

Ref. No. CA/80(ii)/2023/AOA / 229421
May 17, 2023

Shri H. R. Dhruv
Superintending Engineer
Public Works Department
Drug Circle Durg (C.G.),
Chhattisgarh- 491001
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Subject: Tender Notice No. 001/SE/Durg/Manual-RFP/2023 dated 01.05.2023 regarding Construction of Swami Atmanand English Medium Schools of Various places in District Rajnandgaon.

Dear Sir/Madam,

The attention of the Council of Architecture has been drawn towards the above referred Tender notice No. 001/SE/Durg/Manual-RFP/2023 dated 01.05.2023 issued by Public Works Department (PDW) for for Construction of Swami Atmanand English Medium Schools of Various places in District Rajnandgaon and inviting bids from Architects to provide Architectural Services on the basis lowest bids. PWD has also asked EMD of Rs. 5,000/-.

Pertinent to the matter, I have to inform you that the Parliament of India has enacted the Architects Act, 1972 and set up Council of Architecture to prescribe standards of Architectural Profession and education in the country.

The Council is empowered under Section 22, 30 and 45 of the Act, to laydown standards of professional conduct and etiquette and code of ethics for Architects. These Regulations shall have overriding effect over any other law for the time being in force in India.

In pursuance of above provisions, the Council has prescribed the Architects (Professional Conduct) Regulations, 1989. The Regulation (2)(i)(xiv) of the said Regulations provides that an Architect shall not prepare designs in competition with other Architects for a client without payment or for a reduced fee. Further, Regulation 2(i)(xii) provides that an Architect shall observe and uphold the Council's conditions of engagement and scale of charges. The Council has prescribed scale of charges based on the type of project/services and scope of work.

Architects are professionals like Doctors, Advocates and Chartered Accountants whose conduct and ethics are regulated and governed under the Architects Act, 1972 and Regulations framed thereunder. The Architects are not insisted to deposit earnest money/ performance guarantee/ bid security money or quote lowest fees on the lines of contractors in order to be eligible to provide their professional services.



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A copy of Office Memorandum, issued by Ministry of Finances, Government of India which states that no provision be kept in Tender for Bid Security, is enclosed herewith for your kind perusal.

Further, it is pointed out that in terms of Section 35, 36 & 37 of the Architects Act, 1972 only an Architect registered with Council of Architecture or a firm of Architects are allowed to use the title and style of Architect for carrying the profession of an Architect in India. LLP and Companies are prohibited from using the title and style of an Architect.

The Council has prescribed a Manual for Architectural Services which lays down various method for appointment of Architects and scale of fees and deliverables.

A complimentary copy of the same is enclosed herewith.

In view of the above, PWD is requested to appoint Architects/Consultant as per the procedure prescribed by the Council and make payment of fees as suggested by Council.

A line in the reply of action taken in the matter will be highly appreciated.

Thanking you,

Yours faithfully,



R. K. Oberoi
Registrar

Encl: As above

