

No. Per (AR) A(4)3/2013 Part-I

Dated Shimla-2, the

31st January, 2015

OFFICE MEMORANDUM

Subject :- Abolition of Affidavits-Introducing Self Certifications.

It has been the experience that in the day to day functioning of the government, submission of affidavits (on Stamp Paper and attested by Magistrates/notaries) by applicants for various purposes has been going on for a long time. Most of this in fact appears redundant and is insisted upon by lower level functionaries either due to ignorance of Law or simply continued as a practice adopted in the past which, in reality, serves no purpose whatsoever.

2. Needless to say that every affidavit to be procured by any citizen subjects her to great cost in terms of energy and effort besides money the cost of which may vary from 20 to 200 rupees for each affidavit. And all of this for a document which seems to serve no purpose whatsoever.

3. This matter has been examined and it has been decided by the Government to do away with affidavits in government functioning and introduce self certification of document. All Agencies/ departments/ organizations in the Government are directed to immediately dispense with the practice of obtaining affidavits from the public except in those cases where Act/Rules specifically provide for furnishing of an Affidavit. Any official asking for an affidavit in the normal transactions of govt. business, unless the affidavit is required under a statutory provision, may invite appropriate action for defiance/violation of government directions. Instead only a self certified declaration on plain paper will be obtained from such applicants.

4. The orders shall not be applicable to Courts or to other bodies discharging functions of judicial or quasi judicial nature e.g. Consumer Commission, Administrative Tribunal, Lokayukta etc.

An apprehension that may arise in this matter is "what if any person gives a false or incorrect declaration?" In this regard reference is invited to Section 199 and 200 of the

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Indian Penal Code which is sufficient to allay such apprehensions. For ready reference the same are reproduced below:-

Section 199. False Statement made in declaration which is by Law receivable as evidence.

“Whoever, in any declaration made or subscribed by him, which declaration any court or Justice, or any public servant or other person, is bound or authorized by law to receive as evidence of any fact, makes any statement which is false, and which he either knows or believes to be false or does not believe to be true, touching any point material to the object for which the declaration is made or used, shall be punished in the same manner as if he gave false evidence.”

Section 200. Using as true such declaration knowing it to be false.

“Whoever corruptly uses or attempts to use as true any such declaration, knowing the same to be false in any material point, shall be punished in the same manner as if he gave false Evidence.

This decision of the Government may please be brought to the notice of all the officers Concerned for strict compliance.

By Order

(S.K.B.S Negi)
Principal Secretary (AR) to the
Government of Himachal Pradesh
Phone No. 0177-2621897

No. Per (AR)A(4)3/2013-Part-I Dated Shimla- 171002, the 31st January, 2015.
Copy is forwarded to:-

1. The Secretary to the Government, H.P. Shimla-2
2. The Pr. Secretary to the Hon'ble Chief Minister, H. P. Shimla-2.
3. Sr. PS to Chief Secretary to the Govt. of H.P. Shimla-2
4. The Secretary, Govt of India, Ministry of Personnel, PG& Pensions, Department of Administrative Reforms & Public Grievances, Sarddar Patel Bhawan, Sansad Marg, New Delhi-110001 w.r.t. D.O. No. 502/3/2/2014-CA-V dated 30th July, 2014. for information.
5. All the Administrative Secretaries to the Govt. of H.P. Shimla-2.
6. All Heads of Departments
7. All Divisional Commissioners in H.P.
8. All Deputy Commissioner in H.P.
9. The Registrar General, H.P. High Court, shimla-1
10. The Registrars of all the Universities in H.P.
11. The Managing Directors/ Secretaries/ Registrars of all the Boards/ Corporations/ Autonomous Bodies in H.P.
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(Rajiv K. Shankar)
Special Secretary (AR) to the
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