

**All India Council for Technical Education**

**Minutes of the Online Meeting with Stakeholders on “Draft Professional Engineers Bill” convened on 12<sup>th</sup> February 2025 at 4.00 P.M. hosted at AICTE Hqrs.**

A communication was received vide letter No.6-2/2024-TC dated 01.01.2025 from the Dept, of Higher Education, Ministry of Education, Govt. of India to the AICTE to review the Draft-Professional Engineers’ Bill, which was prepared by the AICTE at the behest of MoE for aligning the Bill with the objectives of National Education Policy (NEP)-2020. In view of the above, a meeting was convened on 12<sup>th</sup> February, 2025 with leading Engineering Professional Bodies to get their inputs and comments on the Draft Bill.

AICTE Officers present:

1. Prof. T.G. Sitharam, Chairman, AICTE
2. Dr. Amit Dutta, Director, P&AP Bureau
3. Dr. Naveen Arora, Assistant Director, P&AP Bureau
4. Sh. N.K. Bhandari, Consultant, P&AP Bureau

Welcoming the participants, Prof. T G Sitharam, Chairman, AICTE enlightened them with the genesis of proposed bill and initiatives taken by the AICTE to take it forward. He briefed the attendees about the HECI Bill, three verticals as proposed in the HECI Bill and the role of General Education Council (GEC) as a vertical of HECI for quality education and standard setting statutory body for professionals.

**Highlights of the discussion:-**

i) Dr. Amit Dutta, Director(P&AP) highlighted the main features of the draft bill, composition of BoG, India Professional Engineers’ Council (IPEC) and its functions as envisioned in the proposed Bill through his comprehensive presentation and invited suggestions from the participants.

ii) Shri Tyagi, IEI President suggested proportionate representation of professional societies in the Council as per the strength of the professional bodies.

iii) Dr. Mahesh Tandon expressed concern on quality engineering education and suggested clarity on the role of professional engineers for performing specialised activities in the bill.

Prof. Sitharam appreciated the interest shown by the participants and welcomed their suggestions and informed them that the AICTE would upload the Draft-Bill on its website for inputs/ feedback from all the stakeholders and subsequently, revised Draft-Bill would be forwarded to the MoE for their consideration accordingly.

The meeting ended with a vote of thanks to all the attendees..

## **PROFESSIONAL ENGINEERS' Bill 2025**

### **1. Preamble**

Technology plays a key role in sustainable socio-economic development of a country. Efficient use of resources - physical, financial and human - is a determining factor in raising its rate of growth. Engineers and Technologists form a key component of the human resource. In order to derive maximum benefit from these resources, it is important for the country to ensure that Engineers and Technologists have high levels of competence and high levels of professional integrity.

A mechanism needs to be set up to ensure that every engineer and technologist whose decisions impact the health and safety of the society, goes through this process and is tested for having acquired the requisite skill sets and is accorded a status of Professional Engineer (PE). Thus a Professional Engineer is one who always endeavors to obtain higher levels of professional competence in one's own field by use of latest technology for cost effective and speedy solution to a problem that is practically feasible, structurally sound (*to ensure public safety of built infrastructure, even during natural disasters*), cost effective (*for sustainability to ensure economic use of natural resources*), and treats public safety as of paramount importance. Any time an engineer or a technologist does not measure up to the high level of technical competence, professional honesty and integrity, this status of Professional Engineer (PE) should be withdrawn. Such a mechanism of regulation of the profession is possible only through a Statutory body created by an Act of Parliament.

In furtherance of intent and purpose of the Legislature, the practice of engineering is hereby declared a learned profession to be practiced and regulated, and its practitioners in the country shall be held accountable to the nation and members of the public by high professional standards in keeping with the ethics and practices of the other learned professions in India. **The NEP 2020 has envisaged that the functions of regulation, provision of education, funding, accreditation and academic standards setting must be performed by independent, distinct and empowered bodies.**

This **Act Bill** seeks to constitute a Statutory Body with the responsibility to oversee registration of an individual as a Professional Engineer, renewal of the said registration and its termination and to regulate his/ her professional conduct

**The Professional Engineers' Bill is thus meant to propose legislative framework for the establishment of Indian Professional Engineers' Council (IPEC) by an act of parliament to play key role in setting professional norms & standards, recognizing Professional Engineers in India and advise the Govt. and its statutory bodies in developing curriculum framework for Engineering Education for the advancement of Engineering profession.**

Thus the need of the hour is to create an authorised body (association or institution) which has the legal mandate to:

