Regulation Zone Act, Heritage Act, Land Acquisition Act, Factories Act, Cinema Act)-Master Plan Provisions and Development regulations with reference to CMDA - Planning norms and Building Rules-Role of Planning Authority and local body - Building Approval process.

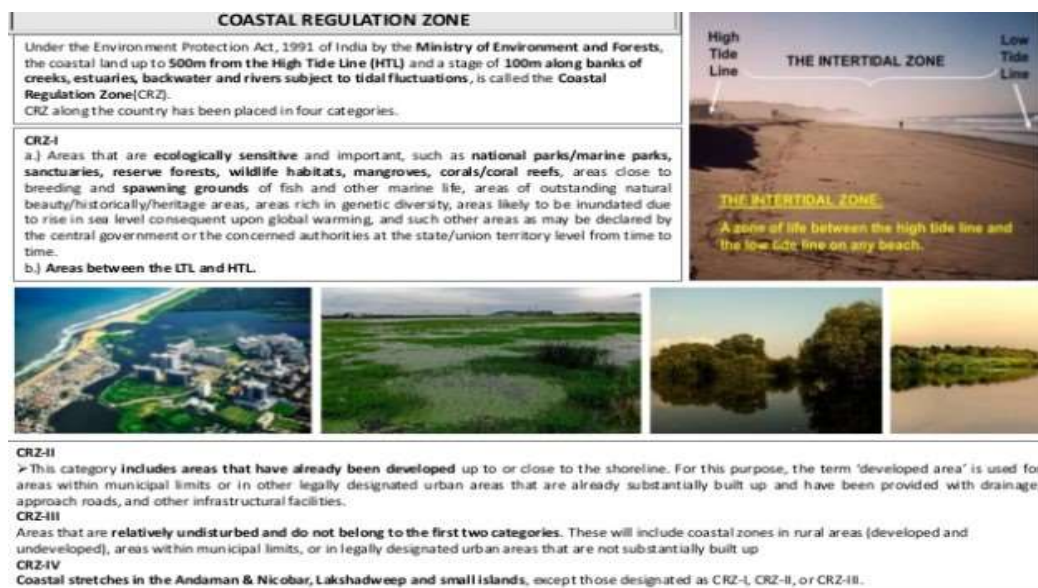


Figure 19 – CRZ



Figure 20 – CRZ

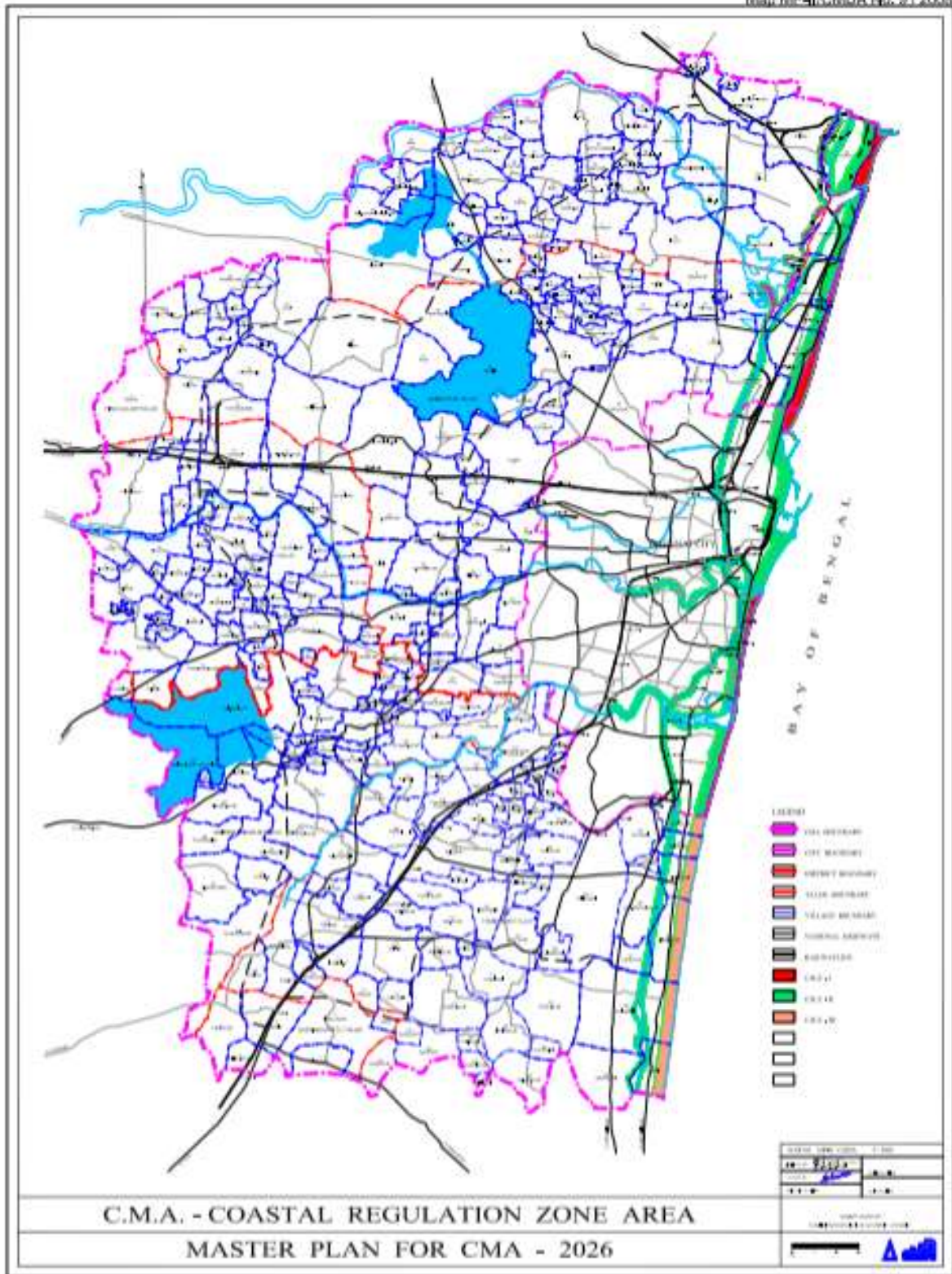


Figure 21 – CRZ area in CMA

HERITAGE ACT	
<p>➤ India is one of the countries possessing rich cultural and natural heritage</p> <p>➤ Heritage is the identity of every country, and they are putting considerable efforts to preserve and protect their centuries old rich heritage</p> <p>➤ various policies and laws are framed for preservation, protection and proper management of the cultural heritage at the state and central level in India</p> <p>➤ Article 49 of the Indian Constitution aims to protect monuments and places and objects of national importance</p> <p>➤ India had its first law way back two centuries ago in form of Bengal Regulation XIX of 1810 and this was followed by legislation Madras Regulation VII of 1817</p> <p>➤ The Indian Treasure Trove Act, 1878 was promulgated to protect and preserve treasure found accidentally but had the archaeological and historical value. This Act was enacted to protect and preserve such treasures and their lawful disposal</p> <p>➤ The Ancient Monuments Preservation Act, 1904 was promulgated & provided effective preservation and authority over the monument particularly those, which were under the custody of individual or private ownership</p> <p>➤ The Antiquities Export Control Act, 1947 and Rules thereto which provided a regulation over the export of antiquities</p> <p>➤ In 1951, The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951 was enacted</p> <p>➤ Consequently, all the ancient and historical monuments and archaeological sites and remains protected earlier under 'The Ancient Monuments Preservation Act, 1904</p> <p>➤ The Ancient Monuments and Archaeological Sites and Remains Act 1958 was enacted on 28th August 1958. This Act provides for the preservation of ancient and historical monuments and archaeological sites and remains of national importance for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects</p>	 <p>➤ Various states are having and proposed laws for their respective states -i.e. Tamil Nadu Ancient Monuments and Archaeological Sites and Remains Act, 1966,</p> <ul style="list-style-type: