

Legal Heirs Certificate

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SHORT SUMMARY:

The author will cover the "***Legal Heirs Certificate***" in this column. Only family members may apply for this document. Anyone else is not entitled to apply.

A legal heir certificate is an important document upon the death of a family member. It establishes the relationship between the deceased person and his/her legal heirs.

Legal heir certificate is a document issued by the Government to determine the rightful owner of an asset or a property on the event of a sudden demise of the registered owner. The certificate is used to verify the relationship with a deceased person for claiming insurance, pension, retirement benefits from Central and State Government departments, etc.

'Legal Hier Certificate' means a place of business to act as a channel of communication between the principal place of business or Head Office or by whatever name called and entities in India but which does not undertake any commercial /trading/ industrial activity, directly or indirectly, and maintains itself out of inward remittances received from abroad through normal banking channel.

Who can apply for Legal Hier Certificate?

The following candidates are eligible to apply for this certificate:

- Wife of the deceased
- Son or daughter of the deceased
- Father or mother of the deceased
- Sibling of the deceased

Required Details of deceased person:

The following are the details that must be about the deceased person:

- The name of the deceased.
- Details of the Family Members.
- Date of application.
- Residential address.
- Applicant's signature.

Process to Obtain Legal Hier Certificate:

The procedure that must be followed to obtain the legal heir certificate is mentioned below.

I. Authority:

A legal heir certificate can be obtained by approaching the area/taluk Thasildhar or from the corporation/municipality office of the respective area and the district civil court.

This certificate is given after a proper enquiry and lists down all the legal heirs of the deceased person. For claiming the legal heir certificate, the legitimate heir makes an application to the concerned authority with:

II. Documents Required for Certificate:

For claiming the legal heir certificate, the legitimate heir makes an application to the concerned authority with:

1. A signed application that should contain the names of all the legal heirs, their addresses and their relationship with the deceased person.
2. Identity proof of all the applicants
3. Address proof of all the applicants
4. The death certificate of the deceased
5. Date of birth proof of all the applicants
6. Address proof of the deceased
7. Self-undertaking affidavit on stamp paper

NOTE:

- Identity proof of applicant can be voter's ID, Aadhaar Card, driving license, passport or any other government-issued identity card.
- Address proof of legal heir can be any valid identity proof or telephone/mobile bill, gas bill, bank passbook with the name and address of the legal heir.
- Date of birth proof of legal heir can be a birth certificate, school transfer/leaving certificate, PAN card, passport, etc.

III. Required Fees:

₹2 for a stamp and ₹20 for stamp paper for affidavit will be essential.

IV. Time Period:

The issuance of the legal heir certificate typically takes 15 days to 30 days.

V. Issuance of Certificate:

After the submission of such an application, the administrative officer or the inspector conducts an inspection and completes the inquiry. Once the enquiry is completed successfully, the authorized officer issues the Legal heir certificate.

Importance and Use of Legal Hier Certificates:

The government issues a legal heir certificate to identify a deceased person's legal heirs. The certificate is usually needed to prove that people are entitled to the deceased's assets, liabilities, and other legal matters. Here are some legal heir certificate uses:

1. Compassionate job appointments:

In case of the death of a government employee, the legal heir certificate may be required to claim compassionate job appointments or reserved positions for the family members.

2. To get salary arrears:

If the deceased person was an employee, the legal heir certificate may be needed to claim any pending salary arrears or other employment-related dues.

3. To get gratuity, provident fund, etc.:

Legal heir certificate is often necessary to claim benefits like gratuity, provident fund, and other financial entitlements from the employer of the deceased.

4. Insurance claims:

When a person covered by an insurance policy passes away, the legal heir certificate is required to process and claim insurance benefits. This is crucial for life insurance, health insurance, and other types of insurance policies.

5. To transfer assets and properties:

A legal heir certificate is essential for transferring the ownership of assets and properties left behind by the deceased. This is important for real estate, bank accounts, vehicles, and other valuable assets.

6. To settle debts and liabilities:

The legal heir certificate may be required to settle any outstanding debts and liabilities of the deceased person.

7. To establish inheritance rights:

It serves as proof of the legal heirs and their respective shares in the inheritance, facilitating the smooth distribution of the deceased person's assets among the rightful beneficiaries.

8. To claim pension benefits:

In the case of a deceased government employee, the legal heir certificate is necessary to claim pension benefits for the surviving family members.

9. For legal proceedings:

The certificate may be required in legal proceedings related to the estate, inheritance, or any disputes involving the deceased person's assets.

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