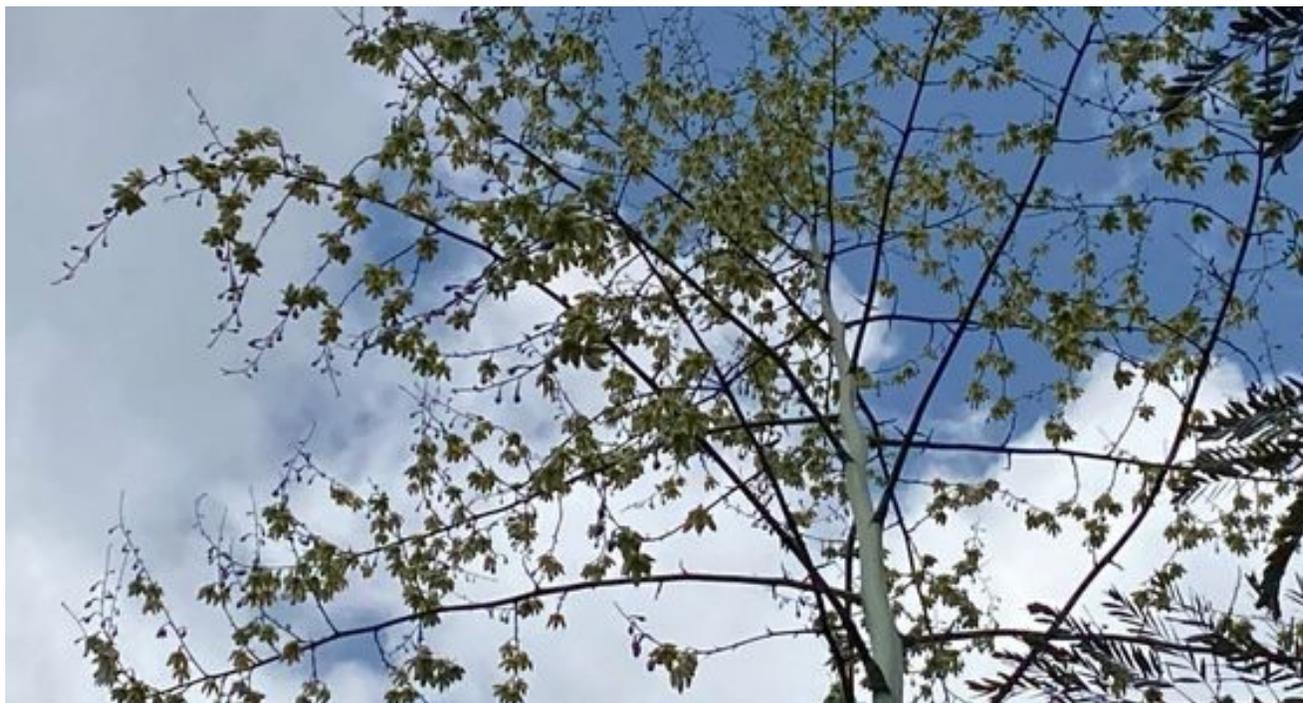


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Auroville Bulletin 36

Stay order on judgment, BCC and Housing Board takeover

A Summary of Events Happening in Auroville Today

September 2nd, 2022

Note: There are important actions to take at the end of each Bulletin, if you are reading on your phone you may need to click 'see more' to view the entire bulletin.

Please find a glossary of acronyms and terms used in this bulletin [here](#).

Hot topics

Legal update

Madras High Court: Foundation appeal on the judgment of 12/08/2022

On 26 August 2022, an appeal bench of the Madras High Court gave an interim order that temporarily suspended the ruling that a single High Court judge sitting on 12 August had given. The 12 August Ruling:

1. quashed (ie declared invalid) an Office Order by which the Governing Board (GB) unilaterally reconstituted Auroville's Town Development Council (ATDC); and
2. quashed a communication of 6 May 2022 by which the GB, through its "Officer on Special Duty," sought to suspend RA activities like Decision Making Processes (RADs). The effect of the 6 May communication was that the RA's choice of members for its Working Committee were replaced by the GB with its own handpicked members. These handpicked members had been comprehensively rejected by the RA.

The 26 August interim order was given because the Court found that the 12 August Ruling had gone beyond the narrow requests that the Aurovilian petitioners had made of the High Court in their writ petitions. This means that, for now, the GB's handpicked members of the ATDC and the Working Committee can stay in office.