none"> - The Hampi World Heritage Area Management Authority Act, 2002, - Orissa Ancient Monuments and Preservation Act, 1956, - Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961, - The Madhya Pradesh Ancient Monuments and Archaeological Sites and Remains Act, 1964, - Victoria Memorial Act, 1903, Salar Jung Museum Act... <p>➤ Central Government proposed National Commission for Heritage Sites Bill in 2009 to comply with the World Heritage Convention.</p> <p>➤ This commission will recommend short term, long term policies to the state and central government, conduct research</p> 
 <p style="text-align: center;">MADRAS CLUB</p> <p><small>The Madras Club (2012 Photo) of the Madras Club, which had been threatened by Express Avenue</small></p>	 <p style="text-align: center;">EXPRESS AVENUE</p>
<p>MADRAS CLUB, EXPRESS ESTATE</p> <p>INTACH tried to save the building but failed in its efforts to persuade the owners, one of the heirs to the Indian Express Estate whose Ramnath Goenka had bought the property in 1946 (when the judge in effect wondered what, though it might well be a heritage property, was the law that prevented its owner from pulling it down. Sadly, that remains pretty much the situation on the heritage front today)</p>	
<p>INTACH</p> <p>➤ Indian National Trust For Culture And Heritage is a non profit NGO established in the year 1984 to involve its members to protect and conserve India's culture and heritage</p> <p>➤ its mission was to conserve heritage, it believes that living in harmony with heritage enhances the quality of life</p> <p>MISSION OF INTACH</p> <ul style="list-style-type: none"> ➤ To sensitize the public and pluralistic legacy of India ➤ To instill a sense of social responsibility towards preserving India's common heritage ➤ To Protect And Preserve India's Heritage By Necessary Actions And Measures ➤ Document All Unprotected Buildings Of Architectural, archeological, historical & Aesthetic Significance Buildings ➤ Develop heritage policies and regulations and make legal interventions to protect India's heritage when necessary ➤ Provide Expertise In The Field Of Conservation, restoration And Preservation Through Various Training program me ➤ Undertake emergency measures during man made and natural disaster and to support the local administration whenever heritage is threatened ➤ Generate sponsorships for conservation and educational projects ➤ Foster collaborations with national and international agencies 	

