

Settlement of Claims in Safe Deposit Locker and Articles in Safe Custody by Deceased Customer

1. Claims with Nominee(s)/ Survivor(s)

Branch shall ensure the following before giving access to the contents to the nominee(s)/ survivor(s):

- (i) Exercise due care and caution in establishing the identity of the nominee(s)/ survivor(s) and deceased status of the locker hirer(s) by obtaining appropriate documentary evidence (physical or equivalent e-document);
- (ii) There is no order or direction as on date from a Court/ Forum in the knowledge of the bank, restraining the nominee(s)/ survivor(s) from having access or the bank from giving access to the locker of the deceased hirer(s) and liberty to remove the contents of such locker; and
- (iii) Make it clear to the nominee(s)/ survivor(s) that access and liberty to remove the contents of the locker is given to them only as a trustee of the legal heir(s) of the deceased locker hirer(s), i.e., such access and liberty to remove the contents given to them shall not affect the right or claim which any person may have against the nominee(s)/ survivor(s) to whom the access is given.

Check-list of Documents

1. Claims with Nominee(s)/ survivor(s) <i>If a customer (person who is a locker hirer or has placed articles in safe custody) nominates an individual(s) to receive the contents in the locker/ Articles in Safe Custody in case of her/his death, branch shall give access of the locker to such nominee(s) with liberty to remove the contents of the locker.</i> <i>In case the locker/Articles in Safe Custody was hired/placed jointly with the instructions to operate it under joint signatures, and the customers nominate any other individual(s), in the event of death of any of the customers, the branch shall give access of the locker/Articles in safe custody and the liberty to remove the contents jointly to the nominee(s) and the survivor(s).</i>	
(i) Claim Form / Application Form, duly signed by the nominee(s)/survivor(s)	Annex I-A
(ii) Death Certificate of the customer(s)	-
(iii) Officially Valid Document of the nominee/ survivor towards verifying her/his identity and address	-
At Branch Level	
(iv) Inventory Form (in case of Safe Deposit Locker)	Annex I-F
(v) Inventory Form (in case of Articles left in Safe Custody)	Annex I-G
* <i>In case the locker/Articles in safe custody was hired/kept jointly with survivorship clause and the hirers instructed that the access of the locker/Articles in safe custody should be given to "either or survivor", "anyone or survivor" or "former or survivor" or according to any other survivorship clause permissible under the provisions of the Banking Regulation Act, 1949,</i>	

<i>the branch shall follow the mandate in the event of death of one or more of the joint locker hirers.</i> <i>* In case of minor nominee, the branch shall ensure that, the contents of locker/Articles in safe custody, when sought to be removed on behalf of the minor nominee, are handed over to the guardian whose details have been provided in the nomination form. If the details of the guardian have not been provided in the nomination form, the branch shall hand over the contents of the locker to a person who is, in law, competent to receive the contents of safe deposit locker/Articles in safe custody on behalf of such minor.</i> <i>* Production of legal documents, viz., Succession Certificate, Letter of Administration, Probate of Will, etc. or Bond of indemnity from the nominee(s)/survivor(s) shall not be required unless there is any discrepancy in nomination.</i>	
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2. Claims without Nominee/ Survivorship clause

A. Settlement of claims falling under the simplified procedure

Keeping in view the imperative need to avoid inconvenience and undue hardship to the legal heir(s)/ claimant(s), bank shall adopt a simplified procedure for settlement of claims in safe deposit lockers *provided* there is no dispute amongst the legal heir(s)/ claimant(s) and

- (i) the deceased locker hirer(s) had not made any nomination, or
- (ii) the joint hirers had not given any mandate that the access may be given to one or more of the survivors by a clear survivorship clause, or
- (iii) there is no 'Will' left behind by the deceased locker hirer.