- a) Uniformly decide across the country on the qualification, competency and experience requirements of engineers for a particular work.
- b) Grade engineers based on their qualifications, competency, experience and demonstrated capability and certify them?
- c) Mandate and monitor that every certified engineer continuously updates knowledge and skills?
- d) Bring in accountability and responsibility and lay down a Code of Ethics
- e) Regulate entry of foreign professionals and have reciprocal arrangement for acceptance of Indian engineers in other countries
- f) Restrict the usage of the title and style of "Engineer"
- g) Initiate a mentoring program for the next generation of engineers

## **2. DEFINITIONS**

In this Act, unless the context otherwise requires:

- "Indian Professional Engineers' Council", herein after referred to as the Council, means the body constituted by Section 4 of this Act.
- "Certificate of Registration" means the certificate issued by the Council granting the privilege of practicing as a Professional Engineer.

- “Engineer” means a person who holds a (where applicable, duly accredited) graduate degree or equivalent in engineering or technology from a recognized University/Deemed University or an AICTE recognized institution, or has acquired a qualification in India that is recognized by a State Government or by the Government of India as equivalent.
- In the light of our being a signatory to the Washington Accord, the qualifications acquired by engineers in the accord-signatory countries shall be duly recognized by India as equivalent to their appropriate counterpart degrees in India.
- “Nodal Ministry” means Ministry of Education(MoE) of the Government of India.
- “Practice” means any service or creative work, adequate performance of which requires engineering and technology education, training and experience in the application of special knowledge of biological, chemical, mathematical, physical and engineering sciences to such service. The service shall make an effective use of natural, financial and human resources. It includes, but is not limited to consultation, studies, investigations, evaluation, conceptualization, planning, design, production, execution and supervision/ management of engineering projects and systems, operation and management of manufacturing and allied units and other systems. Teaching along with research / consultancy in any engineering discipline in an academic Institution or Research Organization shall be considered as part of practice;
- "Professional Engineering Practice" means any act of designing, composing, evaluating, advising, reporting, directing or supervising wherein safeguarding of life, health, property or public welfare is concerned and such a practice requires the application of sound engineering principles."
- “Professional Engineer” (PE) means an Engineer, duly registered under this Act
- ‘Code of Ethics’ for Professional Engineers means the Code that ensures professional engineering practice is perfectly unbiased and independent based on Proven Technology keeping public safety as of paramount importance

- Insurance Coverage for engineers means coverage that safeguards public interest for Professional Liability on account of accidental or professional misconduct
- Registering Institution means a professional institution authorized by the Council to register engineers on its behalf as per provisions of this Act.
- “Regulation” means a regulation made under this Act by the Council as amended from time to time;
- “Rule” means a rule made under this Act by the Central Government;
- Board means the Board of Governors
- Board Member means Member of the Board
- Chairman means the Chairman of the Council
- “Secretary General” means the Secretary General of the Council.
- Licensed Member means an Individual or Organisation licensed by the Council to assess and nominate individuals for the appropriate register
- Register(s) means the national registers of Professional Engineers (PE) etc.
- Registrant means an individual who registers with the Council through a Licensed Member Organisation
- Specifications means standards for Professional Engineering Competence describing the requirements for registration

### **3. SHORT TITLE, EXTENT AND COMMENCEMENT**

This Act shall be called the Professional Engineer Act, **2025**. It shall extend to the whole of India. It shall come into force on such date as the Central government may, by a notification in the official Gazette, appoint.

### **4. INTRODUCTION**

The **Bill** seeks to set up a Statutory body, the **Indian Professional Engineers’ Council** (hereinafter referred to as the Council) that will ensure that engineering activities are performed by qualified persons and in a manner which facilitates sustainable development and ensures safety and welfare of the people.

4.1 The Central Government shall, by a notification in the official Gazette, constitute with effect from such date as may be specified in the notification, a statutory body to be known as the **INDIAN PROFESSIONAL ENGINEERS' COUNCIL (IPEC)**, which shall be a body, having perpetual succession and a common seal with power to acquire, hold and dispose of properties, both movable and immovable, and to contract and may by that name sue or be sued.

4.2 The Indian Professional Engineers' Council (IPEC), hereinafter called the Council, will ensure that engineering activities are performed by qualified persons and in a manner which facilitates sustainable development and the safety and welfare of the people. It will maintain internationally recognised standards of competence and commitment to the engineering profession, and license competent institutions to champion the standards, for the deliverance of public benefit.

