

Are NGOs public institutions or private institutions?

**Speaker:** How do you set up a public trust and a private trust?

**Speaker:** In a public trust, the trust deed is registered. A public trust is notified only in the trust deed and is not regulated in India, except in Maharashtra and Gujarat where there is a charity commissioner. There is also the question of how the trust is regulated.

Setting up a trust for public purpose and being a public institution are two different things. In a public institution, only public funds should be used, which means the public sector. Public funds, where more than 51% of the ownership is with the government fund the government shares - these are public institutions. The public have a say in this and the government appoints its own representatives on the board and controls the organisers. In some sense the public controls these institutions. An NGO is not controlled by the public. It is set up by a group of individuals and more as a private entity but for the public purpose. The purpose is public as the funds that we get are not generated by us, we do not pay any tax on it and we use it, therefore these are private institutions set up for public purpose.