

**Why Jodo India Social Foundation is a Section 8 Company and not a Trust or a Society (other and most common options for formation of an NGO).**

**Only 1.1% or 146\* NGOs of the 44,243 that are registered and active on [NGO Darpan](#), (Setup and Managed by the National Informatics Centre, Ministry of Electronics & Information Technology, Government of India). \* Numbers as of 6<sup>th</sup> June 2018**

<b>Basis of Difference</b>	<b>Trust</b>	<b>Society</b>	<b>Section 8 Company</b>
Transparency in working	Low	Low	High – as everything is available online
Reliability	Low	Moderate	High
Post Formation Compliances	No major statutory compliances	Moderate compliances	Strict guidelines and compliances
Annual Compliance	There is no requirement of annual return filing.	Societies must file annually, with the Registrar of Societies, a list of the names, addresses and occupations of their managing committee members.	There is requirement of annual compliance by filing of annual accounts and return of company with the RoC.
Legal Title	Legal title of the property of a trust vests in the hands of trustees	In a society, all properties are held in the name of the society.	In section 8 Company, all properties are held in the name of the Company.
Statute/Legislation	Trusts governed by the Indian Trust Act, 1882.	Societies are governed by the Societies Registration Act 1860, which is an all- India Act. Many states, however, have variants on the Act, making it non-uniform.	Section 8 Companies are governed by the India Companies Act 2013, ensuring due diligence, uniformity and stability
Jurisdiction	The trusts are under the jurisdiction of Deputy Registrar/Charity commissioner of the relevant area.	The power to register a society lies in the hand of Registrar of societies (eg. Charity Commissioner in Maharashtra).	The power to register a section 8 Company lies in the hand of Regional Director & Registrar of Companies of concerned state and details are centralised on an all-India basis.
From the point of view of Grant of subsidy by the government	Less preferred	Less preferred	Most preferred
From the point of view of Foreign Contribution Regulation (FCRA) Act registration.	Less preferred	Less preferred	Most preferred
Cost factor	Low	Medium	High