

IREPS Bidding and Management Course



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DOCUMENT
PREPARATION:
AFFIDAVITS,
UNDERTAKINGS, AND
DECLARATIONS



A COMPLETE PROFESSIONAL HANDBOOK
FOR LEGAL, TENDERING, COMPLIANCE,
AND GOVERNMENT DOCUMENTATION

PREFACE – THE POWER OF CORRECT DOCUMENTATION

In the world of legal processes, tender participation, government compliance, and corporate governance, one element decides the fate of most applications: proper document preparation. Affidavits, Undertakings, and Declarations are not simply paperwork—they are legally binding statements that define responsibility, liability, and authenticity.

A poorly drafted document can result in:

- Rejection of tender
- Disqualification of vendor
- Legal complications
- Payment delays
- Contract termination
- Compliance penalties

This book provides a holistic, descriptive, authoritative understanding of how these documents should be drafted, verified, stamped, structured, and used.

INTRODUCTION – DOCUMENTS THAT DEFINE RESPONSIBILITY

Every government or legal system relies on three core document types:

1. Affidavit

A sworn statement, attested by a Notary or Magistrate, asserting facts under oath.

2. Undertaking

A promise or legally enforceable commitment made by an individual or entity to fulfil certain obligations.

3. Declaration

A formal statement of truth, often self-certified, used for compliance and authenticity.

These documents build legal trust between the government and the applicant. They serve as:

- Instruments of accountability
- Proof of authenticity
- Sources of legal remedy
- Protection against fraud
- Compliance mechanisms

Understanding how to prepare them is a core skill for any business participating in tenders, compliance, or legal processes.

AFFIDAVITS – THE FOUNDATION OF SWORN LEGAL TRUTH

An affidavit carries the highest legal weight among the three. It is a sworn statement executed before an authority and punishable under perjury laws if found false.

Essential Features of an Affidavit:

- Must be written on stamp paper
- Must be notarized or attested by a Magistrate
- Must include identity details of the deponent
- Must state facts clearly, truthfully, and without ambiguity
- Must include verification clause
- Must include signature + thumb impression (in some cases)

Where Affidavits Are Needed:

- Tender eligibility
- EMD exemption under MSME
- Non-blacklisting certificate
- Ownership and authorization
- Experience declaration
- Labour compliance
- GST compliance affidavit
- Railway tender participation
- Property and contract matters
- Court submissions

Format Essentials:

- Title stating purpose
- Details of deponent
- Statement of fact in paragraphs
- Declaration of truthfulness
- Verification line
- Notary/Magistrate seal

A well-drafted affidavit prevents objections during document scrutiny.



UNDERTAKINGS – THE PROMISES THAT GOVERN OPERATIONS

Unlike affidavits, undertakings do not always require judicial attestation but are legally binding once submitted.

An undertaking is an individual or organisation's commitment to:

- Perform an action
- Avoid a specific act
- Comply with rules
- Accept responsibility for future outcomes

Where Undertakings Are Commonly Used:

- Tender conditions compliance
- Warranty fulfilment

- Agreement to adhere to GCC/SCC
- Manpower and safety compliance
- Payment terms and penalty acceptance
- Declaration of no criminal cases
- GST return filing commitment
- Completion of work within timeline

Key Components of a Professional Undertaking:

- Precise language
- Clear obligations
- No vague commitments
- Authorized signatory details
- Organization seal
- Date + place
- Reference to relevant tender clause

An undertaking must convey clarity, accountability, and commitment.

DECLARATIONS – THE MOST USED DOCUMENT IN PROCUREMENT

Declarations are typically self-certified documents and widely used in tendering and compliance.

Common Types of Declarations:

- Non-blacklisting declaration
- Non-diversion of material
- Declaration of authenticity of documents
- PAN/GST verification
- Turnover declaration
- MSME status declaration
- No litigation pending
- Compliance with labour rules
- Acceptance of terms & conditions

Characteristics:

- Does not require notary (in most cases)
- Provided on letterhead
- Signed and sealed
- Used for quick compliance
- Must be factually correct

Why Declarations Matter:

Even though less formal than affidavits, declarations still hold legal value. False declarations can lead to:

- Tender cancellation
 - Penalties
 - Contract termination
 - Debarment
-

THE LEGAL STRENGTH OF EACH DOCUMENT

| Document Type | Legal Strength | Attestation | Typical Usage |
|---------------|----------------|----------------------------|-------------------------|
| Affidavit | Highest | Notary/Magistrate | Legal/tender authority |
| Undertaking | High | Self-attested or notarized | Compliance & commitment |
| Declaration | Moderate | Self-attested | General compliance |

A smart vendor knows which one to use based on tender conditions.

