

**FEBRUARY  
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# **Reforming Public Service Delivery Systems In India**

## **Rationalisation of Affidavits**

**Punjab Governance Reforms Commission**  
**February 2016**



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**PUNJAB GOVERNANCE REFORMS COMMISSION(PGRC)**





## **FOREWORD**

In Punjab, we have taken a number of initiatives to engage citizens in governance. The main focus of these reforms is to restore citizens' trust in institutions. For this we brought about reforms particularly in police administration, revenue collection agencies and district administration. These reforms have provided dignified and easy access to services for citizens and have made administration transparent and accountable. The focus of these reforms is to build partnership with citizens and for this institutionalised forums have been created. This will not only check corruption, but will make citizen's experience with government institutions dignified.

Even after sixty-three years of Independence, citizens have to prove their identity. For declarations relating to their profession, income, caste, residence proof, etc., affidavits are to be given on legal papers sworn before a Magistrate or public notary. Even to procure ration cards, electricity, sewerage and water connection, birth and death certificates, applications for admission to the educational institutions, affidavits attested by Gazetted officer or third party or public notary, or Magistrate have to be produced. We, in Punjab in 2009 decided to do away with filing of affidavits except in cases where it is mandatory by law. Affidavits impose their own cost on citizens – buying of stamp paper, locating a deed writer, payment to Notary for attestation besides harassment caused to the citizens.

It is encouraging that initiatives like rationalisation of affidavits as introduced in Punjab have been adopted by the Government of India as well. And its philosophy is being made integral to bring about progressive reforms in other spheres of administration. These reforms are essentials for making our democracy – participatory, egalitarian and dignified.

**SUKHBIR SINGH BADAL,  
DEPUTY CHIEF MINISTER, PUNJAB.**

## **PREFACE**

Punjab Governance Reforms Commission (PGRC) has been set up to improve the welfare of the disadvantaged, marginalised and deprived sections in Punjab and achieve good Governance based on high ethical standards.

The motivation for the Commission comes from the fact that the present system of governance is not optimally suited to the challenges of unequal access of social programmes and skewed distribution of benefits of the various economic programmes based on gender, caste and class.

The mandate of the Commission is to suggest changes in the processes, procedures, rules, regulations and design of the public services and, in respect of the social development programmes, to improve the delivery of services, ensure dignified access of the same to the disadvantaged, marginalised; and deprived sections of the society including women.

The main thrust is to establish the identity of the citizens by changing colonial rules and procedures. Even after sixty six years of independence, in order to prove their name, the citizens have to seek affirmation from a gazetted officer of the government. There is an urgent need to discontinue such practice and repose greater faith in citizens by accepting self-declarations as reliable and authentic. This will be a step forward in meeting the trust deficit that annoyingly continues to exist between the citizens and the government.

The contribution of Sh. R.N. Gupta, IAS (Retd.); Sh. Satish Chandra, IAS, the then Member Secretary of the PGRC for giving shape to the idea; and Sh. Subodh Aggarwal, the then Chief Secretary for implementation.

The document has been compiled in the form to make it easy to adapt in other states also.

**Dr. Pramod Kumar**  
**Chairperson, PGRC**



# INTRODUCTION

Governance Reforms in Punjab has become a main agenda of the Government. And, it has received positive response from the political leadership and a consideration of the administrative setup. Above all, it has generated hope amongst the people that the implementation of this agenda may give them some respite from rampant corruption and harassment.

Taking cognizance of this the State Government has reconstituted the Punjab Governance Reforms Commission (PGRC) in 2012. The mandate of the Commission is to suggest changes in the processes, procedures, rules regulations and design of the public services and in respect of the social development programs to improve the delivery of services, ensure dignified access of these services to the disadvantaged, marginalized; and deprived sections of society including women. It has also set up a Department of Governance Reforms which is headed by Deputy Chief Minister of the State.

In 2010, in a major initiative the Deputy Chief Minister S. Sukhbir Singh Badal in consultation with the Commission and senior officials abolished filling of affidavits except in cases where it is mandatory by law. It has also been proposed to introduce self attestation by the applicant (in place of attestation by notary/gazetted officer) for copies of original documents. These changes will result in substantial saving of time as well as money and make it possible to provide most of the need-based services immediately. The main services covered are residence and area certificates, income certificates, applications for construction and connection in urban areas, pensions, SC BC certificates, ration cards etc.

To reach out the benefits of various welfare and income-generating schemes and various citizen-related services, decision have been taken to set-up Unified Service Delivery Centres in both urban and rural areas. The e-services to be provided included delivery of old-age pension, registration of pension for handicapped and widows and disabled persons.

For the urban services like approval of construction registered architect to be made responsible for compliance with rules and only one certificate to be made necessary after completion of construction. There are number of other reform which have been implemented related to water to sewerage connection, environment safety, etc. Punjab will become second State in the country authorising dealers of automobiles to act as registering authority on first sale.

**Sarvesh Kaushal, IAS**  
**Chief Secretary, Punjab**

# REFORMING PUBLIC SERVICE DELIVERY SYSTEMS IN INDIA

## Rationalisation of Affidavits

### INTRODUCTION

In this segment the following issues are covered:

- (i) Affidavits.
- (ii) Self attestation of original documents.
- (iii) Need-Based Services - System of Reports/Verifications by Revenue Officials/Lambardars/Municipal Commissioners/Sarpanchs (for issuance of area/residence/SC/Income certificates etc.).
- (iv) Issuance of Residence/Domicile/Area/Income/Identity Cards/ Other Misc. Certificates (e.g. dependant/marriage status etc.) – Designating Appropriate Authorities.
- (v) Verification of Character and Antecedents: Central and State Governments.

