

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTH ZONE AT CHENNAI

Application No. 239 of 2021

Navroz Kersasp Mody & Anr

... Applicants

Vs

The Auroville Foundation & Ors

... Respondents

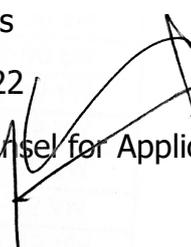
**FILE E- page 507-560
(Annexure 27- 39)**

S.No	Description	Page No
1.	Annexure-27 Statement of Support from Forest Officer, Cuddalore- 1979	507
2.	Annexure- 28 Extracts from Auroville News regarding discussions on Masterplan- 1999	509
3.	Annexure 29 Letter dt. Feb 2008 from Dr. L.M.Singhvi to the CM Tamil Nadu	517
4.	Annexure 30 Letter from Mr.Kireet Joshi, Chairman Auroville Foundation	519
5.	Annexure-31 Minutes of the 55 th Governing Board- 25.01.2020	520
6.	Annexure-32 Minutes of the 56 th Governing Board-07.11.2020	528
7.	Annexure- 33 Order dated 04.12.2001 in W.P.(C) 725/1994	536
8.	Annexure 34 Amendment to the EIA Notification dated 15.11.2018	540
9.	Annexure- 35 World Charter for Nature,1982	544
10.	Annexure- 37 UNEP Goals and Principles, 1987	549
11.	Annexure- 38 Rio Declaration 1992	551
12.	Annexure 39 Diagrams- Galaxy Model	560

Certified to be true copies of the respective originals

Dated at Chennai on this the 3rd day of January, 2022

Counsel for Applicant



3 Apr 1979

H. RAJAGOPAL SHETTY,
 INDIAN FOREST SERVICE,
 DISTRICT FOREST OFFICER,
 CUDDALORE DIVISION,
 CUDDALORE.

The lands in and around 'Auroville' in Tamilnadu has been denuded during the past few decades and has been subjected to very bad management. As a result agricultural land has been shrinking due to spread of gullies alround. Year after year thousands of tonnes of top soil has been removed to the sea and elsewhere by both, wind and water. Gullies are not only spreading but are deepening ~~year after year~~ ^{are} bringing down the sub soil water level year after year.

Unfortunately the local people ^{are} have not fully aware of the extent of damage that is being caused due to the various erosive forces acting in this locality. There is lack of organisation and education.

Aurovillians during the past decade or so have been doing a great service in the improvement of the environment by taking suitable soil and moisture conservation measures and afforestation programmes as a part of the rural development works. They have done excellent work in the above field not only in the lands belonging to Auroville but also helped in the improvement and proper management of other privately owned lands in the neighbourhood. That apart, Aurovillians are actively co-operating with the Forestry Department in the afforestation and soil and moisture conservation activities in the lands belonging to the Government in and around Auroville limits.

During the last few years lakhs of plants have been planted both in Government, private and Auroville lands in association with the local people, other organisation and Forestry Department. The resultant change in the environment is already in evidence by the raising level of the sub-soil water and check in the movement of soil and cooler groves alround. A number of gully control measures have made many of the streams nearly perennial. Their efforts have provided work to hundreds of local people, and many a baren abandoned fields have started yielding.

Their work is still in the initial stage. Not only the past work has to be maintained but large area still remains to be tackled. Drinking water to men and fodder to cattle is still scarce.

(p.t.o.)

H. RATAGORAL SHETTY
INDIAN FOREST SERVICE
DISTRICT FOREST OFFICER,
CUDDALORE DIVISION.

Auroville has plenty of dedicated, selfless men with plenty of energy for the above job. I hope they will continue the good work they have already started and make the Auroville a model in the recapture of environment, rural development, and ecologically balanced land management for the rest of India to see and follow.

Handwritten signature
3/4
DISTRICT FOREST OFFICER,
CUDDALORE DIVISION.

Cuddalore-2,
Dated: 3.4.79.

Unfortunately the local people have not fully aware of the extent of damage that is being caused due to the various erosive forces acting in this locality. There is lack of organisation and education.

Aurovilians during the past decade or so have been doing a great service in the improvement of the environment by taking suitable soil and moisture conservation measures and afforestation programmes as a part of the rural development work. They have done excellent work in the above field not only in the lands belonging to Auroville but also helped in the improvement and proper management of other privately owned lands in the neighbourhood. That apart, Aurovilians are actively co-operating with the Forestry Department in the afforestation and soil and moisture conservation activities in the lands belonging to the Government in and around Auroville limits.

During the last few years lakhs of plants have been planted both in Government, private and Auroville lands in association with the local people, other organisation and Forestry Department. The resultant change in the environment is already in evidence by the raising level of the sub-soil water and check in the movement of soil and colour groves around. A number of gully control measures have been made many of the streams nearly perennial. Their efforts have provided work to hundreds of local people, and many a barren abandoned fields have started yielding.

Their work is still in the initial stage. Not only the past work has to be maintained but large areas still remain to be tackled. Drinking water for man and fodder for cattle is still scarce.

Excerpt Auroville News 31st July 1999

PANEL DISCUSSION
"PERSPECTIVES 2000 - DIRECTION FOR RURAL AND URBAN
DEVELOPMENT"
AUGUST 7
SRI AUROBINDO AUDITORIUM
BHARAT NIVAS

Dear Aurovilians,

On July 28th, the Land Coordination and Land Use Plan Groups presented to the Residents' Assembly the result of several months of work aimed at exploring ways to obtain for Auroville the protection it needs to continue to grow harmoniously. With the presentation of the Master Plan document and maps, however, the task of these groups is not completed. In fact, this is only the beginning.

One of the initiatives taken by these groups has been to organize a Panel Discussion on the theme "Perspectives 2000 - Direction for Rural and Urban Development". High officials from Tamil Nadu and Pondicherry have been invited along with heads of various organizations and NGOs involved in this field. We wish to share with them our concerns and vision for this region and establish contacts for future cooperation.

The occasion for this Panel Discussion has been created by the visit to Auroville of the Chairman and Managing Director of HUDCO, Mr. V. Suresh. HUDCO has also kindly accepted to co-sponsor this important event.

We have been encouraged by the interest generated within the community by the two internal seminars on Land Use. Therefore, we hope that Aurovilians will come in large numbers to attend this Panel Discussion.

We reproduce below the programme of this event. In case you have questions or suggestions, do not hesitate to contact one of the following people: Anandi, Lalith, Shyama, Jan, Bindu or myself. If you want to help us with the many tasks at hand, please sign on. There is a lot of work to do and we will be grateful for any help. Let us all together seize the opportunity and make this day a great success.

On behalf of LCG/LUP
 Cristo

Perspective 2000
Auroville, Saturday 7th August 1999
Programme

- 9:45 **Morning Session**
 Welcoming
Official opening by Shri A.P. Muthusami, Chief Secretary Tamil Nadu, who will preside over the Seminar. *(to be confirmed)*
- 10:00 Speech by Shri T.T. Joseph, Chief Secretary Pondicherry, on "Development perspective of Pondicherry"
- 10:30 Tea Break
- 10:45 Introduction to Auroville
- Spiritual foundation
 - Rural context
 - Bioregion
- Slide show

August 7th, 1999

AUROVILLE NEWS

Meetings 1

MINUTES RESIDENTS' ASSEMBLY MEETING ON
JULY 28TH 1999

Chair: Guy
Notes: Kathryn
Present: about 100 people

The meeting began with a moment of silence.

Guy reiterated the topics on the agenda: Ratification of the Master Plan Profile and formal approval of a group to present the work to various officials and government bodies

Announcements:

Janet, on behalf of the Reps Group, made a plea for feedback on the Functional Residents Assembly Meeting proposal that had been circulated.

Jan made an announcement regarding the Perspectives 2000 Seminar that will be taking place on Sat, 7th August (for more details, see articles in last and this week's News.)

The Master Plan Profile:

Guy then gave a brief history of the Land Use Plan and Land Protection processes. The essence of the document being proposed for ratification is a 3 layer Master Plan, as follows:

- A. The Auroville Township Area, including City, Greenbelt (but **not including** the villages that exist within these areas), and a few consolidation areas outside of the "greenbelt proper", within which the Auroville Foundation will be the sole planning authority;
- B. The Extended Area, including the villages and additionally about 40 sq. km. of lands that are identified as critical groundwater recharge areas in and around the Township Area, in which Auroville proposes to collaborate with the relevant officials and residents for planning purposes;
- C. The Bioregion, covering 800 sq. km. directly and indirectly influenced by the Auroville Township Master Plan, within which Auroville offers its collaboration and expertise with the objective to optimally use the economic and environmental resources of the bioregion.

Guy also explained how the proposed document came to be called a "Master Plan" as opposed to a "Land Use Plan", as originally intended. First, this is the terminology accepted and understood by planners for whom a land use plan is already the first stage of a master plan. Second, the Auroville Foundation Act refers specifically to the adoption of a Master Plan. And third (actually a function of the first two reasons), in order to be able to use the document as a basis for any kind of protective mechanism for the designated

Auroville Township area, it has to be ratified as Master Plan. It was also clarified that the document actually is aimed more at protection of the Green Belt, and, apart from the zoning, does not give detailed proposals for the development of the City Area. The more detailed planning will be an ongoing process, with all interested wholeheartedly encouraged to participate.

Questions/Concerns/Comments:

The majority of these related to the villages in the Township area – if and how they have been involved in the planning process thus far, and how that is envisioned for the future. What follows is the notetaker's attempt at a composite of the many aspects that were given voice to by the Assembly and the clarifications given.

It is a fact of our existence that there are villages existing within the boundaries of the area designated as "Auroville" and that these villages will continue to grow and develop along with us. While we do want to be the "designated sole planning authority" for all of the lands belonging to Auroville, which it would seem is necessary for the free evolution and development of Mother's vision, we understand and accept that these villages will develop autonomously and, we hope, collaboratively. No displacement is intended. We have no intention to govern nor force any particular action or restriction in these villages, but we offer and hope to utilise the information and expertise that exists in Auroville, to help in the development of the entire region in a sustainable way. It is our responsibility to use the land ourselves in a rational, sustainable way – this in itself will already help much to eliminate conflicts. While it's clear that we still have a lot of work to do, this planning process shows that we need to look larger, less egocentrically, at planning and development.

It was pointed out that it is much more complicated than it sounds to "involve the villages" in the planning process, as local politics and economic factors create conditions that are far less than optimal. The villagers will welcome, simply for economic reasons, many types of development that, for Auroville, are undesirable. We will have to find ways to meet both sets of needs. However, that it is neither healthy nor possible for Auroville to develop in isolation, is something that more and more of us understand, and this, at least for those working in the field, represents a historic turning point in Auroville's development consciousness.

It was also noted that it is time for all of those working in the bioregion to drop their disagreements and come together for something higher – our true purpose for the work.