4.3 A Board of Governors, hereinafter called the Board, will oversee the functioning of the Council. The Board will have a total of 12 members: 3 ex-officio members (the Secretary, Higher Education, the Chairman, General Education Council\* (Initially Immediate Past Chairman of the AICTE) and the immediate past Chairmen of the Council), 3 members with an Engineering (non-Civil) background (1 Director of IITs, 1 Director of NITs, 1 President of a Professional Associate nominated by rotation), 1 President of INAE/IRC/BIS nominated by rotation, 3 outstanding Civil Engineering and 2 outstanding Engineering (non-Civil) practitioners nominated by the MoE. The current Chairman of the Council will be a member of the Board while the tenure-based, Secretary-General of the Council will be the Secretary (**not member**) of the Board.

The Chairman of the Board will be an eminent person of good standing with 25 years of professional experience selected by a five-member Search-cum-Selection Committee (ScSC). The ScSC will be chaired by a person of the rank of Cabinet Secretary.

The Chairman, General Education Council (GEC) will be the Convener and the remaining three members will be outstanding engineers nominated by MoE.

The Board will function in such a manner as to preserve the Council's status as a truly Statutory Independent Institution. The Board will meet at least three times a year. Notice of the meeting will be issued by the Secretary of the Board at least two weeks in advance. The quorum will be 2/3rds of the members.

The term of the Chairman will be 3 years. Of the 8 non-ex officio members, 4 will be replaced every 2 years.

4.4 The initial membership of the Council for three years from the date on which the PE Act comes into force shall be as follows:

The IPEC shall consist of a total of **27** members, 16 members nominated by the Board and 11 representatives of Licentiate Member Organisations who shall be appointed in accordance with the Regulations.

**The 16 Nominated Members will be**

- a. 1 from **Ministry of Education** (not below the rank of Joint Secretary)
- b. Chairman, **General Education Council (GEC)**
- c. 6 from the GoI Ministries who are major employers of engineers (**viz; Atomic Energy, DRDO, ISRO, Railways, Surface Transport, Civil Aviation, Urban Development etc.**)
- d. **4**—from IITs, IISc, **IITs, NITs**, Central Universities and Institutions, Deemed Universities, and State Universities by rotation
- e. 3 nominated by the States (**Rotation Basis**)
- f. 1 from Industrial Associations (CII, FICCI, ASSOCHAM etc.) by rotation

Members nominated under d, e and f shall be practicing engineers with an engineering background in education.

**The 11 Professional Affiliate members will be**

- a. 1 from the Institution of Engineers (India)
- b. 1 from The Institution of Electronics & Telecom Engineers
- c. 1 from The Indian National Academy of Engineering

**The remaining 8 members will be appointed by rotation, 1 each from among the following tentative list:**

1. The Association of Consulting Civil Engineers (India)
2. The Indian Association of Structural Engineers
3. The Consultancy Development Centre
4. The Indian Institute of Chemical Engineers.
5. The Computer Society of India.
6. The Indian Institution of Industrial Engineering
7. The Aeronautical Society of India.
8. The Indian Institute of Metals.
9. The Institution of Surveyors.
10. The Institute of Indian Foundrymen
11. Consulting Engineers Associations of (India)
12. The Broadcast Engineering Society (India)
13. Construction Industry Development Council
14. The Institute of Marine Engineers
15. The Indian Institution of Mechanical Engineering
16. Indian Roads Congress
17. Indian Geo-Tech Society
18. ISET
19. JSES
20. Engineering Council of India
21. Indian Institute of Plant Engineers
22. Indian Railway Service of Engineers Officers Association (IRSEOA)
23. Indian Society of Agricultural Engineers ISAE
24. Indian society Heating Reterigerating & Air conditioning Engineers
25. Society of Automotive Engineers India SAE INDIA
26. Indian Society of Engineers
27. Indian Society of Mechanical Engineers ISME
28. Indian Society of Production Engineers (ISPE)
29. Indian Society of Structural Engineers ISSE
30. Association of Computers Electronics & Electrical Engineers (ACEEE)
31. Association of Engineers KERALA
32. Association of Radio & Television Engineering Employees (ARTEE)

These 8 members will be, as far as is feasible, elected from within their



organizations. The Council may also propose Amendments to this as it deems fit. Such Amendments will come into effect once they are approved by the Board by a two-thirds majority.

4.5 The First Chairman of the Council shall be appointed by the Board from among the members of the Council in accordance with the Regulations. The Chairman shall serve in accordance with the Regulations. The Chairman shall be a Registrant and be a Council member at the date of his/ her appointment.

