

SPECIMEN TRUST DEED FOR ESTABLISHING A FREE DISPENSARY

This deed of trust is made on the _____ between son/daughter of _____, aged _____, residing at _____ of the one part, hereinafter referred to as the settlor, and _____, son /daughter of _____, aged _____ years residing at _____, son/daughter of _____, aged _____ years, residing at _____ and _____, son/daughter of _____, aged _____ years, residing at _____ of the other part, hereinafter jointly referred to as the trustees :

WHEREAS the settlor is desirous of setting up a trust for establishing and running a free dispensary at _____, to provide the _____ free medical care and attention by qualified personnel;

AND WHEREAS the trustees have consented to carry out the trust herein created;

NOW, THEREFORE, it is hereby agreed as follows :

1. The object of the trust is to establish and run a dispensary in with a view to providing the _____ free medical care and attention by qualified personnel.
2. Declaration of trust - The settlor being the absolute owner of the land and building situated in _____ and more particularly described in Schedule A, hereby conveys the said land and building and a sum of _____ rupees in cash to the trustees, receipt of which sum the trustees hereby acknowledge, to hold the same upon trust and use the same for purposes of the trust, under and subject to the powers and provisions herein contained.
3. Powers and duties of the trustees
 - (1) The trustees shall make such structural modifications, alterations and additions to the building specified in Schedule A as they may consider necessary to make the building suitable and convenient for use as dispensary. The trustees may, now or at any time in future, demolish the building specified in Schedule A and construct a new building in its stead if they, in their discretion, think that such a course of action will better serve to fulfil the object of the trust.
 - (2) The trustees shall employ such staff, including qualified medical practitioners, nurses, and others in an honorary capacity or on such remuneration as they consider appropriate to run the dispensary efficiently.
 - (3) The trustees shall ensure that the dispensary is adequately stocked with medicines, injections, tonics, etc., at all times and that the working hours of the dispensary are so regulated as to suit the convenience of the villagers to the extent possible.
 - (4) The treatment of patients at the dispensary shall be absolutely free and without discrimination as to sex, nationality, religion, caste, creed, language or any other cause.
 - (5) The trustees may accept donations to the trust from well-wishers, either in cash or in kind, including equipment, furniture, appliances, etc., so however that these are added to the trust fund and used only for purposes of the trust.
 - (6) The income of the trust shall be used to defray the expenses of the trust in running the dispensary. Where such income is insufficient to meet the expenses, the trustees may use such portion of the corpus of the trust fund for the purpose, as may be found necessary.
 - (7) Where the income of the trust exceeds the expenditure of the trust, such excess may be added to the trust fund.

(8) The trustees shall have the power to borrow money on security of the trust property and to alienate any part of the trust property for necessary purpose.

(9) The trustees may invest the trust funds in Government securities, deposits with banks, post office, Government companies, etc. They shall not, however, invest the trust funds in shares or in business of any kind or with any private individual or organisation.

4. The trustees shall meet as often as considered necessary and expedient and in any case not less frequently than once every quarter, to dispose of matters concerning the trust.

5. In case of there arising any difference of opinion among the trustees in respect of any matter relating to the trust, the view of the majority of trustees shall prevail and be carried out.
6. If for any reason a trustee resigns his position as trustee, or dies, or is incapacitated, or becomes bankrupt, or is declared insolvent, or leaves India for a period exceeding three months, the remaining trustees or trustee, if there be only one, shall be competent to co-opt a person or persons who in the opinion of the remaining trustees or trustee, as the case may be, is one who is imbued with the spirit of service or is otherwise considered likely to discharge, conscientiously, his obligations under the trust, so however that the total number of trustees shall not exceed or be less than three.
7. No part of the trust fund, either the corpus or the income, shall be utilised for any object other than that of the trust hereby created.
8. No trustee shall be liable personally for any expenditure or liability of the trust or loss to the trust estate, unless he is guilty of fraud.
9. This is a registered public charitable trust. The property of the trust shall in no event revert to the settlor, his descendants or any other person.
10. In case of failure of the trust for any reason, the trustees shall move the appropriate Court for applying the trust fund for similar object anywhere in India.

IN WITNESS whereof the parties hereto have set their hands in the presence of witnesses.

Witnesses :

1.
[Name and address]

First Party
(Settlor)

2.
[Name and address]

1.
2.
3.
Second Party
(Trustees)