It was pointed out by many that 1) a diverse group had been involved in the process and have agreed on this master plan; 2) that what is proposed is a preliminary document – a tool to start; and 3) that it is very much time, perhaps critical, to demonstrate that we are capable of taking a collective step towards a conscious development. For whatever reasons, Auroville's history to date has failed to secure the land base originally designated for the township. Let's take a step to change that. There was a strong call not to stop the process. We need this tool now!

It was suggested that we use the term "Partnership Areas" for areas B and C, instead of Master Plan areas, as it much more clearly describes our intended role. This recommendation was appreciated and agreed to.

It was asked what are we exactly asking from the Government: money to buy the land, notification, some kind of special status, etc. One person said she would not approve it if there was a request for money attached. It was pointed out that the request for money was actually made 5 years ago. There is no new request associated with this document. However, given the current development pressures, we wouldn't turn funding for land purchase from the Government down if it is forthcoming. No large-scale notification is requested, though this tool may be needed in some specific cases.

It was agreed to make every effort to incorporate into the document any of the concerns expressed at the Residents' Assembly that are not already addressed therein.

The Chair put then the following text for formal ratification of the Auroville Master Plan Profile to the Assembly, which was passed with one objection:

The Residents' Assembly ratified the "Auroville Universal Township Master Plan: A Profile" in its meeting on 28th July 1999 and agreed to submit it to the Governing Board members for formal approval in their meeting on 14th August 1999 in Auroville.

The Group:

It was explained that this is essentially a task force comprised of the people that had been putting time and energy into the process that brought us this far. The list being long is simply a function of diversity and inclusion – different people are good at different things, and there's a lot of work involved. The community is asked to trust that this group, on the basis of its experience of working together, is capable of knowing and selecting the right people for the necessary tasks, and that others not included

on the proposed list can and will be called upon whenever necessary.

It was asked what is the mandate of this group? Simply to continue the work. Formal approval of the Residents' Assembly is requested because it is sometimes asked when one is presenting a proposal to Government officials "Who are you representing?", and the obvious desirable answer is "the residents of Auroville". It is not a proposal for a "carte blanche". Nothing will be agreed to by members of this group that has not been agreed to by the Residents' Assembly.

The following text for formal ratification of the group was put by the Chair to the Assembly and was passed with one objection:

The Residents' Assembly also approved to set up a Committee, under section 19.3 of the Auroville Foundation Act, that will be responsible for the ongoing work and presentation of the Auroville Universal Township Master Plan to the relevant authorities on local, district, state and central government level. The members of this Committee are: Anne, Anupama, Bindu, Cristo, Francis, Frederick, Gilles, Guy, Jan, Kathryn, Paul V., Peter A., Shivaya and Tom.

THE WORKING COMMITTEE

LAND USE PLAN GROUP MEETING 31ST JULY 1999

Present: Bhavana, Cristo, Francis, Frederick, Guy, Henk, Horst, Jan, Lalit, Luigi, Marti, Paul V., Roy, Tom, Anandi (notes)

Frederick introduced three Aurovilian students, Suresh, Murugan and Baia, who have just come back from UK, after finishing their studies. They wanted to know more about our work and offered their help. They were welcomed and invited to join the process of the group.

Topics:

1) Residents' Assembly meeting and profile of Auroville Master Plan approved:

The meeting started with a very positive evaluation of the RA last Wednesday. The document containing the profile of the Master Plan for Auroville was approved almost by consensus. Only one person objected to it. This document is the result of some months of hard work. Its approval by the Residents Assembly means just the beginning of a new process towards getting it formally approved by the GB, and presenting it to the relevant authorities in India in order to get a

protection for the designated Auroville area. The group felt this moment as a new door open to progress towards the realization of Auroville.

The group went through the comments and suggestions received during the RA meeting. They were evaluated and their best formulation was discussed in order to be incorporated into the document, which is to be presented to the Governing Board. The main changes that will be included throughout the whole text are:

- 1) Whenever we refer to the areas and maps two and three (extended area and bioregion) it will be clearly indicated "Partnership Plan", instead of "Master Plan".
- 2) The areas that Auroville needs to secure and those which will be shared with the neighbouring villages will be more clearly indicated.
- 3) Regarding the villagers, it will be clearly stated that the Auroville Master Plan won't cause any disadvantage to their development.
- 4) "Securing the land for Auroville" doesn't mean "forced acquisition of the whole area". There are several ways to secure the land and we are still in the exploratory period.
- 5) Within the proposed steps to be implemented, it will be suggested to the Governing Board to study the possibility of creating a set-up functioning like a local authority for Auroville.
- 6) The need for a Village Planning and Development Group will be also highlighted. Auroville will encourage the creation of such a group. This group would work in collaboration with the AV Planning Group to prepare the "Partnership Plan" for the extended and bioregion areas.
- 7) Some small modifications will also be incorporated. They are:
 - A) When it mentions that the Aurovilians come here as voluntary servitors of the Divine consciousness, it should say that they come with the aspiration to become voluntary servitors.
 - B) The adjective sociological to experiment will be deleted because it reduces the scope of the Auroville experiment.
 - C) The Mother called India the "guru of the world", not the "spiritual guru of the world". This point has to be checked.
- 8) The maps are considered very important and need also several minor modifications::

In map 1, the villages will not be coloured, like the rest of the area not covered by the Auroville township area (city and green belt).

The limits of the extended area and bioregion will be marked with dots, showing that it is only approximate and indicative.

The document will be given to Mr. Bala Baskar with a note to be included in the agenda of the Governing Board meeting. The G.B. will also be informed of the creation and approval by the RA of a task group that from now on will deal directly with them.

It was mentioned that a clarification about the 40 crores grant requested from the Government of India is highly required within the community. There is misinformation and rumors being spread together with fears about a sudden purchase of large amounts of lands in one go. This grant request was done before the Land Use Plan group started and is the follow-up of a request presented to the Government of India in 1994. If ever it comes through, it will be extended over 5 or 8 years, allowing a progressive purchase of reasonable pieces of land every year.

2) Panel Discussion "Perspective 2000 – Directions for Rural and Urban Development in the new millennium"

This panel discussion about which we have already informed through the News and in the Residents' Assembly, is an important event connected to the Auroville Master Plan and Extended and Bioregion Partnership Plan. It is a big effort made by Auroville in order to create a link with local and state authorities. It will combine a presentation of Auroville and its Master Plan Profile, with a panel discussion on the theme of "directions for rural and urban development". Eminent personalities from the Tamil Nadu Government have confirmed their participation. Mr. T.T. Joseph, Chief Secretary, Govt. Pondicherry, will preside over the panel and Mr. Suresh, Chairman and Managing Director of HUDCO will be giving the key note and be our honor guest. HUDCO is co-sponsoring the seminar.

Much work is going on in the preparation of this important event. All Aurovilians are cordially invited, and we will be very grateful for their participation.

Call for a meeting of the Residents' Assembly 29th November 1999

CALL FOR A RESIDENT ASSEMBLY

Land Use Coordination (LUC) is calling a Residents Assembly on **Monday November 29th**, to present the final draft of the Master Plan document to the community. This meeting will take place in the Bharat Nivas Restaurant Hall at 4.30pm

The final draft is a more elaborate version of the draft Master Plan we presented to the Residents Assembly of July 28th. It is the result of a further four months of intensive work by the LUC to try and gain the urgently needed security for Auroville land

The changes we have made to the plan you then approved are minimal, however, many different facets of protective status have been explored by LUC during this time. At the meeting the changes we made and why we found it necessary to make them, will be fully explained to you. We will also take the opportunity during the meeting to present you with a report of our work

For those who would like to peruse this document in advance a draft copy is available at the Architecture office at Bharat Nivas. We regret that due to the high cost of printing this document, it is simply not feasible to distribute copies of it through out the Community, so therefore only one copy is available.

The purpose of the Residents Assembly is to receive from the community their final approval of this document before it is presented to the next Governing Board meeting on December 18th. It is important then that all Aurovillians and Newcomers make an effort to attend the meeting.

November 27th, 1999

AUROVILLE

**RESIDENTS ASSEMBLY ON MASTER PLAN
POSTPONED UNTIL TUESDAY, 7TH
DECEMBER, 5PM**

Why: To give us a chance to make it better – i.e. more integrated, more “presentable”, more complete – before we ask you for your approval and support for presenting it to the Governing Board.

What’s behind: Work has been proceeding on the Master Plan, but somehow we still didn’t feel like “this is it”. There were good pieces, but not yet a coherent “whois”. Also, we’ve received a lot of conflicting input from various “experts” about what should be included – which elements need to be articulated in some detail for it to be accepted as a Master Plan and which could remain more general; and how much our request for a “protective status” hinged on our Master Plan. We’ve been trying to sort through these apparent contradictions in depth and with integrity, and this has taken a lot of time.

Just in the last days however, we were presented with a format for the plan book (planning atlas) itself that we finally all felt, “Yes – *that* makes sense!”. We were also gifted with another visit by a retired Chief Town Planner with 40 years experience and a lot of goodwill for the Auroville experiment, who gave us 2 full days of his time and very focused attention. All this has felt like a tremendous move forward in the quality of the work, and means that we still have a lot of work to do to pull it all together into a really credible and valuable plan.

So – a few people are working very hard – days, evenings, Sundays even – to try accomplish this task. We want you (the Auroville community) to like it, to feel good about it (i.e. the way we’re presenting ourselves to the “outside”), and be able to support it fully. We’re not promising perfection, but we’re trying hard for “not bad at all”.

Our aim is to have the Master Plan book ready for review by December 1st, and to be very available to answer questions about it in the week before the RA. We understand that it’s not much time, but ask that you make the effort to review it during that week, and if there’s anything there you don’t understand or think won’t work, *tell us about it*, so that we can try to address your concerns and questions prior to the RA. We appreciate any enabling energy you can send us in the next days, and are grateful for your patience.

We strongly request your participation on the 7th. The more the community is behind this Master Plan, the better it will serve us, both inside and out.