**4.6 The subsequent Chairman of the Council shall be appointed by the Council members by election and shall hold office in accordance with the Regulations. The Chairman should be a Registrant and be a Board member at the date of his appointment.**

4.7 The Council may at any time resolve that a Council member be appointed Vice-Chairman of the Council. The Chairman and the Vice-Chairman of the Council shall be full-time members.

## **5 OBJECTS**

The objects of IPEC are to

1. set standards of professional conduct, code of ethics and regulate the practice of professional engineering
2. govern its members in accordance with the provisions with this Act, Regulations and the By-Laws of the Council
3. establish, maintain and develop standards of Knowledge and skill among its members, Qualification, Professional Engineering Practice, Professional Ethics among its members
4. create public awareness
5. discharge such other duties and exercise such other powers as are imposed or conferred by or under any other Act

## **6. DUTIES**

In pursuance of the objects, the IPEC shall do the following.

- a. Specify standards and procedures to be adopted for according the status of “Professional Engineer” to a Registrant in India and for further professional development
- b. Establish and periodically review generic standards and procedures for

- evaluating academic achievement, professional competence and commitment of Registrants
- c. Admit as Licensed Members Organizations (LMO), professional societies that demonstrate, to the satisfaction of the Council, their competence to assess individuals for initial and continuing registration and regulate the conduct of their members
  - d. Provide guidance to the LMOs on their codes of conduct and disciplinary procedures
  - e. Audit the performance of LMOs and their compliance with the licensing requirements
  - f. Authorize the LMOs to admit such individuals to the Registers, and monitor the additions and deletions they make to the Registers
  - g. Authorize the LMOs to accredit or approve programmes of education or professional development that support admission to the Registers and maintain a database of such programmes;
  - h. Maintain Registers for Professional Engineers as well as others as may seem desirable to the Council from time to time and which shall be identified in the Council's Regulations, and modify, extend or add to such Registers as required. The Council shall also take such action as it deems necessary to protect the integrity of the Registers and to ensure that its post-nominal designations are used only by those Registrants so entitled
  - i. Act as the representative body of India in relation to the international recognition of Registrants and their educational qualifications in engineering and related subjects and disciplines
  - j. Give appropriate assistance and advice to the Government of India on any matter relating to the objects of the Council
  - k. Publish, or commission the publication of material relevant to the objects in any form, undertake or commission research, establish and maintain libraries, databases, or any other facilities for the benefit of the public, and hold or promote conferences or other events;

## **7. POWERS**

To enable the pursuance of the Objects, the Council is vested with the

following powers:

- a. Create verticals and invite specialists to help facilitate decision-making on disciplinary issues. Such verticals will act only in Advisory capacity.
- b. Arrange the holding of examinations or other assessments in engineering or any other subject relevant to the objects;
- c. As an integral part of the assessment of an applicant for certification as a Professional Engineer, set up a separate body to design and formulate the examination, typically in two modules: Module 1 common to all, and Module 2 tailored for each major discipline as decided by the Council from time to time. The standard of Module 2 will be above BE/ B.Tech level and will cover expected professional engineering practice.
- d. Charge fees and subscriptions.
- e. Receive gifts, endowments, bequests, donations, money and property and purchase, lease or otherwise acquire land, buildings and hereditaments of any kind, and hold the same in perpetuity or otherwise and from time to time (subject to all such consents as are by law required) grant, demise, alienate or otherwise dispose of the same or any part thereof.
- f. Enter into any contract or transaction, or engage in any activity, which is conducive to the attainment of the objects.
- g. Borrow or raise money with or without security, and charge or mortgage any of its property whether real or personal.
- h. Invest any moneys of the Council not immediately required for its purposes in accordance with the Regulations.
- i. Appoint and remunerate staff and provide for their pensions and those of their dependents.
- j. Withdraw/ withhold the license issued to organisations (See Sec. 8).
- k. Do all such other lawful acts and things as may further the objects.

## **8. GOVERNANCE**

The Chairman of the Council shall promote and execute the objects of the Council; establish and maintain an organisation for the attainment of those objects; represent the Council in negotiations and elsewhere; conduct the ordinary business of the Council with the support of the Secretary General and carry out such other duties as the Council may require. The Board may terminate the appointment of Chairman, but such termination shall be without prejudice to his contractual or statutory rights arising out of such termination. Subject to the direction of the Board, the Chairman shall be entitled to recruit and dismiss staff to administer the activities of the Council.