Figure 22 & 23 – Heritage Act

FACTORY ACT	
<p>➤ In India, the first factories Act was passed in 1881. This Act was basically designed to protect children and to provide few measures for health and safety of the workers.</p> <p>➤ This law was applicable to only those factories, which employed 100 or more workers. In 1891 another Factories Act was passed which extended to the factories employee 50 or more workers.</p> <p>➤ The main objective of Factories Act, 1948 is to ensure adequate safety measures and to promote the health and safety and welfare of the workers employed in factories.</p> <p>➤ The act also makes provisions regarding employment of women and young persons (including children & adolescents), annual leave with wages etc.</p> <p>➤ The Act extended to whole of India including Jammu & Kashmir and covers all manufacturing processes and establishments</p> <p>➤ It is also applicable to factories belonging to Central/State Government</p>	 <p>➤ Provisions regarding welfare of workers</p> <ul style="list-style-type: none"> -Washing Facilities -Facilities for Storing & Drying clothing -Facilities for Sitting -First Aid facilities -Canteens, Shelters, Rest Rooms & Lunch Rooms -Creches -Welfare Officers
<p>➤ Working Hours Of Adults:</p> <ul style="list-style-type: none"> -Weekly Hours: < 48 hours -Weekly Holidays: at least 1 holiday in a week -Compensatory Holidays -Daily Hours: < 9 hours -Intervals for rest: at least half an hour -Night Shifts -Prohibition of Overlapping Shifts, not more than 2 cont shift -Extra wages for overtime <p>➤ Restriction On Employment Of Women & Children:</p> <ul style="list-style-type: none"> -Work between 6 a.m. to 7 p.m. only -Strictly restriction for women for employment between 10 p.m. to 5 a.m. -Employment of women in night shift is permitted only in the case of fish-curing and fish-canning 	 <p>➤ It aims at providing health facilities</p> <ul style="list-style-type: none"> -Cleanliness -Disposal of Wastes & Effluents -Ventilations & Temperature -Dust & Fumes -Artificial Humidification -Overcrowding -Lighting -Drinking Water -Latrines & Urinals -Spittoons
	 <p>➤ Factories act includes:</p> <ul style="list-style-type: none"> -Health -Safety -Welfare -Working Hours Of Adults -Annual Leave With wages

