REVISITING NGO – THE 'THIRD SECTOR' ORGANIZATIONS IN INDIA

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INTRODUCTION

Public interest groups gained substantial impetus and widespread consideration among the academicians and professionals in the arena of public policy in particular, and typically include peoples' groups functioning at local, regional, national and global levels (Edwards & Hulme, 1995; Lewis, 2001). Scholars and policy makers have been systematically analyzing this rather complex and ambiguous "citizen organizations"; and in spite of "blurred boundaries" is conclusively distinct from governmental institutions and profit-making business houses; and hence has been an enthralling domain of research (Lewis, 2003). Such groups primarily operate to empower the relegated section of the society and non-governmental organizations (NGOs) constitute the prominent public interest group.

The NGOs have been instrumental in formulating, regulating, facilitating and implementing policy framework directed towards accomplishment of a 'better' civil society. Popularized by varied nomenclature across the globe, NGOs are also called 'third sector', 'not-for-profit', 'grass-roots', 'citizens', 'non-state actors' (Lewis, 2003), 'private voluntary' and 'civil society' organizations (McGann & Johnstone, 2006). Other acronyms for NGOs are 'advocacy groups and networks', 'non-governmental development organizations', 'people's organizations', 'quasi-non-governmental organizations', 'relief and welfare associations', 'self-help organizations', etc. Thus, NGOs are highly diverse in nature and pursue varied interests that essentially have long-term orientation such as social, community or sustainable development (Nikkhah & Redzuan, 2010; Hall-Jones, 2006).

Etzioni (1961) categorized organizational forms on the basis of power dynamics centered around the notion of compliance. He proposed 'normative' to be one typical organizational pattern that is considered to characterize the 'third sector' to a large extent. In such organizations, compliance and commitments is achieved through "symbolic reward" (Lewis, 2003, p. 328) rather than monetary compensation. With varied range of patterns, expertise, power and authority structures, these non-governmental organizations include a large yet "loose family of organizations" (Lewis, 2003, p. 329) that are extensively driven by "strong dedication and shared values" of its members.

CONCEPT & CHARACTERISTICS OF NGOS

The history of NGO in the global timeline dates back to 19th century. It is argued that Anti-Slavery Society established in 1839 was the first international NGO; followed by Red Cross & Caritus who came to the limelight during the close of 19th century. Majority of the NGOs came into existence after the world wars and were primarily philanthropic in nature, such as Save the Children and CARE that were formed after World War I & II respectively (Hall-Jones, 2006). In contrast, nascent humanitarian organizations of the period built upon Chinese experience. The decolonization of Africa in 1960 and the armed rebellion in Vietnam, Angola & Palestine during 1970s & 1980s led to the formation of several NGOs to contribute as mediators and humanitarian facilitators in Europe. NGOs gained prominence in several international platforms like the 1992 Earth Summit in Rio de Janeiro, Cairo Population Conference 1994, the Copenhagen World Summit on Social Development 1995 and the Beijing Conference on Women 1995.

However, the term Non-Governmental Organization (NGO) was coined by United Nations in 1945 with provisions in Article 71 of Chapter 10 of the United Nations Charter when they attempted to differentiate private organizations beyond the government control and "inter-governmental specialized agencies" (Hall-Jones, 2006, p. 221). The World Bank defines NGOs as "private organizations that pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services or undertake community development". It was further extended to include that NGOs "are typically value-based organizations which depend, in whole or in part, on charitable donations and voluntary service" (World Bank Guide, 1995, p. 13 & 14). The Encyclopedia of Public International Law defines NGOs as private organizations "not established by a government or by intergovernmental agreement which are capable of playing a role in international affairs by virtue of their activities ....". In accordance to International Law Dictionary, NGO is a "private international organization that serves as a mechanism for cooperation among private national groups in international affairs ....".

Salamon and Anheier (1999) explained the social and financial importance of the third sector organizations and defined it to possess five distinct characteristics as being organized, private, non-profit oriented, voluntary and autonomous. Aufderheide and Bruce (1988) mentioned that "principles of altruism and voluntarism" are the key defining characteristics. Though they are conceptualized to have weak strategic standpoints and comparatively limited resource bases, they act as strong linkages between the governmental agencies, developmental institutions and policy regulatory bodies on one hand and communities at large on the other (Asian Development Bank Report, 2009). They are "people-oriented, catalytic, flexible and value-driven" (Bhose, 2003).

