

NITI Aayog  
(Voluntary Action Cell)

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**Subject: Minutes of the Meeting held on 11.05.2017 under the Chairmanship of Shri Yaduvendra Mathur, Additional Secretary, NITI Aayog, for presentation on "Guidelines for accreditation of NGOs/VOs" by Ministry of Rural Development.**

The list of the participants is at Annexure.

2. Shri Yaduvendra Mathur, Additional Secretary welcomed the participants from different Ministries/ Departments and apprised them regarding the background of the meeting. Additional Secretary informed that NGO-DARPAN Portal being maintained by NITI Aayog was recently reviewed in a meeting taken by Secretary (Coordination), Cabinet Secretariat. During the meeting the "Guidelines for accreditation of Non-Government Organisations/ Voluntary Organisations" issued by Ministry of Rural Development, were also discussed. These guidelines, which are under finalisation, but have been presented to the Hon'ble Supreme Court, specify that accreditation of NGOs/ VOs is to be done by the concerned Ministries/ Departments by constituting broad based committees. Accreditation shall be done on the basis of quantity and quality of works done by the NGOs. It was suggested by some participants during discussion in the meeting that NITI Aayog shall organise a presentation by Ministry of Rural Development (MoRD) for all concerned Ministries/Departments to familiarise them with these guidelines. Accordingly MoRD was requested to make the presentation. The Chair then invited Shri. P.K. Sarangi, J.S, MoRD to make the presentation.

3. The presentation made by JS, MoRD covered the following aspects:

- (1) **Background:** Hon'ble Supreme Court order dated 10.01.2017 in Writ Petition (Criminal) No. 172/2011 had given directions to Government to frame guidelines for accreditation of Voluntary Organization (VOs)/ Non- Government Organizations (NGOs), manner of auditing their accounts and the procedure to initiate action for recovering the grants in case of defalcation / mis-appropriation including criminal action when called for and submit the report to Hon'ble Supreme Court by 31.03.2017. MoRD constituted an Expert Committee under the Chairmanship of Shri S. Vijay Kumar, Ex-Secretary, MoRD to frame the guidelines/rules in compliance with the direction of the Hon'ble Supreme Court. The

draft guidelines have been framed on the basis of the report of the Expert Committee and presented to the Hon'ble Supreme Court on 31.03.2017. The guidelines have been circulated to the Ministries/ Departments for their comments. As submitted to the Supreme Court, the guidelines are under finalisation.

- (ii) Hon'ble Supreme Court (on the last date of hearing) has given directions to indicate whether Ministry shall regulate the issue (NGOs) by finalising the guidelines or would rather regulate the process through legislation. MoRD have referred the judgement of the Hon'ble Supreme Court to Cabinet Secretariat for further directions in the matter.
- (iii) **Institutional arrangements for registration of NGOs/VOs** i.e. nodal agency for the purpose of registration of NGOs/VOs seeking funding from Government, to maintain a database and to disseminate information related to NGOs/VOs; besides submission of proposals, processing, tracking etc.
- (iv) **Registration of NGOs/VOs** i.e through the NGO-DARPAN portal for the Unique ID with all required details to be eligible for submission of proposals for grants from any Ministry/Department.
- (v) **Accreditation of NGOs/VOs** i.e. by respective departments and by constituting broad based committees to do accreditation on the basis of quantity and quality of work performed by the NGO. The accreditation process shall include evaluating past track record of applicant and evaluating internal governance and ethical standards of the NGOs etc.
- (vi) **Monitoring** i.e. to have a three tier monitoring system involving Central Ministries, State and district level monitoring committees and National Monitor System as adopted by the MoRD. Monitoring shall also include outcome evaluation through independent third parties, performance audit by the CAG etc.
- (vii) **Audit** i.e. as per relevant provisions of GFR, 2017.
- (viii) **Disciplinary Procedures** i.e. clearly indicating in the Terms and Conditions of sanction order regarding action that could be initiated in case the funds are not properly utilized and disciplinary procedures that shall follow in case of irregularity like so cause notice, blacklisting, civil suit for recovery information to registering and income tax authorities in case of criminal conviction etc.

4. The Chair again reminded the participants that the guidelines, although have been presented to the Hon'ble Supreme Court, are under finalisation. MoRD has mentioned the same in their affidavit submitted to the Supreme Court. The Chair suggested the participating Ministries/Departments that in case they have any reservation or comments/ suggestions to be made on these guidelines, the same should be conveyed to MoRD at the earliest. MoRD has solicited the comments from

the Ministries/Departments vide their letter in the month of March 2017. NITI Aayog has also reservation on some aspects of the guide lines and the same is being conveyed to MoRD shortly.

5. One important view that emerged during presentation was that each Ministry/Department has to process the proposals and release funds through PFMS through their respective portals. Requirements of Ministries and schemes vary from each other, which can be taken care of by the respective Ministries including formats for submission of application/proposals for grants. The portals of Ministries/Departments however, shall be integrated with the NGO-DARPAN and PFMS for two-way flow of information. Information regarding flow of funds shall be as per formats devised by CAG.