With Love,
The Land Use Coordination Group

**RESIDENTS ASSEMBLY ON THE MASTER
PLAN – NEW DATE**

Tuesday, December 7th 5 PM

**Tentative Location: Old Bharat Nivas
Kitchen – to be confirmed**

December 18 th , 1999	AUROVILLE NEWS	Meetings	page
<p>consumers do not distinguish between the different food processing units in Auroville.</p> <ul style="list-style-type: none"> Lemon pickle; this only has a limited market and next year she will be taking less lemons for this purpose. Generally, however, she will be taking more lemons to make things like lemon curd etc. Rosella; there will be no increase in production as it doesn't keep and is not a product for which there are large sales. Mango; different types of mango are used for different purposes so Martina needs to know the type of mangos which will be available. She will be making less mango pickle but more jam if she can increase her storage space. Martina is often out of station during the mango season so the price has to be worked out clearly before she departs. Other farm products she would like more of are ammla, mustard seeds, black sesame, white sesame and peanuts. In the long term she could use more guava. Martina is getting testing equipment to test peanuts for the poison avelatoxin. The more organically grown peanuts she can get the better. 	<p>MP). Only on that basis can we rightfully ask to control our own destiny, so to speak. Feedback received about the Profile document included:</p>		
<p>CONTINGENCY FUND Time was short so it was decided to discuss this in greater detail at the next Finance meeting.</p>	<ul style="list-style-type: none"> - That the uneven border around the Green Belt would be much harder to defend than the original, arbitrary circle of 2.5 km radius, which was already there in the early seventies. So we can ask for protection of that area, because that's how Auroville was conceived from the very beginning. - That we eliminate the "circles around the villages" and present an integrated, collaborative, co-development model. We had originally included these circles out of the need for expansion of the village settlements within the Green Belt. However, as this could give the wrong message of separation, the current map doesn't show these circles. - That the issue of "planning authority" and ownership be de-linked. This plan is really a land use plan - we're encouraged to recommend land uses even beyond the boundaries of that which we want to control through ownership, based on the requirements for a sustainable development for the entire area. 		
<p>MISCELLANEOUS Aurofarm and chickens were two agenda items for which there was no discussion time. Poonam and Stephane volunteered to help Isha update the maps with new acquisitions of farm land.</p>	<p>grown peanuts The Master Plan document contains three sections. Section 1 describes the vision and purpose, the context, some of the unique features of Auroville, the Matrimandir, etc. Section 2 is the meat of it, detailing the overall plan, the six zones (4 plus Peace area and GB), the neighbouring villages, all the physical infrastructures (water, energy, solid waste, drainage, transportation and communications, land regeneration, organic farming, architecture, etc. Information has been included on what has taken place in each area and how we see development continuing over the next 10 years (specifically requested by the consulting town planners). Section 3 attempts to outline a development strategy, describe our management capacity, the Auroville Foundation, and our relationships with "the outside" on a regional, national and international level, and our legal status.</p>		
<p>Minutes of the Residents' Assembly Meeting on the Presentation of the Elaboration of the Master Plan</p>	<p>It was made clear to us that we had to include population projections, densities and a timeline, otherwise why should so much land be reserved for Auroville, given the increasing demands that are surrounding us.</p>		
<p>Date: 7th December 1999, 5 PM, CIC Chair: Guy Presentation of the Plan: Anupama Notes: Kathryn Present: about 60</p>	<p>Questions & Feedback from the RA:</p>		
<p>The meeting opened with a few minutes of silence, in remembrance of Prem Malik, who left his body on 6th December.</p>	<ul style="list-style-type: none"> - How rigid is the Plan? On the one hand, once accepted, it becomes a legal document. We can't do something completely different than what's included in it. On the other hand, it's still pretty vague in most areas. It is understood that the details will be worked out "as the underlying truth of the township emerges". - There are some data conflicts in the text. THANKS to anyone who wants to read closely enough to find these! It's been a real push to the deadline, and the whole doc isn't 100% proofed yet. 		
<p>Guy introduced the topic of the Residents' Assembly meeting by reiterating that what was being presented was an elaboration of the Master Plan Profile that had been presented to and approved by the Residents' Assembly on the 28th of July and presented to the Governing Board on the 14th of August. The Governing Board had approved the Plan in principle at that time, but asked that we consult with senior town planners in Chennai and Delhi and incorporate their comments and views in the document before the Central Government is approached. Therefore, the Land Use Coordination Group has been consulting various town planners over the past 3 months and incorporating their views and comments in the present Master Plan document, so that it can serve as a basis for protection from unwanted speculative development in the Auroville Township areas.</p>	<ul style="list-style-type: none"> - How detailed is the co-development with the villages? Not at all at this point. Because we do not yet know how all that will evolve, we have committed strongly to a policy of no displacement and that the peaceful relationship that has been sustained over the last 30 years should not be disturbed. We have begun discussions on village co-development councils. Clearly there are some kinds of development that we would not welcome in and around the villages that are located within the Green Belt, but our strategy will be on defining (primarily maintaining) current land use designations. - We're asking the Government to protect us from the outside; we've made ourselves. We should have bought all the land before beginning any sophisticated 		
<p>Anupama then made a presentation of the Master Plan. She explained that our right to formulate a Master Plan is articulated in the Auroville Foundation Act, but that the Act does not provide for a planning authority, which still lies with the Panchayats. This leaves us in a difficult position to implement the directives that the Act both specifically states and implies. We need to communicate our development intentions to the outside (i.e. via the</p>			

December 18th, 1999

AUROVILLE

development. We drove the land prices up, and have allowed development that is contrary to our own ideals. This was acknowledged. We have a lot of work to do internally to define our own relationship to the land we are occupying. The legal aspect is simply to try to reduce the attractiveness, particularly of the Green Belt, for speculation.

- Will the work continue? Who will take the next step?

The LUC has received a mandate from the community to seek protection for the designated Auroville area and will pursue this till the end. For the implementation of the Master Plan itself, a group has been constituted to work on the restructuring of the Development and Planning Group. (This proposal has been written and will appear in the next couple of weeks.) If people are interested in a particular aspect of Auroville's development and want to focalize the discussion on it with the community (or even help to do this), please come forward.

- We need an integrated development on another level with Pondicherry. There is good will and money. We could help them with development policies that would be good for everyone concerned.

The meeting closed on a powerful note: The acknowledgement that the real work is internal, and that real protection will not come unless we come together to define our own development in alignment with the ideals of Auroville. At the same time, it was said that the protection we are seeking today is a protection of the land base, the foundation for what Auroville is really destined to become. Independent from whether we "deserve" such a protection or not, it is extremely important to secure this material foundation NOW for Auroville's full spiritual manifestation in the future.

The meeting voiced no objection to presenting the elaborated Master Plan to the Governing Board at their meeting this month. - -



डा० लक्ष्मीमल्ल सिंघवी, सांसद

Dr. L. M. Singhvi, M.P.

Senior Advocate, Supreme Court of India
 President, Indira Gandhi National Centre for the Arts Trust
 Chairman, High Level Committee on Indian Diaspora
 Chairman, Jnana Pith Pravara Parishad
 Formerly India's High Commissioner in U.K.

Camp: Auroville, 16/Feb/02

My Dear Dr. Jayalalithaa,
 This brings you my warm greetings and best wishes.

I would like to call on you, inter alia, with regard to the project of Auroville, which has rendered great service to the neighbouring villages of the Villuputnam district of Tamil Nadu.

The Auroville project has received an accolade and endorsement from UNESCO. It aims at Education for Human Unity. It has a spiritual dimension and provides for unprecedented experiments and innovations in science of consciousness and pedagogy, which have a national and international importance. A large number of children in Villupuram district will also be receiving quality education under the project.

Auroville enshrines the vision of Sri Aurobindo, which was elaborated by The Mother as a concept of collective yoga. That vision is embodied in the Master Plan of Auroville, which had now been prepared and approved in consonance with the mandate of the Auroville Foundation Act, 1988. The Master Plan was prepared with the active participation of the Ministry of Urban Development, Government of India and has already been adopted and approved under the provisions of the Auroville Foundation Act. I am sending herewith a copy of the Master Plan for your ready reference. I would request you to consider promulgating the Auroville Master Plan and entrust the task of implementing all follow-up liaison measures to a designated officer of the Government of Tamil Nadu.

As a member of the Governing Board of the Auroville Foundation, I feel that this Master Plan will provide an excellent example of Development and will benefit the entire bio-region in and around Auroville.



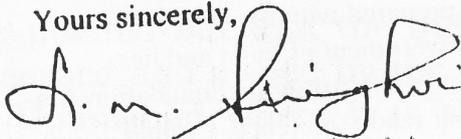
The development of Auroville, however, requires protection of the area from potential speculators, who want to take undue advantage of the ecological development made by Auroville. In order to achieve that objective the Tamil Nadu Government has been approached by the Auroville Foundation for protection and help. It has been suggested that the Tamil Nadu Government could issue an order in favour of the Auroville Foundation similar to the one that has been issued in favour of the Tamil Nadu Housing Board. Once such an order is issued, no one may develop, buy, or sell any area, which falls within the Master Plan of Auroville, unless the Auroville Foundation gives a No-Objection certificate.

It would be gracious of you to extend your wholehearted support to the Auroville project and its development which would be crucial at this juncture.

I would like to call on you personally to congratulate you and to explain the representation made by Auroville in the afternoon of March 2nd or March 3rd, if any of these dates is convenient to you.

I would also like you to visit Auroville whenever you can.

Yours sincerely,



(L.M. Singhvi)

Dr. J. Jayalithaa
Poes Gaerdden
Chennai

From: aurovillepress@auroville.org.in [mailto:aurovillepress@auroville.org.in]

Sent: Tuesday, February 05, 2008 10:08 PM

To: asterpatel@auroville.org.in;

Subject: Vision & Organisation of Auroville

Dear friends,

Since Kireethai was the main architect of the Auroville Foundation Act, I felt to send him Soli Sorabjee's legal opinion for information.

Attached is the letter Kireetbhai wrote to Soli Sorabjee's after having read his opinion.

Love to all

Serge

KIREET JOSHI

Former Chairman Governing Board
Auroville Foundation,

192, Sukhdev Vihar,
New Delhi - 110025

5.2.2008

Dear Respected Shri Sorabjee,

On reading the legal opinion that you have recently given on the issue of the autonomy of the Auroville Foundation, I feel greatly enthused to express my great admiration for the brilliance in marshalling the relevant sections of the Auroville Foundation Act and the extraordinary clarity, lucidity and forceful exposition of the status of the three authorities of the Auroville Foundation, - the Governing Board, International Advisory Council and Residents' Assembly. As the one who was responsible for drafting the bill for the Act in 1988, I wish to congratulate you most warmly for bringing out very clearly the intention that lay behind the Act which, as you have clearly pointed out, underlines the overriding supremacy of the Charter of Auroville, and the ideals of Auroville, which include the freedom for Residents of Auroville "to grow and develop activities and institutions for the fulfillment of the aspirations and programmes envisaged in the said Charter of Auroville."

Your statement regarding the role that the Residents' Assembly is expected to play and the autonomy of the Foundation as a whole makes it very clear that the Auroville Foundation can never be described as a department of the government.

The conclusion that you have drawn emphasizing the need for harmony among all the three authorities of the Foundation is impeccable.

I am deeply grateful for the extraordinary service that you have rendered through your legal advice which will remain, in my view, immortal.

With warmest regards,

Yours sincerely,

Kireet

Minutes of the 55th Meeting of the Governing Board25th January 2020 at Auroville

Dr. Karan Singh, Chairman presided over and called the meeting to order.

Dr. Prema Nandakumar, Prof. Sachidananda Mohanty, Shri. M. Madan Gopal, Dr. Nirima Oza and Dr. K. Parameswaran were present

Shri. P. R. Srinivasamurty, Under Secretary & Secretary-In-Charge assisted the meeting.

Leave of absence was granted to Dr. Anirban Ganguly as per his prior intimation Smt. Darshana M. Dabral, as per the intimation from the JS & FA's office and Smt. Neeta Prasad, Joint Secretary (ICC), MHRD could not attend.

1. Confirmation of the Minutes of the 54th Meeting:

The Minutes of the 54th Governing Board meeting have been confirmed.