CATEGORIES OF NGOS

NGOs have been categorized primarily into two broad segments, namely, operational & advocacy NGOs. Whereas the former functions for designing and implementing developmental initiatives or contribute to welfare services like environmental conservation, the latter operates to endorse some definite cause and works to influence policies and practices of government and regulatory agencies. World Bank Report (1995) further classifies operational NGOs into three heads – community-based organizations (CBOs) who serve a particular community or group of a specific geographical area; national organizations that function in individual developing countries; and international organizations headquartered in developed nations while operating in multiple developing country. While the latter two are "intermediary" in nature that work to assist others, CBOs generally function as 'membership organizations' that cater to the needs and requirements of the members primarily. In practice, the three forms of operational NGOs channelize their efforts and resources towards participatory associations and beneficial partnerships.

Shah and Chaturvedi (1983) classified NGOs as – techno-managerial, reformist and radical. Korten (1990) categorized NGOs into four forms on the basis of strategies as - relief and welfare, community development, sustainable systems development and people's organization. Green and Matthias (1997) proposed to define six types of NGOs on the basis of scope of activities undertaken like service-oriented, research, supportive, NGO for policy advocacy, funding and co-coordinating NGOs.

Korten (1990) further described three generations of NGO growth. Whereas the first-generation NGOs included those voluntary organizations committed to welfare and service delivery to the beneficiaries, second generation focused on those NGOs dedicated primarily to capacity building of the local community.

The third generation comprised of those NGOs directed towards accomplishment of sustainable excellence through inclusive policy frameworks. Mohanty and Singh (2001) detailed nine broad heads of voluntary organizations in India on the basis of varied criteria like legal status, source of inspiration, period of establishment, operational areas and levels, size, functional diversity, nature of governance, pattern of funding and others. Irrespective of types and categories, all NGOs attempt to adopt a progressive perspective and seek to facilitate participatory democracy.

RISE OF NGOS IN INDIA

Origin of organizations contributing towards voluntary, philanthropic welfare and relief activities can be traced back to ancient and medieval India. Founded on the philosophy of daana (giving) and seva (service), voluntarism in Indian culture has a proud heritage. Though limited in scope, the voluntary efforts included digging of wells, tree plantation, providing food and shelter to the needy, education and health for poor, women and children, religious and cultural initiatives and similar others. Activities led by renowned social reformists like Raja Ram Mohan Roy, Rabindranath Tagore, Swami Vivekananda, Vidyasagar, Kesab Sen, etc. were directed towards social development initiatives in the form of widow remarriage, women education and eradication of community and caste-related rigid social practices like Sati, child marriage, etc. In the backdrop of sociopolitical movements several organizations like Friend-in-Need Society (1858), Prathana Samaj (1864), Satya Shodhan Samaj (1873), Arya Samaj (1875), the National Council for Women in India (1875), and the Indian National Conference (1887) was formed. Servants of India was the first secular NGO established in 1905.

Mahatma Gandhi led the freedom movement on the ideologies of Swadeshi & self-sufficiency to incorporate social accountability. Gandhiji initiated "Constructive Work" to promote and empower village industries and crafts following the principles of self-help, self-reliance, cooperation, non-violence and philanthropy. All India Spinner's Association (1925) and All India Village Industries Association (1934) were prominent during this time. After independence, the Government of India acknowledged the potential of peoples' organizations to complement the actions undertaken by governmental institutions. The first Five-Year Plan mentioned, "Any plan for social and economic regeneration should take into account the services rendered by these agencies and the state should give them maximum cooperation in strengthening their efforts." (MOSPI, Government of India, n.d.).

Government started numerous welfare schemes for promotion of health, education, rural upliftment, environment protection and established autonomous agencies like Central Social Welfare Board, Indian Council of Social Welfare, etc. National level philanthropic organizations like Kasturba Gandhi National Memorial Trust, Indian Council for Child Welfare, Young Men's Christian Association (YMCA), Young Women's Christian Association (YWCA), Harijan Sewak Sangh, Ramkrishna Mission, Indian Red Cross Society gained prominence through their voluntary initiatives. In 1958, the Association for Voluntary Agencies for Rural Development (AVARD) was established as a consortium of key civil society organizations. The government focused on "minimum needs" program to address the basic hurdles towards improvement of standard of life of the rural underprivileged groups and started developmental bodies like People's Action for Development of India during this period.

