Auroville Exit Review Policy DRAFT
08.10.19

Proposed draft by the Exit Policy task force

1. **Aims**
   1.1. To support the residents of Auroville in implementing the Auroville Foundation (Admission and Termination of persons in the Register of Residents) Regulations, 2019, in regards to the termination of persons from the Register of Residents and the constitution, mandate, powers, procedure and process of the Termination Committee (hereinafter called the Exit Review Committee)
   1.2. To ensure that the procedure and process related to the removal of persons from the Register of Residents is transparent, fair and impartial and upholds the collective values and ideals of Auroville.

All text in italics below is excerpted from the Regulations.

2. **Definitions**
   2.1. "Appellate Committee" the committee constituted by the Residents’ Assembly for considering appeals against the findings of the Exit Review Committee;
   2.2. “A Concerned Resident” - a resident of Auroville against whom an Exit Review process has been initiated;
   2.3. “Exit Review Committee” - the committee constituted by the Residents’ Assembly for dealing with reports against residents and for carrying out the functions of the Residents’ Assembly related to the termination of persons in the register of residents. Defined in the Regulations as the Termination Committee;
   2.4. “Exit Review Request” - a request to remove a resident from the Register of Residents that is submitted according to chapter 1 of this policy;
   2.5. “Register” means Register of Residents of Auroville maintained under sub-section (1) of section 18 of the Auroville Foundation Act;
   2.6. “The Regulations” - the Auroville Foundation (Admission and Termination of Persons in the register of residents) Regulations, 2019;
   2.7. “Resident” - a person whose name has been entered in the Register;
   2.8. “The Selection Committee” - a committee that will be constituted by the Residents’ Assembly and will select the members of the Exit Review Committee and the three resident members of the Appellate Committee.

**Chapter 1 - Initiation of an Exit Review Process**

3. **Who can initiate an Exit Review Process:**
   3.1. The Working Committee; or
   3.2. Minimum of 60 residents of Auroville; or
3.3. The Exit Review Committee in case as described in point 4.4 of the policy.

4. **An Exit Review Request can be initiated when:**

4.1. *a resident’s behaviour is incompatible with Auroville’s ideals or the laws of India or that a resident is not engaged in any community work or meaningful activity relevant to the life and growth of Auroville; or*

4.2. *if it is found that the name has been entered by fraud, misrepresentation or by suppression of material information; or*

4.3. *if the person has been found convicted for guilty of a criminal offence by a Court in India; or*

4.4. *where the resident has not been residing in Auroville for a consecutive period of three years.*

5. **An Exit Review Request shall include the following details:**

5.1. Name, community, contact details and signature of all the Residents who submit the Exit Review Request (not required if the request comes directly from the Working Committee).

5.2. The concerns and motivation of the Exit Review Request shall be clearly explained. All documents related to or mentioned in the Exit Review Request shall be attached to the Exit Review Request.

5.3. Details of prior internal processes that have been tried to address the concerns.

6. **Submit the request to whom** - to the Exit Review Committee, in hard or soft copy.

7. **Prior to an Exit Review Process** - other internal processes should have been exhausted such as, but not limited to, those listed in the Auroville Conflict Resolution Policy, Prevention of Sexual Harassment Policy and other relevant internal processes.

8. **Support person:**

8.1. A concerned Resident can be accompanied and supported by a Resident of Auroville if required, such as for language support.

8.2. The support person cannot replace the presence of nor represent the Concerned Resident.

---

**Chapter 2 – The Exit Review Committee**

9. **Constitution and Selection:**

9.1. *The Residents’ Assembly shall constitute an Exit Review Committee whose members shall be appointed directly by the Residents’ Assembly or by a committee constituted by it for the purpose.*

9.2. *The Exit Review Committee will consist of nine members, at least six of whom have been resident in Auroville for more than five years.*
9.3. The Residents’ Assembly or such other committee constituted by it for the purpose shall ensure that:

(i) the Exit Review Committee is composed of residents of different ages and nationalities and that there is a gender balance; and

(ii) the members are qualified for the work to be done as per mandate given in regulation 6 and section 10 in this policy.

9.4. The members of the Exit Review Committee initially appointed, shall hold office for a full term of three years. Thereafter on expiration of every year, three members shall retire and three new members shall be appointed in their place on rotation, as per the decision of the Residents’ Assembly. Outgoing members shall be eligible for re-appointment after a lapse of two terms from the last one.