### I. AFFIDAVIT: DO WE NEED THEM?

Historically, governance has been a prisoner of the colonial non-faith citizen-government exchange. The interaction of the State vis-à-vis citizens continues to remain divergent, even antagonistic, in terms of realisation of the claims, entitlements and the basic rights. The institutions, norms and procedures continue to function as colonial constructs, causing a visible disconnect between the State and the people. However, denial of key values such as identity and dignity to the large sections of the population results into an 'exclusion' experience. In this case, they remain 'deficient citizens'.

2. Affidavits are required in support of facts given by the applicants for issue of various certificates, (residence etc.). Affidavits are affirmations by the applicants (supported in some cases by third parties). For example, in the case of delayed registration of births up to one year, an affidavit by an applicant is sufficient, whereas, in the case of income certificates, affidavits of third parties are required. The practice is also prevalent in public utility services and affidavits may be required for getting new power connections, water and sewerage connections/new constructions. An affidavit, thus, is an important pre-requisite for most of the need-based services. Generally, affidavits require stamp paper/stamp fee and need to be sworn before a Magistrate or a Public Notary.

### 3. Cost to Citizens

Affidavits impose their own cost on the citizens - buying stamp paper, locating a deed writer, payment to the Notary for attestation and, of course, the time and efforts consumed in these processes. On the other hand, affidavits have no particular sanctity in law and the same function can be easily performed by declarations.

4. In Punjab alone, it is estimated that at least half the households file affidavits annually for one service or the other. Extrapolating this figure to India, the total number may be



more than 20 crore citizens/affidavits and assuming a cost of Rs.400/- per affidavit (one day wages plus stamps, fees and charges), the total expenses incurred by the citizens in India could well be to the extent of Rs. 8,000 crores approximately (Reproduced in Annexure 1).

## **SYSTEM OF AFFIDAVITS FOR NEED-BASED SERVICES**

### **Self-Declaration: A Valid Alternative**

#### **Existing Practice**

At present, affidavits of the applicants/guardians are required for the various need-based certificates – residence/domicile/Kandi area/S.C./B.C. etc. In some cases, affidavits are prescribed under some statutory Rules and Acts. In some cases, Public Notaries are allowed to attest the same whereas in the case of others, only Executive Magistrates are empowered.

Affidavit is a declaration, and as such, a declaration in itself is adequate for the purposes of law. Attestation by the officials, thus, does not appear to be necessary. The applicant/signatory continues to be responsible for the statement made. An advantage that the public agencies have is that they can also impose penal liability for making wrong statements in terms of suspension of the services (suspension of ration card facilities, disconnection of power supply etc.).

Affidavits, therefore, need to be replaced by Self-Declarations for all services in the public utilities/agencies. This will save a lot of bother and sizeable expenses to the citizen, having to procure stamps/stamp paper that is mostly not available at the place where the affidavit is to be submitted. Some of the Central Government agencies (passport, income tax etc.) have already adopted this practice.

There appears to be no legal problem in adopting this practice. The Indian Penal Code contains a number of Sections such as 177, 193, 197, 198, 199 and 200. These Sections specifically deal with the implications of any false information/evidence/disclosure/declaration made by the deponents and, any such instances have been included to be subjected to the imposition of penalties, fines, registration of criminal cases and even imprisonment. These are reproduced in Annexure I.

In fact, Self-Declaration is nothing but a self-attested affidavit given on a plain piece of paper.

There are cases where supporting affidavits of third parties (Sarpanch, Lambardar etc) are required as evidence before issuance of certain certificates – e.g. income certificates. In these cases also, declarations should be accepted in place of affidavits. It has also been proposed that the citizen declarations should be adequate for the third party verification. In such cases, problem of establishing the identity of third party can be attended to by establishing third party's Aadhar Card. This will reduce the number of bogus attestations as the beneficiary-applicant will anyhow remain liable.

### **Decisions to be taken by the Government**

- (a) Self-declaration to be accepted in place of affidavits in all cases where affidavits are not required as per any statutory provisions. (See Annexure-II)
- (b) In cases where statutory rules provide for affidavits (e.g. byelaws for the approval of new construction/water supply connection in Municipal areas), the bye-laws may be amended.
- (c) In cases where affidavits are required under any Act, In-charge of the Suwidha Centre/officials designated by the Deputy Commissioner, at the district or sub- division level, may be authorised to attest the same.
- (d) Format for self-declaration would provide for the liability of the person making a wrong declaration on the lines indicated in the Annexure II.
- (e) This decision will cover all affidavits presently required for the issuance of Residence/Domicile/Kandi area/S.C./B.C./Income Certificates, Ration Cards and for seeking permission for new sewerage, water and electricity connections.

### **Action required and concerned authorities**

- (1) Deputy Commissioners: To switch to the new system within a month by displaying and providing revised formats for self-declaration at all Suwidha Centres/Service Providers. **The system of affixing photograph of the applicant may, however, be continued for self- declaration.**

### **Secretaries of Departments**

- (2) All Secretaries, especially those dealing with education, health, technical education, social security, irrigation and power departments etc., where affidavits are required for establishing eligibility for admission/employment, shall ensure that all institutions/agencies change over knew the existing system of filing affidavits and provide for the new system.
- (3) All departments should display to the public the list of affidavits that have since been substituted by self-declaration and another list of subjects/areas where affidavit system is proposed for continuance due to some statutory/other compulsions.

### **Action by Central Government**

- (i) At present, the affidavits have to be filed by the parties in cases and petitions etc. in the Courts under CPC/CrPC/High Court Rules and Orders. The parties incur substantial costs in terms of money as well as time in having to file affidavits at almost every stage of the case. The appropriate laws – CPC/CrPC/Evidence Act/High Court Rules and Orders – would need to be amended to permit self-declarations to be accepted as evidence. Attestation by the witnesses, who are not public authorities, can be provided in place of Notaries wherever considered necessary.
- (ii) Births and Deaths Registration Act – requires affidavits in case of applications filed after one year of the event.