With the advent of international NGOs, foreign funding and structured government incentives, there was a steady rise and diversification of Indian NGOs. NGO operations were streamlined and received national and global recognition for grassroots intervention projects, advocacy activities and mobilization and empowerment of underprivileged section directed towards protection of human rights and security.
In accordance to the statistics provided by the NGO Darpan portal maintained under the aegis of NITI Aayog, Government of India, there are 119809 enrolled NGOs at present, with Maharashtra having the maximum number of 16049 and Daman & Diu with minimum of 15 registered NGOs. In the recent past, Government of India has published mandates and legislations to crack down unauthorized and corrupt NGOs only to ensure greater transparency and accountability to the reformist activities undertaken by the voluntary organizations.

LEGAL FRAMEWORK OF NGO FORMATION IN INDIA

With the foundation in Article 19(1)(c) of Indian Constitution that allows Indian citizens "….to form associations or unions", non-profit organizations may opt to legally enroll to reap income tax relief benefits, receive foreign funding and assistance and gain eligibility for government grant-in-aid schemes. An NGO can

undergo registration initially at the state level either as a public charitable trust or as a society under the Societies Registration Act of 1860 or as a company under Section 8 of the Indian Companies Act of 2013 (formerly Section 25 of the Indian Companies Act of 1956).

While the Indian Companies Act of 2013 is central enactment, the Trusts Acts and Societies Acts vary state-wise. In Maharashtra State, for example, there is the Maharashtra Public Trusts Act of 1950. The same Act is applicable in State of neighboring Gujarat, but with certain alterations. In states that do not have a Trusts Act, the principles of the Indian Trusts Act of 1882 is applicable. The Societies Registration Act of 1860 also varies from one state to another. For example, a society registered in Maharashtra or Gujarat does not require renewal of registration, however, those registered in the northeastern states must renew their registrations annually (International Centre for Not-for-profit Law Report, 2021).

NGOs with charitable purpose or those with the intent of promoting science, literature or fine arts often register themselves as society. Managed by a governing council or committee, such societies operate under the provisions of Societies Registration Act of 1860. Virtually every state in India has a Registrar of Societies where a society can be registered.

Public Trusts are formed to serve general public or community at large and may address issues like poverty relief, delivering education, medical relief, environmental conservation, religious or charitable endowments. There is no federal law that administrates public charitable trusts in India, however many states, particularly Maharashtra, Gujarat, Rajasthan, and Madhya Pradesh, have Public Trusts Acts. In these states, a trust can be registered with the State Charity Commissioner. In states where there is no Charity Commissioner or Trusts Act in force, the Deed of Trust may simply be registered with the office of the Registrar of Deeds/Assurances (International Centre for Not-for-profit Law Report, 2021).

NGOs can also register under the provisions of Section 8 of the Indian Companies Act, 2013 which provides legal status to any private organization dedicated towards "promotion of commerce, art, science, sports, education, research, social welfare, religion, charity, protection of environment or any such other object" and "prohibit the payment of any dividend to its members." A trust, society, or Section 8 company can be established by either a company or individuals. A trust or company can be formed by two individuals, whereas a society requires seven founding members. Under three specific mandates, i.e., Section 80G, Section 35AC and Section 35 (I to III) of the Income Tax Act, 1961, NGOs may claim tax relief and deductions when committed to charitable purposes. Voluntary organizations receiving foreign contribution or bilateral assistance from international agencies will be guided by the provisions of Foreign Contribution Regulation Act, 2010; Foreign Contribution Regulation Amendment Rules, 2015 & Foreign Contribution Regulation (Amendment) Rules, 2020.

PURPOSE OF NGOS

The National Policy on the Voluntary Sector, 2007 approved by Indian Government was the call for a new operational collaboration between the government and civil society organizations. Through the policy, the government assured encouragement and empowerment to the independent, innovative and vibrant third sector organizations with diverse pattern and activities, enabling an effective contribution to the social, cultural, and economic advancement of the underserved Indian populace. It identifies that the "voluntary sector has contributed significantly to finding innovative solutions to poverty, deprivation, discrimination, and exclusion, through awareness raising, social mobilization, service delivery, training, research, and advocacy" (Report of Asian Development Bank, 2009, p. 4). Some popular NGOs in India are Goonj, Helpage India, Smile Foundation, Nanhi Kali, CRY, Give India Foundation etc.