Integrated Finance Division (IFD) on behalf of the Financial Advisor (Member Ex-Officio), remarked that *Subject to strict compliance of the relevant Statutory provisions and also strict compliance of the related Government of India instructions and guidelines including those issued by the Central Vigilance Commission, the minutes may be confirmed.*

2. Action taken on the Minutes of the 54th Meeting:

Board noted the action taken. Comments of the IFD are noted for future.

3. Grant-in-Aid for 2019-20 & 2020-21:

Detailed proposals with justification and priorities may be submitted to the Finance Committee.

IFD noted that *Auroville Foundation should come out with a clear roadmap for increase of IRG, Dependence on Government of India / MHRD grant needs to be progressively reduced. Expenditure out of the Government of India / MHRD Grant should be strictly regulated as per the relevant provisions of GFRs, 2017 and related CVC guidelines.*

4. Decisions taken by the Chairman and by the Members through circulation:

- (i) CSR Contribution received for 'Smart Solar Mini Grid Project'.
- (ii) Liquidation of the Corporate Shares received from Late Smt. Santosh Malik, Aurovilian through our DEMAT Account.

The Board decided that the 50% amount should go each to Matrimandir as well as Bharat Nivas after meeting the other incidental expenses. The Board also expressed that a letter of appreciation may be sent to Shri. Sanjay Parikh, Senior Advocate, who had facilitated the case of Mrs. Santosh Malik with out charging any fees.

- (iii) Transfer of CPF deposits of the employees to NPS - the Board has noted.

5. Annual Accounts and Report 2018-19:

Printed copies which were just ready for the Governing Board meeting have been noted for record.

6. Update on Tamil Heritage Centre (THC):

Board noted the progress and that THC will be completed by 31st March, 2020. It is decided that the pending criminal case regarding mis-utilisation of funds in Tamil Heritage Centre be vigorously followed up and the status report be submitted to the Board from time to time. It was suggested that THC could be formally opened for activities in the meeting in October, 2020. THC can be used as a Library and Cultural Centre. Tamil Heritage appropriately can house Malayalam, Telugu and Kannada cultural heritage as they were part of the erstwhile Madras Presidency.

The Chairman suggested that Dr. Prema Nandakumar may advise what activity should be taken in the THC building after its completion. It was also discussed that an advisory committee should be formed with the suggestions taken from members of the Governing Board. A competent person should be selected as Director of the Centre, if possible an Aurovilian.

7. The Functioning of the Town Development Council (TDC) and the proposal for land use Regulations / NTDA:

The Board requested Shri. M. Madan Gopal to finalise the NTDA matter as there is no clarity from TDC. He along with Secretary and then members of TDC will meet with the Housing Secretary, Tamil Nadu Government during the February, 2020 and report to the Board.

The following points were noted and the Chairperson of Task Force may look into:

- 7.1 Shri. M. Madan Gopal, Chairperson of Task Force would facilitate the meeting and budget, to synthesise the structure proposed by the Standing Order of the Governing Board and the Resident's Assembly model.
- 7.2 TDC with only three members seems to be doing good work, but requires to be fully functional.

8. Position of pending legal cases and Panel of Lawyers:

While discussing, it was decided that a junior lawyer should be there to do the liaison work and a senior legal person to look after the cases in the court.

Present Retainership may be discontinued. The Retainer for the cases, preferably a lawyer or firm from Pondicherry, (instead of Chennai) who could visit Auroville on a regular basis, may be engaged by the Secretary's Office with the approval of Chairman.

Dr. K. Parameswaran suggested that Shri. Aravinda Dattar, Senior Advocate, could be on Legal Advisory Board and a terms of reference should be given while appointment / engagement on a year basis as may be required.

9. Items proposed by the Working Committee:

- 9.1 *Composition Working Committee* – noted
- 9.2 *Secretary, Auroville Foundation* – noted
- 9.3 *Visit of the President of India* - noted
- 9.4 *Governing Board Minutes:*

Working Committee is in receipt of a copy of the Minutes and they may decide whether to publish or not.

9.5 *Task Forces constituted by the Board:*

Oversight Committee: Chairman will write to thank them. Oversight Committee have done a good job and made recommendations in good faith. Now it is not functioning anymore. Board noted that its not fair that some residents have called names and harshly criticised the Oversight Committee members.

Task Forces work is in progress and will be shared as soon as reports are received.

9.6 *Sexual harassment of Women at Workplace Act:*

Auroville Foundation Office will organise workshop on Sexual Harassment issues as soon as possible. Leading women's organisations operating at the national level including the NCW could be contacted to organize a workshop on the ICC in Auroville. The Board advised that the ICC should strictly adhere to the guidelines issued by Hon'ble Supreme Court of India in this regard.

9.7 *Auroville Foundation (Admission and Termination of persons in the Register of Residents) Regulations, 2019:*

The Board was informed by the Secretary In-Charge that the MHRD has approved the changes which were proposed (removal of a clause).

The Working Committee of the Resident's Assembly is proposing some more amendments to implement the Regulations. These proposals may be studied by the Task Force on Governance.

9.8 *Report of the Enquiry Committee:* The Enquiry Committee has not indicted anyone (Aurovilians). The Auroville Foundation Act has given certain privilage but also responsibility and accountability. Board

responded positively to the initiative and effort of the internal enquiry by the Pour Tous - Light for All. While appreciating the initiative and proposal of Pour Tous - Light for All, in analysing the complaint with reference to all the documents submitted and internal enquiry, the Board suggested that the any response/explanation from this group be brought before the Board for discussion and an appropriate decision.

Chairman suggested that any response / explanation from the this group could be considered for sending to the Government of India.

- 9.9 *New Town Development Authority*: Item is separately discussed elsewhere.
- 9.10 *Mr. Shraddhalu Ranade's classes at Savitri Bhavan* – noted with regret.
- 9.11 *Tragedy of and Aurovilian family* – noted
- 9.12 *Visa Issues* – noted
- 9.13 *GOI Grant*: Comments of IFD on Government of India grant on to the Agenda item should be informed to all concerned to follow the instructions strictly.

It is decided that there is no need for GoI grant group and this task be performed by FAMC as per Rule 5 (4) of Auroville Foundation Rules 1997.

The Board expressed their concern about non-compliance of the guidelines on TA / DA expenditure by the Working Committee. It was decided that henceforth guidelines regarding travel will be followed by all including the Working Committee.

It is noted that the Office of the Secretary, will ensure that the draft Works manual is being sent to the CPWD for vetting.

- 9.14 *Income Tax notices* for last two financial years is a serious set back and Board noted the precarious financial position, if the Auroville Foundation has to be taxed for the surplus income generated.

On the Income Tax notices, the Board directed the Secretary, Auroville Foundation, Working Committee and FAMC to vigorously pursue and let Chairman and Board know if their intervention is needed.

- 9.15 *Issues of substance abuse:* The Working Committee is advised to take a strong stand against use of drugs and issue a statement that any such use / abuse will be illegal and will not be tolerated.

Anyone found to be using or dealing in drugs will be asked to leave Auroville by the Working Committee / Auroville Council.

- 9.16 *Proposal for the Youth Housing:* The details of budget for the first phase may be submitted to the Secretary, Auroville Foundation. As also when the FAMC / Working Committee / Resident's Assembly / TDC approved the project and what stage is the project now for approval of the Finance Committee / Board, through FAMC.

10.Task Force Report:

a. Auroville Governance and Education

Board appreciated the efforts of Prof. Sachidananda Mohanty and noted the recommendations. Prof. Sachidananda Mohanty will finalise the report with the suggestions of Chairman and members which can be circulated to the Working Committee and Resident's Assembly.

b. Auroville Township Development and Land Consolidation

Shri. M. Madan Gopal informed the Board about the reasons for not finalising the report so far. He will send the report after discussion at Auroville in February, 2020.

1. Member - Secretary: A proposal may be made to amend the Auroville Foundation Act to provide for Member - Secretary instead of present 'Secretary' to Auroville Foundation which can be considered by the Board. This was not agreed by the Chairman as it was unrealistic to expect an amendment by Parliament. If such

amendment is not advisable, Board can consider delegating specific powers to Secretary as per 32(2)(b) of Auroville Foundation Act.

2. Shri .M. Madan Gopal will be studying the details of donations and investments and submit report to Board.
3. Any action not taken on the Governing Board's meeting minutes to be brought before Govering Board in the next meeting.

c. Grievance Redressal Committee

Dr Nirima Oza reported that so far only one grievance was received that was of Ms Grace of Pump House Settlement. Committee had a meeting once to discuss about it. After that Ms Grace has not contacted the Committee. Dr Nirima Oza informed the Board that there are three groups in Auroville i.e. Auroville Council, Koodam and Restorative Auroville for conflict resolutions among Aurovillians but Board suggested to continue Grievance Redressal Committee.

d. Auroville Economy - The Board has noted the position.

11. Establishment Matters:

12. Any other Item with the permission of the Chair:

- a. Visit of the President of India to Auroville - Chairman and Board expressed their gratitude to the Hon'ble President of India for the visit and placed their appreciation on record for the successful coordination by the Board members, Secretary In-Charge and Working Committee. Prof. Sachidananda Mohanty and Shri. M. Madan Gopal shared their impressions on the visit of the President of India.
- b. Re-constitution of International Advisory Council (IAC): it was observed that it is a matter for Government to decide whether there should be IAC for Auroville or not. However, a letter may be sent by the Chairman to the Government for its re-constitution.

- c. The Board discussed the representation of Shri. Govind Ranjan, Resident Civil Engineer, claiming maintenance for the work done during 2017-18 and heard the views of the Secretary's Office. Considering the work done and on humanitarian consideration the Board directed that Bharat Nivas Trust should pay the maintenance due to Shri. Govind Ranjan for the period of his services.
- d. Amendments to the Auroville Foundation Rules, 1997 will be looked into again.
- e. Board noted the proposal of Shri. Chandresh Patel (Ref.: email of Dr. Nirima Oza on property). Secretary-In-Charge was directed to submit a report to the Board after examining the proposal.
- f. The next meeting of the Governing Board will be held on 15th May, 2020 in New Delhi.

The Meeting ended with the vote of thanks to the Chair.

P. R. SRINIVASAMURTY
Under Secretary & Secretary-In-Charge



No. AF/GB/56/1145

25 February 2021

Dear Members,

The approved Minutes of the 56th meeting of the Governing Board held on 07th November, 2020 are enclosed for your information and necessary action.

Yours sincerely,


(P. R. Srinivasamurty)

Encl.: As above

To
The Working Committee
Town Hall
Auroville

AUROVILLE FOUNDATION
MINISTRY OF H.R.D., GOVT. OF INDIA

AUROVILLE FOUNDATION BHAVAN, AUROVILLE - 605 101 (T.N.)
Tel : (0413) 262 2222 & 262 2414 Fax : (0413) 262 3496
E-mail: foundation@aurovillefoundation.org.in
avfoundation@auroville.org.in

AUROVILLE FOUNDATION

MINUTES OF THE 56TH MEETING OF THE GOVERNING BOARD

Date: 7th Nov. 2020: Time: 10.30 am: Through: Webinar

Opening remarks by Chairman:

Welcomed all members specially the Joint Secretary (ICC) who joined online though indisposed. Thanked the Working Committee for their good work and raising important issues.

