



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Change of Name and Surname
(Amendment) Bill, 2022**

(Bill No. 11 of 2022)

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(To be introduced in the Legislative Assembly of the State of Goa)
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**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM
JULY, 2022**

The Goa Change of Name and Surname (Amendment) Bill, 2022

(BILL No. 11 of 2022)

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BILL

further to amend the Goa Change of Name and Surname Act, 1990 (Goa Act No. 8 of 1990).

5 BE it enacted by the Legislative Assembly of Goa in the Seventy-third Year of Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa Change of Name and Surname (Amendment) Act, 2022.

10 (2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 2.— In section 2 of the Goa Change of Name and Surname Act, 1990 (Goa Act No. 8 of 1990) (hereinafter referred to as the “principal Act”),- clauses (a) and (h) shall be omitted;

15 **3. Amendment of section 3.**— In section 3 of the principal Act,—

(i) for the words “Registrar” and “Chief Registrar”, wherever they occur, the words “Civil Judge Junior Division” and “District Judge” shall be respectively substituted;

20 (ii) in sub section (1),—

(a) for the words “Any person” the expression “Any person who is born and whose birth is registered, in the State of Goa, and whose either of parents or grandparents’ is born in the State of Goa,” shall be substituted;

25 (b) for the words “surname or both”, the words “surname or both as recorded in the birth register in the State of Goa” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Goa Change of Name and Surname Act, 1990 has been enacted to lay down the procedure for change of name and surname of any person born in the State of Goa. The rules made under the said Act provide procedure to be followed for effecting the change of name and surname of such person.

The said Act provides for creation of the document which is of significant importance. Further, sub-rule (5) of rule 3 of the Goa Change of Name and Surname Rules, 1991 provides for examination of witnesses, hence it is imperative that the functions under the said Act be administered by the Judicial Officers. The Bill, therefore, seeks to amend section 3 of the said Act to that extent.

This Bill seeks to achieve the above objects.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to appoint a date by notification in the Official Gazette for bringing Act, in force. This delegation is of normal character.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

Assembly Hall,
Porvorim, Goa.
14/07/2022.

Nilesh Cabral
Minister for Law, Judiciary &
Legislative Affairs.

Assembly Hall,
Porvorim, Goa.
14/07/2022.

Namrata Ulman
Secretary to Legislative
Assembly of Goa

ANNEXURE

Name Of The Bill: The Goa Change of Name and Surname (Amendment) Bill, 2022

Sr. No.	Existing Provision	Amendment proposed in the Bill	Justification for amendment
1	2	3	4
1.	Section 2 Definitions.— (a) “Chief Registrar” means an officer authorised by the Government to exercise the powers and perform the duties of the Chief Registrar under this Act; (b) “Government” means the Government of Goa; (c) “guardian” means a person having the care of a minor or of his property, or of both his person and property; (d) “minor” means a person who, under the provisions of the Indian Majority Act, 1875 (Central Act 9 of 1975), is to be deemed not to have attained his majority; (e) “Official Gazette” means the Goa Government Gazette; (f) “prescribed” means prescribed by rules made under this Act;	In section 2 of the Goa Change of Name and Surname Act, 1990 (Goa Act No. 8 of 1990) (hereinafter referred to as the “principal Act”),- clauses (a) and (h) shall be omitted;	To lay down the procedure for change of name and surname of any person born in the State of Goa. The rules made under the said Act provide procedure to be followed for effecting the change of name and surname of such person.

1	2	3	4
	g) “register” means a register of change of name and surname maintained under this Act;		
	(h) “Registrar” means an officer authorised by the Government to exercise the powers and perform the duties of the Registrar under this Act and includes the Civil Registrar exercising the powers under the Codigo do Registo Civil do Estado da India approved by Decree dated 09-11-1912.		
2.	Section 3. Application for change of name and surname of any person.- “1 Any person desirous of changing his name or surname or both in the following circumstances, namely: (a) wrong or improper entry of name or surname; (b) correction of spelling in the name or surname or to make correct version of name or surname;	In section 3 of the principal Act,- (i) for the words “Regi-strar” and “Chief Registrar”, wherever they occur, the words “Civil Judge Junior Division” and “District Judge” shall be respectively substituted;	The Act provides for creation of the document which is of significant importance. Further, sub-rule (5) of rule 3 of the Goa Change of Name and Surname Rules, 1991, provides for examination of witnesses, hence it is imperative that the functions under the said Act be administered by the Judicial Officers.

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(c) unpleasant or distasteful name or surname;

(d) name or surname erroneously written; shall apply to the Registrar of respective jurisdiction in which his birth is recorded in the prescribed form along with an affidavit for correction of name or surname or both mentioning therein details like name, date of birth, parents name, name of the spouse, residential address, etc and submit documents in which version of existing name or surname is mentioned:

Provided that if such a person is a minor, the application shall be made by his guardian.”;

(i) for sub-section (2), the following sub-section shall be substituted, namely:-

“(2) On receipt of the application, the Registrar shall publish the notice thereof by affixing it in the notice board of his office and publish the

(ii) in sub section (1),-

(a) for the words “Any person” the expression “ Any person who is born and whose birth is registered, in the State of Goa, and whose either of parents or grandparents’ is born in the State of Goa,” shall be substituted;

(b) for the words “surname or both” , the words “ surname or both as recorded in the birth register in the State of Goa” shall be substituted.

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relevant notice in the Official Gazette and also in two local dailies/ newspapers, one english and other in vernacular language, having wide circulation in the State of Goa, calling for objections, if any, on the application within thirty days from the date of the notice.”;