The 26 August interim order was applied for by the Auroville Foundation (AVFO) as part of an appeal it has lodged against the 12 August Ruling. To read the set of appeal documents lodged, which come to about 400 pages, [please see here](#).

The grounds of appeal that the AVF have lodged seek the Auroville Foundation Act 1988 (to be interpreted in a manner that defeats the accepted interpretation that gives the three statutory Authorities (the Governing Board, the International Advisory Council, and the Residents' Assembly) an equal standing. Mr Justice Quddhose said on 12 August that "The nature of the enactment shows that there is no place for egoistic thinking as all the three authorities will have to jointly work for the achievement of 'The Mother's' Charter. The relationship between the three authorities is of mutuality."

The AVFO does not accept this principle of mutuality. It has argued that "the

amongst other matters:

- The GB's requirement to consult the RA is only "in a limited sphere";
- Aurovilians are to be regarded as merely "voluntary workers as part of a Sangha, not a democratic assembly of residents claiming rights to self-rule"; and
- "The entire lands [of Auroville], properties, undertakings vest with the central government and the central government has delegated all its powers to the foundation, which in turn are managed by the Governing Board."

National Green Tribunal: AVFO Appeal, Supreme Court

On 28 April 2022, the National Green Tribunal gave its ruling in a matter brought by Aurovilians regarding the AVFO cutting of a large number of trees and failing to take account of Auroville's biological diversity when doing so. The NGT ordered, amongst other matters, that the AVF must "prepare a proper township plan", apply for Environmental Clearance for development works to be undertaken, and act "strictly in accordance with the recommendations made by the Joint Committee" of environmental experts that the Tribunal would appoint. The NGT Ruling has been appealed to the Supreme Court by the AVFO.

On 29 August, the first Supreme Court hearing regarding the appeal from the NGT was heard. The AVFO Secretary's son-in-law again appeared as one of the counsel acting for parties supporting the AVFO. Counsel for the AVFO itself, however, was "indisposed." Therefore, the hearing was re-listed for 5 September. The listing of the NGT appeal with the Supreme Court does not immediately end the NGT's involvement in the matter.

National Green Tribunal: Compliance with Tribunal Order

On 10 August, the NGT was asked to consider whether its direction to the AVFO to "carry out the Crown Road work, in the impugned area with tree cover, strictly in accordance with the recommendations made by the Joint Committee" was being complied with by the AVFO. This was as a result of widespread concern in Auroville that the pace of conspicuous infrastructure development had continued despite the NGT's order of 28 April. The Tribunal therefore listed a hearing at which the Joint Committee's report could be produced and submissions could be heard regarding whether the AVFO had complied with the orders of the NGT. The next hearing in relation to this matter is listed for 15 September.

Madras High Court: Challenge to recent Office Order reconstituting the ATDC

Separate to the appeal of the 12 August Ruling by the AVF, another writ petition has been lodged by an Aurovillian at the Madras High Court relating to a questionable

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members, in contravention of existing mechanisms for appointing ATDC members. A copy of said Office Order was revealed for the first time only more than 6 weeks after it was allegedly created, and then only in the course of the court case that led to the 12 August Ruling.

The veracity and legitimacy of the 1 June Office Order are raised, in part, by the lateness with which it was published in the Gazette of India, that being on 15 July 2022. The matter has been reserved for the attention of Mr Justice Quddhose, the same judge who gave the Ruling of 12 August. The AVF have been ordered to file their response to the writ petition with the Madras High Court by 19 September 2022.

With the ongoing appeals to both the High Court and the Supreme Court, plus the continuation of the NGT and the FAMC case, there is an urgent need for financial support for legal and delegation fees. If you are able to help please email evolvingalaxy@gmail.com.

BCC Takeover continues

On Friday, Aug 26th evening, the BCC received an [email](#) from AVFO's 'FAMC' informing them that it was "time to transition to the new team", composed of the following people:

1. Naren Gupta
2. Ocean Bekker
3. Ravi Borchardt
4. Rupali Batra (Resource Person)

The communication thanked the BCC members for their service "much appreciated by the community" and asked for their help in the transition.

On Sunday, August 28th the RA FAMC [wrote to the members](#) of the AVFO's 'FAMC' & 'BCC' referring to this mail stating that it was "unequivocally rejected" given the results of the latest RAD (which rejects the Office Orders forming their teams).