- (iii) Central Ministries may be requiring affidavits for different services, welfare programmes and social security schemes

The present practice and the proposed process are indicated herewith:-

Services	Present	Proposed
<b>Affidavit</b>	<ul style="list-style-type: none"> <li>Affidavit is required to be attested by Executive Magistrate.</li> </ul>	<ul style="list-style-type: none"> <li>Allow self-declaration by the applicant.</li> <li>In cases where attestation is considered to be necessary, Suwidha Centres to be authorised to attest the same.</li> </ul>
<b>Contents of the affidavit</b>	<ul style="list-style-type: none"> <li>No warning or caution for filing wrong declaration.</li> </ul>	<ul style="list-style-type: none"> <li>The signatory is liable for action under sections 199 and 200 of IPC in case of wrong declaration.</li> </ul>
<b>Court fee/stamp</b>	<ul style="list-style-type: none"> <li>It adds to transaction costs/delay, without any compensating revenue considerations.</li> </ul>	<ul style="list-style-type: none"> <li>Self-declaration will be a part of the application form.</li> </ul>
<b>Photograph</b>	<ul style="list-style-type: none"> <li>Not required except in Suwidha Centres.</li> </ul>	<ul style="list-style-type: none"> <li>The practice of having a photograph of the applicant can be continued in the Suwidha Centres, even under the revised procedure of self-declaration for purpose of freezing the identity of the applicant.</li> </ul>

## II. SELF-ATTESTATION OF ORIGINAL DOCUMENTS

Present position: These documents are required to be attested by Notary/Executive Magistrate, and that itself leads to unnecessary delay. In most of the cases, copies are required only for checking the eligibility (e.g. for admission in educational institutions) where, in any case, the original documents are checked again finally for the shortlisted candidates.

In cases where attestation is considered necessary, In-charge of Suwidha Centre needs to be authorised to attest affidavits instead of having to send them to the Executive Magistrate, thus, making the single window also a one-stop window.

### Decisions to be taken by the Government

- Self-attestation of documents should be permitted in case of documents required for seeking domicile/Kandi area/S.C./B.C./Income Certificates/Ration Cards, Electricity, Water Connections & similar services and for the applications for seeking admission to the educational institutions/employment.
- In cases where attestation by the 3rd party is considered to be necessary, In-charge Suwidha Centre or designated official or third person holding Aadhar Card is authorised to attest the documents.
- Agencies responsible for making admissions in educational institutions and for offering employment should accept self-attested copies and call for original documents only from the shortlisted/finally selected candidates.

## III. FROM GOVERNMENT APPROVALS AND INSPECTIONS TO SELF-CERTIFICATION OF RIGHTS AND ENTITLEMENTS

Self-Certification is the third 'S' for citizen empowerment - (the other two are Self-Declaration and Self-Attestation). This is not only ideologically relevant – governments do

keep referring to empowerment of citizens – but it can be very helpful in reducing substantial transaction costs incurred by the citizens and the government agencies, in the course of delivery of public services.

### **Verification by Public Agencies – a Colonial Legacy**

Citizens need documents such as residence, caste and income certificates for availing of opportunities and entitlements provided by the State. An SC Certificate for example is required to avail of reservation in jobs and for higher education. In most of these cases, they are expected to self-certify the entitlement and then get the same verified and endorsed by revenue as well as PRI officials. Such official verification of facts and information provided by citizens is basically just a ritual. Officials have neither the motivation nor the inclination nor even the information to do the job properly, even assuming such checks are required. In the case of verification by elected officials, electoral compulsions make routine endorsements very likely. The manifestations of this ritualistic endorsement by the public officials are noticeable in various public services. Entire village population flaunts income certificates certifying them to be BPL families; old age pensions are claimed by 50% more families than warranted by the socio economic data about eligibility; population reflected in the ration cards exceeds the census population. All this, despite the elaborate official verification processes!

Acceptance of the concept in principle, however, is not enough. What self-certification should mean in concrete terms has to be determined in the context of different services depending on factors such as risk (of misuse), incentives and transaction costs for the citizens as well as the government.

The two major areas that need different sets of rules in this regard are:

#### **Self-Certification for Need Based ‘Contingent Services’**

Self-Certification in social and economic regulations

#### **I. Self-Certification for Need Based Contingent Services:**

This covers various documentation services involving issue of various certificates such as residence, caste, income etc.

#### **Problems under present system of official verification**

- (a) **High Transaction Costs:** The verification processes involve movement of papers from the front desk to the verifying officials and back. In many cases physical tracking is required to be done by the applicants. This results in substantial transaction costs not only for the citizens especially in terms of time but also the officials. Costs may be much more than in the case of affidavits, in terms of multiple visits and travel to different offices.
- (b) **Uneven treatment:** Rural applicants are subjected to two sets of verification in most of the cases, involving the revenue department and the PRI officials whereas in the urban areas only the elected officials are entrusted with verification.



- (c) **Verification a ritual due to lack of information and incentives:** In the case of elected officials especially, there is conflict of interest – they have political interests and may be unable to do an independent scrutiny. This makes the reliability of verification process suspect. In case of revenue officials, there is little incentive or motivation in the absence of information and they mostly bank upon reports of the elected officials thus completing the ‘cascade’ of ignorance.

### **Why Self-Certification?**

#### **(a) Officials responsible for verification:**

- (i) don’t have the necessary information;
- (ii) don’t have the time;
- (iii) don’t have motivation or incentives.

**(b) Self-Certification means Self-incrimination:** A self-certifying citizen is himself or herself the beneficiary of the wrong statement or facts. The remarkable thing about self-certification is that it can be the direct evidence for misuse, by itself, wherever detected or investigated.

**(c) Low Risk:** Most of the basic services don’t carry, to use an economic term, high ‘consumer surplus’; incentives for misuse are, therefore, low.