Figure 24– Factories Act

COPYRIGHTS & PATENTING	
<p>➤ General meaning of word copyright is the exclusive right granted by law for a certain number of years to make and dispose of a literary, musical or artistic work,</p> <p>➤ Architectural copyright means the right to use architectural drawings, sketches etc for building for publication for profit</p>	<p>➤ This section provides that no person unless he is authorized in writing by the owner of copyright can publish any architectural drawings, photographs or models of any building designed by the architect. however drawings and photographs printed and published as a part of architectural criticism are excluded</p>
<p>➤ All matters connected to copyright is governed by copy right act 1957</p> <p>➤ The meaning of copyright is the exclusive right to reproduce the work in any material form or to publish the work for profit or gain</p> <p>➤ It defines the first owner of copyright, it says that in case the author of the design is employed or is working as an apprentice his employer shall be the first owner of the copyright</p> <p>➤ Period of copyright is restricted to 50 years from the death of its author</p> <p>➤ Assignment of copyright must be made in writing</p> <p>➤ When the copyright is assigned in writing to a person, who is not its author, he is regarded as the owner of copyright</p> <p>➤ The owner of copyright can assign his copyright in writing in an existing work or future work or future work to any person either partially, conditionally or unconditionally</p> <p>➤ The owner of copyright can make conditions that certain payments will be made by him or copyright will be assigned for a limited period</p>	<p>➤ It deals with infringement of copyright, as far as buildings are concerned the client has a right to build only one building as per the design of the architect, any repetition of the design in some other place will amount of infringement of copyright</p> <p>➤ Making infringing copies for sale or hire or selling or letting them for hire, permitting any place for the performance of works in public where such performance constitutes infringement of copyright</p> <p>➤ Section 55 deals with remedies for infringement of copyright, in case of infringement the amount of damage and the cost of legal proceedings is determined by the court by taking into consideration the amount of profit made by the culprit</p>
	

Figure 25 – Copyrights & Patenting

https://dipp.gov.in/sites/default/files/copy_Right_Act_14July2016.pdf

PERSONS WITH DISABILITY ACT, 1995

The government of India has put in place an Act for the disabled to make sure the disabled also form an important part of nation building. The ***Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995*** came into force on February 7, 1996. It is a significant step which ensures equal opportunities for the people with disabilities. The Act provides for both the preventive and promotional aspects of rehabilitation like ***education, employment and vocational training, reservation, research and manpower development, creation of barrier-free environment, rehabilitation of persons with disability, unemployment allowance for the disabled, special insurance scheme*** for the disabled employees and establishment of homes for persons with severe disability etc.

http://legislative.gov.in/sites/default/files/A2016-49_1.pdf

CINEMATOGRAPH ACT, 1952

- The 1909 Cinematograph Act was introduced in response to ***concerns regarding the safety of the buildings in which films were shown*** following a number of incidents involving highly unstable nitrate film stock setting fire to a number of cinemas.
- The ***1909 Cinematograph Act brought cinemas under local authority control and required them to be licensed.***
- The Cinematograph Act became enforceable on 1st January 1910.
- An act to make provision for the ***certification of cinematograph films for exhibition and for regulating exhibitions*** by means of cinematographs.

LAND ACQUISITION ACT, 1894

An Act to amend the law for the acquisition of land for public purposes and for Companies. Whereas it is expedient to amend the law for the acquisition of land needed for public purposes and for Companies and for determining the amount of compensation to be made on account of such acquisition

IMPORTANT STAGES OF ACQUISITION

- Preliminary stage
- Publication of Notifications
- Enquiry on objection petitions, if any.
- Survey and preparation of sub division records
- Preparation and Publication of Declaration
- Determination of compensation
- Awarding compensation
- Taking possession and handing over to R.A. Reference to courts

DETERMINATION OF COMPENSATION

Market value of land: Price paid for the same land, Price paid for similar and similarly situated land in the vicinity. Price paid for adjacent land having same advantage.

Sale should be with in a reasonable period and it should be bonafide.

The land under acquisition and the land selected as Basis should possess similar advantage.



PRELIMINARY STAGE

Figure 26 – Land Acquisition Chart – Preliminary Stage

<http://legislative.gov.in/sites/default/files/A2013-30.pdf>

<http://www.realtyfact.com/over-800-properties-identified-for-land-acquisition-to-construct-chennai-metro-phase-2/>