KEY PRINCIPLES OF DOCUMENT PREPARATION

✓ Clarity

No vague language. Use precise, direct statements.

✓ Accuracy

Information must match all tender documents and registrations.

✓ Legality

Stamp paper, attestation, signature, and seal must follow state law.

✓ Consistency

Name, PAN, GST, and address must match through all documents.

✓ Correct Referencing

Mention tender number, clause, or purpose of execution.

✓ Professional Formatting

Government authorities reject poorly structured documents.

📖 COMMON REASONS FOR REJECTION OF DOCUMENTS

- Wrong stamp paper value
- Expired stamp paper
- Missing notary seal
- Overwriting without countersign
- Name mismatch (PAN vs document)
- Missing annexures
- Content duplication errors
- Not referencing tender number
- Unclear commitments
- Incorrect signing authority

These seemingly small mistakes lead to high rejection rates.

THE LEEGAL DOCUMENT PREPARATION FRAMEWORK (L-DPF)

A structured process for error-free documentation:

1. Requirement Mapping

Identify what the tender asks for.

2. Drafting & Content Verification

Use clear legal language.

3. Identity Cross-Verification

Match PAN/GST/UDYAM/IREPS profile.

4. Seal & Signature Validation

Ensure authorised signatory signs.

5. Attestation (If applicable)

Notary or Magistrate.

6. Digital Scanning Standards

300 DPI, clear, no shadows.

7. Upload Readiness Check

File size, naming, format (PDF), encryption readiness.

This reduces rejection risk by 80%.

DIGITAL ERA DOCUMENTATION – DSC, E- STAMP & ONLINE ATTESTATION

Modern tenders accept:

- e-Stamp papers
- Digitally signed documents
- Online notarized documents (in some cases)
- Soft copies with DSC signatures

This creates faster documentation but stricter scrutiny.

PRACTICAL APPLICATIONS IN TENDERING & PROCUREMENT

Government tenders require 10–25 supporting documents.

Affidavits, undertakings, and declarations appear in:

- Technical bid
- Financial bid compliance
- MSME benefits claims
- GST commitments
- RDSO/IR certifications

- Safety compliance
- Labour compliance
- Litigation statement
- Eligibility proofs

Your documentation strength becomes your technical score in many tenders.

FUTURE OF DOCUMENT PREPARATION IN INDIA

The next decade will witness:

- AI-based document scrutiny
- Automated affidavit generation
- Blockchain-based verification
- Unified vendor documentation clouds
- e-Sign-based affidavit systems
- Zero-paper procurement workflows

Vendors must adopt a digital-first documentation mindset.

CONCLUSION – DOCUMENTATION DEFINES CREDIBILITY

Affidavits → Truth

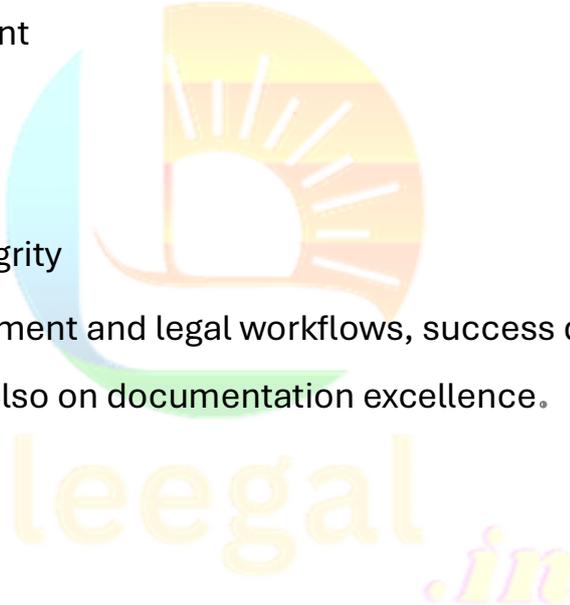
Undertakings → Responsibility

Declarations → Assurance

Together they represent:

- Legal commitment
- Professionalism
- Trustworthiness
- Compliance integrity

In government procurement and legal workflows, success depends not only on capability but also on documentation excellence.

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