



वास्तुकला परिषद् Council of Architecture

(वास्तुविद् अधिनियम, 1972 के अंतर्गत भारत सरकार का एक स्वायत्त सांविधिक निकाय)
(An Autonomous Statutory Body of Govt. of India, under the Architects Act, 1972)

Ref. No. CA/80/2026/AOA

August 27, 2026

Shri Siddharth Mahajan

Commissioner

Jaipur Development Authority

Room No. MB-202, II Floor

CCC Building, Ram Kishore Vyas Bhavan

Indira Circle, Jawaharlal Nehru Marg

Jaipur, Rajasthan – 302004

Email: jdc.jda@rajasthan.gov.in

Subject: Expression of Interest from Architects for Rendering Comprehensive Architectural Services – reg.

Dear Sir,

The Council of Architecture is a statutory body constituted under the Architects Act, 1972 (a Special Central Act), under the Ministry of Education, Government of India, for regulating architectural education and the profession of architecture throughout India.

It has come to the notice of the Council that the Jaipur Development Authority (JDA) has invited e-tenders for **Hiring of an Architect Consultant for Construction of Mini Secretariat at Sanganer in Zone-8, Jaipur**, as well as for **Replanning and Redevelopment of the JDA Campus at Lalkothi, Jaipur**.

In respect of the aforesaid tenders, the Jaipur Development Authority has required Architects to deposit a **Bid Security of Rs.2,50,000/-**, in addition to a **Bidding Document Fee of Rs.1,000/-** and **RISL Processing Fee of Rs.2,000/-**, for the Mini Secretariat project at Sanganer, Zone-8, Jaipur. Similarly, for the Replanning and Redevelopment of the JDA Campus at Lalkothi, Jaipur, Architects have been required to deposit a **Bid Security of Rs.6,80,000/-**, along with a **Bidding Document Fee of Rs.5,000/-** and **RISL Processing Fee of Rs.2,000/-**.

In this regard, I wish to bring to your kind attention that proficiency as required of one carrying on the job of Architect is provided controlled and maintained by the provisions of the **Architects Act, 1972** and the Regulations framed thereunder. The Council is empowered under **Section 22 of the Act** to prescribe, by Regulations, standards of professional conduct and a code of ethics for Architects. The provisions of the Act and the Regulations framed thereunder are required to be duly observed by all concerned while prescribing terms and conditions for the engagement of Architects.

The Council has accordingly framed the **Architects (Professional Conduct) Regulations, 1989**. Regulation 2(1)(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, except in a competition conducted in accordance with the Architectural Competition Guidelines approved by the Council. Further, Regulation 2(1)(xii) requires an Architect to observe and uphold the Council's Conditions of Engagement and Scale of Charges.

Regulation 2(1)(xvi) further provides that an Architect shall comply with the Council's guidelines for architectural competitions and inform the Council of his/her appointment as an assessor for an architectural competition.

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The Council has also prescribed a comprehensive framework for architectural practice in its **Manual of Architectural Practice**. Volume II of the Manual, inter alia, sets out the procedures and principles for the selection and appointment of Architects. A complimentary copy of the relevant Manual is enclosed for your kind perusal and consideration.

Architects are regulated professionals, comparable in this regard to Doctors, Advocates and Chartered Accountants, whose professional conduct and ethics are governed by their respective statutory frameworks. Accordingly, the Council has consistently taken the position that Architects should not be required to participate in procurement processes on the same terms as contractors, including requirements to deposit **Earnest Money Deposit (EMD), Bid Security or Performance/Bank Guarantees**, or to quote fees solely on the basis of the lowest financial offer.

In this connection, a copy of the **Office Memorandum dated 12.11.2020 issued by the Ministry of Finance, Government of India**, regarding EMD and related matters, is also enclosed for your kind reference. Such requirements may also be reviewed in the interest of promoting **ease of doing business** and facilitating fair and professional selection of Architects.

It is further pertinent to mention that, under the provisions of the Architects Act, 1972, including **Sections 2(a), 25, 35, 36 and 37**, only an Architect registered with the Council of Architecture, or a partnership firm comprising registered Architects as permissible under the Act, may use the title and style of "Architect" or any derivative thereof. LLPs and companies are not permitted to use the title and style of "Architect" or "Architecture" in contravention of the statutory provisions. Any violation of the relevant provisions is liable to attract penal consequences under Sections 36 and 37 of the Act.

Accordingly, any terms and conditions prescribed in bids, tenders, contracts, agreements, offers, manuals or guidelines issued by any public authority or other organisation for the appointment or engagement of Architects should be consistent with the provisions of the **Architects Act, 1972**, the Regulations framed thereunder, and the professional guidelines and documents prescribed by the Council of Architecture.

In view of the foregoing, the Council requests the Vice-Chairman, Jaipur Development Authority, to kindly consider the following:

1. **To dispense with the requirement of Architects depositing Bid Security of Rs.2,50,000/- and Rs.6,80,000/-, respectively**, for the two projects, and to reconsider the requirement of payment of the applicable Bidding Document Fees and RISL Processing Fees, in accordance with the professional nature of architectural services and the applicable Government provisions and guidelines.
2. **To adopt an appropriate procedure for the selection and appointment of Architects** in accordance with the Architectural Competition Guidelines and other relevant professional guidelines prescribed by the Council of Architecture, rather than treating the engagement of Architects on the same basis as procurement of works or construction contractors.

The Council would appreciate an early review of the aforesaid tender conditions and requests that the Council may kindly be kept apprised of the action taken in the matter.

Thanking you,

Yours faithfully,

R. K. Oberoi
Registrar

Encl.: As above