CONSUMER PROTECTION ACT 1986	
<p>➤ Consumer protection act is a mile stone in the history of socio economic legislation in India which seeks to protect interests of the consumer</p> <p>➤ The act enables the consumer to participate directly in the market economy</p> <p>➤ It empowers the customer to fight against powerful business</p> <p>➤ The main objective of the Consumer Protection Act 1986 is to provide better and all-round protection to consumers</p> <p>➤ To safeguard against different types of exploitation such as defective goods, deficient services and unfair trade practices.</p> <p>➤ When the authority allots a site or constructs a house for the benefit of common man, it is much as a service as by a private builder or a contractor, if the service is defective or it is not what was promised, then it would be "unfair trade practice" as defined in the act</p> <p>➤ It provides for establishment of consumer protection councils at the central, state and district levels to promote and protect the rights of consumers and a three tier quasi judicial machinery to deal with consumer grievances and disputes.</p>	<p style="text-align: center;">EXAMPLE - CONSUMER CASE -AGAINST ARCHITECT</p> <p>➤ Owner has engaged architect to design and supervise flat interior works</p> <p>➤ Material and labor service was procured by the client, after few months the contractor left the job incomplete</p> <p>➤ Later architect brought other contractors, but they also left the job in complete, number of defects were un attended</p> <p>➤ Owner filled a complaint against architect in the consumer forum for "deficient service"</p> <p>➤ Owner was claiming that architect is responsible for the defective work and he should refund the fee 50,000 rupees and pay the owner a compensation of 3,00,000 rupees for deficient service</p> <p>➤ Architect succeeded in convincing the consumer forum that the dispute involved technical matters and hence should be referred to IIA for arbitration</p> <p>➤ IIA recommended past president as sole arbitrator, sole arbitrator conducted hearings.</p> <p>➤ He gave his award stating that since owner had done the work departmentally by engaging labor contractors and the architect had made reasonable deductions in labor contractors bills for the defective work, the architect cannot be blamed for deficient service.</p>
PRECAUTIONS TO CONTROL LIABILITY OF ARCHITECTS	
<p>➤ He should not sign any letter or document which he has not understood clearly. he should take his time, consult a senior architect or a lawyer to understand its implications</p> <p>➤ He should never promise anything which he cannot deliver in time or within its financial limit</p> <p>➤ He should inform his client about any change made in the design or work schedule, any statutory order affecting the progress of the work explaining its implications as quickly as possible</p> <p>➤ He should report tot civil authorities any violation of rules and regulations affecting the project under his control, especially safety of building whether it is done by the contractor or the client himself</p> <p>➤ He should make sure that the wording of any certificate or a letter he issues fairly and impartially reflects the limits of his authority</p> <p>➤ He must obtain a letter of appointment as recommended by the council of architecture so that the scope of his services and limits of his liability are clearly defined</p>	

Figure 27 – Consumer Protection Act



SATHYABAMA

INSTITUTE OF SCIENCE AND TECHNOLOGY
(DEEMED TO BE UNIVERSITY)

Accredited "A" Grade by NAAC | 12B Status by UGC | Approved by AICTE
www.sathyabama.ac.in

SCHOOL OF BUILDING AND ENVIRONMENT
DEPARTMENT OF ARCHITECTURE

Unit IV – Emerging Trends – SAR 1501

IV. EMERGING TRENDS

Contents – Meaning of GATS - Globalisation and its impact on architectural profession - Entry of Foreign Architects and their impact in Indian Architectural practice - Information Technology and its impact -specialisation in the field of architecture -Green Buildings and the governing laws.