6. The issues raised by the participants during presentation were as follows:

- (i) **Shri JB Mohapatra, JS, Ministry of Science and Technology:** NGOs as a category of organizations have not been defined specifically. The word NGO is a misnomer. As per one definition, a NGO is not for profit organisation, independent from State and is usually funded by donations. But some NGOs do not avail formal funding and are run primarily by volunteers. It would be appropriate to have a formal definition of NGOs.
- (ii) **Shri P.U. Ramashastry, JS, Department of Consumer Affairs:** There should be clarification on which funds that are intended to be monitored. There are NGOs/ VOs which are working in the social sector without any grant from the Government.
- (iii) **Shri Atul Basumatary, Director, Ministry of Development of North Eastern Region:** In the State of Assam there is problem in getting Aadhaar Registration. As such NGOs from the State must be exempted from providing Aadhaar details while signing up on NGO-Darpan Portal.
- (iv) **Shri D. Saibaba, Director, Ministry of Statistics and Programme Implementation:** Earlier there were about 73,000 NGOs whose particulars were available on the NGO-Darpan Portal. However, these figures has now come down drastically. He desired to know whether NGOs are allowed to sign up again on the NGO-DARPAN Portal.
- (v) **Shri Manoj Nesari, JS, Ministry of Ayush:** In view of the Hon'ble Supreme Court's direction and the guidelines, he requested to know whether the process of release of funds to the NGOs shall continue or should be awaited till the new Act or guidelines are in place.

(vi) **Shri Tushar Kumar Mahanty, DDG, Department of Empowerment of Persons with Disabilities:** It may not be necessary to have a separate legislation to regulate the NGOs since grants are released to the NGOs generally through some contract, which is binding on both the Parties i.e. NGO and Government. The contract itself is enough to take action against the defaulting NGO.

7. Regarding timeline for registration of NGOs/VOs with the NGO-DARPAN Portal, it was clarified by the Chair that it is a dynamic portal and open always for sign up by NGOs whenever they want to do so. However, earlier the timeline of 31.12.2016 was fixed for already registered NGOs to update the PAN of the organization and PAN and Aadhar of office bearers. NGOs which could not adhere to the timeline have been archived. They have to sign up afresh and obtain new Unique ID, if they so intend to.

8. Another important suggestion made in the meeting was with reference to Article 19(1) (c) of the Constitution of India. As per this article citizens have the right "to form associations and unions" subject to reasonable restrictions in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality. As such government have to work with the NGOs with mutual trust and shared responsibility. While framing guidelines for fund flow to NGOs and regulating their activities, should be ensured that their initiatives which are constructive and in the interest of the Country, are not over regulated.

9. With respect to the problem of Aadhar registration in Assam, it was clarified that earlier the matter was examined in NITI Aayog. It was observed that due to some State specific problem information regarding Aadhaar number can not be made mandatory for NGOs in Assam while signing up on the NGO-DARPAN Portal. NGOs/ VOs belonging to Assam, therefore have been exempted for the present from uploading Aadhaar details of the office bearers while signing up on the NGO-DARPAN Portal. The position has already been clarified to all Ministries/ Departments vide NITI Aayog's OM No M-11/16(2)/2015-VAC dated 28/10/2016. The OM shall be circulated again to all Ministries/Departments for their information.

10. After detailed discussions, the following decisions were taken:-

(i) As already clarified in the meeting held on 27.09.2016 under the Chairmanship of CEO, NITI Aayog (minutes circulated vide note No. M-11/16(2)/2015-VAC dated 03/10/2016) all organisations,

other than Government promoted Organisations, were required to comply with the requirement of signing up on the Portal and obtain the Unique I.D.

- (ii) All Ministries/ Departments shall constitute committees for the accreditation of NGOs/VOs on the basis of quantity and quality of work performed by NGOs as specified in the guidelines submitted to the Supreme Court in their Affidavit by the MoRD.
- (iii) All Ministries/ Departments shall frame guidelines for blacklisting of NGOs in a standard and legally sustainable procedure. The information shall also be shared on NGO-Darpan portal. The sanction order of the grant shall necessarily incorporate the provision of action to be taken against the NGOs, including blacklisting, in case of any violation of the conditions of release of grants by the NGOs.
- (iv) NITI Aayog will circulate again the OM referred to in para 9 above to all Ministries/Departments for their information and compliance.
- (v) NIC has already prepared a web service to capture fund flow information which has been tested with the portal of Ministry of Social Justice and Empowerment on pilot basis. The details of the calling URL and the different fields on which the information is to be furnished has already been forwarded to all Ministries/ Departments. All Ministries/ Departments to furnish the relevant information on the fund flow to NGO-Darpan Portal.
- (vi) The Ministries/ Departments have to release funds to the NGOs as per the scheme guidelines and the relevant provisions of General Financial Rules (GFR).