### **Services for which self-certification by the applicant can be accepted**

Various Certificates: Domicile, income, residence, area, dependent, birth, senior citizen and many other similar certificates.

### **For High Risk Services: Citizen –Friendly Third-party Certification**

The practice of third party citizen certification in place of official verification can be useful for certificates and documents having **more risk of misuse** (e.g. **SC certificates/OBC etc. used for employment/admissions in professional colleges**) where consumer utility and prospects of gain are deemed to be too high to make it prudent to bank upon beneficiary self-declaration alone; in such cases, self-certification can be supported by **authentication/endorsement** by third parties - citizens. **Needless to say, third parties would need proper identification (e.g. Aadhar)**. Such kind of third party certification can substitute the process of official verifications and enquiries.

Neighbours and friends have the information and the (dis)incentives; very few will tell a lie to help a friend get a false certificate. User-friendly verification involving third party known to the citizens is in fact, likely to be more reliable than verification by unmotivated and ignorant officials.

The system of citizen friendly third party verification can be adopted in place of verification by public officials for issuance of S.C./B.C. certificates, old age pensions and other services of a similar nature with a higher risk of misuse.

## **Implementation Process for Citizen-Friendly Verification**

- (a) The system of verification and field reports for issuance of various certificates needs to be discontinued. Supporting declaration by one or two citizens (holding Aadhar Card or Passport providing unique ID) should be considered sufficient.
- (b) Proper identification of supporting witness is to be ensured (Aadhar Card, Passport).
- (c) Photographs of the supporting witnesses need to be affixed, as in case of self-declaration.
- (d) As in the case of self-declaration by the applicant, the supporting declaration should provide for liability for action under section 199/200 IPC in case of wrong declaration.

## **II. Self-Certification: Economic and Social Regulations:**

This area provides a different set of problems but with similar solutions.

Numerous clearances, inspections and visits are required for factories/other economic units for occupation and use, approval/licence to operate and start a business and so on. Prior approvals and clearances are required for environment, local byelaws for construction, labour (multiple issues of EPF/ESI/Industries Act) and so on. Sometimes multiple visits may be required – first for no objection and subsequently, for approval.

### **Why Inspections?**

Violation of social and economic regulations is mostly the result of rational and conscious acts, whereas approvals and licences are based on the compliance of peripheral conditions, many of which may not have any correlation with the regulatory outcomes. Factories may have pollution control equipment, but rarely operate it; fire safety equipment in most of the urban structures may be ascribed as ‘dummy’. Inspection under Electricity Act is an example where officials do not have information or skills and have only very mild incentives, if at all, to do their job. Complex regulations will always be a step ahead of the skill sets of the street level inspectors.

### **Unproductive Checks and Inspections**

Prior inspections and scrutiny pose a number of problems.

- (i) **Laws are opaque and complex:** Even a well-meaning Drug Inspector cannot recall all the clauses of the GMP (Good Manufacturing Practices) under Drugs Control Act; these are difficult if not impossible to comply. That is why the law does not require compliance in letter but it still can provide an excuse for objections. What we need is routine clearance unless a limited number of simple requirements are violated – a ‘default rule’ for approval, rather than refusal.
- (ii) **Knowledge Deficit of Officials:** Production processes and equipment are sophisticated and may be beyond the skill and capacity sets of an average inspector. Enforcement officials of the factories department, for example, know much less about boilers or installation of hazardous machines than the owner or the supplier.



**(iii) Inspections, 'Rents' and Outcomes:** Economic regulations are primarily concerned with socially positive outcomes – unadulterated drugs and food, use of standard weights and measures. Violators are punished or penalised e.g. for adulteration of drugs, compensation to labour for factory accidents. Socially harmful outcomes of production processes and penalties are, however, rarely a function of compliance with regulations regarding the layout and design of a factory or equipment. These are without doubt important for the economics and profitability of the enterprise, but are not a constraint on the production of deficient goods and below par production quality. An excellent 5 star drug factory can as easily (or probably even more easily) produce substandard drugs as any other. A biscuit factory has to be geared to produce good biscuits even though it may not really do so. Pre commissioning inspection of premises would not matter either way. Approvals are mostly a ritual and a function of speed money.

### **Inspection in Informal Trade**

The process of official visits is especially damaging to informal business and trade which unlike the organised sector, does not have the resources and the *where with all* to negotiate official procedures and processes – e.g. licences for rickshaws, street vendors.

Pre-commissioning Inspections and Visits appear to be unproductive and wasteful and provide, therefore, an opportunity for 'rents'; in any case any violation noticed later can always lead to cancellation of licences etc.

**Inspections in Business and Commerce:** These unlike prior pre-commissioning inspections may be necessary, but need to be advisory except when conducted in response to complaints/specific information, as almost all the clients may be non-compliant as in the case of most of the labour regulations. Penalties may only lead to entrepreneurs making obvious and 'human' choices between costs of compliance (very high) and the probability of penalty/punishment (very little); people are known to have aversion to losses.

#### **Recommendations**

- **Discontinue verification and reports from public officials or government officials.**
- **Declaration by applicant in lieu of affidavit, field report and verification.**
- **In case third party verification is considered necessary, accept declaration from citizens.**
- **Same day delivery.**
- **Tehsildar/Naib Tehsildar/Suwidha Centre In-charge to be the deciding authority.**
- **Sub-Divisional Magistrate to be the grievance redressal authority.**

## **Decision to be taken by the Government**

- (a) The system of verification and field reports for issuance of various certificates is discontinued. Supporting declaration by 2 citizens (holding Aadhar Card) (including government officials/elected officials) would be considered sufficient.
- (b) Proper identification of supporting witness is to be ensured (EPIC, Ration Card, Aadhar Card, etc.).
- (c) As in the case of self-declaration by the applicant, the supporting declaration should provide for liability for action under section 199/200 IPC in case of wrong declaration; photographs of the supporting witnesses need to be affixed, as in case of self-declaration.