9.5. The Residents’ Assembly shall have the right to remove any of the members and replace them with other persons as members if it considers that it is in the larger interests of the community of Auroville.

9.6. Any vacancy arising either by way of resignation, expiry of term of office, or otherwise, shall be filled up by the Residents’ Assembly or by the committee constituted by it for the purpose.

9.7. Quorum - at least seven members of the Exit Review Committee are required in order to make a decision regarding an Exit Review Process.

9.8. Temporary membership - in case temporary members are needed to reach quorum (due to temporary absence or conflict of interest/ lack of impartiality), temporary members may be selected by a selection committee constituted by the Residents’ Assembly. These members will act as full members for a certain period of time as decided by the selection committee.

10. Mandate of the Exit Review Committee:

The Exit Review Committee will have the following mandate, namely:

10.1. to conduct an enquiry upon receiving a report or request from the Working Committee or from at least sixty residents, that a resident’s behaviour is incompatible with Auroville’s ideals or the laws of India or that a resident is not engaged in any community work or meaningful activity relevant to the life and growth of Auroville; and

10.2. to examine whether the name of a resident should be removed from the register of residents, in cases where the resident has not been residing in Auroville for a consecutive period of three years.

11. Powers of the Exit Review Committee:

The Exit Review Committee shall have the powers to:

11.1. refer the issue to other internal process if needed;

11.2. reject a report recommending termination of a resident, following due process as described in Chapter 3 of this policy;

11.3. issue a public warning or censure to a resident;
11.4. decide that a resident should compensate for loss or damage caused by him/her as assessed by the Exit Review Committee;
11.5. issue, direction, if required, that a resident is examined by a qualified psychiatrist / psychologist, as the case may be, registered in India for obtaining an opinion of the resident’s condition and the treatment required;
11.6. decide that a resident has to leave Auroville permanently or for a certain period of time, and determine the period within which that resident has to leave Auroville;
11.7. direct the Working Committee that the name of a resident or residents, as the case may be, to be removed from the register.
11.8. The Exit Review Committee may decide upon temporary protective measures in exceptional circumstances before it gives its final decision, with written justification.

Chapter 3 – Due Process

12. **Registration and validity of the Exit Review Request** - before starting an Exit Review Process the Exit Review Committee will assure that the Request was submitted by either the Working Committee or by 60 Residents and that other internal processes have been exhausted wherever possible.

12.1. If other internal processes have not been exhausted, the Exit Review Committee can refer the matter to the appropriate internal process before registering the request.

12.2. If there are not 60 validated signatures of Residents then the Request will be considered invalid.

13. **Documentation:** The Exit Review Committee will collect, and shall be provided without undue delay, all necessary information and documents from the relevant residents and working groups in order to arrive at a decision.

14. **Fair hearing:**

14.1. The Exit Review Committee will ensure that a fair hearing is given (in person, in writing or both) to all relevant parties. The Concerned Resident will be offered an opportunity for a verbal hearing (in-person or via electronic means).

14.2. If any of the parties choose not to attend the hearing nor submit his/her statements within the given time frame, the process will continue nonetheless and the hearing will be considered as fair.

15. **The Exit Review Committee will act impartially:**

15.1. The Exit Review Committee members shall act impartially and treat all parties as equal. If at any moment during the process the Exit Review Committee feels that one or more members are not able to act impartially (due to close connection to
the parties or other conflict of interest), those members will be recused from the Exit Review Process.

15.2. In case the recusal of members results in a lack of quorum, temporary members may be selected as per point 9.8 of this policy.

16. **Consultation with working groups**: The Exit Review Committee shall inform and consult with any relevant working groups before arriving at a decision. Matters which relate to housing stewardship, executive management of units, repatriation allowance, and others which fall outside the scope of powers of the Exit Review Committee shall be decided upon by the Auroville working groups who are mandated to deal with them.

17. **Legal consultation**: When the Exit Review Request relates to behavior which may be incompatible with the laws of India or involves conviction of a criminal offence by a court in India, the Exit Review Committee shall take legal consultation when required before taking a decision.