1. Working Committee's brief presentation to the Board:

Working Committee highlighted the following from their suggested agenda for Board's decisions

- I. the issues of TDC and to invite Dr. Balakrishnan Doshi ji
- II. Lands to be acquired in City area.
- III. Sexual Harassment Act implementation.
- IV. Working Committee thanked each member of the Board. The Working Committee also wanted to introduce FAMC issues but could not do due to lack of time.

2. Confirmation of the Minutes of the 55th Meeting:

The Minutes of the 55th Meeting of the Governing Board held on 25th January 2020 were *approved*.

IFD comments: *Subject to strict compliance of the related Govt. of India instructions and guidelines including those issued by the Central Vigilance Commission, the minutes may be confirmed.*

3. Action taken on the Minutes of the 55th Meeting:

- (i) The Action Taken Report was noted.
- (ii) The action taken at no. 6 of the Minutes on "Tamil Heritage Centre": It is also noted that Dr. Prema Nandakumar reported that

"She had finalized and sent a note and a write up about the Tamil Heritage Centre (THC) to the Chairman, the Secretary and the Under Secretary of the Auroville Foundation on 23.04.2018. As no proposal or recommendation from any one on this subject was received that proposal is final.



Regarding the suggestion to recommend a name for the post of "Director" for the THC, She found that none was willing to recommend a name" (which was inadvertently omitted by the Secretary-In-Charge).

(iii) The Board reminded the Secretary-in-Charge that the report on 12(e) of the minutes of 55th GB meeting has to be submitted.

(iv) It was suggested to tabulate all the pending issues from the previous (last 4 years) meeting minutes along with the action to be taken which can be circulated to the new Board.

4. Liaison Office at Delhi :

Item withdrawn

5. 33rd Finance Committee:

Minutes of the Finance Committee were approved *by the Board*.

IFD comments: *Subject to strict compliance of the related Govt. of India instructions and guidelines including those issued by the Central Vigilance Commission, the minutes may be confirmed.*

6. Grant-in-Aid for 2019-20 & 2020-21:

Revised Estimate (RE) 2020-21 and Budget Estimate (BE) 2021-22

Sl.No.	Object Head	Actual 2019-20	BE 2020-21	Actuals upto 9/2020	Proposed RE 2020-21	Proposed BE 2021-22
1	Capital OH-35	8.24	11.00	1.02	5.00	11.00
2	General OH-31	4.83	5.20	1.01	2.50	5.00
3	Salary OH-36	1.59	2.00	0.95	1.70	2.30
	TOTAL	14.66	18.20	2.98	9.20	18.30

Governing Board in principle approved the RE and BE as above and noted that the Working Committee has to submit the detailed proposals to the Secretary, AF for scrutiny and recommending to the Ministry. Henceforth all disbursements to the approved items of the expenditure of the Working Committees budget will be made

Rudra

directly by the office of the Secretary. The budget of the Working Committee will be routed through and monitored by the Foundation Secretariat. No lump sum instalment will be given to the Working Committee or any other group on the general expenditure. Capital works grant will have to be disbursed strictly according to the GFR. However, this should not lead to avoidable delay in releasing funds.

7. Interim Report of Light for All Pour Tous Task Force (APTTF) of the Resident's Assembly:

Noted by the Board

8. Land Matters & TDC : Development of Auroville Township

There are very important issues which have been of serious concern of the Board. The present proposals are recommended for taking necessary action by the new Board and the Ministry as deemed appropriate.

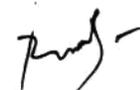
IFD comments: *No land belonging to the Government or any of its bodies including autonomous bodies, PSUs etc shall be sold without previous sanction of the Government (Rules 209 of GFRs, 2017). Also, in terms of the instructions issued by the Department of Expenditure, Ministry of Finance, vide their O.M No. 7(2)/E.Coord/2020 dated 4th September, 2020, at present, there is complete ban on creation of posts in autonomous bodies etc except with the approval of the Department of Expenditure.*

The proposals need to be examined in the Ministry of Education, as per the extant Government of India rules.

9. On Administration and Governance:

The recommendations of the Oversight Committee have already been noted by the Governing Board in the 55th meeting. The actionable points as listed under (i) Administrative measures (ii) on Auroville Township Land (iii) on Auroville Township Planning and Development (iv) on Auroville Economy can be initiated which should have been taken up earlier except the proposal of appointment of CFO that may be referred to the new Governing Board.

IFD comments: *A detailed proposal may be forwarded to the Ministry of Education for consideration.*



10. On Internal Audit:

Board approved the proposal that the Internal Audit for GoI grants and other trusts/ units as may be necessary can be taken up by the AF Secretariat

IFD comments: *Selection of C&AG empanelled Auditor may be done as per the relevant provisions of GFRs, 2017 and CVC guidelines.*

11. Establishment Matters:-**(i) The CAG Audit Paras for Ratifications:**

The CAG Audit Paras could not be discussed, may be considered by circulation to the Board.

(ii) Appointment on Compassionate Grounds:

Board recommends that this may be taken up with the Ministry. The son of the deceased employee Mr. G. Ilangovan may be considered for appointment as and when a vacancy arises, only at the clerical level, if he fulfils the other qualifications required for the post.

(iii) Issue of Donation Receipts:

This has been noted and approved by the Board that the Secretariat has to issue the receipts centrally from the office of the Secretary, AF. The single account of Foundation through which all donations can be received may be studied further. Members emphasized the concern and the need for accountability towards the utilizations of donations and its bearing on the overall Income Tax Exemption under 10 (23C) (IV) which is currently at the appeal stage with Income Tax Department.

Chairman felt that this matter needs to be considered further as it should not adversely affect the aurovilian's fund-raising ability. It is useful to remember that they raise over 90 % of the annual budget, the GoI grants represent less than 10%.

(iv) Deputation of Administrative/ Senior Officials:

This is part of the staff requirement which is still pending with Ministry. The Board recommends that this may be taken up with Ministry as the Secretariat has to be strengthened to attend to many statutory responsibilities.



12. Items proposed by the Working Committee:

Notes/ advice from the Board on their proposal is enclosed

13. Any other matters with the permission of the Chair:

Closing remarks by the Chairman.

In closing the Chairman thanked all the Board members individually for their cooperation and valuable contribution to the work of the Board over the last four years. He also appreciated the Secretary-In-Charge for having single handedly held the fort in the absence of a full-time Secretary.

The Meeting ended with the vote of thanks to the Chair.

Countersigned


Secretary-In-Charge

Notes/ advice from the Board on the proposals of the Working Committee for decision

The Board noted the report of the Working Committee on many issues especially the careful management of COVID-19 situation which is kept well under control. It is observed that some of the statutory regulations/ orders have to be respected and followed by the Resident's Assembly and the Working Committee and not to still deliberate or reconsider at their level of Assembly, especially on matters of 'Admission & Termination of Persons in the Register of Residents Regulations 2020', Sexual Harassment Act, etc.

1. Chairman had already written to the Ministry about the reconstitution of International Advisory Council.
2. Enquiry report is under the consideration of the Ministry.
- 3, 4 & 5. The functioning of the TDC with two members and not being functional is of serious concern and the Board directs the Working Committee to urgently constitute a fully functional TDC to implement the Master Plan with the support of the concerned departments of the Tamil Nadu State Government.

The new Governing Board may take up this important task to guide the Working Committee and the Residents Assembly to realize the Township as per the Gazetted Master Plan.

6. The Governing Board does not need to issue another order for implementation, as the Act is in force already, but it has to be

implemented. The Secretariat may take legal advice as may be necessary.

7. Ministry officials have confirmed that the Amendments to Auroville Foundation Rules 1997 are under active consideration.

The proposed Amendments to the Foundation Act to include a senior official from the Tamil Nadu Government has been considered to be useful and appropriate for Auroville. Secretary-In-Charge has been directed to submit the proposal along with earlier proposal to have a member-Secretary, to the Ministry.

8. The Board felt creation of new trusts should be avoided and the City trust proposal may be studied and referred to the new Board.

9. Creation of Farm trust is not approved and the existing farms may be grouped under the service trust where another farm unit and Food-link unit are functioning.

10. Aquadyn: It was noted with appreciation that the unit Aquadyn has obtained an international patent for their "dynamization of water". The proposal of the unit to liquidate part of the patent, is considered to be in the normal course of their business, but since being under the umbrella of the Foundation requires a formal 'no objection'. The Board in principle convey their 'no objection' subject to the condition that no liabilities will accrue to the Foundation, which is as per the office order constituting the unit. A legal opinion may be obtained from the Foundation's advocate for record.



H

W.P(C)No. 725 OF 1994

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R

ITEM No.3

Court No. 2

SECTION PIL
A/N MATTERS U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SWrit Petition(Civil) No.725/1994@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

NEWS ITEM"HINDUSTAN TIMES"A.Q.F.M.YAMUNA

Petitioner (s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD & ANR

Respondent (s)

(With appln.(s) for directions and impleading party and Office
Report)

With

I.A. No. 20 & 21 in W.P.(C) 4677 of 1985

M.C. Mehta vs. Union of India

With

I.A. Nos. 1207, 1183, 1216 and 1251.

(With O.R.)

With

I.A. No. 2 (appln. for directions on behalf of Delhi Jal Board).

Date : 04/12/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Appearing parties:

Mr. Ranjit Kumar, Sr. Adv. (AC)

Mr. M C Mehta, in person (NP)

For UOI

Mr. H N Salve, S.G.

Mr. Krishan Mahajan, Adv.

Mr. K C Kaushik, Adv.

Mr. C V Subba Rao, Adv.

Mr. S Wasim A Qadri, Adv.

Mr. C Radhakrishnan, Adv.

Mr. S N Terdol, Adv.

Mr. B V Balram Das, Adv.

Ms. Anil Katiyar, Adv.

For MCD

Ms. Indra Sawhney, Adv.

For CPCB

Mr. Vijay Panjwani, Adv.

For DPCC

Mr. D N Goburdhan, Adv.

Mr. R C Verma, Adv.

Ms. Kiran Kapoor, Adv.

Mr. Mukesh Verma, Adv.

2.

Mr. D N Goburdhan, Adv.
 Ms. Pinky Anand, Adv.
 Ms. Gita Luthra, Adv.

For Haryana Pollution Control Board 0 0 Mr. Mahabir Singh, Adv.
 Mr. Ajay Pal, Adv.

For NCR Planning Board Ms. Shiel Sethi, Adv.

For Delhi Jal Board Mr. Mukul Rohtagi, ASG
 Mr. R S Suri, Adv.
 Mr. Jagjit Singh Chabbra, Adv.
 Mr. Sameer Nanda, Adv.

Mr. Ajay K. Agrawal, Adv.
 Ms. Alka Agrawal, Adv.
 Mr. Y P Singh, Adv.
 Mr. Arohi Bhalla, Adv.
 Mr. C Sidharth, Adv.
 Ms. Anamika Agrawal, Adv.