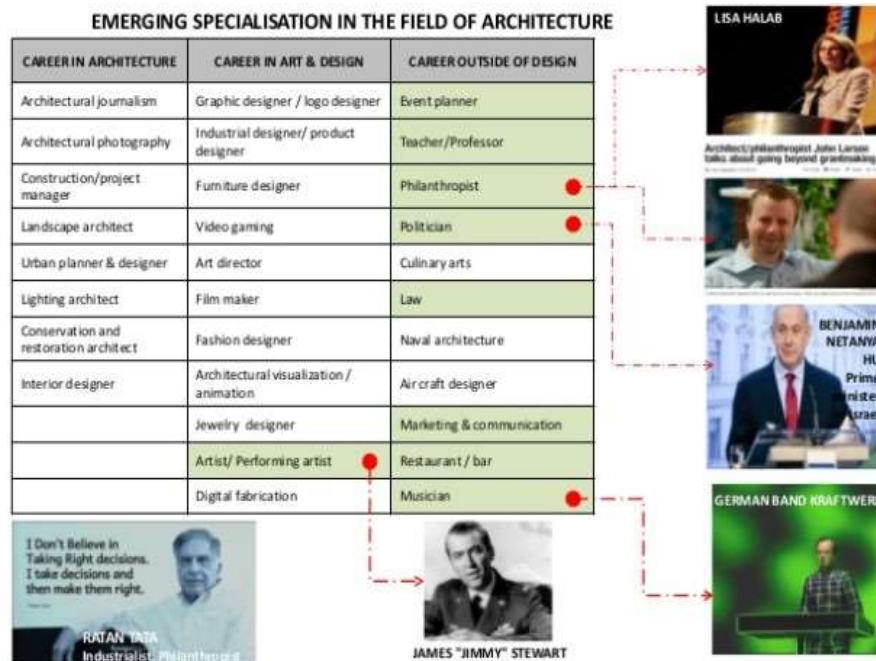


Figure 28 – Specialization in Architecture

➤ Architectural Journalism is a written documentation of architecture and design

➤ Architecture Journalism is an area which is **largely unexplored** and is on its way to becoming a successful career choice for architects and architecture students in general.

➤ **writers/journalists** write articles and cover events for magazines and websites

➤ The **knowledge gained while at Architectural schools** with holistic view for an architectural education and as a **professional on field** makes him a **critic**.

➤ Journalism can actually support the profession on a **better standing of sustainability and environmental issues of today** with the shifting paradigms of architecture in the global sector

➤ It **open doors to new forms of inquiry**, through its intellectual probes into futurist ideals and questioning the wider architectural creations.

➤ Architectural journalist requires a wide range of attributes which include **vastness of knowledge, years of experience, the power of persuasion, excellent delivery skills, lots of patience, thirst for awareness, and logic in arguments**.

➤ Architectural Journalists **not only assist architects in understanding the nature of their own project but also help them in developing a critical judgment** about it.

➤ The **writers/journalists** main job is to **assess how successful the architect and others involved with the projects**

➤ Based on **Specific criteria** works of architect will be reviewed, that includes:

- Aesthetics
- Proportion
- Functionality
- Architectural style
- Choice and use of building materials
- Built environment or context
- Sustainability

ARCHITECTURAL JOURNALISM

WE KNOW THAT LESS IS NOT MORE, LESS IS SIMPLY LESS!

— Sir John Pomaroy (Director of Pomaroy & Associates)

- It has a roof that looked everywhere.
- It had a skylight that made a terrible noise, preventing the occupants from sleeping.
- It looked out there.
- It suffered from structural/health issues due to large gapping (that Le Corbusier loved, and accused Sir John Pomaroy for Architectural).
- And of course, **did not make its occupants happy to live in it.**

ACHIEVEMENTS

- Dominates the skyline of Mumbai.
- World's most expensive home.

FAILURES

The family does not live in the house because it is not built according to Vastu Shastra