- a. The Council shall be accountable to the nodal Ministry (MoE) via its Board in respect of its activities.
- b. The day to day management and control of the Council shall be vested in its Executive Committee (EC) which will **be constituted by the Council**. The Chairman of the Council will be the Chairman of the EC. The Secretary General will be the Member-Secretary of the EC. The other members of the EC shall be chosen in accordance with the Regulations. The EC may exercise all or any of the powers of the Council, and may delegate its powers and functions in accordance with these Regulations.
- c. The Regulations proposed by the Council will have to be presented to and approved by the Board by a two-third majority before they are given effect to.
- d. No member of the any Committee of IPEC shall be accountable in respect of acts done or authorised to which they have not expressly assented or shall incur personal liability in respect of any loss or damage incurred through any act done in good faith for the benefit of the Council.
- e. The Council shall provide indemnity insurance covering every officer and employee of the Council against any loss or expense incurred through any act or omission done or committed by him/her in good faith, in the course of the performance of his/her authorised duties on behalf of the Council and pay all reasonable and proper premiums in respect of such indemnity insurance
- f. With the approval of the Council, any person and anybody corporate

may assure in perpetuity, or otherwise, or demise for the benefit of the Council any lands, tenements, or hereditaments whatsoever, or any interest therein, within India.

- g. The income and property of the Council, howsoever derived, shall be applied solely towards the objects and no portion thereof shall be paid or transferred directly or indirectly to the members thereof or used otherwise than for charitable purposes: provided that nothing in this article shall prevent the payment in good faith of the reasonable out-of-pocket expenses incurred by members of any Committee of the Council.

## **9. REGULATIONS**

Subject to the provisions herein and to the approval by a two-thirds majority vote of the members of the Board, the Council may make, amend or revoke the Regulations, provided that such Regulations shall be invalid to any extent to which they are inconsistent with this Act.

### **9.1 REGISTRATION**

- a. The Council shall make and publish regulations describing the standards and requirements of education, professional development and competence and commitment of individuals whom the IPEC may record in the Register. The Washington Accord will determine the recognition of overseas qualifications.
- b. Registrants and their Licensing Member shall be recorded in the Council's Register.
- c. The Register shall have separate sections for Professional Engineers, and such other sections as the Council shall determine. The Register shall include the addresses of those individuals registered and may contain such other information as the Council shall determine. Except as may be provided in Regulations, no person or other organisation shall be permitted to be supplied with the record, or any part thereof, of any individual on the Register without the agreement of that person.
- d. The Council shall cause to be entered in each section of the Register, upon payment of such entry fee (as shall from time to time be prescribed by the Council), the name of each individual nominated by a

Licensed Member.

- e. Subject to these Regulations, only those individuals who are members of a Licensed Member which has registration agreements, or who are Direct Registrants, shall have their names registered, added to, or maintained on the Register as Professional Engineers, who may use the style or title of "Professional Engineer" and use after their names the designatory letters "P.Engr."
- f. Registration in one section of the Register shall not preclude registration in any other section provided this is with another Licensed Member. In addition, the individual shall not be registered in both the full and initial registration sections of any section The Council may at any time license an organisation in accordance with these Regulations; and may admit to the appropriate section of the Register any individual who at the date of such licensing is a member of that organisation in a category of membership requiring demonstration of competence and commitment, provided that the Council is satisfied that
  1. The criteria applied at the time the individual was accepted into membership of that category were comparable to, or of a standard higher than, those criteria which would have had to have been satisfied if he had sought, at that time, registration on the Register and
  2. The organisation had at that time and since, procedures in place for continuing professional development comparable to, or of a standard higher than, those required of Licensed Members.
  3. An individual whose name is entered in the Register may receive, at his request, and upon payment of a fee prescribed from time to time by Council, a certificate certifying that he is a Professional Engineer (or any other category as determined as appropriate by the Council), which certificate shall remain the property of the Council and shall be delivered by its holder to the Council upon demand made in writing by the Chairman of Council or any person authorised by him.
- g. A First Register will be created of all practicing engineers with not less than 25 years of experience

- h. The Council may from time to time promulgate Codes of Practice. The Codes of Practice may be amended, varied or rescinded as the Council may think fit and the Council may, in its absolute discretion, waive the provisions of any of the Codes of Practice for a particular purpose expressed in such waiver and may revoke any waiver.
- i. The Council may hear an appeal from an individual whose name appears on the Register and who is found by due process by a Licensed Member Organisation, of which such individual is a member, to have breached its Code of Conduct, and if that organisation imposes a sanction which would entail the individual's removal from the Register. Such an appeal will be conducted in accordance with the procedures set out in Regulations which shall provide for the right to an oral hearing and the right of representation. Such an appeal, however, shall lie only on grounds of procedural irregularity and adhere to the principles of natural justice; the Council shall not adjudicate on the substance of the case.
- j. Registration fees shall be payable in the manner prescribed in the Regulations. The Council may amend the Regulations relating to registration fees with the prior approval of the Board.