For Municipal Corpn. Ghaziabad Mr. Sudhir Kulshreshtha, Adv.

Mr. Neeraj Kumar Jain, Adv.
 Mr. J P Dhanda, Adv.

Mr. V B Saharya, Adv.

Mr. Ravindra Bana, Adv.

Ms. Hemantika Wahi, Adv.

M/s Lawyers Associated, Adv.

Ms. Naresh Bakshi, Adv.

Mr. S.K. Mehta, Adv.

Mr. M.L. Lohoty, Adv.

Mr. Girish Chandra, Adv.

Mr. Pradeep Misra, Adv.

Mr. M.K. Diwakaran Nambordiri, Adv.

Mr. Prashant Chaudhary, Adv.

Mr. Ashok K. Srivastava, Adv.

Ms. Indu Malhotra, Adv.

M/s. Maqbool Mishra & Co.

Mr. Ajay Verma, Adv.
 Mr. Pawan Kumar, Adv.

...3/-

3.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J
 .SP2

Pursuant to this Court's order dated 6th November, 2001, Chief Secretary, Government of NCT, Delhi has filed an affidavit in relation to the setting up of the Sewerage Treatment Plants. Reading of the affidavit discloses that if action takes place in constructing the plants without any hindrance then at a point of time in future, perhaps by December, 2005, the capacity of STPs would rise to 757.4 MGD.

According to the affidavit, population of Delhi is increasing by five lacs per year by reason of emigration. This means that in another four years, i.e. in December, 2005, the permanent population of Delhi will increase by 20 lacs and thus again, there will be a shortfall of the treatment of sewage. The affidavit does not indicate as to what steps, if any, the Government proposes to take to meet the future requirements of treating the waste water, which is going to increase.

The projections, which have been given in this affidavit, appear to be based on the water supplied by the Delhi Jal Board and does not take into consideration the ground water which is drawn and utilised and a part of which adds to the sewage.

...4/-

4.

As of today, the sewage treatment capacity is 442.4 MGD which is likely to increase to 497.4 MGD by March, 2002. This is far less than the amount of sewage which exists and which requires treatment. Under these circumstances, there is merit in the contention of the Amicus that unless this basic civic amenity of treating the sewage, which is generated, is made available, the Government cannot allow extra construction without there being corresponding increase in the civic amenities. Any such addition in the construction would lead to increased population and perhaps the extinction of the river Yamuna.

The learned Solicitor General submits that in relation to town planning the provisions of the Environment Protection Act, 1986 would be applicable and whenever any decision is taken in regard to town planning environment impact assessment must first be undertaken, clearance obtained and then the decision taken. Unfortunately, the Rules under Environment Protection Act as such do not cover town planning. In regard to this aspect, the learned Solicitor General wants to address arguments and give suggestions to the Court as to what effective orders can be passed with a view to prevent the river Yamuna from becoming history. The Central Government should also consider and inform the Court on the next date of hearing

...5/-

5.

whether it should not amend the Rules under the Environment Protection Act so as to require the environment impact assessment for the purposes of the town planning Acts.

A formal notice in this behalf be also issued to the Ministry of Environment & Forests. The NCRB should also file an affidavit as to what steps they have taken in order to implement the provisions of the Act applicable to it.

The Union of India and the Delhi Government are directed to show cause why there should be no stay of the construction of extra floors considering the fact that basic civic amenities including sewage for the existing dwelling units are not available.

List the matter for further orders on 22nd January, 2002.

I.A. No. 2 in IA 20 & 21 in WP(C) 4677/85@@
CC

The application is dismissed as withdrawn as the petitioner wishes to approach the arbitrator.

.SP1

(S.L. Goyal)
Court Master

(Kanchan Jain)
AR-cum-PS



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 4519]	नई दिल्ली, बृहस्पतिवार, नवम्बर 15, 2018/कार्तिक 24, 1940
No. 4519]	NEW DELHI, THURSDAY, NOVEMBER 15, 2018/KARTIKA 24, 1940

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 15 नवम्बर, 2018

का.आ.5736(अ).--भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितम्बर, 2006 का और संशोधन करने के लिए पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए का.आ. 1132(अ), तारीख 13 मार्च, 2018 द्वारा प्रकाशित किए गए थे, भारत के राजपत्र में उक्त अधिसूचना के प्रकाशन की तारीख से 60 दिनों की अवधि के भीतर, उन व्यक्तियों के जिनके उससे प्रभावित होने की संभावना थी, आक्षेप और सुझाव आमंत्रित किए गए हैं ;

और केंद्रीय सरकार द्वारा उक्त प्रारूप अधिसूचना के संबंध में प्राप्त सभी आक्षेपों और सुझावों पर सम्यक् रूप से विचार कर लिया गया है ;

अतः, अब केंद्रीय सरकार, पठित पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिसूचना में निम्नलिखित और संशोधन करती है, अर्थात् :-

(i) उक्त अधिसूचना में, पैरा 14 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

"14 स्थानीय निकाय यथा-नगरपालिका, विकास प्राधिकरण और जिला पंचायत भवन की अनुमति देते समय पर्यावरण परिस्थितियों को निर्धारित करेंगे, अधिसूचना का.आ. 5733(अ) तारीख 14 नवम्बर, 2018 में विनिर्दिष्ट भवन या निर्माण परियोजना के लिए निर्मित क्षेत्र \geq 20,000 वर्ग मीटर और $<$ 50,000 वर्ग मीटर होगा तथा औद्योगिक शेड, शैक्षणिक संस्थानों, अस्पतालों और शैक्षणिक संस्थाओं के लिए निर्मित क्षेत्र \geq 20,000 वर्गमीटर से $<$ 1,50,000 वर्ग मीटर होगा।"

(ii) अनुसूची में, मद 8 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियां रखी जाएंगी, अर्थात् :--

(1)	(2)	(3)	(4)	(5)
"8	भवन निर्माण और संनिर्माण परियोजनाओं या क्षेत्र विकास परियोजनाओं और नगरी के साथ औद्योगिक शेड, शैक्षणिक संस्थानों, अस्पतालों और शैक्षणिक संस्थानों के लिए छात्रावास			
8(क)	भवन निर्माण और संनिर्माण परियोजना		निर्मित क्षेत्र \geq 50,000 वर्गमीटर से $<$ 1,50,000 वर्गमीटर	<p>टिप्पण 1 : इस अधिसूचना में प्रयोजन के लिए "निर्मित क्षेत्र" पद, सभी तलों को एक साथ मिलाकर निर्मित या आच्छादित क्षेत्र, जिसके अंतर्गत उसका बेसमेंट भी है, जो भवन निर्माण तथा संनिर्माण परियोजनाओं में प्रस्तावित है।</p> <p>टिप्पण 2 : परियोजनाओं या क्रियाकलापों के अंतर्गत औद्योगिक शेड, औद्योगिक संस्थान, अस्पताल और शैक्षणिक संस्थानों के लिए छात्रावास नहीं आएंगे।</p> <p>टिप्पण 3: साधारण शर्तें लागू नहीं होगी।</p>
8(ख)	नगरी और क्षेत्र विकास परियोजनाओं के साथ-साथ शैक्षणिक संस्थाओं के लिए औद्योगिक शेड, शैक्षणिक संस्थाएं, अस्पताल तथा शैक्षणिक संस्थानों के लिए छात्रावास		निर्मित क्षेत्र का \leq 1,50,000 वर्गमीटर क्षेत्र और या आच्छादित क्षेत्र का \geq 50 हेक्टेयर	<p>इस मद के अधीन आच्छादित बोर्ड नगरी परियोजना और क्षेत्रीय विकास परियोजना के लिए पर्यावरण निर्धारण स्थिति और 'बी' परियोजना श्रेणी के रूप में आंकन।</p> <p>टिप्पण : साधारण शर्तें लागू नहीं होगी।</p>

[फा. सं. 3-49/2017-आई.ए.।।।-पीटी]

जिगमेट टकपा, संयुक्त सचिव

टिप्पण : मूल नियम, भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (ii) में का.आ. 1533(अ), तारीख 14 सितंबर, 2006 में प्रकाशित किए गए थे और तत्पश्चात् निम्नलिखित संख्याओं के द्वारा संशोधित किए गए :--

- का.आ. 1949(अ), तारीख 13 नवम्बर, 2006;
- का.आ. 1737(अ), तारीख 11 अक्टूबर, 2007;
- का.आ. 3067(अ), तारीख 1 दिसम्बर, 2009 ;
- का.आ. 695(अ), तारीख 4 अप्रैल, 2011 ;
- का.आ. 156(अ), तारीख 25 जनवरी, 2012 ;
- का.आ. 2896(अ), तारीख 13 दिसम्बर, 2012 ;
- का.आ. 674(अ), तारीख 13 मार्च, 2013 ;
- का.आ. 2204(अ), तारीख 19 जुलाई, 2013 ;
- का.आ. 2555(अ), तारीख 21 अगस्त, 2013 ;
- का.आ. 2559(अ), तारीख 22 अगस्त, 2013 ;
- का.आ. 2731(अ), तारीख 9 सितम्बर, 2013 ;
- का.आ. 562(अ), तारीख 26 फरवरी, 2014 ;
- का.आ. 637(अ), तारीख 28 फरवरी, 2014 ;
- का.आ. 1599(अ), तारीख 25 जून, 2014;
- का.आ. 2601(अ), तारीख 7 अक्टूबर, 2014 ;
- का.आ. 2600(अ), तारीख 9 अक्टूबर, 2014 ;
- का.आ. 3252(अ), तारीख 22 दिसम्बर, 2014 ;
- का.आ. 382(अ), तारीख 3 फरवरी, 2015 ;
- का.आ. 811(अ), तारीख 23 मार्च, 2015 ;
- का.आ. 996(अ), तारीख 10 अप्रैल, 2015 ;
- का.आ. 1142(अ), तारीख 17 अप्रैल, 2015 ;
- का.आ. 1141(अ), तारीख 29 अप्रैल, 2015 ;
- का.आ. 1834(अ), तारीख 6 जुलाई, 2015 ;
- का.आ. 2571(अ), तारीख 31 अगस्त, 2015,

25. का.आ. 2572(अ), तारीख 14 सितम्बर, 2015, 30. का.आ. 3518(अ), तारीख 23 नवम्बर, 2016 ;
 26. का.आ. 141(अ) 15 जनवरी, 2016, 31. का.आ. 3999(अ), तारीख 9 दिसम्बर, 2016 ;
 27. का.आ. 648(अ) तारीख 3 मार्च, 2016 ; 32. का.आ. 4241(अ) तारीख 30 दिसम्बर, 2016 ; और
 28. का.आ. 2269(अ) तारीख 1 जुलाई, 2016 ; 33. का.आ. 3611(अ) तारीख 25 जुलाई, 2018 ।
 29. का.आ. 2944(अ) तारीख 14 सितम्बर, 2016 ;

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 15th November, 2018

S.O. 5736(E).—Whereas, a draft notification further to amend the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533(E) dated the 14th September 2006 was published in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 *vide* S.O. 1132(E) dated the 13th March, 2018, inviting objections and suggestions from all the persons likely to be affected there by, within a period of 60 days from the date of publication of the said notification in the Gazette of India;

And whereas, all objections and suggestions received in response to the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments in the said notification, namely: -

- (i) in the said notification, for paragraph 14, the following shall be substituted, namely:-

“14 Local bodies such as Municipalities, Development Authorities and District Panchayats, shall stipulate environmental conditions while granting building permission, for the Building or Construction projects with built-up area $\geq 20,000$ sq. mtrs and $< 50,000$ sq. mtrs and industrial sheds, educational institutions, hospitals and hostels for educational institutions from built-up area $\geq 20,000$ sqm to $< 1,50,000$ sq.m as specified in Notification S.O. 5733(E) dated 14th November, 2018”.