Check-list of Documents

Cases without Nominee/ survivorship clause	
(i) Claim Form / Application Form, duly filled and signed by the claimant legal heir(s)	Annex I-B
(ii) Death Certificate of the customer(s)	-
(iii) Officially Valid Document of the claimant(s) towards verifying her/his identity and address	-
(iv) Letter of disclaimer/ no objection, from non-claimant legal heir(s), if applicable	Annex I-D
(v) Legal Heir Certificate issued by a competent authority or Affidavit , sworn before a Notary Public/ Judge/ Judicial Magistrate regarding the legal heir(s) of the deceased customer(s) by an independent person who is well known to the family of the deceased, is not a party to the claim and is acceptable to the bank.	- Annex I-E
At Branch Level	
(iv) Inventory Form (in case of Safe Deposit Locker)	Annex I-F
(v) Inventory Form (in case of Articles left in Safe Custody)	Annex I-G
(vi) Bond of Indemnity* (Valuation of the contents of the safe deposit locker/Articles in Safe custody shall be carried out by an independent valuer)	Annex I-H
<i>*Bond of Indemnity shall not be required to be given in cases of claims settled on the basis of legal of documents such as Probate of Will or Succession Certificate or Letter of Administration or Court order/decreed, etc.</i> <i>The claimant(s) or their duly authorised representative(s) may remove the contents of the locker subsequent to submission of the Bond of Indemnity.</i>	

B. Settlement of Claims not falling under the Simplified Procedure

I. Claims involving 'Will' without any dispute

Check-list of Documents

Claims involving "Will" without any dispute	
(i) Probate of Will/ Letter of Administration	-
(ii) Claim Form / Application Form, duly filled and signed by the claimant legal heir(s)	Annex I-B
(iii) Death Certificate of the customer(s)	-
(iv) Officially Valid Document of the claimant(s) towards verifying her/his identity and address	-
(v) In cases where a person other than a legal heir is named as a beneficiary in the Will, applicable documents shall also be obtained from her/him	-
At Branch Level	
(iv) Inventory Form (in case of Safe Deposit Locker)	Annex I-F
(v) Inventory Form (in case of Articles left in Safe Custody)	Annex I-G
OR	
<i>However, the Branch may exercise discretion and act as per 'Will' of the deceased without requiring production of the probate of such Will, provided the same is not inconsistent with applicable laws, there is no dispute regarding the Will amongst the legal heir(s) and/ or beneficiaries named in the Will and the branch is otherwise satisfied as to the genuineness of the Will. In such cases, the documents are:</i>	
(i) Claim Form / Application Form, duly filled and signed by the claimant legal heir(s)	Annex I-B
(ii) Death Certificate of the customer(s)	-
(iii) Officially Valid Document of the claimant(s) towards verifying his/her identity and address	-
(iv) In cases where a person other than a legal heir is named as a beneficiary in the Will, applicable documents shall also be obtained from her/him.	-
(v) Letter of disclaimer/ no objection, from non-claimant legal heir(s), if applicable	Annex I-D
(vi) Legal Heir Certificate issued by a competent authority or Affidavit , sworn before a Notary Public/ Judge/ Judicial Magistrate regarding the legal heir(s) of the deceased customer(s) by an independent person who is well known to the family of the deceased, is not a party to the claim and is acceptable to the bank.	- Annex I-E
At Branch Level	
(iv) Inventory Form (in case of Safe Deposit Locker)	Annex I-F
(v) Inventory Form (in case of Articles left in Safe Custody)	Annex I-G
(vi) Bond of Indemnity* (Valuation of the contents of the safe deposit locker/Articles in Safe custody shall be carried out by an independent valuer)	Annex I-H

**The claimant(s) or their duly authorised representative(s) may remove the contents of the locker subsequent to submission of the Bond of Indemnity.*

II. Cases involving contesting claims/ dispute

Check-list of Documents

Claims involving contesting dispute among the legal heir(s) and/or beneficiaries named in “Will”	
(i) Probate of Will or Succession Certificate or Letter of Administration or Court order/decree	-
(ii) Claim Form / Application Form, duly filled and signed by the claimant legal heir(s)	Annex I-B
(iii) Death Certificate of the customer(s)	-
(iv) Officially Valid Document of the claimant(s) towards verifying her/his identity and address	-
At Branch Level	
(v) Inventory Form (in case of Safe Deposit Locker)	Annex I-F
(vi) Inventory Form (in case of Articles left in Safe Custody)	Annex I-G