## **9.2 MAINTENANCE OF TITLES**

The Council shall make Regulations covering the maintenance of Registration of a Professional Engineer, in the event that the organisation, of which he is or was a member, has ceased to be a Licensed Member with a registration agreement or has ceased to exist; or he is not, or he has ceased to be, a member of that organisation.

## **9.3 LICENSING OF MEMBERS**

9.3.1 The Council may at any time certify that an organisation is a Licensed Member provided that (in addition to satisfying the requirements of these Regulations) such an organisation has, in the opinion of the Council, sufficient experience, procedures and resources to undertake each of the following tasks:

- a. monitoring the conduct of Registrants
- b. monitoring the continuing professional development of Registrants and
- c. assessing the competence and commitment of candidates for

registration.

9.3.2 The Council may at any time issue a Licence to an organisation, provided that the Council is satisfied that:

- a. it has been in existence for at least fifteen years and is stable and viable
- b. it prescribes such standards of conduct for its members (if any) as are acceptable to the Council
- c. it prescribes such standards of qualifications determined by the Council for those of its members (if any) who are engineers or technologists in such category as the Council may determine as will enable them to be registered pursuant to these Regulations
- d. it is not a trade association and is not, in the opinion of the Council, engaged (as a principal part of its activities) in activities carried on by trade unions or employees' organizations such conditions as may be required by the Council are fulfilled in respect of its standards, procedures and criteria, and that the Council has received a satisfactory undertaking to support actively the actions of the Council in the operation of the Register, in particular, by encouraging all of its members (if any) who are eligible for entry on the Register to be so registered and by accounting for fees payable by those of its members (if any) who are on the Register;
- e. its principal object or, if the Council should so determine, one of its principal objects is the advancement of engineering, technology or applied science or of the better utilization of engineers in industry and commerce (which may include education and training therefor);
- f. it has learned-society activities of such a nature and on such a scale as to keep its members (if any) abreast of advances in its specific field of engineering;
- g. it has undertaken that it will not seek to change its governing document, or any related requirements in matters relating to



qualification, registration or any other relevant matters required of it by the Council, without prior consultation with the Council; and

- h. it provides for adequate representation to Council of the views of those of its members who are Registrants on matters relating to registration.

9.3.3 Licences may only be issued to organisations satisfying the audit requirements specified in the Regulations. If the Council so resolves, a Licensed Member Organisation may additionally be licensed to carry out the following functions:

- a. assessing the academic standards of candidates for registration who have not followed an accredited programme; the Council should change this to insist on accreditation as a pre-requisite in due course
- b. approving initial and professional development programmes leading to competence in the workplace; and
- c. carrying out any other relevant functions which the Council may require it to perform.

9.3.4 The Council shall arrange to performance-audit any organisation seeking a Licence, and regularly re-audit those organisations licensed by it, to determine whether the relevant operations and requirements of such organisations are in accordance with the Regulations of the Council which relate to such bodies.

9.3.5 The Licence granted by Council shall cease to be of effect if:

- a. an order is made by a court of competent jurisdiction or any effective resolution is passed for the administration or winding up of the licensee, or it is dissolved or otherwise ceases to exist;
- b. in the opinion of the Council in each case, the licensee has ceased to satisfy the conditions on which it was appointed or its objects and purposes are no longer consistent with the objects and purposes of the Council or its rules for the conduct of its members no longer adequately prescribe the conduct required of persons placed in the relevant section of the Register;

- c. in the opinion of the Council in each case, the standard adopted by the licensee for the qualification of its members in the different sections of the Register falls short of those prescribed for the entry of names in the relevant section of the Register and the licensee has failed to take all reasonable steps to raise the standard at least to that prescribed as aforesaid; or
- d. if an audit, conducted under these Regulations, reveals that the Licence should be withdrawn.
- e. Once a License is withdrawn the member will be debarred from applying for the License for a period of five years starting from the date of such withdrawal.

9.3.6 The Council shall give twenty-eight days' notice of any decision under these Regulations. The licensee may appeal against the decision in accordance with the Regulations, a copy of which shall accompany the Licence.

