MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(Department of Education)

New Delhi, the 10th November, 1997

G.S.R. 385.— *In exercise of powers conferred by section 51 of the Auroville Foundation Act, 1988 (54 of 1988), the Central Government hereby makes the following rules, namely:-*

1. *Short title and commencement.-*

(1) *These rules may be called the Auroville Foundation Rules, 1997.*

(2) *They shall come into force on the date of their publication in the Official Gazette.*

2. *Definitions.-*

(1) *In these rules, unless the context otherwise requires,-*

(a) *"Act" means the Auroville Foundation Act, 1988 (54 of 1988);*

(b) *"Chairman" means the Chairman of the Governing Board nominated under sub-section (2) of section 11;*

(c) *"FAMC" means the Funds and Assets Management Committee constituted by Governing Board under sub-section (1) of section 16;*

(d) *"Secretary" means the Secretary to the Foundation appointed under sub-section (1) of section 15;*

(e) *"section" means a section of the Act;*

(f) *"Working Committee" means the Working Committee of the Residents' Assembly constituted under section 20;*

(2) *All other words and expressions used herein and not defined but defined in the Auroville Foundation Act, 1988(54 of 1988) shall have the meanings respectively assigned to them in that Act.*

3. *Casual vacancies in the Governing Board.-*

(1) *Casual vacancy of a member of the Governing Board nominated*

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under clause (i) of sub-section (1) of section 11 shall arise on account of any of the following reasons, namely:-

(a) on his death;

(b) on his resignation;

(c) if he has become of unsound mind and stands so declared by a competent court;

(d) if he has been adjudged as an insolvent;

(e) if he has been convicted for a criminal offence involving moral turpitude; or

(f) if he fails to attend three consecutive meetings of the Governing Board without the leave of the Chairman.

(2) Casual vacancies of the members in the Governing Board caused by any of the reasons mentioned in sub-rule (1) shall be filled up through nomination by the Central Government.

(3) A member nominated to fill a casual vacancy shall hold office only for the unexpired period of the term of the member in whose place he is nominated.

(4) Where a member nominated to be a representative of the Central Government on the Governing Board becomes a member by reason of the office or appointment he holds, his membership of the Governing Board shall terminate when he ceases to hold that office or appointment, as the case may be and in his vacancy, his successor in office or the appointee shall automatically become a member of the Governing Board for the unexpired period of the term of the member in whose place he holds the office or is appointed.

(5) The Governing Board shall function notwithstanding that any person who is entitled to be a member by reason of his office is not a member of the Governing Board for the time being and notwithstanding any other vacancy, whether by non-appointment or otherwise;

4. *Powers of the Governing Board.-*

(1) The Governing Board shall have powers-

(a) to create such number of posts of officers and staff in the office of the Foundation as may be required for the efficient performance of its functions with the concurrence of the Government of India:

*Provided that no such post the maximum pay of which exceeds *Rs.4500 per mensum shall be created or filled without the previous sanction of the Central Government;*

**(pre-revised)*

(b) *to appoint all categories of officers and staff to the office of the Foundation except the Secretary to the Foundation for conducting the affairs of the Foundation, in accordance with the regulations as may be made by the Governing Board and on the recommendation of duly constituted selection committees and to fix the amount of their pay and allowances, subject to the budgetary provision and to define their duties;*

(c) *subject to the other laws, to enter into agreements with the Central Government, State Governments, public or private organisations or individuals, foreign nationals and international non-governmental organisations, Government or Non-Government organisations or International Intergovernmental organisations for furtherance of the Foundation's objectives, for implementation of its programmes and for securing and accepting endowments, grants-in-aids, donations or gifts on mutually agreed terms and conditions in consultation with the Working Committee:*

Provided that no such agreements shall be made with any foreign Government, Foreign Governmental Organisation or International or Inter-Governmental Organisation, foreign national or International non-governmental organisations, except with the prior approval of the Central Government.

