**Affidavit to declare legal heirs of deceased employee to claim Provident Fund, Super Annuation and other Claims.**

**Format of Affidavit to declare Legal Heirs of a deceased person to claim Super Annuation, PF and other Benefits.**

To claim statutory benefits, Provident Fund, Super Annuation and other dues of a deceased employee, affidavit needs to be filed to declare legal heirs of the employee.

Sample Format of Affidavit to declare legal heir of a deceased employee is given below:

**AFFIDAVIT FOR THE DECLARATION OF LEGAL HEIRS OF DECEASED EMPLOYEE FOR CLAIMING PROVIDENT FUND AND OTHER SUPERANNUATION DUES**

Before the Chief Officer\_\_\_\_\_\_\_\_\_\_\_ Bank \_\_\_\_\_\_\_\_\_\_\_\_\_

In the matter of payment of provident fund and other superannuation dues payable in respect of late Shri \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Affidavit of Smt. \_\_\_\_\_\_\_\_\_\_\_, aged about \_\_\_\_\_ years, widow of late Shri \_\_\_\_\_\_\_\_\_\_\_ resident of \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_

I, Smt. \_\_\_\_\_\_\_\_\_\_\_, aged about \_\_\_\_\_\_\_\_\_ years, widow of late Shri \_\_\_\_\_\_\_\_\_\_\_ resident of \_\_\_\_\_\_\_\_\_\_\_ do hereby solemnly affirm and state as follows:

1 . My husband Shri \_\_\_\_\_\_\_\_\_\_\_ was working as \_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_ and he died on at \_\_\_\_\_\_\_\_\_\_\_ due to accident in the factory.

2. That my husband has not made any nomination under the \_\_\_\_\_\_\_\_\_\_\_ Provident Fund Regulations to receive his provident fund and other superannuation dues in case of his death.

3. That my husband Shri \_\_\_\_\_\_\_\_\_\_\_ died intestate leaving him surviving myself, and my two minor children, Ms \_\_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_\_\_\_\_ years and Master \_\_\_\_\_\_\_\_\_\_\_ aged \_\_\_\_\_\_\_\_\_\_\_ years, as his only heirs under the Hindu law, by which he was governed at the time of his death.

4. That apart from myself and the said two minor children, no other person has any right or interest in the money/properties left by the late Shri \_\_\_\_\_\_\_\_\_\_\_

5. I am making this affidavit knowing fully well that on the strength of the same, the \_\_\_\_\_\_\_\_\_\_\_ will recognise my claim to receive the provident fund, superannuation dues and other amounts payable in respect of late Shri \_\_\_\_\_\_\_\_\_\_\_ on behalf of myself and as mother and natural guardian of the said two minor sons, namely Master \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_ as the only heirs of my husband late Shri \_\_\_\_\_\_\_\_\_

I, Smt. \_\_\_\_\_\_\_\_\_\_\_, the above named deponent hereby declare and verify that the contents of paragraphs 1 to 3 and 5 are true to my personal knowledge and the contents of paragraph 4 are based on legal advice which I believe to be true. Nothing material has been concealed and no part of it is false.

Verified at \_\_\_\_\_\_\_\_\_\_\_ on this \_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_ 20 \_\_\_\_\_\_\_\_\_\_\_

**DEPONENT**

Date: \_\_\_\_\_\_\_\_\_\_\_

Solemnly affirmed by the said Smt \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_ this \_\_\_ day of \_\_\_\_\_\_\_\_ Before me

**Notary Public**

## Section 8 of Hindu Succession Act 1956

**8.General rules of succession in the case of males**

The property of a male Hindu dying intestate shall devolve according to the provisions of this Chapter-

(a) firstly, upon the heirs, being the relatives specified in class I of the Schedule;

(b) secondly, if there is no heir of class I, then upon the heirs, being the relatives specified in class II of the Schedule;

(c) thirdly, if there is no heir of any of the two classes, then upon the agnates of the deceased; and

(d) lastly, if there is no agnate, then upon the cognates of the deceased.