

## Rules Under The Indian Oaths Act, 1873

RAJASTHAN

India

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### Rule RULES-UNDER-THE-INDIAN-OATHS-ACT-1873 of 1873

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Rules Under The Indian Oaths Act, 1873 Notification No. 48/Gen. dated 3-11-1952. published in Rajasthan Gazette Part 2, Supplement, dated 8-11-1952. p. 351. The High Court of Judicature for Rajasthan in exercise of the rule making powers conferred upon it by article 227 of the Constitution of India and all other powers enabling it in that behalf, and with the approval of His Highness the Rajpramukh of Rajasthan, has made the Rules annexed hereto for the guidance of the Civil Courts subordinate to it. These Rules are published for general information.

### **411. The following forms of oaths and affirmations are prescribed by the Forms and oaths and High Court under Section 7 of the Indian Oaths Act, 1873:-**

Affirmations.

#### **1. Oath for witness.**

- The evidence which I shall give to the court shall be the truth the whole truth and nothing but the truth. So help me God."

#### **2. Affirmation for witness.**

- "I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth and nothing but the truth."

#### **3. Oath for interpreter.**

- "I will well and truly interpret what is deposed by the witness (or witnesses) before the Court, So help me God."

#### **4. Affirmation for interpreter.**

- "I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witness) before the court."

#### **5. Oath for person making affidavit.**

- "I swear that this may declaration is true; that if, conceals nothing: and that no part of it is false. So help me God."

#### **6. Affirmation for person making an affidavit.**

- "I solemnly affirm that this may declaration is true: that it conceals nothing; and that no part of it is false." Notifications [Notification Order No. 8 dated April 15, 1960. Published in Rajasthan Gazette Part IVC dated 25-8-1960, at page 287.] A question has arisen as to whether the Oath commissioners appointed by the High court and by the District and Sessions Judges, are entitled to verify affidavits meant for other Departments also. It is clarified that the Oath commissioners appointed by the High court are entitled to verify affidavit required to be presented before High court only and the Oath commissioners appointed by the District and Sessions Judges are entitled to verify affidavits required to be filed in courts. [S.O. 300-Notification. dated 8th March 1976-English translation by Author] In exercise of the powers conferred under Section 3(2)(b) of Indian Oaths Act, 1969 (Cent. Act 44 of 1969) the State Government hereby authorises all Oath Commissioners appointed under S. 139, to administer oaths and affirmation for purposes of affidavits which are to be used in Life Insurance Corporation. [S.O. 827-Notification. dated 17-2-1978. Published in Rajasthan Gazette Part IV-C(II), dated 16-3-1978. p. 527-Eng. Translation by Author] In exercise of the powers conferred under Section 3(2)(b) of Indian Oaths Act, 1969 (Cent. Act 44 of 1969) together with Section 13(2) of the Birth and Death Registration Act, 1969 (Cent. Act 18 of 1969), The State Government hereby confers on all Tehsildars power to attest Affidavits under the above Act. [Notification No. F., 3 (40) Jud. /77. dated 8-11-1977. R. G. Part I-A. dated 15-12-1977. p. 78.] In exercise of the powers conferred under clause (b) of sub-section (2) of Section 3 of the Oaths Act (Central Act 44 of 1969), the State Government hereby empowers following to administer oaths and affirmations for the purpose of affidavits to be used in non judicial proceedings: (1) Commissioners of Oaths appointed under clause (b) of subsection (1) of Section 297 of the Code of Criminal Procedure, 1973 by the High Court or Courts of Sessions. (2) Persons appointed as Oath Commissioners under rule 33 of the Rules of the High Court of Rajasthan, 1952 by the High Court. (3) Legal Practitioners appointed as Oath Commissioners under rules 3 and 4 of the Rajasthan Board of Revenue (Appointment of Oath Commissioners) rules, 1970 by the Board of Revenue, Ajmer and Collectors respectively. (4) Legal Practitioners appointed as Oath Commissioners under sub-rule (1) of Rule 69 of the General Rules (Civil) 1952 by the District Judges. The above mentioned persons will cease to exercise power to administer oaths and affirmations for the purpose of affidavits to be used in non-judicial proceedings as soon as they cease to be Commissioners of Oath or Oath Commissioners under the above mentioned Code and Rules. Fee chargeable shall be rupee one for each affidavit.