## **STRATEGY ADOPTED TO IMPLEMENT THIS REFORM: PUNJAB**

### **A. Assessment phase**

- Conducted field surveys in district and SDM offices for following:
  - To discover list of services, where the authorities ask for submission of an affidavit from a citizen;
  - To ascertain whether a local invention or mandatory as per law;
  - To find out the nature and extent of problem on the basis of feedback from general public.
- Generated matrix of services, pertaining to furnishing of affidavit.
- List of such services includes – Admission in school and college for caste, income (BPL), Residence and Rural Area Certificates, recruitment, loan, driving license, ration card, employment certificates, etc.
- Based on survey reports, series of meetings were held with the concerned line departments at HQ.
- Studied the corresponding provisions in Act, laws, rules for following:
  - To find out the relevant legal provisions for affidavit submission
  - To determine the reasons for furnishing an affidavit.
- Prepared a comprehensive report indicating two sets of services:
  - Where mandatory as per law;
  - Local practice, not provisioned in law
- Analyse the possible alternatives for replacing the requirement of an affidavit for services, where not required.
- Measured probable consequences in case of omitting the submission of affidavit for such services.
- Explored the associated legal complications, which may arise while doing away with affidavit.

### **B. Planning phase**

- The Government could identify only 12 services, where an affidavit is mandatory under State and Central laws:



S. No.	Name of Service
1.	New Arms License
2.	Late Renewal Arms Licence
3.	Addition of Weapon
4.	Entry/Deletion of Weapon
5.	Disposal of Death Case (Arms Licence)
6.	Admission in Colleges/Schools (low income)
7.	Unmarried Certificate
8.	Late Death Certificate (current year)
9.	Sale of vehicles
10.	For Appointment Letter
11.	Complaint cases
12.	Misc. (Court cases/Central Government)

- The Government identified 89 services where affidavit could be dispensed with:

S. No.	Name of Service	No. of services
1.	Various kinds of certificates	16
2.	Issuance of licenses and related matters	2
3.	Property Transaction and building plans	14
4.	Related to implementation of schemes	13
5.	Education/Admission related issues	3
6.	Employee-Employer relationship	19
7.	Rations Card related issues	5
8.	NOCs	5
9.	Municipal Services	5
10.	Miscellaneous	5
	Total	89

- After extensive examination of the problem, the Government accepted the suggestion of Punjab Governance Reforms Commission (PGRC) for shifting to self-certification of documents for identified 89 services.

### C. Preparation Phase

- Three specimens of self-declaration were also finalised:
  - For getting government services from departments/local bodies/autonomous institutions.
  - For getting admission in educational institutions
  - For getting employment in government/local bodies/autonomous organisations.
- Application forms were drafted containing an undertaking/declaration that facts stated are true and correct to best of knowledge and belief in three areas.
- Formulated the Government Order (GO) for replacing affidavit with self-attestation as no legal bindings were associated in identified 89 services (Annexure III).

### D. Notification of Government Order (GO) – Government order was issued by Chief Secretary, Government of Punjab on 10<sup>th</sup> March, 2010 (Annexure IV)

## E. Sensitisation of all stakeholders

- Meeting of Chief Secretary with all Administrative Departments was held meeting of Chief Secretary with all Vice Chancellors of Universities, Administrative Secretaries in charge of Colleges (Technical and General), School Education were also organised and conducted.
- Awareness campaigns – Awareness campaigns were conducted through Media and Deputy Commissioners. Special directives were issued to recruitment agencies like “The Punjab Public Service Commission” and “Subordinate Staff Selection Board”.
- To know the prevalence of Affidavits, an instruction was issued on 22<sup>nd</sup> November, 2010 seeking MIS report regarding the number of Stamp Papers issued for preparing affidavits; and the amount of Revenue collected for that purpose. This information is available with the Deputy Commissioners as the licensing authorities for Supervisors. This information is also available from the Treasuries and Sub Treasuries as Revenue with respect to Stamp Papers are also monitored by the finance department.

## RESULT OF ABOLITION OF AFFIDAVIT REFORM

The benefit of change is obvious if the figures, as given below, are introspected:

### A. Reduction in submission of affidavit:

S.No.	Year	Total no. of services disbursed by the Suwidha Centres	Total no. of services relating to affidavits in (lacs.)	Total services relating to affidavits in (%)
1.	2009-10	22,68,429	14,88,053	65.60
2.	2012-13	32,70,715	3,20,963	9.81
3.	2013-14	68,70,808	5,78,025	8.41
4.	2014-15	82,35,540	6,72,031	8.16

### B. Benefits to the Citizens

There is a saving to the citizens in terms of the monetary cost of getting the affidavits and the opportunity cost of loss of productivity and wages. The citizens have used the money and time saved for more productive ways thereby, enhancing general welfare.

Benefits to citizens
<ul style="list-style-type: none"><li>• Monetary cost</li><li>• Travel cost</li><li>• Opportunity cost – Loss of wage for a day or two</li><li>• Freedom from hassle</li><li>• Restoring trust and dignity</li></ul>

### C. Benefits to Youth and Students

The requirement of attestation by a Gazetted officer from school students seeking admission in various colleges is to be discontinued and replaced with self-attestation. As per data, approximately 8 lakh students appear in Senior Secondary (12<sup>th</sup>) Class from Punjab School Education Board (PSEB), Central Board of Secondary Education (CBSE) and



Indian Certificate of Secondary Education (ICSE) every year to get admission in colleges, students are required to get their documents duly attested by Gazetted Officer. The requirement of giving certified copies of documents at the time of admission in colleges or submitting application for recruitment to various posts in the government/PSUs has been dispensed with.

