**Private Trust For Administration And Preserving Property**

This deed of trust is made by Mr. AA .S/o........................ R/o..................... (Hereinafter referred as the settlor) of the one part

And

Mr. BB son of ............... resident at..................

Mr. CC son of.................. resident at................

And

Mr. DD son of..................resident at.................

(After it called the trustees which term shall include the Trustee/Trustees for the time being) of the other part.

WHEREAS

The said Mr. AA possesses and owns all that estate given and specified in Schedule hereto which being his self-acquired property and bearing full disposing power on that under Hindu law.

And whereas the said Mr. AA has for some time past not keeping good health and can not take care his affairs and administrator the said estates living all hopes of absolute recovery.

And whereas his only son Mr. EE having long been suffering from epileptic fits is now almost unsound mind and weak intellect wholly unable to administer household and property affairs.

And whereas for considerations and reasons as stated above and for due administration protection and preserving  his property the said Mr. AA wants to create a trust relating his aforesaid estate in the way hereinafter appearing.

And whereas total value of above stated property being estimated at Rs................ as given in Schedule hereto.

Now this deed witnesses as below:

1. This said Mr. AA per his desire and wish as aforesaid do hereby transfer convey and grant, all that estate stated in the Schedule hereto (hereinafter referred to as the trust property,) unto and to the use of the trustees to hold and have the same in trust for the said Mr. AA and after he expire trust hereinafter declared relating the same with and subject to such powers/restrictions as are hereinafter stated.

2. The trustees shall by themselves or through a representative or representatives employed by them manage and administer the trust property in such a manner as might be most beneficial in the interest of trust and shall realise the rent, dividend, interest and other income coming from the trust property and said Mr. AA shall make such formal endorsements and execute such document/documents and do such thing as may be lawfully compulsory enabling the trustees to get such income:

provided that during the life time of Mr. AA or his wife with fully possessing of his senses, the trustees shall be not empowered to vend, mortgage or otherwise transfer any part of his residential house excepting with his written agreement if he is living and able to give consent or with the agreement of his wife if he is expired or can not give his consent.

3. During life time of Mr. AA, the trustees shall spend income of trust property in such a way as the said A may instruct and if he can not give any instructions the said income shall be spent for maintaining said A, his wife, his son, his son's wife and other members of his family as may for time being be in existence/dependent on him and on all religious, social and customary needs of the family.

4. After said Mr. AA expires the income from trust property shall be spent in maintaining his wife, his son, the said Mr. EE the said Mr. EE's wife and such member/members of his family as may be in existence and on all such customary, social and religious needs of the family as aforesaid.

5. If at any moment the trustees finding the income of trust property being insufficient for objects of trust as hereinbefore stated, they shall be free in raising money by selling such stocks, shares or securities stated in said schedule, as they may think fit, provided excepting of sudden, urgent and unavoidable necessity, they shall not raise more than rupees ten thousand in one year by disposing such stocks, securities or shares.

6. If due to expiry  or other reason the office of a trustee falls vacant, and the said Mr. AA is living with proper senses and after he expire or if he is not in proper sense the remaining trustees shall select a new trustee or trustees if they so consent conjointly and if they can not consent on the selection a new trustee or do not select one by a reasonable time, the court may select a new trustee according to law for the time being in force in this behalf and, in such selection, the trustees or the court shall honour the wishes, if any, of the said Mr. AA's wife and the wife of the said Mr. EE stated in this behalf.

Pending selection of a new trustee, the remaining trustee shall continue to manage the trust.

7. On expiry on both said Mr. AA and his son, the said MR. EE, this trust shall end. The trust property or such part of it as may be in subsistence shall at once confer on the successors and legal representatives of the said MR. EE.

8. The said Mr. AA hereby expressly retains to himself the power to alter or revoke at any moment on his pleasure the trust here by formed. Such alteration or revocation will not affect any act already done by the trustees in good faith in due execution of the trust.

The Schedule

Date:

|  |  |
| --- | --- |
| Witness | Settler |
|  | Trustees |