SOME FAMOUS CRITICS

Figure 29 –Architectural Journalism

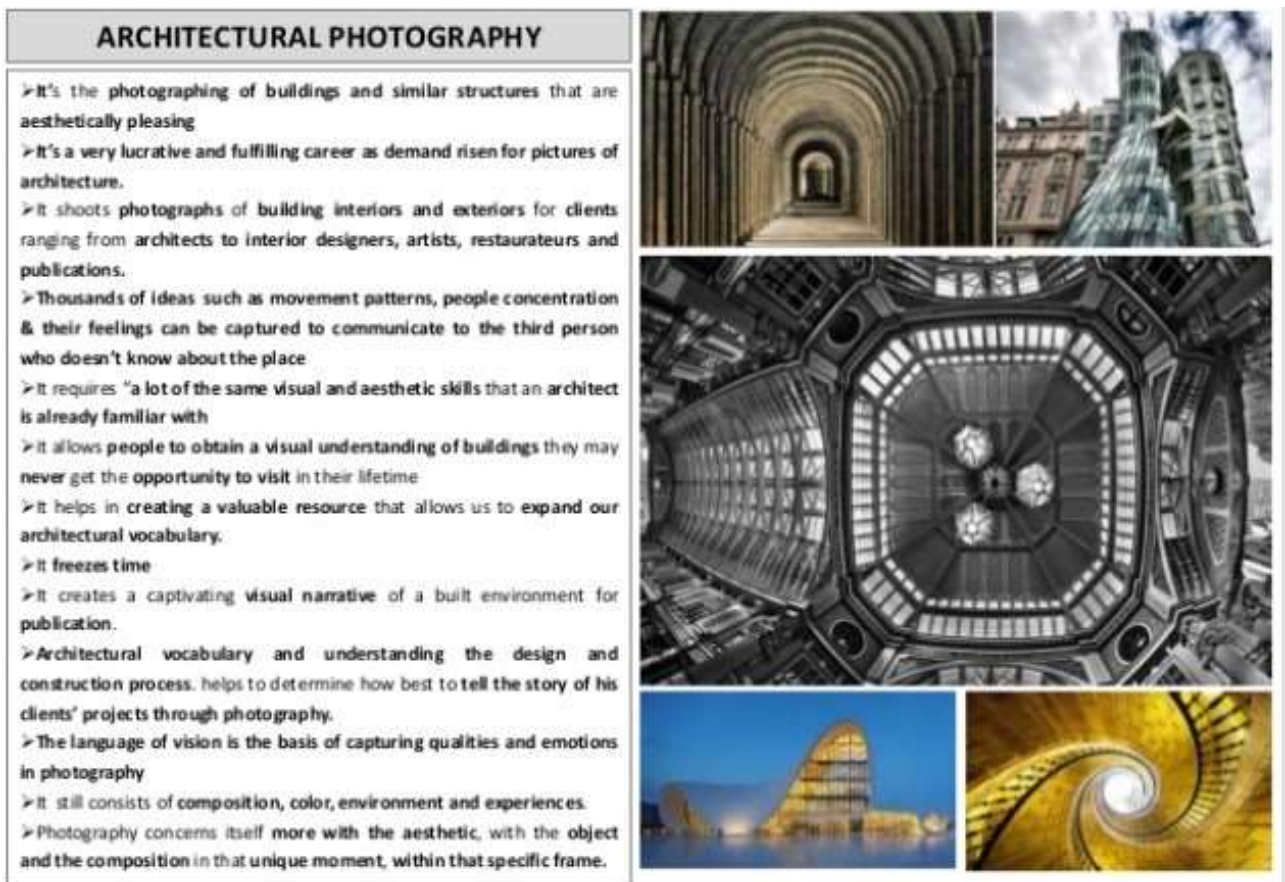


Figure 30 –Architectural Photography



Figure 31 - Construction and Project Manager



GLOBALIZATION AND ITS IMPACT ON ARCHITECTURE

1-Jaisalmer, 2- Dance Palace Russia , 3-Namaste Tower in Mumbai, 4-Nanjing, China,
5 -CCTV, Beijing , 6- Akshardham temple in South Delhi, 7- Igumnov House, Moscow,
8-The Park Hotel, Hyderabad

‘Globalization is inevitable’ – said Amartya Sen,

Being world-class is one of the **changing trends in Indian Architecture** that every architect seems to swear by.



- Globalization is the **process of creating a free environment across the globe** where there are **free and frequent movements of goods and services across the boundaries of nations**
- it existed from a **long time in the history of mankind**, but not so prominently. Only during the **voyages** undertaken by countries like **Portugal, Spain, France, United Kingdom and other European countries**, the linkages between geographic regions became more defined and functional
- Globalization has **given rise to new forms and styles of architecture** like **neo-classical, modernism, post-modernism, minimalistic architecture** etc. design elements like **domes, ornamental columns, windows** etc.
- **People tend to follow the same type of buildings** irrespective of the geographical locations and this in turn, has created **monotony in architecture** and **loss of rich identity** of a place or city through its architecture
- Globalization is an outcome of **communication technology and the development of the Internet**
- It encourages **international interdependence & compression of time and space**
- There are **four important factors that affect the ability of architecture** to form a relationship with a national-cultural identity
 - 1) The physical nature of the region
 - 2) Materials and methods of construction,
 - 3) Belief system]
 - 4) Memory.
- All four factors are **challenged and severely undermined** because of the **increase in information flow**, advancements in **communication technology** and **greater mobility of goods and people**, the **global culture** resulting its **version of homogenization**
- **Architectural theory**, on the other hand, advances the use of the **interpretation/reinterpretation dynamic** in architecture, which helps to **destabilize meaning in architectural language** and it results in **alienating the physical horizons of cities** and in **alienation of people**

<https://www.washingtonpost.com/news/theworldpost/wp/2018/07/11/frank-gehry/>