

How to register an NGO

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In a rapidly developing country such as India, NGOs (non governmental organizations) are increasingly playing a balancing role between the state and citizens to ensure the latter's easy access to fundamental rights and state/central government's developmental schemes. Being an interface between the common people and government administration, an NGO's role in streamlining the services for the masses is vital for the healthy functioning of any democracy. Kick starting an NGO requires understanding of certain procedures and laws. This week we take you through the procedure for setting up and registering an NGO in Goa.

Legislation

NGOs in India are registered under the Societies Registration Act, 1860, which is a central Act. According to Section 20 of the Act, the following societies can be registered: charitable societies, military orphan funds or societies, societies established for the promotion of science, literature, or the fine arts, for instruction, the diffusion of useful knowledge, the diffusion of political education, the foundation or maintenance of libraries or reading rooms for general use among the members or open to the public, or public museums and galleries of paintings and other works of art, collection of natural history, mechanical and philosophical inventions, instruments or designs. In Goa objectives other than these are also allowed.

Basic requirements

In India non-profit organizations can be registered as trusts, societies, or a private limited company, under Section-25 company. Non-profit organizations are always self-governed by a 'board of trustees' or 'managing committee' comprising individuals who generally serve in a fiduciary capacity.

In order to register such an organization, the basic requirements include

A registration form, that is available without charge at the district registrar's office

A memorandum of association and rules and regulations of the organization

Consent letters of all the members of the managing committee. A minimum of seven members comprise a managing committee

Authority letter duly signed by all the members of the managing committee

Copy of rules and regulations certified to be a correct copy of original rules and regulations by at least three managing committee members

A declaration by the members of the managing committee that the funds of the society will be used only for the purpose of furthering the aims and objects of the society

In case any government servant holds elective office, previous sanction of the government (concerned minister) is needed

Registration procedure

All the documents mentioned above are required to be submitted in duplicate, together with the required registration fee. Except for mahila mandals, registration fee for all NGOs is Rs 50. Mahila mandals are required to pay a registration fee of Rs 10.

Upon receiving the set of documents, the registrar's office issues a certificate to the society once the verification procedure is complete. While filing the registration papers, it is important to bear in mind that a society by the same name is not already registered in the state.

Renewal procedure

All registered NGOs have to get their certificate of registration renewed after every five years. For the purpose of renewal, the managing committee members need to fill a renewal of certification of registration form (available at the registrar's office), along with:

A fee equal to the registration fee if the NGO's registration period had not run out

An additional fee of Rs 25 if the application is filed within one month of the date of registration expiration date

An additional fee at the rate of Rs 5 per month if the renewal application is filed after one month of the registration expiration date

A list of the names of member of the managing committee, including members elected or included in the NGO after its registration was approved

The NGO's income and expenditure account for the current and previous year (a format for the same is available at the registrar's office)

Following the submission of these documents and the associated fee, the registration of the NGO is renewed.

Points to remember

The NGOs registered under the Societies Registration Act, 1860, are 'not-for-profit' organizations, and as such they are prohibited from distributing any monetary residual to their own members.

In case the NGO's registration certificate is not renewed within one year from the expiration of the period of validity of the certificate, the NGO becomes an 'unregistered society'. In such cases special procedures are required to revive the lapsed registration, which include the discretion of the government.