18. **Points to be considered when taking a decision:**
   18.1. When the Exit Review Request relates to behavior which may be incompatible with Auroville’s ideals, the Exit Review Committee shall use as reference: the “Dream”, the “Charter”, “To be a True Aurovilian”, and “Values and Principles Guiding the Collective Life of Auroville”.
   18.2. When the Exit Review Request relates to behavior which may be incompatible with the laws of India or involves conviction of a criminal offence by a court in India, the nature and severity of the behavior and the offence shall be taken into consideration.
   18.3. When the Exit Review Request relates to a resident who is not engaged in any community work or meaningful activity relevant to the life and growth of Auroville, the Exit Review Committee will take into consideration the personal situation of the resident, such as but not limited to age, health condition, past experience and past contribution to Auroville. The review will be integral and comprehensive.
   18.4. When the Exit Review Request relates to consecutive absence of three years or more from Auroville, the Exit Review Committee shall consider whether the reasons for the absence are justified. Acceptable reasons could include but are not limited to:
      18.4.1. Education (at all ages)
      18.4.2. Accompanying one's child during his/her studies
      18.4.3. Health issues of the Resident
      18.4.4. Visa issues
      18.4.5. Taking care of family members or close relatives who need assistance due to health or other reasons
      18.4.6. Research work
19. **Decision making process** – The Exit Review Committee will make an effort to reach their decision by full consensus. If, after prolonged efforts, full consensus cannot be reached, the decision will be taken by simple majority vote.

20. **Time frame** - The Exit Review Committee shall dispose of all reports and requests as expeditiously as possible and in each case, the proceedings shall be concluded within a period of six months from the date of receipt of the request by the Exit Review Committee.

21. **Documentation of the Exit Review process** – The Proceedings of the Exit Review Committee shall be documented in writing and maintained on record for reference at all times.

22. The Exit Review Committee decision – shall be in writing and shall contain:
   22.1. A short report regarding the fair hearing.
   22.2. Justification for the Exit Review Committee’s decision.
   22.3. Practical consequences and details of implementation, including but not limited to: housing stewardship, executive management of units, repatriation allowance, etc. as decided on by the relevant mandated working groups.
   22.4. A timeline for implementation of the decision.

23. **Communication of the decision**: The Exit Review Committee will send its written decision to the Concerned Resident and to the Working Committee not later than 2 working days from the date of the decision and will include a notice of the Resident's right to appeal within 30 days.

24. **Publication**:
   24.1. The Exit Review Committee shall inform the community when an Exit Review Request is submitted.
   24.2. The Exit Review Committee will inform the community about the Exit Review Committee’s decision. The Exit Review Committee can decide that some details of the decision require confidentiality.

25. **Implementation** of a decision of the Exit Review Committee that is not appealed within 30 days will be implemented by the Exit Review Committee with the assistance of other working groups as needed.

**Chapter 4 - Appeal**

26. An appeal against a decision of the Exit Review Committee may be filed to the Working Committee by the person directly affected by the decision of the Exit Review Committee.

27. The appeal shall be submitted by the appellant.
28. No appeal shall be entertained unless such appeal is received by the Working Committee within a period of thirty days from the date of the decision of the Exit Review Committee.

29. Consideration of appeal:
   29.1. The Working Committee shall refer all appeals received within the prescribed period to the Appellate Committee constituted in the manner specified below:-
   29.2. The Appellate Committee, to consider appeals under the Regulations and any other matter as may be decided by the Residents' Assembly, shall consist of three residents nominated by the Residents' Assembly and two members of the Governing Board nominated by the Chairman of the Governing Board;

30. Selection of three residents for the Appellate Committee - The Residents' Assembly or a committee constituted by it, shall select three residents as members of the Appellate Committee.

31. The Appellate Committee shall review the findings of the Exit Review Committee based on the documents available on record. During the review, no personal hearing shall be granted to the appellant;

32. The Appellate Committee shall follow the principles of the due process stated in Chapter 3 points 15, 18, 19 and 22 of this policy.

33. The tenure of the Appellate Committee so constituted shall be co-terminus with the term of the Governing Board;

34. Secretary shall convene the meeting with the Appellate Committee in person or by circulation.

35. Pending the proceedings of the Appellate Committee, the decision of the Exit Review Committee shall be kept in abeyance.

36. The Appellate Committee shall decide an appeal within thirty days from the day an appeal is referred to it.

37. Appellate Committee may decide appeals referred to it by circulation via electronic mode to members stationed outside Auroville or in a meeting, provided at least four members of the Appellate Committee participate in such decision making process.

38. The decision of the Appellate Committee to confirm or revoke the decision of the Exit Review Committee shall be final and binding.