## **8. Sustainability**

- To sustain this practice the concerned stakeholders were given training on the overall concept of this reform.
- Timely audit were conducted to check prevalence and adaptation to this practice.
- Monthly monitoring of collection of data analysis of implementation of reform was done regularly.
- Surprise checks in various Suwidha Centres are also conducted by Administrative Secretaries.

## **9. Take-Aways**

- Punjab experience may be replicated in Central Ministries, organisations and in other states.
- Leveraging technology to rationalise and to do away with third party verification.

S.No.	Services	Present	Proposed
1.	<b>Residence/Area Certificates - Application forms</b>	<ul style="list-style-type: none"> <li>As prescribed by the authority (e.g. by educational institutions) or as per the prescribed format.</li> </ul>	<ul style="list-style-type: none"> <li>Form to be placed on the Suwidha Centre website and should be downloadable.</li> <li>Hard copy should also be available with the vendors, Suwidha Centres, other concerned offices as at present.</li> <li>The form must contain instructions and appropriate information on check list etc. in clear and user-friendly manner and language.</li> <li>No court fee or other stamp fees should be levied. Form to be available free, except at Suwidha Centres where a nominal service charge can be levied.</li> </ul>
2.	<b>Documentation or Reports – Affidavit</b>	<ul style="list-style-type: none"> <li>Affidavit by the applicant or by the parent or guardian in case of minor.</li> <li>The affidavit is required to be attested by the Executive Magistrate.</li> </ul>	<ul style="list-style-type: none"> <li>Self-declaration to be allowed.</li> <li>The declaration should provide for the applicant's responsibility for giving correct information.  <b>("The information given by me in the form/enclosures is true and I am solely responsible for its accuracy and liable for action under sections 199/200 of the IPC in case of wrong declaration/information")</b>.</li> </ul>
	<b>Residence Proof</b>	Attested photocopy by Gazetted Officer or Notary: <ul style="list-style-type: none"> <li>Ration Card</li> <li>Voter Card</li> <li>School Certificate</li> <li>(Only required for rural area certificate)</li> </ul>	<ul style="list-style-type: none"> <li>Self-attested copies to be accepted.</li> </ul>
	<b>Field Reports</b> <b>a) Recommendations/Certificate by MC/Sarpanch/Revenue Staff</b>  <b>b) Attestation of Originals</b>	<ul style="list-style-type: none"> <li>Required</li> <li>Attestation by notary or Executive Magistrate</li> </ul>	Discontinue verification by the revenue staff. Discontinue verification by MC or Sarpanch; Accept supporting declaration by two residents of the village or town, subject to proper identification. <ul style="list-style-type: none"> <li>Permit self-attestation</li> </ul>
	<b>Authority to whom application is to be submitted</b>	<ul style="list-style-type: none"> <li>Suwidha Centres or Tehsildar/specified authority.</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
	<b>Competent authority for Issue/Signature</b>	<ul style="list-style-type: none"> <li>Tehsildar or SDM.</li> <li>Sub-Tehsil not authorised.</li> <li>Officer-in-charge of Suwidha Centre needs to be empowered to issue as the process is not discretionary.</li> <li>Naib-Tehsildar or Tehsildar should be authorised in place of SDM. Sub-tehsils should also entertain applications and issue these certificates.</li> </ul>	<ul style="list-style-type: none"> <li>Officer-in-charge of Suwidha Centre or Tehsildar or Naib-Tehsildar.</li> </ul> <b>Standard Format:</b> Standard format of the certificate to be adopted by all the institutions.



## LEGAL PROVISIONS

### **Section 177. Furnishing false information**

Whoever, being legally bound to furnish information on any subject to any public servant, as such, furnishes, as true, information on the subject which he knows or has reason to believe to be false, shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both; or, if the information which he is legally bound to give respects the commission of an offence, or is required for the purpose of preventing the commission of an offence, or in order to the apprehension of an offender, with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

### **Section 193. Punishment for false evidence**

Whoever intentionally gives false evidence in any stage of a judicial proceeding, or fabricates false evidence for the purpose of being used in any stage of a judicial proceeding, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine, and whoever intentionally gives or fabricates false evidence in any other case, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

### **Section 197. Issuing or signing false certificate**

Whoever issues or signs any certificate required by law to be given or signed, or relating to any fact of which such certificate is by law admissible in evidence, knowing or believing that such certificate is false in any material point, shall be punished in the same manner as if he gave false evidence.

### **Section 198. Using as true a certificate known to be false**

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

### **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 of 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 a 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. Explanation.—A declaration which is inadmissible merely upon the ground of some informality, is a declaration within the meaning of sections 199 to 200.

## PROFORMA FOR SELF-DECLARATION

**A) Self-declaration for getting services from Government Departments/Local Bodies/Autonomous Institutions under the State Government.**

The written declaration as given hereunder will be included at the end of the application form for seeking the services:

I \_\_\_\_\_ Son/Daughter \_\_\_\_\_ of \_\_\_\_\_ Sh.  
 \_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
 resident of \_\_\_\_\_ District \_\_\_\_\_ Punjab,  
 hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.

**B) Self-declaration for getting admission in the educational institutions under the State Government:**

The written declaration as given hereunder will be included at the end of the application form for getting admission:

I \_\_\_\_\_ Son/Daughter \_\_\_\_\_ of \_\_\_\_\_ Sh.  
 \_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
 resident of \_\_\_\_\_ District \_\_\_\_\_ Punjab,  
 hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.

**C) Self-declaration for getting employment in Local Bodies/Autonomous Bodies under the State Government:**

The written declaration as given hereunder will be included at the end of the application form for getting employment:

I \_\_\_\_\_ Son/Daughter \_\_\_\_\_ of \_\_\_\_\_ Sh.  
 \_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
 resident of \_\_\_\_\_ District \_\_\_\_\_ Punjab,  
 hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.