(d) *in consultation with the Working Committee and the FAMC of the Residents Assembly to acquire by purchase, lease, gift or otherwise any immovable property which may be necessary or convenient for the purposes of the Foundation ;*

(e) *to acquire by purchase, lease, gift or otherwise any movable property including any equipment which may be necessary or convenient for the purposes of the Foundation and in consultation with the Working Committee and the FAMC of the Residents' Assembly;*

(f) *to construct, alter, extend, modify and maintain any building or buildings which may be necessary or convenient for the purposes of the Foundation;*

(g) *to invest the funds of the Foundation or any other investible funds at the disposal of the Foundation in such securities or in such manner as*

may, from time to time, be determined by the Governing Board and in accordance with Government of India's instructions on investment and, from time to time, to sell or transfer such investments in consultation with the Working Committee and the FAMC ;

(h) to take over and acquire by purchase, gift or otherwise from Central Government, State Governments, public or private organisations or individuals or, subject to compliance with the other laws and approval of the Central Government, from foreign nationals and international non-Governmental Organisations movable and immovable properties or other funds together with any attendant obligations and engagements not inconsistent with the objects of the Foundation in consultation with the Working Committee and the FAMC :

Provided that the prior approval of Central Government shall be necessary in those cases where the value of such properties of funds exceeds rupees one crore in any financial year;

(i) to sell, transfer, lease or otherwise dispose of any immovable property of the Foundation in consultation with the Working Committee and the FAMC :

Provided that no property of the Foundation shall be sold without the previous sanction of the Central Government if its value is more than rupees five lakhs.

(2) Where a decision is required to be taken by the Governing Board in consultation with the Working Committee or FAMC, then such consultation shall be completed within a period of sixty days and the decision of the Governing Board after such consultation shall be final but in emergency matters consultation process may be completed in a week's time in consulation with working Committee and FAMC, if necessary by circulation of papers.

(3) The Governing Board may with the previous sanction of the Central Government borrow, on the security of the properties of Auroville or any other asset, for carrying out the purposes of the Act in consultation with the Working Committee and the FAMC;

(4) The Governing Board may, by resolution, sanction any expenditure or authorise making of a contract involving expenditure not inconsistent

with the conditions of grant from the funds available at the disposal of the Foundation in the performance of its functions:

Provided that the Governing Board shall not enter into any contract involving expenditure in excess of Rupees one lakh or extending for a period of more than two years without prior approval of the Central Government.

5. *Committees-*

(1) The following shall be the Committees of the Foundation, namely :-

(a) Finance Committee constituted by the Governing Board under sub-section (1) of section 16 ;

(b) Funds and Assets Management Committee (FAMC) constituted by the Governing Board under sub-section (1) of section 16 with the Secretary of the Foundation as its Convener and with not exceeding ten other members including the Financial Adviser, Ministry of Human Resource Development.

(c) Such other Committee or committees as may be constituted by the Governing Board under sub-section (1) of section 16 or by the Residents' Assembly under sub-section (3) of section 19, as the case may be.

(2) Subject to the provision of sub-rule (1), the Governing Board shall determine the composition and functions of every Committee constituted by it.

(3) The Residents' Assembly shall determine the composition and functions of every Committee constituted by it.

(4) Subject to the provisions of these rules, the FAMC shall administer the funds and assets of the Foundation, tender advices, make recommendations and carry out such works as may be assigned to it by the Governing Board.

6. *Powers and duties of the Secretary.-*

(1) The Secretary shall be appointed by the Central Government and shall be the Principal Executive Officer of the Foundation and shall exercise his powers and discharge his duties under the Chairman of the Governing Board.