- (ii) in the Schedule, for item 8 and the entries relating thereto, the following item and entries shall be substituted, namely: -

(1)	(2)	(3)	(4)	(5)
“8	Building or Construction projects or Area Development projects and Townships as well as for industrial sheds, educational institutions, hospitals and hostels for educational institutions			
8 (a)	Building or Construction projects		$\geq 50,000$ sq. mtrs. and $< 1,50,000$ sq. mtrs. of built-up area	Note-1: The term “built-up area” for the purpose of this notification is the built-up or covered area on all the floors put together including its basement and other service areas, which are proposed in the buildings or construction projects. Note 2: The projects or activities shall not include industrial sheds, educational institutions, hospitals and hostels for educational institutions. Note 3: General Conditions shall not apply.
8 (b)	Townships and Area Development projects as well as industrial sheds,		$\geq 1,50,000$ sq. mtrs. of built-up area and or covering an area ≥ 50 ha.	A project of Township and Area Development Projects covered under this item shall require an Environment Assessment Report and be appraised as Category ‘B ₁ ’ Project. Note: - General Conditions shall not apply.

	educational institutions, hospitals and hostels for educational institutions			
--	--	--	--	--

[F. No. 3-49/2017-IA.III-Pt.]

JIGMET TAKPA, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended *vide* the following numbers:-

1. S.O. 1949 (E) dated the 13th November, 2006
2. S.O. 1737 (E) dated the 11th October, 2007;
3. S.O. 3067 (E) dated the 1st December, 2009;
4. S.O. 695 (E) dated the 4th April, 2011;
5. S.O. 156 (E) dated the 25th January, 2012;
6. S.O. 2896 (E) dated the 13th December, 2012;
7. S.O. 674 (E) dated the 13th March, 2013;
8. S.O. 2204 (E) dated the 19th July 2013;
9. S.O. 2555 (E) dated the 21st August, 2013;
10. S.O. 2559 (E) dated the 22nd August, 2013;
11. S.O. 2731 (E) dated the 9th September, 2013;
12. S.O. 562 (E) dated the 26th February, 2014;
13. S.O. 637 (E) dated the 28th February, 2014;
14. S.O. 1599 (E) dated the 25th June, 2014;
15. S.O. 2601 (E) dated the 7th October, 2014;
16. S.O. 2600 (E) dated the 9th October, 2014
17. S.O. 3252 (E) dated the 22nd December, 2014;
18. S.O. 382 (E) dated the 3rd February, 2015;
19. S.O. 811 (E) dated the 23rd March, 2015;
20. S.O. 996 (E) dated the 10th April, 2015;
21. S.O. 1142 (E) dated the 17th April, 2015;
22. S.O. 1141 (E) dated the 29th April, 2015;
23. S.O. 1834 (E) dated the 6th July, 2015;
24. S.O. 2571 (E) dated the 31st August, 2015;
25. S.O. 2572 (E) dated the 14th September, 2015;
26. S.O. 141 (E) dated the 15th January, 2016;
27. S.O. 648 (E) dated the 3rd March, 2016;
28. S.O. 2269(E) dated the 1st July, 2016;
29. S.O. 2944(E) dated the 14th September, 2016;
30. S.O. 3518 (E) dated 23rd November 2016;
31. S.O. 3999 (E) dated the 9th December, 2016;
32. S.O. 4241(E) dated the 30th December, 2016; and
33. S.O. 3611(E) dated the 25th July, 2018.



General Assembly

Distr. GENERAL

28 October 1982

ORIGINAL:
ENGLISH

A/RES/37/7
48th plenary meeting
28 October 1982

37/7. World Charter for Nature

The General Assembly,

Having considered the report of the Secretary-General on the revised draft World Charter for Nature,

Recalling that, in its resolution 35/7 of 30 October 1980, it expressed its conviction that the benefits which could be obtained from nature depended on the maintenance of natural processes and on the diversity of life forms and that those benefits were jeopardized by the excessive exploitation and the destruction of natural habitats,

Further recalling that, in the same resolution, it recognized the need for appropriate measures at the national and international levels to protect nature and promote international co-operation in that field,

Recalling that, in its resolution 36/6 of 27 October 1981, it again expressed its awareness of the crucial importance attached by the international community to the promotion and development of co-operation aimed at protecting and safeguarding the balance and quality of nature and invited the Secretary-General to transmit to Member States the text of the revised version of the draft World Charter for Nature contained in the report of the Ad Hoc Group of Experts on the draft World Charter for Nature, as well as any further observations by States, with a view to appropriate consideration by the General Assembly at its thirty-seventh session,

Conscious of the spirit and terms of its resolutions 35/7 and 36/6, in which it solemnly invited Member States, in the exercise of their permanent sovereignty over their natural resources, to conduct their activities in recognition of the supreme importance of protecting natural systems, maintaining the balance and quality of nature and conserving natural resources, in the interests of present and future generations,

Having considered the supplementary report of the Secretary-General,

Expressing its gratitude to the Ad Hoc Group of Experts which, through its work, has assembled the necessary elements for the General Assembly to be able to complete the consideration of and adopt the revised draft World Charter for Nature at its thirty-seventh session, as it had previously recommended,

Adopts and solemnly proclaims the World Charter for Nature contained in the annex to the present resolution.

ANNEX
World Charter for Nature

The General Assembly,

Reaffirming the fundamental purposes of the United Nations, in particular the maintenance of international peace and security, the development of friendly relations among nations and the achievement of international co-operation in solving international problems of an economic, social, cultural, technical, intellectual or humanitarian character,

Aware that:

(a) Mankind is a part of nature and life depends on the uninterrupted functioning of natural systems which ensure the supply of energy and nutrients,

(b) Civilization is rooted in nature, which has shaped human culture and influenced all artistic and scientific achievement, and living in harmony with nature gives man the best opportunities for the development of his creativity, and for rest and recreation,

Convinced that:

(a) Every form of life is unique, warranting respect regardless of its worth to man, and, to accord other organisms such recognition, man must be guided by a moral code of action,

(b) Man can alter nature and exhaust natural resources by his action or its consequences and, therefore, must fully recognize the urgency of maintaining the stability and quality of nature and of conserving natural resources,

Persuaded that:

(a) Lasting benefits from nature depend upon the maintenance of essential ecological processes and life support systems, and upon the diversity of life forms, which are jeopardized through excessive exploitation and habitat destruction by man,

(b) The degradation of natural systems owing to excessive consumption and misuse of natural resources, as well as to failure to establish an appropriate economic order among peoples and among States, leads to the breakdown of the economic, social and political framework of civilization,

(c) Competition for scarce resources creates conflicts, whereas the conservation of nature and natural resources contributes to justice and the maintenance of peace and cannot be achieved until mankind learns to live in peace and to forsake war and armaments,

Reaffirming that man must acquire the knowledge to maintain and enhance his ability to use natural resources in a manner which ensures the preservation of the species and ecosystems for the benefit of present and future generations,

Firmly convinced of the need for appropriate measures, at the national and international, individual and collective, and private and public levels, to protect nature and promote international co-operation in this field,

Adopts, to these ends, the present World Charter for Nature, which

proclaims the following principles of conservation by which all human conduct affecting nature is to be guided and judged.

I. GENERAL PRINCIPLES

1. Nature shall be respected and its essential processes shall not be impaired.

2. The genetic viability on the earth shall not be compromised; the population levels of all life forms, wild and domesticated, must be at least sufficient for their survival, and to this end necessary habitats shall be safeguarded.

3. All areas of the earth, both land and sea, shall be subject to these principles of conservation; special protection shall be given to unique areas, to representative samples of all the different types of ecosystems and to the habitats of rare or endangered species.

4. Ecosystems and organisms, as well as the land, marine and atmospheric resources that are utilized by man, shall be managed to achieve and maintain optimum sustainable productivity, but not in such a way as to endanger the integrity of those other ecosystems or species with which they coexist.

5. Nature shall be secured against degradation caused by warfare or other hostile activities.

II. FUNCTIONS

6. In the decision-making process it shall be recognized that man's needs can be met only by ensuring the proper functioning of natural systems and by respecting the principles set forth in the present Charter.

7. In the planning and implementation of social and economic development activities, due account shall be taken of the fact that the conservation of nature is an integral part of those activities.

8. In formulating long-term plans for economic development, population growth and the improvement of standards of living, due account shall be taken of the long-term capacity of natural systems to ensure the subsistence and settlement of the populations concerned, recognizing that this capacity may be enhanced through science and technology.

9. The allocation of areas of the earth to various uses shall be planned, and due account shall be taken of the physical constraints, the biological productivity and diversity and the natural beauty of the areas concerned.

10. Natural resources shall not be wasted, but used with a restraint appropriate to the principles set forth in the present Charter, in accordance with the following rules:

(a) Living resources shall not be utilized in excess of their natural capacity for regeneration;

(b) The productivity of soils shall be maintained or enhanced through measures which safeguard their long-term fertility and the process of organic decomposition, and prevent erosion and all other forms of degradation;

(c) Resources, including water, which are not consumed as they are used shall be reused or recycled;

(d) Non-renewable resources which are consumed as they are used shall be exploited with restraint, taking into account their abundance, the rational possibilities of converting them for consumption, and the compatibility of

their exploitation with the functioning of natural systems. **547**

11. Activities which might have an impact on nature shall be controlled, and the best available technologies that minimize significant risks to nature or other adverse effects shall be used; in particular:

(a) Activities which are likely to cause irreversible damage to nature shall be avoided;

(b) Activities which are likely to pose a significant risk to nature shall be preceded by an exhaustive examination; their proponents shall demonstrate that expected benefits outweigh potential damage to nature, and where potential adverse effects are not fully understood, the activities should not proceed;

(c) Activities which may disturb nature shall be preceded by assessment of their consequences, and environmental impact studies of development projects shall be conducted sufficiently in advance, and if they are to be undertaken, such activities shall be planned and carried out so as to minimize potential adverse effects;

(d) Agriculture, grazing, forestry and fisheries practices shall be adapted to the natural characteristics and constraints of given areas;

(e) Areas degraded by human activities shall be rehabilitated for purposes in accord with their natural potential and compatible with the well-being of affected populations.

