

File No. Per (AR) A (4)-3/2013 Part-I
Government of Himachal Pradesh
Administrative Reforms Organization

From

The Secretary (AR) to the
Government of Himachal Pradesh.

To

1. All ACS/Pr. Secretary/Secretary () to the Government of Himachal Pradesh
2. All Heads of the Departments in H.P.
3. All the Divisional Commissioners in H.P.
4. All the Deputy Commissioners in H.P.
5. The Registrar General, HP High Court, Shimla-1
6. The Registrar of all the Universities in H.P.
7. The MDs/Secretaries/Registrars of all the Boards/Corporations/Autonomous bodies in H.P.

Dated: Shimla-02, the 26th August, 2020

Subject:

Abolition of Affidavits – Introducing Self Certifications.

Sir,

On the subject cited above, I am directed to invite your kind attention to this department Office Memorandum of even number dated: 31 January, 2015 (copy enclosed), reiterated on 11 June, 2019 and clarified on 18 January, 2020, where it was clarified that the submission of Affidavits (on Stamp Papers attested by Magistrate/notaries) by applicants for various purposes as demanded by lower level functionaries due to ignorance of law or continued as a routine practice serving no purpose has been abolished to prevent imposing undue cost and harassment to applicant/citizens and replaced by self certification w.e. from 31-01-2015 except in those cases where Act/Rules specifically provide for furnishing of an Affidavit.

2. However, it has been noticed that these instructions are not being adhered properly by lower functionaries in the Government and common citizen still is being insisted upon to furnish of an Affidavit (on stamp Paper and attested by Magistrates/notaries).

3. It is reiterated and emphasized that any official asking for an Affidavit in the normal transaction of government business, unless 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. You are, therefore, requested that decision of the Government may please be brought to the notice of all officers/officials under your control and ensure strict compliance.

Your's faithfully,



(Rajesh Sharma)

Deputy Secretary (AR) to the
Government of Himachal Pradesh

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**DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI, SHIMLA-171001**

16 SEP 2020

Endorsement No: EDN-H (Ele)(1)B/2019(Misc) Vol-I, Dt: September 2020

Copy for information and necessary action to: -

1. The Joint Director (S) Directorate of Elementary Education, HP Shimla-01.
2. The Joint Controller (F&AS), Directorate of Elementary Education, HP Shimla-01.
3. The District Attorney, Directorate of Elementary Education, HP Shimla-01.
4. All the Deputy Director of Elementary Education, Himachal Pradesh.
5. All the Branch Officers, Directorate of Education, HP, Shimla-01.
6. The Assistant Controller (F&AS), Directorate of Elementary Education, HP Shimla-01.
7. All the Branch Superintendent, Directorate of Elementary Education, HP Shimla-01.
8. The Section Officer (F&AS), Directorate of Elementary Education, HP Shimla-01.
9. The in-charge- IT Cell, Directorate of Elementary Education Shimla-01 with the remarks to upload the same on departmental website.
10. The P.S. to Director of Elementary Education, Shimla-01.
11. The P. A. to Joint Director (Admn.) Directorate of Elem.Edu. H.P. SML-01.
12. Guard file.

(HITESH AZAD)HPAS,
Joint Director (Administration),
Directorate of Elementary Education,
Himachal Pradesh, Shimla-171001,
eleeduhp@rediffmail.com 0177-2658044

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Government of Himachal Pradesh
Departments of Administrative Reforms

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

Contd---2---

Reiterate these instructions.

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in 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.
12. Addl. Secretary (GAD-C) to the Government of H.P.
13. Spare copies-50.

(Rajiv K. Shankar)
Special Secretary (AR) to the
Government of Himachal Pradesh
Phone No. -0177-2622286