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(2) The Secretary shall

(a) be the custodian of the records, the Common Seal and such other properties of the Foundation as the Governing Board may commit to his charge;

(b) have the powers to grant leave to all employees of the office of the Foundation except to himself and make necessary arrangement for the discharge of the functions of such employees during their absence;

(c) issue notices and convene meetings of the Governing Board and its committees and the Auroville International Advisory Council with the previous consent of their respective Chairman;

(d) keep the minutes of the meetings of the Auroville International Advisory Council, Governing Board and the Committees of the Foundation constituted under Section 16;

(e) record the official proceedings and correspond on behalf of the Auroville International Advisory Council and the Governing Board and its Committees;

(f) supply to the Central Government a copy of the Agenda of the meetings of the Governing Board, the Residents' Assembly and the Auroville International Advisory Council as soon as they are issued and the minutes of such meetings;

(g) represent the Foundation in suits or proceedings, in v court or before any authority, by or against the Foundation, sign powers of attorney, verify pleadings and depute his representative for the purpose;

(h) subject to the provisions of the Act and these rules, and the regulations maintain the Register of Residents as provided under the Act;

(i) maintain the accounts of the Foudation and arrange for

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preparation of annual estimates and statements of the accounts for their presentation to the Governing Board, the Residents' Assembly and the Auroville International Advisory Council;

(j) have the accounts of the Foundation finalized in consultation with the Working Committee in respect of units, trusts, schools and other institutions run by the Auroville residents;

(k) furnish to the Central Government the statements and other papers required to be laid before the Houses of Parliament under the Act;

(l) on behalf of the Governing Board, arrange to send all return and statements and such other particulars, as may be prescribed or as the Central Government may direct or require;

(m) perform such other functions and exercise such other powers as may be specified in the Act, rules or regulations or as may be required by the Central Government or delegated to him by the Chairman, Governing Board or the Residents' Assembly;

7. *Association of persons with the Governing Board.-*

(1) Subject to the provisions of sub-section (4) of the section 11 and these rules, the Governing board may associate with it any persons whose assistance or advice it may desire in complying with any of the provisions of the Act;

Provided that the purpose of such association shall be directly related to the promotion of the aims and objectives of Auroville or any particular activity related to Auroville in regard to which special professional or technical advice required :

Provided further that the Association sought by invitation and the duration of the association would be clearly spelt out.

(2) A person associated with the Governing Board under sub-rule(1) shall have the right to take part in the discussions of the Governing Board relevant to the purpose for which he has been associated, but shall not have the right to vote.

(3) A person invited to associate with the Governing Board shall be paid by the Foundation per-diem daily allowance and travelling allowance at the maximum rates prescribed under the rules applicable to Group "A" officers of the highest grade in the Central Government:

Provided that no such person shall be paid any allowance in excess of such rates specified except with the prior approval of the Central Government.

8. Resident's Register

(1) The Secretary shall, in accordance with the provisions of sub-section (2) of section 18, maintain a register of residents of Auroville who are of eighteen years and above of age and are entitled to have their names entered in the register.

(2) The register of residents of Auroville shall be maintained in two Parts, namely, Part I and Part II.

(3) Part I of the register shall contain, all the names of residents included in the register maintained by the Administrator appointed under section 5 of the Auroville (Emergency Provisions) Act, 1980 (59 of 1980) and Part II shall contain the names and other particulars of residents subsequently admitted to the register as residents of Auroville.

(4) Part II of the Register of residents shall be in Form A appended to these rules.

(5) The Register shall, at all reasonable times be open for inspection by the members of the Residents' Assembly and any member of the Residents' Assembly desirous of obtaining a copy of extracts from it may apply to the Secretary showing the reasons for such application.

(6) The Secretary shall, upon receipt of an application under sub-rule(5), issue a copy of extracts from the register.

9. Registration of residents.-

(1) A resident of Auroville admitted to Auroville under the terms of sub-

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section (2) of section 19 and who is of the age of eighteen years or above as on the date of application may submit an application in Form B appended to these rules to the Secretary for registering his name in the register of residents.