9.3.7 If any such resolution is passed by the Council or one of its committees to which its powers in this regard shall be delegated, the passing of such resolution shall be notified to the Licensee who shall have a right to appeal to the Council itself against such resolution. Notice of appeal must be lodged with the Council within twenty-eight days following the receipt of the notice of such resolution.

9.3.8 If no such notice has been lodged by the required date, the Licensee shall cease to be so licensed. If notice of appeal is lodged then, the Council shall consider the appeal, no more than three weeks after the notice of appeal, at a meeting at which the representative of the licensee is present. If the appeal is dismissed by the Council, the Licensee shall also cease to be so licensed.

9.4 The Council may at any time approve a Professional Society as an LMO, provided that the it is satisfied that the Professional Society:

- a. has been in existence for at least fifteen years and is stable and viable;
- b. prescribes such standards of conduct for its members (if any) as are acceptable to the Council;

- c. is not a trade association and is not, in the opinion of the Council, engaged (as a principal part of its activities) in activities carried on by trade unions or employee's organisations

## **10. ADJUNCT MEMBERS**

The Council shall have the power to recognise the support that an individual provides to the Council through his expertise and personal network, by appointing individuals to be Adjunct Members of the Council. Such appointments shall be honorary and shall not carry the right to vote at Annual meetings or any other general meetings although they may attend such meetings. There is no formal period of appointment, but the Council shall keep such appointments under review.

## **11. THE COUNCIL MEMBERSHIP**

- 11.1 The Council shall make Regulations relating to the periods of office to be served by its members, and their eligibility for re-appointment having regard to the need to create a pattern of rolling retirements in the interests of continuity.
- 11.2 A member of the Council shall vacate office if
- a. he/she becomes incapable of discharging his/ her normal duties
  - b. he/she becomes a paid employee of the IPEC
  - c. he/she gives notice in writing to the Chairman of his/her wish to resign and his/her resignation is accepted by the Chairman
  - d. he/she fails, without the consent of the Board, to attend three consecutive meetings of the Board
  - e. the Board resolves that his/her Office be vacated by reason of conduct which, in the opinion of the Board, is, or is likely to be, materially prejudicial to the reputation of the IPEC or
  - f. he/she ceases to be a Registrant after having been appointed by a Licensed Member or group of Licensed Members in accordance with these Regulations
- 11.3 The Council may require a Licensed Member or group of Licensed Members to fill a casual vacancy among the members appointed in accordance with the Regulations; and the member so appointed shall

hold office for the remainder of the unexpired term of office in respect of which the casual vacancy has arisen.

## **12 MEETINGS**

- 12.1 The Council may call a Meeting at any time and the Council shall at all times be bound to do so on a requisition in writing by 10 members of the I P E C . Such requisition shall state the matters to be brought before and the resolutions (if any) to be moved at such a general meeting.
- 12.2 Notice of any meeting shall be given to those entitled to attend in the same way as notice shall be given for Council meetings. Authorised representatives of each of the members of the Council, and of any organisation which is not a member of the Council but is acknowledged as supporting the Council's objects, shall be invited to attend meetings but only the members of the Council may exercise a vote. The Chairman shall take the chair at any such meeting. In the absence of the Chairman, the senior-most member shall deputise.
- 12.3 No business shall be transacted at any meeting unless a quorum is present; the quorum shall be not less than 1/3 of the members of the Council. Each member of the Council, present and voting, shall have one vote, and resolutions, other than those for which a different majority is required by these Regulations, shall require a simple majority. In the event of an equality of votes on any resolution, the person chairing the meeting shall be entitled to a casting vote. Further provisions for the calling and holding of meetings may be made in the Regulations.
- 12.4 A copy of the accounts which are to be presented to a Meeting of the Council in the later half of the year, together with a copy of the auditors' report and of the proposed annual report of the Council, shall be sent to Members and to all the Board members with the notice of the Meeting 15 days in advance.
- 12.5 After the approval of the Board the Annual Report will be published/ made available on the IPEC website accessible to all LMOs.
- 12.6 A Council member or a member of a committee or other group

constituted by the Council shall declare any personal interest in any contract, dealing or arrangement to be considered at any meeting of such group. The Chairman of the relevant meeting shall rule if the interest is material and, if so, decide whether the conflicted person may speak in connection with such contract, dealing or arrangement and whether he should be counted in the quorum present at the meeting but, if the interest is found to be material, he shall have no vote at such meeting. For the avoidance of doubt, no member of the Board shall acquire any interest in property belonging to the Council (other than as a trustee).