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Annexure

**List of Participants of the meeting held on 11.05.2017 for presentation on "Guidelines for accreditation of NGOs/VOs" by Ministry of Rural Development.**

S.No.	Name	Ministries/ Departments
1.	Shri P. K. Sarangi, JS	Ministry of Rural Department
2.	Shri Pranab Khullar, JS	Ministry of Culture
3.	Shri P. U. Ramashastry, JS	Ministry of Consumer Affairs
4.	Shri Manoj Nesari, JS	Ministry of Ayush
5.	Ms. Kiran Puri, JS	Ministry of Personnel, Public Grievances and Pensions
6.	Shri JB Mohapatra, JS & FA	Department of Science & Technology Ministry of Science and Technology
7.	Shri Joginder Singh, JS	Ministry of Water Resources, River Development and Ganga Rejuvenation
8.	Shri M. P. Jhonson, Statistical Adviser	Ministry of Environment, Forests & Climate Change
9.	Ms. Sujata Sharma, Economic Adviser	Ministry of Panchayati Raj
10.	Dr. N. K. Sahu, Economic Adviser	Department of School Education & Literacy Ministry of Human Resource Development
11.	Shri Jitendra Trivedi, Director	Department of Pharmaceuticals Ministry of Chemicals and Fertilizers
12.	Shri D. Chandra Shekhar, Additional Industrial Adviser	Ministry of Micro, Small & Medium Enterprises
13.	Shri Harkesh Meena, Director	Ministry of Road Transport and Highways
14.	Shri Khayesh Garg, Director	Ministry of Social Justice & Empowerment
15.	Shri D. Saibaba, Director	Ministry of Statistics and Programme Implementation
16.	Ms. Neeti Sarkar, Director	Ministry of Information and Broadcasting
17.	Shri Atul Basumatary, Director	Ministry of Development of North Eastern Region
18.	Ms. Veena Sinha, Director	Ministry of New & Renewable Energy
19.	Shri Vivek Mishra, Director	Ministry of Earth Sciences
20.	Shri Prakash Kumar Tamrakar, Director	Ministry of Social Justice & Empowerment
21.	Shri Thanglemlian, Director	Department of Youth Affairs Ministry of Youth Affairs and Sports
22.	Shri Sagar Preet, Director	Department of Sports Ministry of Youth Affairs and Sports
23.	Shri Bhagwan Das, Joint Director	Department of Food and Public Distribution Ministry of Consumer Affairs, Food and Public Distribution
24.	Ms. Archana Mittal, Director	Ministry of Housing and Urban Poverty Alleviation
25.	Ms. Anubha Goyal, Technical Director	Ministry of Social Justice & Empowerment

S.No.	Name	Ministries/ Departments
26.	Shri Tushar Ranjan Mohanty, Deputy Director	Department of Empowerment of Persons with Disabilities
27.	Ms. Anita Sawhey, Assistant Director	Ministry of Textiles
28.	Ms. Saroj Jaisia, Deputy Secretary	Department of Land Resources, Ministry of Rural Development
29.	Shri B. Gangopadhyay, Deputy Secretary	Department of Heavy Industry Ministry of Heavy Industries and Public Enterprises
30.	Ms. Shyla Titus, Deputy Secretary	Ministry of Tribal Affairs
31.	Shri Atyanand, Deputy Secretary	Ministry of Food Processing Industries
32.	Shri N. C. Rajesh, Deputy Secretary	Department of Higher Education Ministry of Human Resource Development
33.	Shri Shrikant Kale, Deputy Director	Ministry of Statistics and Program Implementation
34.	Shri Aditya Tyagi, Programme Officer	India Habitat Centre
35.	Shri Anuraj Sharma, US	Ministry of Minority Affairs
36.	Shri S. S. Kumar, US	Ministry of Social Justice & Empowerment
37.	Shri Shivakant Kumar, US	Ministry of Road Transport and Highways
38.	Shri Ramanuj Dey, US	Department of Empowerment of Persons with Disabilities
39.	Shri Satpal Sharma, US	Ministry of Labour and Employment
40.	Shri Bhupesh Verma, Assistant Legal Adviser	Department of Legal Affairs Ministry of Law and Justice
<b>NITI Aayog</b>		
1.	Shri Yaduvendra Mathur	Additional Secretary
2.	Shri Srikara Naik	Adviser
3.	Shri Yogesh Suri	Adviser
4.	Shri Nagesh Shastri	DDG NIC
5.	Ms. Mini Malik	Technical Director
6.	Shri Rajive Sabharwal	Deputy Secretary
7.	Shri Alok Kumar	Senior Programmer
8.	Ms. Geetika Gunjan	YP
9.	Shri Vinod	PA
10.	Shri Gaurav	Sr. OA
11.	Ms. Mansi	OA
12.	Ms. Parul	Sr. OA