(2) Every application submitted under sub-rule (1) shall be verified in the manner specified in the aforesaid Form.

(3) On receipt of an application under sub-rule (1), the Secretary shall issue a receipt to the applicant and process the application as per the directions of the Residents' Assembly and the regulations made by the Governing Board under section 32.

10. Funds of the Foundation.-

(1) The funds of the Foundation shall consist of

(a) grants, loans and other monies sanctioned by the Central Government for the purpose of enabling the Foundation to discharge its functions under the Act;

(b) contribution to the Foundation received from other sources;

(c) income from the assets of the Foundation;

(d) borrowing on the security of the Auroville Foundation or any other asset as allowed by the Central Government; and

(e) receipt of the Foundation from other sources.

(2) (i) All monies received shall be deposited in one or more accounts at the State Bank of India or its subsidiaries or any other scheduled bank approved in this behalf by the Central Government.

(ii) All funds shall be paid into the Foundation's accounts with the Bank and shall not be withdrawn except through a cheque signed by such authorised person(s) as may be duly empowered in this behalf by the Governing Board upto such limits and for purposes to be specified in the regulations.

(iii) Approval of the Central Government shall be obtained for depositing monies received in Banks other than scheduled Banks.

11. Protection of Auroville name and symbol.-

In pursuance of the Act, the name or the symbol of Auroville shall not be utilised for any mark, name, brand name, patents, licence or trade mark of any sort for any commercial or non-commercial purpose unless its utilisation has been approved by the Governing Board in consultation with the Working Committee.

FORM - A

[See rule 8(4)]

Register of residents of Auroville

1.	Serial number	:	
2.	Family name	:	
3.	Name in full	:	
4.	Auroville name	:	
5.	Sex	:	Male/Female
6.	Father's /husband's name	:	
7.	Date of birth	:	
8.	Personal identification marks	:	
9.	Passport number	:	
10.	Date and place of issue of passport	:	
11.	Period of validy of passport	:	
12.	Occupation	:	
13.	Marital status	:	
14.	Nationality	:	
15.	Address in Auroville	:	
16.	Name and address of reference person in India/Home country	:	
17.	Date of first arrival in India	:	
18.	If presently out of India, last date of departure	:	
19.	Details of Residential Permit issued by the Regional Passport Officer, Pondicherry.	:	

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F O R M - B

[See rule 9(1)]

Application for registration

To

The Secretary
Auroville Foundation,
Auroville

Sir,

I hereby inform you that I am a resident of Auroville and am eligible for inclusion of my name in the register of residents of Auroville maintained by you under sub-section (2) of Section 18 of the Auroville Foundation Act, 1988 (54 of 1988). My particulars are given below:-

1.	*Name in full (in capital letters)*	:
2.	*Family name, if any*	:
3.	*Auroville name*	:
4.	*Sex*	: *Male/Female*
5.	*Father's/Husband's name*	:
6.	*Date of birth (in Christian Era) (supporting document to be attached)*	:
7.	*Personal identification marks*	:
8.	*Passport number*	:
9.	*Date and place of issue of the Passport*	:
10.	*Period of validity of the Passport*	:
11.	*Occupation*	:
12.	*Marital status*	:
13.	*Nationality*	:
14.	*Address in Auroville*	:
15.	*Name and address of reference person in India/Home country*	:
16.	*Date of first arrival in India*	:
17.	*If presently out of India, last*	

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date of departure

18. Details of Residential Permit issued by the Regional Passport Officer, Pondicherry

I hereby verify that the particulars given in this application are true to the best of my knowledge, belief and information and nothing has been concealed therefrom.

List of enclosures :

Yours faithfully,

Place :
Date :

Signature of the applicant

Receipt

Received an application dated _____ from _____ for registration of his/her name in the register of residents of Auroville.

Place:
Date:

Secretary

[No. F. 27-43/91-UU]
D. P. SINGH, Director.

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