- 12.7 The Council may appoint such committees and panels as it may from time to time determine and such committees and panels shall report to the Council accordingly. A committee or panel may be composed of Council members alone or of Council members and nominees from the Licensed Members and Professional Societies, and other suitably qualified invited persons.
- 12.8 Other persons attending the Council or any of the committees and panels by invitation may speak but not vote. All committees shall conform to any directions that may be given to them by the Council and, subject thereto and to the provisions of these Regulations, may regulate their own proceedings as they think fit.
- 12.9 The Council's auditors for the next financial year shall be appointed by the Board on the recommendation of the Council at the Annual Meeting, at a remuneration to be decided by the Council.

### **13. COMMON SEAL**

The Council shall provide for the safe custody of its common seal and make Regulations for its use.

### **14. ANNUAL REPORTS**

14.1 The LMOs shall provide their Annual Report to the Council.

14.2 They must, not later than 31<sup>st</sup> July each year, give to the council an audited statement of accounts and a report on the operation along with

the list and details of professional engineers among its members during the twelve months ending on the preceding 31<sup>st</sup> march.

14.3 The report shall include the following information:

- (a) The number of registered engineers at the end of the 12-months period.
- (b) The number of persons whom the Registering Institutions registered, and the number of persons whom the Registering Institutions declined to register, during the 12-month period;
- (c) The number of persons whose registration was removed, suspended, or placed in abeyance during the 12-month period.
- (d) The number of persons against whom the Registering Institution made a disciplinary order during the 12-month period:
- (e) The charges payable in relation to registration or the issue of a registration certificate during the 12-month period:
- (f) Any other information that the Board reasonably requires.

14.4 Council shall provide its Annual Report to the Board.

## **15 INCOME, EXPENDITURE AND ACCOUNTS**

15.1 The Council shall have the power to receive income from registration and renewal of registration charges from registered engineers, grants from the governments and sponsorship charges for services provided consistent with its objects.

15.2 The modality of payment of fees for the Registering Institutions and the share of fee for the Council shall be laid down in the regulation made by the Council.

15.3 The income and property of the Council shall be applied towards the promotion of the objectives set forth in this Act. No portion of the income and property of the Council, shall be paid or transferred, directly or indirectly, by way of dividends bonus or otherwise or by way of profits to any person/persons, who at any time are or have been members of the Council or to any of them to any person claiming through them or any of them, provided that nothing herein contained shall prevent the payment of remuneration in good faith to any member or other persons in return for any service rendered to Council.

## **16. AUTHORITIES OF THE COUNCIL**

- 16.1 The Office Bureau of the Council shall consist of (i) the Chairman and (ii) Secretary General
- 16.2 The Chairman of the Council shall have a term of 3 years and shall not be eligible for a second term; and shall exercise powers as detailed in the Regulations.
- 16.3 The Secretary General **post** shall be **tenure based (3-Year)**. His appointment terms and conditions will be as laid down in the Regulations.
- 16.4 The Chairman, when present, shall preside over the Council meeting and conduct meeting as defined in the Regulations. In the absence of the Chairman, Vice-Chairman will preside over the meeting. The Chairman shall also be responsible, jointly with the Secretary General, for proper record of the minutes of all the meetings of all which he/she is present.
- 16.5 The Secretary General shall convene meetings and maintain records of proceedings of the Council and shall perform such other duties as the Chairman shall decide under direction of the Council. Secretary General shall also function as the Administrative Head of the Council.

## **17. CUSTODY OF DOCUMENTS**

- 17.1 Council may establish an organization consisting of the full-time officials, which would be headed by the Secretary General on a full time basis, as its Administrative Head.
- 17.2 The Council shall cause all important documents such as title deeds, securities and investments etc. to be kept in safe deposit and / or with a Scheduled Bank for realization of interest or dividends to the credits of the Council Account. The Council shall be entitled to transfer such and investments in the name of the Bank, if they so desire.

## **18. LEGAL PROCEEDINGS**

The Council may sue or be sued in its name through the Secretary General as per the provisions of this Act.

## **19. OTHERS**

- 19.1 The financial year of the council shall be from 1<sup>st</sup> April to 31<sup>st</sup> March or as generally followed by the GoI organisations.

19.2 The accounts of the Council shall be audited by a duly qualified Chartered Accountant appointed by the Council every year.

**20. CODE OF CONDUCT**

20.1 Council shall prescribe in the Regulations the standards of professional conduct and a Code of Conduct for Registered Engineers.

20.2 Regulations made by the Council may specify violations of the Code of Conduct and the disciplinary action to be taken thereof.

20.3 The enforcement of the Code of Conduct shall be done by the Registering Institutions.