12. Discharge of pollutants into natural systems shall be avoided and:

(a) Where this is not feasible, such pollutants shall be treated at the source, using the best practicable means available;

(b) Special precautions shall be taken to prevent discharge of radioactive or toxic wastes.

13. Measures intended to prevent, control or limit natural disasters, infestations and diseases shall be specifically directed to the causes of these scourges and shall avoid adverse side-effects on nature.

III. IMPLEMENTATION

14. The principles set forth in the present Charter shall be reflected in the law and practice of each State, as well as at the international level.

15. Knowledge of nature shall be broadly disseminated by all possible means, particularly by ecological education as an integral part of general education.

16. All planning shall include, among its essential elements, the formulation of strategies for the conservation of nature, the establishment of inventories of ecosystems and assessments of the effects on nature of proposed policies and activities; all of these elements shall be disclosed to the public by appropriate means in time to permit effective consultation and participation.

17. Funds, programmes and administrative structures necessary to achieve the objective of the conservation of nature shall be provided.

18. Constant efforts shall be made to increase knowledge of nature by scientific research and to disseminate such knowledge unimpeded by restrictions of any kind.

19. The status of natural processes, ecosystems and species shall be closely monitored to enable early detection of degradation or threat, ensure

timely intervention and facilitate the evaluation of conservation policies and methods.

20. Military activities damaging to nature shall be avoided.

21. States and, to the extent they are able, other public authorities, international organizations, individuals, groups and corporations shall:

(a) Co-operate in the task of conserving nature through common activities and other relevant actions, including information exchange and consultations;

(b) Establish standards for products and manufacturing processes that may have adverse effects on nature, as well as agreed methodologies for assessing these effects;

(c) Implement the applicable international legal provisions for the conservation of nature and the protection of the environment;

(d) Ensure that activities within their jurisdictions or control do not cause damage to the natural systems located within other States or in the areas beyond the limits of national jurisdiction;

(e) Safeguard and conserve nature in areas beyond national jurisdiction.

22. Taking fully into account the sovereignty of States over their natural resources, each State shall give effect to the provisions of the present Charter through its competent organs and in co-operation with other States.

23. All persons, in accordance with their national legislation, shall have the opportunity to participate, individually or with others, in the formulation of decisions of direct concern to their environment, and shall have access to means of redress when their environment has suffered damage or degradation.

24. Each person has a duty to act in accordance with the provisions of the present Charter; acting individually, in association with others or through participation in the political process, each person shall strive to ensure that the objectives and requirements of the present Charter are met.



(Dokument wurde mittels Scanner eingelesen und kann daher Fehler enthalten)

(Due to technical reasons - scanning - this text may not be correct)

UNEP - UNITED NATIONS ENVIRONMENTAL PROGRAMME Goals and Principles of Environmental Impact Assessment

Preliminary Note

Issued on January 16, 1987

Environmental Impact Assessment (EIA)

EIA means an examination, analysis and assessment of planned activities with a view to ensuring environmentally sound and sustainable development.

The EIA goals and principles set out below are necessarily general in nature and may be further refined when fulfilling EIA tasks at the national, regional and international levels.

Goals

1. To establish that before decisions are taken by the competent authority or authorities to undertake or to authorize activities that are likely to significantly affect the environment, the environmental effects of those activities should be taken fully into account.
2. To promote the implementation of appropriate procedures in all countries consistent with national laws and decision-making processes, through which the foregoing goal may be realised.
3. To encourage the development of reciprocal procedures for information exchange, notification and consultation between States when proposed activities are likely to have significant transboundary effects on the environment of those States.

Principles

Principle 1

States (including their competent authorities) should not undertake or authorize activities without prior consideration, at an early stage, of their environmental effects. Where the extent, nature or location of a proposed activity is such that it is likely to significantly affect the environment, a comprehensive environmental impact assessment should be undertaken in accordance with the following principles.

Principle 2

The criteria and procedures for determining whether an activity is likely to significantly affect the environment and is therefore subject to an EIA, should be defined clearly by Legislation, regulation, or other means, so that subject activities can be quickly and surely identified, and EIA can be applied as the activity is being planned.²

Principle 3

In the EIA process the relevant significant environmental issues should be identified and studied. Where appropriate, all efforts should be made to identify these issues at an early stage in the process.

Principle 4

An EIA should include, at a minimum:

- (a) A description of the proposed activity;
- (b) A description of the potentially affected environment, including specific information necessary for identifying and assessing the environmental effects of the proposed activity;
- (c) A description of practical alternatives, as appropriate;
- (d) An assessment of the likely or potential environmental impacts of the proposed activity and alternatives, including the direct, indirect, cumulative, short-term and long-term effects;
- (e) An identification and description of measures available to mitigate adverse environmental impacts of the proposed activity and alternatives, and an assessment of those measures;
- (f) An indication of gaps in knowledge and uncertainties which may be encountered in compiling the required information;
- (g) An indication of whether the environment of any other State or areas beyond national jurisdiction is likely to be affected by the proposed activity or alternatives;
- (h) A brief, non-technical summary of the information provided under the above headings.

Principle 5

The environmental effects in an EIA should be assessed with a degree of detail commensurate with their likely environmental significance.

Principle 6

The information provided as part of EIA should be examined impartially prior to the decision.

Principle 7

Before a decision is made on an activity, government agencies, members of the public, experts in relevant disciplines and interested groups should be allowed appropriate opportunity to comment on the EIA.

Principle 8

A decision as to whether a proposed activity should be authorized or undertaken should not be taken until an appropriate period has elapsed to consider comments pursuant to principles 7 and 12.

Principle 9

The decision on any proposed activity subject to an EIA should be in writing, state the reasons therefor, and include the provisions, if any, to prevent, reduce or mitigate damage to the environment.

This decision should be made available to interested persons or groups.

Principle 10

Where it is justified, following a decision on an activity which has been subject to an EIA, the activity and its effects on the environment or the provisions (pursuant to Principle 9) of the decision on this activity should be subject to appropriate supervision.

Principle 11

States should endeavour to conclude bilateral, regional or multilateral arrangements, as appropriate, so as to provide, on the basis of reciprocity, notification, exchange of information, and agreed-upon consultation on the potential environmental effects of activities under their control or jurisdiction which are likely to significantly affect other States or areas beyond national jurisdiction.

Principle 12

When information provided as part of an EIA indicates that the environment within another State is likely to be significantly affected by a proposed activity, the State in which the activity is being planned should, to the extent possible:

- a) notify the potentially affected State of the proposed activity;
- b) transmit to the potentially affected State any relevant information from the EIA, the transmission of which is not prohibited by national laws or regulations; and
- c) when it is agreed between the States concerned, enter into timely consultations.

Principle 13

Appropriate measures should be established to ensure implementation of EIA procedures.

Official Note:

In this document an assessment of the impact of a planned activity on the environment is referred to as an environmental impact assessment (EIA).

Official note:

For instance, this principle may be implemented through a variety of mechanisms, including:

- (a) Lists of categories of activities that by their nature are, or are not, likely to have significant effects;
- (b) Lists of areas that are of special importance or sensitivity (such as national parks or wetland areas), so that any activity affecting such areas is likely to have significant effects;
- (c) Lists of categories of resources (such as water, tropical rain forests, etc.), or environmental problems (such as increased soil erosion, desertification, deforestation) which are of special concern, so that any diminution of such resources or exacerbation of such problems is likely to be significant";
- (d) An initial "environmental evaluation", a quick and informal assessment of the proposed activity to determine whether its effects are likely to be significant;
- (e) Criteria to guide determinations whether the effects of a proposed activity are likely to be significant.

If a listing system is used, it is recommended that States reserve the discretion to require the preparation of an EIA on an *ad hoc* basis, to ensure that they have the flexibility needed to respond to unanticipated cases.

Rio Declaration on Environment and Development 1992

United Nations (UN)

copy @ lexmercatoria.org

Copyright © 1992 United Nations (UN)

Contents

Rio Declaration on Environment and Development 1992	1
Preamble	1
Principle 1	1
Principle 2	1
Principle 3	1
Principle 4	1
Principle 5	2
Principle 6	2
Principle 7	2
Principle 8	2
Principle 9	2
Principle 10	2
Principle 11	3
Principle 12	3
Principle 13	3
Principle 14	3
Principle 15	3
Principle 16	4
Principle 17	4
Principle 18	4
Principle 19	4
Principle 20	4
Principle 21	4
Principle 22	5
Principle 23	5
Principle 24	5
Principle 25	5
Principle 26	5
Principle 27	5
Metadata	6
SiSU Metadata, document information	6

Rio Declaration on Environment and Development 1992

Reproduced in 31 ILM 874 (1992)

Preamble

The United Nations Conference on Environment and Development, Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of co-operation among States, key sectors of societies and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environmental and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

18

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

19

Principle 6

20

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

21

Principle 7

22

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities.

23

The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

24

Principle 8

25

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

26

Principle 9

27

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

28

Principle 10

29

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access

30

to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

31

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

32

Principle 12

33

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

34

Principle 13

35

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

36

Principle 14

37

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

38

Principle 15

39

In order to protect the environment, the precautionary approach shall be widely ap-

40

plied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

41

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

42

Principle 17

43

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

44

Principle 18

45

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States.

46

Every effort shall be made by the international community to help States so afflicted.

47

Principle 19

48

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

49

Principle 20

50

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

51

Principle 21

52

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership In order to achieve sustainable development and ensure a better future for all.

53

Principle 22 54

Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development. 55

Principle 23 56

The environment and natural resources of people under oppression, domination and occupation shall be protected. 57

Principle 24 58

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary. 59

Principle 25 60

Peace, development and environmental protection are interdependent and indivisible. 61

Principle 26 62

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations. 63

Principle 27 64

States and people shall cooperate in good faith and in a spirit of partnership in the fulfillment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development. 65

Metadata

SiSU Metadata, document information

Document Manifest @:

`<http://www.jus.uio.no/lm/environmental.development.rio.declaration.1992/sisu_manifest.html>`

Title: Rio Declaration on Environment and Development 1992

Creator: United Nations (UN)

Rights: Copyright (C) 1992 United Nations (UN)

Publisher: SiSU `<http://www.jus.uio.no/sisu>` (this copy)

Date: 1992

Topics Registered: environmental law:convention;development

Version Information

Sourcefile: environmental.development.rio.declaration.1992.sst

Filetype: SiSU text 2.0

Source Digest: SHA256(environmental.development.rio.declaration.1992.sst)=6ecd48a61035152fd81c915c31942760-299edfb170f55f339125cd52a03c384b

Skin Digest: SHA256(skin_lm.rb)=5acda64a9532f9ef6b71693da2b471d4efac2f23a8499e68de066eec8ea9b8e9

Generated

Document (dal) last generated: Tue Sep 21 16:49:47 -0400 2010

Generated by: SiSU 2.6.3 of 2010w30/3 (2010-07-28)

Ruby version: ruby 1.8.7 (2010-08-16 patchlevel 302) [i486-linux]



