

REGISTRATION OF NON-GOVERNMENTAL ORGANIZATIONS

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Non- Governmental organizations (NGOs) are organisations within the civil society that work on the “not-for-profit” approach in the space which exists between the family (household), market and state.

It is made up of several types of formal voluntary organisations, where people based on community, neighbourhood, workplace and other connections form their association to participate in actions for their own collective interests or for larger social good.

Those NGOs which are working at the global arena, across several countries are termed as international NGOs.

Characteristics Of NGOs

“ Voluntary nature

“ Not-for-profit

“ Not self-serving in aims and related values

“ Independent

Scenario

In India, it was the 1970s which saw rapid growth in the formation of formally registered NGOs and the process continues to this day.

Most NGOs have created their respective thematic, social group and geographical priorities such as poverty alleviation, community health, education, housing, human rights, child rights, women's rights, natural resource management, water and sanitation; and to these ends they put to practice a wide range of strategies and approaches.

Primarily, their focus has been on the search for alternatives to development thinking and practice; achieved through participatory research, community capacity building and creation of demonstrable models.

of NGOs

In principle, an NGO does not have to register itself to perform charitable, welfare or developmental activities. However, there are some specific activities which can be carried out only if an NGO is registered under the specific acts or laws governing NGOs (particularly related to fund-raising) in a country.

It is entirely up to the governing board of an NGO to decide whether it wishes to get the organisation registered, or work as an unregistered organisation.

Thus, there are two types of NGOs that usually function in a country:

1. Registered NGOs
2. Non-registered NGOs

Common form of registration of NGOs in India includes registering it as a **society, trust, company, trade union, co-operative society, etc.**

Many state and central governmental agencies have regulatory authority over not-for-profit entities. In the Indian context, the agencies at the state level include the Charity Commissioner (for trusts), the Registrar of Societies (referred to in some states by different titles, including the Registrar of Joint Stock Companies), and the Registrar of Companies (under Section 8 of the Companies Act). At the national or federal level in India, regulatory bodies include the Income Tax Department and the Ministry of Home Affairs (only for not-for-profit organisations receiving foreign contributions).

Prior to deciding whether to get an NGO registered under the law or not, **one must be clear about the intentions of forming an NGO, and its purpose and objectives.** Clarity of thought as to why one intends to start an NGO and what one will achieve by establishing it as a legal entity is important in order to meet the aspirations of the founders and the community the organisation is working in.

Need For Registration

Once registered, a voluntary organisation becomes a **'legal entity'** in its own right. It has a life of its own, independent of its members or founders and those working in it. Registration can take several forms.

Steps Of Registering An NGO

- (i) Ideally, registration leads to the development of systematic thinking and functioning of NGOs due to the legal obligations required of a registered NGO.**
- (ii) Registered NGOs obtain legal status in order to enable them to interact with the government, and among donors and other organisations.**
- (iii) Members are able to represent the organisation.**
- (iv) A registered NGO can open a bank account in the name of the organisation, or sign contracts in the name of the organisation.**
- (V) A registered NGO can also qualify for financial assistance from government agencies and local, national and international donors.**

es Of Registration

Contd...

The process of registration can well be regarded as a double-edged sword, as once an organisation is registered as a legal entity, it is bound by certain rules, procedures, norms and laws which are outlined in that particular form of registration. Some of the obligations that come along with the 'legal status' are:

- (i) The organisation is regulated through various other legal and constitutional provisions of the laws of the land.
- (ii) The NGO has to ensure timely filing of returns and meet other statutory obligations.
- (iii) Getting registered as a 'legal entity' also entrusts the NGO with the responsibility of meeting various statutory obligations under different laws and regulations.
- (iv) It has to stick to a pre-decided organisational structure and maintain transparency in its functional activities.
- (v) Once registered, obligations include reporting to the local government, keeping detailed financial records, setting up office space, etc.



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