Scope of NGO activities can be broadly grouped under seven heads – research, monitoring and reporting, advocacy, campaigning, education, training and capacity building, NGO-Government partnership, international cooperation and networking, and management of community-based projects. Research-based NGOs such as International Rescue Committee conduct in-depth research to create actionable and meaningful evidence that can influence the adoption and augmentation of high-impact, cost-effective programs and policies in humanitarian settings (Annual Report of International Rescue Committee, 2017). In India, the Centre for Science and Environment (CSE) played significant role in persuading 28 selected pulp and paper mills to provide information akin to the USEPA's "toxic releases" database. The survey revealed that only two organizations were in compliance and prompted nine others to redesign pollution management practices.

Several NGOs operate for advocating as ombudsmen for the underserved and attempt to influence government policies and initiatives on their behalf. For instance, CARE India engages with policy makers to influence existing and upcoming policy framework to uphold, heighten and sustain the empowerment of women and girl child from the most marginalized communities. At international level, they advocate on issues relevant to India. (CARE India, n.d.)

To raise consciousness non-profit organizations, engage in campaigning activities in the form of organizing demonstrations, camps and rallies, writing press releases, generating email or social media campaigns. Such campaigns often target community at large or some specific indigenous groups and address specific causes like protecting the greenery with Tropical Research & Development Centre (TRDC), SankalpTaru Foundation, saving the wildlife with Wildlife Trust of India (WTI) and Wildlife SOS, conserving rivers and restoration of waterbodies with Jeevitnadi Foundation, The Nature Conservancy (TNC India), helping endangered species to survive with NGOs like Sahyadri Nisarga Mitra (SNM), Rhino Conservation of India, Aaranyak And Hargila Army, etc.

Increasing number of voluntary organizations are associated with imparting education and skill development initiatives contributing toward social awareness and capacity building interventions of the weaker sections of the society. To sort the waste management challenge of tons of junk in Bangalore city in India, the Centre for Environmental Education, Southern Regional Cell (CEE South), has conducted hands-on learning program and courses on recycling and anti-littering to generate awareness regarding waste management and disposal. Mitti café, an award-winning NGO provides experiential training and is committed to the cause of employment and livelihood for differently-abled people in India.
Partnerships between voluntary organizations and Government institutions are encouraged to foster heightened transparency, efficiency and liability. Such cooperation is institutionalized to allow formal representation in the policy- and decision-making bodies. NGO Portal launched by Prime Minister's Office had the aim to create and promote a healthy partnership between NGOs and the Government of India. This is a free facility offered by the NITI Aayog in association with National Informatics Centre (NIC) to strengthen the linkage to effectively deliver need-based programs for the grassroots (Ministry of Panchayati Raj, Government of India, n.d.).

Many NGOs often support and work on cross-border issues for sustained fundraising, better visibility and audience, development of international networks and cooperation, and to genuinely assist in some social or distressing local, national or global problem. The COVID-19 Global HRP (Humanitarian Response Plan) is a joint effort coordinated by the UN's Office for the Coordination of Humanitarian Affairs, that aimed to aggregate relevant COVID-19 petitions and contributions from WHO, UNDP, UNFPA, UN-Habitat, UNHCR, UNICEF and NGOs & NGO Consortiums. The objective was to work out an effective delivery model to confront the health desolations brought about by the pandemic worldwide along with the plans framed by the International Red Cross and Red Crescent Movement (United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Report, 2020).

NGOs are also committed to primarily address and assist issues of local communities and indigenous people. NGO Mukti has been working to save the Sunderbans, the lush green mangroves in the deltaic West Bengal through promotion of large-scale plantation activity annually as a part of Go Green Project. Sounds of Silence is one of the best NGO's in Mumbai and Delhi for the hearing-impaired. Project Aahar conceived under the patronage of Society for Nutrition, Education and Health Action (SNEHA) functioned towards reduction of malnutrition in children under 5 through peer education, changing nutrition patterns in pregnant and lactating women (CII, CSR-CSO Report, 2020).

NGOs have played varied roles from critics to advisors, from instigators to mediators, from partners to implementers – that are largely participatory and constructive.

CONCLUSION

The concept of 'social capital' has now been ingrained into the emerging policy landscape, and has been at least to a certain extent, associated with NGOs and their contribution towards enrichment of this capital through 'capacity building'. Apart from governmental initiatives, business organizations are also striving to assess and value this form of capital to implement 'good governance'. Tata group, one of the largest corporate conglomerates, strongly appreciated the assessment and valuation of natural and social capital for better risk and opportunity management. They have published natural and social capital protocols to make their business

decisions more responsible leading to development of constructive society (Patil, Manoj, Goel, 2017). Professionalism, accountability and solemn intent along with government facilitation will assist NGOs to deliver and reach those in destitute and pain developing a congenial society and enabled community.

