

## Resolution of the Residents' Assembly

No. RAD/04/2022

### Emergency Residents' Assembly Decision-making of August 2022

#### Preamble

In recent months, a series of Office Orders, along with 2 Standing Orders for the FAMC and the TDC, have been issued by the Office of the Secretary. The Auroville Foundation Act, 1988, mandates that the Residents' Assembly of Auroville be involved in the governance of Auroville and consequently in the process of appointments. This has been the practice ever since inception. Unfortunately, the stance of the present Secretary has forced Residents of Auroville to seek legal recourse to establish and reinforce the intent and purpose of the Auroville Foundation Act, 1988.

In light of the recent ruling by the Madras High Court dated 12.8.2022, the Residents' Assembly of Auroville is committed to affirming the organisational structure of the Auroville Foundation consisting of the Governing Board, the International Advisory Council, the Residents' Assembly and the Working Committee of the Residents' Assembly, which must work together in a spirit of "true brotherhood" leading to "mutuality". Through this resolution, we – the Residents' Assembly – affirm our deep faith and commitment to develop Auroville in accordance with the Auroville Charter and the philosophy of our founders the Mother and Sri Aurobindo. We accept and welcome with gratitude the judgment of the Hon'ble Madras High Court.

The present Resolution is being passed with respect to the sentiments expressed by the Madras High Court, in a spirit of cooperation and collective decision-making, with the hope that it will bring us closer to the ideals and aspirations set out in the Auroville Charter.

#### Resolution

- **We understand** that the Madras High Court in its judgement dated 12.8.2022 has reaffirmed that "under the Auroville Foundation, Auroville will be administered by the people of Auroville", "to [the] benefit of the residents of Auroville who abide by the Auroville Charter" and that we are responsible for the development of Auroville with the supervisory guidance of the Governing Board and the International Advisory Council. **We accept** the verdict of the Hon'ble Madras High Court and hereby resolve that we shall follow the letter and spirit of the judgement. **We request and direct** our Working Committee to take the necessary steps to implement the said judgement.
- **We reject** any existing or future Office Orders related to any entity (such as Trusts, Units, Committees, Working Groups, Services) functioning under the Residents' Assembly, that is passed without consultation with or approval of the Residents' Assembly, directly or through its Working Committee, as is required by the AVF Act, the AVF Rules, and their interpretation by the Madras High Court in its judgement dated 12.8.2022.
- **We affirm** our trust and confidence in our functioning Committees, Working Groups and Services and confirm the members as per the Annexure 2 attached who were selected by the Residents' Assembly either directly, or by means and procedures approved by it. **We direct** the Financial Service and Unity Fund to continue to function only and exclusively under the direction of the RA-selected FAMC and the Working Committee of the Residents' Assembly.
- **We are conscious** that the Madras High Court has directed us not to take any policy decisions till the Register of Residents is updated in accordance with the Auroville Foundation Act, 1988 (AVF Act), and the Auroville Foundation Rules, 1997 (AVF Rules). **We hereby direct** strict compliance with the same. We hope that all the other statutory bodies of the Auroville Foundation will follow the aforementioned direction.
- In light of the sentiments expressed by the Madras High Court and in the spirit of cooperation, **we request** the Governing Board, with the support of the International Advisory Council, to immediately direct recall of all Office Orders and Standing Orders in Annexure 1 which were issued without consultation with the Residents' Assembly or their duly elected Working Groups. The names mentioned in the listed Committees and Office Orders in Annexure 1 were neither nominated nor selected by the Residents' Assembly.
- Keeping in mind the directions of the Hon'ble Madras High Court, **we instruct** that our Working Groups shall not take any policy decisions till the updation of the Register of Residents but **will continue** to ensure and reaffirm the governance structure of the Auroville Foundation as stipulated in the AVF Act and the AVF Rules, in compliance with the judgement of the Madras High Court dated 12.8.2022.
- **We further empower and direct** our Working Committee to assist the Residents of Auroville in the process of the updation of the Register of Residents in strict compliance with the AVF Act and the AVF Rules. **We request** the Secretary of the Auroville Foundation to extend the same cooperation to our Working Committee and bona fide Working Groups and ensure the updation of the Register of Residents in accordance with the AVF Act and the AVF Rules and in compliance with the direction of the Hon'ble Madras High Court in its judgment dated 12.8.2022.
- **We reserve the right** to intervene and recall, or if necessary, ratify the decisions or members of the Working Groups in accordance with the AVF Act, AVF Rules and previous resolutions and rules of this Assembly.
- After the passing of this Resolution in accordance with the rules and procedures of this Assembly, **we direct** our Working Committee to take all necessary steps to ensure implementation of the decision of the Madras High Court. **We authorize** the Working Committee selected by the Residents' Assembly (Aravinda, Bharathy, Chali, Hemant, Mael, Sauro, Valli) to sign this Resolution on behalf of the Residents' Assembly.

I Agree with the Resolution as stated above

I Disagree with the Resolution as stated above

I Abstain

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#### Annexure 1

##### Orders to Various Working Groups and Services

1. ATDC, Office Order No.491 appointing members of TDC, dt.15.07.21
2. ATDC Standing Order No. 01-2022 (Replacing the SO No.01-2019 dt.04.06.2019), dt.01.06.22
3. ATDC, Office Order (no number) reconstituting ATDC based on SO of 01.06.2022, dt. 01.06.22
4. FAMC, Office Order No. 01-2022 reconstituting the FAMC, dt. 01.06.22
5. ACUR, Office Order (no number) replacing executives, dt. 21.06.22
6. Archives, Office Order (no number) constituting a management committee, dt. 21.06.22
7. Land Board, Office Order (no number) replacing 2 Avn members with employed Special Officers, dt. 28.06.22
8. Unity Fund/City Services, Office Order No. 495 to Freeze disbursements, dt. 25.07.22
9. BCC, Announcement by GB FAMC of Office Order (no number) constituting BCS, dt. 30.07.22

##### Additionally:

10. From ATDC - Notice on stewardship (From Auronet), dt. 09.08.2022
11. GB FAMC - Loan Group Reconstitution, dt. 06.08.2022
12. GB FAMC to Housing Board - Need the following information, dt. 07.08.2022

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#### Annexure 2

Members of Various Working Groups or services as selected or endorsed by the Residents' Assembly

##### Members of the FAMC (Funds and Assets Management Committee):

Amy B, Bobby P, Danny, Elodie, Mita R, Ranjith, Palani

##### Members of the TDC (Town Development Council):

Allan, Anan, Divya, Dorle, Fabian, Island, Lata, Meera, Natasha, Tom

##### Members of the Auroville Council:

Balaji, Claudine, Julia, Philippe, Shivaya, Samrat, Shiva, Suryan, Svenja

##### Members of the Working Committee:

Aravinda, Bharathy, Chali, Hemant, Mael, Sauro, Valli

##### Members of the BCC (Budget Coordination Committee):

Aurosugan, Danny, Enrica, Hans, Mahi, Rathinam, Sacha, Suryamayi, Verena

##### Members of the Land Board:

Helena, Padmanabhan, Raja, Rajavelu, Renu, Satyakam and Venkat

##### Members of the Auroville Archives:

Gilles G, Thambidurai with Doris, Isabelle, Kristen, Meera

##### Executives of ACUR:

Donata, Annemarie