**LIST OF 89 SERVICES FOR WHICH AFFIDAVITS HAVE BEEN WAIVED**

1. Issuance of Certificate of Nambardari.
2. Issuance of Un-married Certificate.
3. Issuance of Marriage Certificate.
4. Issuance of Duplicate Registration Certificate.
5. Duplicate License.
6. Cancellation of Higher Purchase Agreement.
7. Sanction of Aids under National Horticulture Mission.
8. Sanction of Aids under National Agriculture Scheme.
9. National Agriculture Scheme - Release of subsidy on agriculture tools
10. For handicap scheme
11. Sanction of loan under Prime Minister Rozgar Yojana.
12. Declaration for condonation of shortage of lectures by college students.
13. Sanction of grant under Shagun Scheme.
14. Issuance of Backward Area Certificate.
15. Issuance of Rural Area Certificate.
16. Issuance of Kandi Area Certificate.
17. Issuance of SC/BC Certificate.
18. Issuance of No Due Certificate regarding loan against land.
19. Issuance of Freedom Fighter Certificate.
20. Issuance of Dependent Certificate.
21. Addition or deletion of name in Ration Card.
22. Issuance of New Ration Card.
23. Registration of Marriage
24. Registration of Document
25. No Objection Certificate from both the parties in case of joint property
26. Sanction of Tubewell connection under priority category.
27. Declaration at the time of admission of students.
28. Issuance of Duplicate Ration Card.
29. Counter signatures on translated copies of Ration Card.
30. Sanction of License for new fair price shop (Ration Depot) or Duplicate copy of the same.
31. Issuance of Licence for Brick Kiln or duplicate copy of the same
32. Issuance of change of land use as per master plan.
33. Change of title in case of water connection
34. Change of name regarding House Tax,
35. For waiver of House Tax
36. For Commercial Electricity Connections
37. Amendment in Birth and Death Certificate
38. Late registration of Death and Birth
39. Permission for construction of basement
40. Regarding non-litigation in case of property
41. Regarding construction as per approved Building Plan
42. Regarding completion certificate of building
43. Regarding vacation of Government land

44. Issuance of Survivors Certificate or Succession Certificate
45. NOC of marriage palaces
46. NOC of video Parlour
47. Title of Printing Press/Newspaper
48. Regarding Character Certificate (Media related)
49. Issuance of Residence Certificate
50. Sanction of benefits under family planning scheme
51. Police Clearance Certificate
52. Release of subsidy in Schemes of Fisheries Department
53. Digging up of new Pond
54. Renovation of old Pond
55. For providing feed and food to fishes
56. For providing 16 Marla free of cost land for setting up of new Tubewell
57. Sanction of Ex-India leave
58. Sanction of final payment of GPF.
59. Medical Reimbursement
60. Issuance of Surviving family member certificate
61. Employment on compassionate ground
62. Availing of Leave Travel Concession
63. Sanction of proficiency step up under assured progression scheme(ACP)
64. Sanction for approval for higher education
65. Issuance of NOC for Passport to the employees
66. Declining of promotion by an employee
67. Sanction of GPF/CPF advance to the employees
68. Joining of employees after availing long leave
69. Sanction of pension after retirement
70. All other matters relating to GPF of employees
71. Allotment of residential houses to the employees appointed on contract basis
72. Sanction of advance of House Building and Vehicles
73. Sanction of ex-gratia and other benefits on the death of an employee
74. Regarding voluntary retirement
75. Reimbursement of Medical Bills to the retired employees
76. Clearance of probation period of employees
77. Declaration before joining Government service
78. Declaration of Inter-district transfers
79. Permission to sale after conveyance deed (NOC) by allottee
80. Transfer of plot/house/commercial site (before CD) by allottee
81. Issue of Conveyance Deed
82. No Due Certificate and copies of documents
83. For duplicate copies of documents
84. Issue of reallotment letter/transfer of ownership letter
85. Issue of permission to mortgage
86. Issue of Certificate of Registration as an Estate Agent
87. Issue of Certificate of Registration as promoter
88. Permission for professional consultancy
89. STD services in residential houses



**GOVERNMENT OF PUNJAB  
DEPARTMENT OF PERSONNEL  
(TRAINING BRANCH)**

To

All Heads of Departments,  
Commissioners of Divisions,  
Registrar, High Court of Punjab and Haryana,  
Deputy Commissioners and Sub Divisional Officers (Civil).

Memo No. 3/7/2010-Trg.(3)/1007  
Dated Chandigarh the 10<sup>th</sup> March, 2010.

**Subject:** Implementation of the recommendations of the Punjab Governance Reforms Commission, regarding;

Punjab Governance Reforms Commission was set up on 8<sup>th</sup> January, 2009 under the Government orders. The Commission has already submitted two Reports to the Government. The proposed recommendations of the Commission were considered carefully by the Government and it was decided that the recommendations will be considered by the Empowered Committee under the Chairmanship of Chief Secretary and, thereafter, the Department of Personnel, in consultation with the concerned Secretaries, will be responsible for getting the Government decisions implemented regarding the recommendations of the Commission.

The recommendations of the Commission were carefully considered. The following orders were issued regarding the specific recommendations related to affidavits and attestations.

All concerned are requested to immediately act in accordance with the revised procedures within the defined time frame.

**1. Attestation system related to need based services:**

1.1 Presently, the applicants/guardians have to submit affidavits to get various need based certificates such as Residence/ /Kandi Area/SC/BC etc. In some cases, affidavits are required due to some rules, sub rules etc. under the authority of some specific law. For such cases, these are attested by Public Notary while in other cases, attestation rests with the Executive Magistrates.

