

**AFFIDAVIT - CUM - INDEMNITY**

(to be given by legal heir(s)/legal representative(s) – transmission as per “WILL of deceased client”)  
(To be stamped as per respective state stamp act and notarized)

THIS AFFIDAVIT - CUM - INDEMNITY is made at \_\_\_\_\_.

By :

Sr. No	Name of the Legal Heirs	Age	PAN No.	Address
1				
2				
3				

(Collectively, “Legal Heirs”)

AND

Mr./Ms. \_\_\_\_\_ residing at \_\_\_\_\_

Mr./Ms. \_\_\_\_\_ residing at \_\_\_\_\_

Mr./Ms. \_\_\_\_\_ residing at \_\_\_\_\_

Mr./Ms. \_\_\_\_\_ residing at \_\_\_\_\_

\_\_\_\_\_ acting as an executors of the will (hereinafter referred to as “**the Executor**”, which expression shall, unless it be repugnant or contrary to context thereof, mean and include its legal heirs and successors)

**IN FAVOUR OF:**

**Kotak Securities Limited** having its registered office address at 27 BKC, C 27, G Block, Bandra Kurla Complex, Bandra (E), Mumbai 400051 and acting as a duly registered Depository Participant and Trading Member under the Rule, Business Rules, Regulations and Bye Laws made thereunder (hereinafter referred to as “**KSL**”, which expression shall, unless it be repugnant or contrary to context thereof, mean and include its successors and permitted assigns)

AND

**National Securities Depository Limited (NSDL)**, and having its registered address at 4th Floor, Trade World, "A" Wing, Kamala Mills Compound, Senapati Bapat Marg, Lower Parel, Mumbai 400 013 and acting as a duly registered Depository under the provisions of The

Depositories Act, 1996, Regulations and Bye Laws made thereunder (hereinafter referred to as "NSDL", which expression shall, unless it be repugnant or contrary to the context thereof, mean and include its successors and permitted assigns)

**WHEREAS:**

- A. Mr./Ms. \_\_\_\_\_ holds Demat and/or Trading accounts with KSL bearing DP ID: \_\_\_\_\_, Client Id: \_\_\_\_\_ and/or Trading Code: \_\_\_\_\_ ("**the said accounts**").
- B. The said deceased was holding the securities in his/her Demat account and/or amount of Rs. \_\_\_\_\_ in his/her trading account. Copy of Statement of Holding and Ledger statement is annexed hereto and collectively marked as **Annexure "A"**.
- C. Mr./ Ms. \_\_\_\_\_ (**the deceased**) expired on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Notarized copy of death certificate is attached herewith and marked as **Annexure "B"**.
- D. The deceased has left behind his/her will appointing his/her wife/husband Ms./Mr. \_\_\_\_\_ and \_\_\_\_\_ children namely Mr./Ms. \_\_\_\_\_, Mr./Ms. \_\_\_\_\_, Mr./Ms. \_\_\_\_\_, as a legal heir of all his property and has directed to distribute the same between the heirs as per the Will dated \_\_\_\_\_ through the Executor. A notarized copy of the Will is enclosed herewith and marked as **Annexure "C"**.
- E. I/We hereby confirm and declare that this is a last and final Will and testament of the deceased and there is no codicil to this Will.
- F. I/We further confirm to KSL that the information provided herein is true, complete and accurate in all respects and there is no pending dispute, difference, objection or claim whatsoever to the same among any of the legal heirs of the deceased in this regard.
- G. I/We have, therefore, approached KSL with a request to transfer the aforesaid securities and money as per my/our letter dated \_\_\_\_\_, which is enclosed herewith and marked as **Annexure "D"**, without insisting of production of probate of will or an order of the court of competent jurisdiction and KSL have kindly agreed to do so on the basis of the Will dated \_\_\_\_\_ and my/our executing an Affidavit Cum Indemnity as is herein contained and on relying on the information herein given by us believing the same to be true, I/e solemnly affirmed on oath as under;.

**THIS DEED WITNESSTH** that in consideration of KSL, agreeing to process my/our aforesaid request for transfer of securities and amount as separately informed vide my/our letter dated \_\_\_\_\_ to my/our respective Demat and/or Bank account, I/We hereby jointly and severally indemnify KSL and NSDL and agree to keep indemnified and hold the KSL and NSDL saved, harmless and defended for all times hereafter from and against all losses, claims, legal proceedings, actions, demands, risks, charges, taxes, duties,

damages, costs, expenses, including attorney and legal fees, and penalties whatsoever, which may be initiated against KSL and or NSDL by reason of KSL having agreed at my/our request to transfer securities and amount to my/our respective accounts from existing accounts as aforesaid. If called upon by KSL and or NSDL to do so, I/We shall join any proceeding that may be initiated against the KSL and or NSDL, I/We shall defend at my/our cost any such proceedings. Further, I/we shall initiate such proceedings as may be considered necessary by KSL and or NSDL, if called upon by the KSL and or NSDL so to do, in order to protect KSL's and or NSDL's interest and to further and perfect the indemnity granted hereby in favour of KSL and NSDL.

I/We have executed this Affidavit cum Indemnity on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed and delivered by the legal heirs:

Name of the legal heir(s) / Executor	Signature

**SURETY**

I the undersigned certify that the above facts are true to the best of my knowledge and bind myself as surety to make good all claims, charges, costs, damages, demands, expenses and losses which the KSL/NSDL, its successors and assigns may sustain, incur or be liable for in consequence of complying with the request contained above of the applicant(s) herein and the KSL/ NSDL and its successors, assigns will be entitled to claim and realise all claims, charges, costs, damages, demands, expenses and losses from me or from my properties, as the case may be.

\_\_\_\_\_  
 Signature of Surety  
 Name : \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 (Signature of Magistrate/Notary)  
 Full Name and \_\_\_\_\_  
 Address of \_\_\_\_\_  
 Magistrate/ \_\_\_\_\_  
 Notary: \_\_\_\_\_  
 PIN \_\_\_\_\_  
 Regd. No. \_\_\_\_\_

Use space below to affix:

Notarial/Court Fee Stamp

Official Seal of  
Magistrate/Notary

**ANNEXURE OE**  
**NO OBJECTION CERTIFICATE**

DATE : \_\_\_\_\_

To,  
Name of Participant  
Address of Participant

Dear Sirs,

**Re : Transmission of security balances standing in the name of  
late \_\_\_\_\_ under Client ID \_\_\_\_\_ DP ID \_\_\_\_\_.**

1. In connection with the above, I/We wish to inform you that Mr./Mrs. \_\_\_\_\_ expired on \_\_\_\_\_ and was holding the following securities under the Client ID: \_\_\_\_\_ and DP ID \_\_\_\_\_.

ISIN	Name of Company	No. of securities

2. I/We the undersigned, residing at \_\_\_\_\_, Executor of the Will dated \_\_\_\_\_ of the said deceased.
3. I/We hereby state that as per the attached Will dated \_\_\_\_\_, I/We am joint Executors of the aforesaid Will. However, I/We do not desire to be Executor of this Will and have no objection whatsoever in appointing Mr. \_\_\_\_\_, Mr. \_\_\_\_\_ and Mr. \_\_\_\_\_ as Executors of the said Will.

*Signed in the presence of*

\_\_\_\_\_  
**Bank Manager**  
**Full Name and Address of Bank Manager**

\_\_\_\_\_  
**Signature of the recused Executor**

*Note: This No Objection Certificate should be signed by each recused Executor separately.*