On Monday August 29th morning, a few members of the AVFO's 'FAMC', accompanied by the AVFO's 'BCC', came to the BCC Office with no prior notice to inform BCC members verbally about the transition, having received no acknowledgement of their mail.

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who were also removed from all Google Workspaces.

The same day, [the BCC wrote to](#) the AVFO's 'FAMC', stating the following: "We kindly would like you to clarify whether you are ending our terms as BCC members, or whether you intend for the BCC members you have newly appointed to join our team. In case you intend to replace us, we expect you to follow due processes of law and natural justice, including informing us in writing of your causes and grounds for dismissal, giving us a chance to respond and giving reasonable notice."

On Tuesday, Aug 30th the RA BCC sent a [mass bulletin](#) to the community stating that they were requesting that access to their email accounts be reinstated, and that they would keep the community informed of any further developments.

Elodie and Txuma's house

On Saturday 27th August, a JCB came to Elodie and Txuma's house in Centre Field with the intention of breaking down their bathroom. Elodie and Txuma were not given any prior notification that they were planning to come on that day. The JCB driver was accompanied by Joel, who filmed everything, and the Secretary-appointed 'security officer' Mr Madhi. Elodie was in the bathroom trying to remove some of their possessions when the JCB driver first moved to demolish the structure. A number of Aurovilians answered the call to provide a peaceful presence and attended the site, succeeding in stopping the work by physically standing in front of the bathroom. About 1.5 hours later, the JCB left with Antim, Joel, and Mr. Madhi.

Elodie and Txuma have since shared [their story](#) with the community. Satprem has also sent his [views](#) to the Secretary, which includes an email in which Toby (former ATDC member) guarantees that the ATDC will pay the costs to replace the bathroom.

The community is asked to stay on alert. It seems that the temporary stay order from the Madras High Court has emboldened the AVFO's 'ATDC' to continue its unilateral implementation of the Crown Road, which until now has not developed any further than the destruction of Mita's and Tapas' house, Bliss Forest and Darkali Forest, the Youth Centre and large stretches of Auroville road.

The presence of community members is becoming increasingly important due to the actions of the AVFO and the larger picture of land encroachment around Auroville. To stay updated about where silent presence is necessary please join the SOS Telegram group: <https://t.me/+uRLmmaJBpxM4Njl1>

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Housing Board takeover

On Tuesday 30th August, two Housing Board members were called into a private meeting with the Secretary of the Auroville Foundation. The topic of the meeting was the alleged non-collaboration of the Housing Board with AVFO's 'FAMC'.

On the following day the Housing Board (Amy L. , Angela, Aravindh, Bharathy, Iyyappan, Rima, Venkat) were sent [an email](#) by the AVFO's 'FAMC' with the following information:

“We would like to thank you for your time and service. As per the office order, the new team is ready to start functioning in Housing from 31st August 2022. The members of the new team are: Aryamani, Banu, Donata, Pietro, Saroja, Uma Melin, Venkatesh.”

The Housing Board [responded to this email](#) on the same day, noting that they had not seen any Office Order. They also responded to the verbal allegations made in the meeting of Tuesday the 30th that they had not been collaborating, and asked the AVFO's FAMC to provide reasons for this move and sufficient notice in writing. The Housing Board has since been locked out of their inboxes and Google Drives.

The Working Committee has condemned the attempted takeover [in a message](#) to the community. On Thursday, 1st of September, Aurovilians came to Town Hall to show support to the Housing Board and Service, who still have not received any official notification and therefore will continue to do their work to the extent possible.

On the morning of Friday 2nd of September, the offices of Housing Service and BCC were found locked. When asked to open them, ACUR 'management' appointed by the Secretary (Lieve, Venkatesh) refused to open them, claiming it was no longer a public office.

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The Auroville Foundation Office, in collaboration with the Land Board (LB), has proceeded to exchange a plot of land adjacent to the Djaima community (at the corner near the police station) for a piece of land in the City Centre (near Sanjana). Residents of Djaima were informed of the exchange [by email](#) after the fact. Since the removal of Renu and Padmanabhan, the Land Board now appears to be fully under the supervision of the AVFO.