REFERENCES

Asian Development Bank (2009). Overview of Civil Society Organizations. Retrieved from https://www.adb.org/sites/default/files/publication/28966/csb-ind.pdf

Aufderheide, P., & Bruce, R. (1988). Environmental Reform and the Multilateral Banks, World Policy Journal.

Bhose, J. S.G. R (2003). NGOs and Rural Development: Theory and Practice. New Delhi: Concept Publishing Company

Care India (n.d.). Gender transformative Change: Women and gender empowerment. Retrieved from https://www.careindia.org/our-work/gender/

Edwards, M., & Hulme, D. (1995). Beyond the Magic Bullet: NGO Performance and Accountability in the Post-Cold War World. London: Macmillan.

Etzioni, A. (1961). A Comparative Analysis of Complex Organisations: On Power, Involvement and their Correlates. New York: The Free Press of Glencoe.

Green, A., & Matthias, A. (1997). NGOs: The Emerging Third Sector? In Non-Governmental Organizations and Health in Developing Countries. Palgrave Macmillan: London. https://doi.org/10.1057/9780230371200_1

Hall-Jones, P., (2006). The Rise and Rise of NGOs, Public Services International, Global Policy Forum. Available at https://www.globalpolicy.org/component/content/article/176 /31937.html

International Centre for Not-for-Profit Law (2021). India Legal Snapshot. Retrieved from https://www.icnl.org/resources/civic-freedom-monitor/india#glance

International Rescue Committee (2017). Annual Report 2017. Retrieved from https://www.rescue.org/resource/international-rescue-committee-annual-report-2017

Korten, D. C. (1990). Getting to the 21st Century: Voluntary Action and the Global Agenda. West Hartford (CT): Kumarian Press

Lewis, D. (2001). The Management of Non-Governmental Development Organizations: An Introduction. Routledge Studies Series: London

Lewis, D. (2003). Theorizing the organization and management of NGOs: Towards a composite approach, Public Management Review, 5(3), 325–344.

McGann, J., & Johnstone, M. (2006). The Power Shift and the NGO Credibility Crisis, International Journal of Not-for-Profit Law. Available at https://archive.globalpolicy.org /ngos/credib/2006/01shift.htm

Ministry of Statistics and Programme Implementation (n.d.). Statistical year book Chapters. Retrieved from http://mospi.nic.in/sites/default/files/Statistical_year_book_india_chapters/ Five%20Year%20Plan%20writeup_0.pdf

Mohanty, M. & Singh, A. K. (2001). Voluntarism and Government, Policy, Programme and Assistance. Voluntary Action Network India Publication; New Delhi.

National Policy on the Voluntary Sector (2007). Voluntary Action Cell Planning Commission Government of India. Retrieved from https://niti.gov.in/planningcommission .gov.in/docs/data/ngo/npvol07.pdf

NGO Darpan (n.d.). Sector-wise NGO Directory. NITI Aayog. Government of India. Retrieved from https://ngodarpan.gov.in/index.php/home/sectorwise

NGO Portal (n.d.). Ministry of Panchayati Raj, Government of India. Retrieved from https://moprngo.gov.in
Nikkhah, H. A., & Redzuan, M. (2010). The Role of NGOs in Promoting Empowerment for Sustainable Community Development, Journal of Human Ecology, 30(2), 85-92. DOI: 10.1080/09709274.2010.11906276

Patil, S., Manoj, S. S., & Goel, V. (2017). Social capital valuation framework for Tata sustainability group, Student Projects, IIM Ahmedabad Repository, Retrieved from http://hdl.handle.net/11718/22817.

Salamon, L., & Anheier, H. (1999). The Third Sector in the Third World in Lewis, D. (Ed.) International Perspectives on Voluntary Action: Reshaping the Third Sector. London: Earthscan.

Shah, G., & Chaturvedi, H.R. (1983). Gandhian Approach to Rural Development. Ajanta Publications: Delhi.

United Nations Office for the Coordination of Humanitarian Affairs (OCHA) (2020). Global Humanitarian Response Plan COVID-19. Retrieved from https://www.unocha.org/sites/ unocha/files/Global-Humanitarian-Response-Plan-COVID-19. Pdf

World Bank (1995). Working with NGOs: A Practical Guide to Operational Collaboration between The World Bank and Non-governmental Organizations. Operations Policy Department, World Bank. Retrieved from https://documents1.worldbank.org/curated/en/814581468739240860/pdf/multi-page