**FORMAT OF INDEMNITY BOND FOR TRANSMISSION OF SHARES / DEBENTURES WITHOUT PRODUCING PROBATE / SUCCESSION CERTIFICATE / LETTERS OF ADMINISTRATION**

(Please type this indemnity bond after carefully reading the notes mentioned below the format)

Mr./Ms. [.], son/daughter/wife of [.], aged [.] years and resident of [.]

Mr./Ms. [.], son/daughter/wife of [.], aged [.] years and resident of [.]

Mr./Ms. [.], son/daughter/wife of [.], aged [.] years and resident of [.]

(Here in after referred to as **“Executor(s)”**, which expression shall unless repugnant to the context or meaning thereof be deemed to mean and include his/her heirs, executor, administrators, and permitted assigns)

IN FAVOUR OF

Hero MotoCorp Limited, a Company incorporated and registered as a Public Limited Company under the Companies Act, 1956 having its Registered Office at The Grand Plaza, Plot No. 2, Nelson Mandela Road, Vasant Kunj – Phase II, New Delhi – 110 070, (hereinafter referred as the “**Hero MotoCorp**” or the “**Company**” which expression shall, unless repugnant to the context or meaning thereof mean and include it’s Directors, Officers, employees, authorized representatives, successors and permitted assigns)

(“Executor(s)” and the “Company” shall hereinafter be singularly referred to as “**Party**” and collectively referred to as “**Parties**”).

# WHEREAS

1. (Number of shares/ debenture/ Equity shares / debentures) of the Company are standing in the name of Late Shri./Smt. (name of the deceased) in the Register of Members of the Company. The deceased was holding the said shares / debentures of the following description

**Folio No. Certificate Nos. Distinctive Nos. No. of Share/Debentures in each Certificate**

1. Shri./Smt. (name of the deceased) expired on (date of death) leaving behind him/her the following heirs :

Sr. Name & Address Of the legal heir Age Relationship with the deceased

1.

2.

3.

1. The above mentioned shares / debentures were separate and self acquired property of the deceased. According to the law of intestate succession applicable to him/her by which he/she was governed at the time of his/her death, the person(s) mentioned herein above is/are the only heir(s) of the deceased. He/She/They is/are entitled to inherit solely/jointly the aforesaid shares / debentures covered under Folio No. \_\_\_\_\_\_ held by the deceased.
2. The Executor(s) have now approached the Company to transmit the shares/debentures covered under Folio No. \_\_\_\_\_\_\_ and bearing Certificate No(s). \_\_\_\_\_\_\_\_\_\_\_ held by the deceased, in the favour of the Executor(s) and to enter the name(s) of the Executor(s) in the Register of Members of the Company without production of Probate of the Will / Letters of Administration or Succession Certificate from the Court of competent jurisdiction, in consideration of the Executor(s) executing this indemnity bond in favour of the Company.

NOW THEREFORE**, the Executor(s) do hereby undertake, declare, state, affirm and covenant as under**:

1. The Executor(s) do hereby represent that he/she/they are the only legal heir(s) of the deceased (i.e. *Name of the Deceased*) who was the registered shareholder of \_\_\_\_ (no. of shares) shares in the Company as detailed herein above.
2. In consideration of the Company transmitting and registering the shares / debentures held by the deceased in the name of the Executor(s), the Executor(s) do hereby jointly and severally covenant with the Company, its successors and assigns and agree and undertake at all times to save, defend and to indemnify and keep indemnified the Company, its successors and assigns its estate and effects, and its directors, manager, secretary and shareholders / debenture holders and their heirs, executors and assigns from and against all actions, suits, proceedings, accounts, claims and demands whatsoever for or on account of the said shares / debentures or dividends / interest or any part thereof or otherwise in connection with the same, and from and against all losses, costs, claims, actions, demands, risks, charges, expenses, damages and losses arising in any manner howsoever.
3. The Executor(s) certify(ies) that the above representations made herein and all the representations made by me/us to the Company, in regard to any matter / request whatsoever, including but not limited to the documentary proofs submitted with the Company, are true and the same bind the Executor(s) to make good all claims, charges, costs, damages etc. incurred or to be incurred by the Company as a consequence of the same being found untrue or false at any point of time.
4. The Executor(s) further declares and agrees in writing, that in the event of his/their failure to compensate the Company in any action, suits and proceedings with the Company, which the Company might face for having transmitted the shares at the request of the Executor(s), the Company can have a lien in general on all the securities, which the Executor(s) is now holding or the Executor(s) may be holding hereafter and also the Dividend /Interest declared or payable on the said securities or any other entitlements/payments due to the Executor(s).
5. This indemnity-cum-undertaking shall be deemed to be in effect from the date of issuance of the duplicate share certificate and shall continue until discharged in writing by the Company at its sole discretion.

IN WITNESS WHEREOF signed by the Executor(s) hereto has set and subscribed his/her/it hand on this Indemnity-cum-Undertaking on this \_\_\_ day of \_\_\_\_\_\_\_, 20\_\_.

Executor Signature of the Executor(s)

1. 1.

2. 2.

3. 3.

Name and address of Witness Signature of the Witness

1.

2.

Place:

Date:

**SURETY**

We, (name of the surety No.1) aged \_\_ years, an Indian Inhabitant / NRI presently residing at (residential address of Surety No.1) and having business address at (official address of Surety No.1) , having PAN No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and (name of the surety No.2) aged \_\_ years, an Indian Inhabitant / NRI presently residing at (residential address of Surety No.2) and having business address at (official address of Surety No.2) , having PAN No. \_\_\_\_\_\_\_\_\_\_\_\_\_,the undersigned, certify that the above facts are true to the best of our knowledge. We bind ourselves sureties to make good all claims, charges, costs, damages, demands, expenses and losses which the Company, its successors and assigns its estate and effects and its directors, manager, secretary and shareholders / debenture holders may sustain, incur or be liable for in consequence of complying with the request contained above and the Company, its successors, assigns, directors, manager, secretary and shareholders / debenture holders will be entitled to realize all claims, charges, costs, damages, demands, expenses and losses from our persons and our properties, as the case may be.

Place :

Date:

Name and Address of the Surety Signature of the Surety

1. 1.

2. 2.

Name and Address of the Witness Signature of the Witness

1. 1.

2. 2.

**NOTES:**

1. Indemnity Bond should be duly attested and affirmed by Notary on Non-Judicial Stamp Paper (NJS) of Rs. 100/- or such stamp-duty applicable in the place of execution.
2. Please fill up the details as per the documents you are annexing. Please do not just type this format as it is.
3. It should be executed by the Applicant(s).
4. Legal heirs renouncing their rights should not sign the Indemnity Bond.
5. Details of all the legal heirs required to be mentioned in Indemnity Bond inclusive of renounces.
6. Maximum of only three legal heirs can apply for transmission.
7. Indemnity Bond should be witnessed by one person.
8. Two sureties are required to be furnished
9. Witness and Surety have to be different individuals and not from the same family. Further, if the surety is a non-professional, latest Income Tax Return shall be provided. Professional[[1]](#footnote-1) sureties shall furnish their membership number.
10. Each Surety has to attach copy of his PAN Card or Aadhaar Card and also copy of Electricity Bill or Telephone Bill or Gas Bill (not more than 3 months old), Election Card or Passport duly attested
11. Indemnity Bond and Surety form should be Notarized.
12. Each Witness has to attach attested copy of his PAN Card

1. Advocates, Medical Practitioners, Chartered Accountants, Company Secretaries, SEBI registered brokers shall come under the category of professionals. [↑](#footnote-ref-1)