This land exchange does not appear to be following the due diligence protocol that was put in place at the request of the former GB, its chairman (Dr Karan Singh) and the previous secretary Mr Chunkath. This protocol was put in place due the financial losses incurred from previous land exchanges. The steps for exchanges are: an empanelled evaluator creates a report to verify the price; a legal opinion is sought on the exchange; the exchange is published in the local newspaper; as well as other formal authorizations. It is concerning that Auroville land is being exchanged without following due diligence and without the approval of the RA.

The TDC, WC and the FAMC of the RA invited the LB to a joint meeting on Aug 25th. After initially agreeing to attend, the LB ultimately declined the request.

Land encroachment at Ami/Abri corner

For several weeks there has been a call for presence at the Abri Ami corner, due to encroachment and development on Auroville's and Micheal Bonke's land. The WC of the RA, Micheal Bonke, and the Land Board have each made complaints with the anti land-grab cell in Villupuram, as well as other authorities. The Collector has allegedly requested Mr PKS, the speculator, to halt all his activities on the site and requested that another survey be conducted.

However, on Thursday 1st of September the person claiming the land started cutting shrubs in the Evergreen area and attempted to continue to construct a wall. Aurovilians and police came to the site. The police stated that we need to get a stay order via the courts and that he couldn't prevent the party from building, and that after Monday the party will restart work if such an order is not produced. While the Land Board seems committed to taking the matter to court now, filing a case and obtaining a stay order may take a few weeks.

In the past weeks, silent presence was requested at Abri Ami corner, and has helped stop the land grabbing and construction in the area. The stewards convey gratitude to those who showed up for silent presence.

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Other Updates and Information

WCom communications to GB regarding recent RAD outcome

The RA Working Committee has shared [the outcome](#) of the recent Emergency RAD, in which 1161 Aurovilians voted, with the International Advisory Council, and the Governing Board and its Chairman. The full Resolution of the Residents' Assembly that has come out of this vote [can be found here](#).

In their communication, the RA WCom notes that “As resolved by the RA, the affirmed members of the working groups and committees are available for working together in a spirit of ‘mutuality’ and ‘brotherhood’ with the Governing Board and International Advisory Council. We would like to make the earnest request to you to instruct the Secretary to cancel the Office orders (and other orders) listed in Annexure 1 and engage with representatives authorized by the RA.” You can find [the complete letter here](#).

Reminder of how to contact the RA-appointed groups

On the 31st of August, Aurovilians received [an announcement via mass bulletin](#), which stated that “All official work related to interactions within and outside of Auroville requires proper communication channels, responses and follow up by our recognised governance working groups using auroville.org.in domain.” It then lists the email addresses of all Secretary-appointed groups as the ‘legitimate’ emails.

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can only contact these groups via your non-auroville.org.in email ID.

Auroville Council: avcouncil@auroville.services

FAMC: famc@auroville.services

TDC: tdc@auroville.services

Working Committee: workingcom@auroville.services or
workingcommitteera@gmail.com

RAS: raservice@auroville.services

BCC: bcc@auroville.services

Entry: auroville.entryservice@gmail.com or entryboard@auroville.services

Housing: housingboard@auroville.services or housing@auroville.services

Action needed

- **Join the SOS group for Silent Presence :** As sometimes silent presence is needed in the current crisis, there is a Telegram group for interested people. Please join by clicking the following link on your smartphone, Telegram should open automatically: <https://t.me/+uRLmmaJBpxM4Njl1>
- **Call for financial support:** If you would like to donate towards legal and delegation fees please email evolvingalaxy@gmail.com.

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Media & Social Links

- **Galetta Voice:** Community member Renu is [interviewed in the continuing series](#)

About us

We are a group of Aurovilians who are actively involved in understanding the current crisis situation in Auroville in order to find a way forward together.

We stand for:

- Respecting our community processes for decision-making
- A collaborative approach in developing Auroville using integrated methods such as the Dreamweaving initiative
- Transparency and fairness in the organisation of Auroville
- Creating unity with our diverse voices

Please note that the website <https://standforaurovilleunity.com/> contains a great deal of information and a detailed timeline.

With regard to future actions, those who have particular skills such as writing, social media, film editing etc. are welcome to write to evolvinggalaxy@gmail.com.

Please also share your thoughts and suggestions by replying to this email.

We hope this has been helpful. Let's keep working to find a way to bring us closer together to the beautiful dream of human unity in Auroville. We can do it ... together.

For those who have had previous technical problems receiving the Bulletin, the list of all previous Bulletin issues is accessible here: <https://linktr.ee/evolvinggalaxy>

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