- a. The view of the Government is that by asking for affidavits, the citizens are put to unnecessary harassment and as such, attestation should be replaced by self-declaration in majority of the cases because there is a provision for stern action under the law for making wrong declaration. Therefore, it has been decided that no Government Department or organisation will ask for affidavits from the

applicants except in those cases where affidavits are required under law. In place of having affidavits, self-declaration has been accepted and this system will be implemented with effect from 1<sup>st</sup> April, 2010 onwards. It will be ensured by the Deputy Commissioners of the State that the self-declaration forms will be available at all the Suwidha Kendras to the citizens. Though, the self-declaration will carry a photograph of the applicant.

- 1.3 All the Secretaries of the Departments, especially, Education, Health, Technical Education, Irrigation and Power etc. and others where affidavits are required for seeking admission or employment, will ensure that all organisations/agencies will replace the existing system of submission of affidavits with self-declaration and implement the changed system within the time frame.
- 1.4 All the Departments will submit a list of affidavits which have been replaced by self-declaration to the P.G.R. Cell of Department of Personnel and another list of the subjects where affidavits are required to continue due to legal formalities or on account of any other reasons. This list should be submitted by 30<sup>th</sup> April, 2010.

## **2. Attestation of Documents:**

- 2.1 Presently, the applicants seeking admission in educational institutions and employment in Government Departments are required to prove their eligibility to submit the attested copies of certificates. In some cases, the applicants are required to have the particulars mentioned in the applications duly attested by the Executive Magistrates.
- 2.2 The Government has decided that the applicants while submitting documents for admission in educational institutions and for seeking employment will be permitted to submit self-attestation with effect from 1<sup>st</sup> April, 2010 onwards.
- 2.3 For admission to educational institutions and for providing employment, the concerned agencies should accept the self-attested copies from the applicants and the original certificates should be called only from finally selected candidates

## **3. Action to be taken by the Authorities:**

- 3.1 The Administrative Secretaries of the Departments of Education, Higher Education, Medical Education and Research and Technical Education are requested to ensure the implementation of the Government decision in all the educational institutions. The format of the application form is, thus, required to be revised properly before seeking applications for admission by the applicants during the Academic Session of 2010-11.
- 3.2 Chairmen of the Punjab Public Service Commission and Subordinate Services Selection Board are requested to ensure the implementation of the decision while making recruitments. The recruitments which are not covered by the above two authorities, the Administrative Secretaries and Heads of Departments concerned are required to take appropriate steps in the Departmental Selection Committees.



- 3.3 The Deputy Commissioners of the State are required to ensure that the decision will be disseminated through the District Suwidha Centres by publicising the same widely and prominently. While doing so, due attention may also be drawn to the relevant provisions of The Indian Penal Code for willfully filing wrong declaration (Annexure-1).
- 3.4 Self-declaration format will also be properly included in the applications for employment being provided by various organisations under the control of the State Government.(Annexure -2).

S. C. Agrawal.  
Chief Secretary, Government of Punjab.

Endst.No.3/7/2010-Trg.(3)/1008 Dated Chandigarh the 10<sup>th</sup> March, 2010.

Copy is forwarded to Shri Satish Chandra, IAS, Principal Secretary, Health & Family Welfare, Planning and ex-officio Member Secretary, Punjab Governance Reforms Commission & Chairman, Core Implementation Committee for information and necessary action.

Sd/-  
Under Secretary Personnel

Endst. No. 3/7/2010-Trg.(3)/1009 Dated Chandigarh the 10<sup>th</sup> March, 2010.

Copy is forwarded to the following for ensuring early follow up action:-

- 1) Chairman, Punjab Public Service Commission;
- 2) Chairman, Subordinate Services Selection Board, Punjab;
- 3) Vice Chancellor, Guru Nanak Dev University, Amritsar;
- 4) Vice Chancellor, Punjabi University, Patiala;
- 5) Vice Chancellor, Baba Farid Medical University of Health Sciences, Faridkot;
- 6) Vice Chancellor, Punjab Technical University, Jalandhar;
- 7) Vice Chancellor, Central University, Punjab, Bathinda;
- 8) Vice Chancellor, Guru Angad Dev Veterinary and Animal Science University, Ludhiana;
- 9) Vice Chancellor, Rajiv Gandhi National University of Law, Patiala; and
- 10) Vice Chancellor, Punjab Agriculture University, Ludhiana.

Sd/-  
Under Secretary Personnel

**A) Self-declaration for getting services from Government Departments/Local Bodies/Autonomous Institutions under the State Government.**

The written declaration as given hereunder will be included at the end of the application form for seeking the services:

I \_\_\_\_\_ Son/Daughter of Sh.  
\_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
\_\_\_\_\_ resident of \_\_\_\_\_

District \_\_\_\_\_ Punjab, hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.

**B) Self-declaration for getting admission in the educational institutions under the State Government:**

The written declaration as given hereunder will be included at the end of the application form for getting admission:

I \_\_\_\_\_ Son/Daughter of Sh.  
\_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
\_\_\_\_\_ resident of \_\_\_\_\_

District \_\_\_\_\_ Punjab, hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.



**C) Self-declaration for getting employment in Local Bodies/Autonomous Bodies under the State Government:**

The written declaration as given hereunder will be included at the end of the application form for getting employment:

I \_\_\_\_\_ Son/Daughter \_\_\_\_\_ of \_\_\_\_\_ Sh.  
\_\_\_\_\_ Age \_\_\_\_\_ Year \_\_\_\_\_  
\_\_\_\_\_ resident \_\_\_\_\_ of \_\_\_\_\_

District \_\_\_\_\_ Punjab, hereby declare that the information given above and in the enclosed documents is true to the best of my knowledge and belief and nothing has been concealed therein. I am well aware of the fact that if the information given by me is proved false/not true, I will have to face the punishment as per the law. Also, all the benefits availed by me shall be summarily withdrawn.