

Goa Change Of Name And Surname Act, 1990

8 of 1990

[03 September 1990]

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AN ACT

to lay down the procedure for change of name and surname of any person born in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Forty-first Year of the Republic of India as follows:-

1. Short title and commencement :-

(1) This Act may be called the Goa Change of Name and Surname Act, 1990.

(2) It shall extend to the whole of the State of Goa.

(3) It shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires.-

(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;

(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 theCodigo do Registo Civil do Estado da India approved by Decree dated 9-11-1912.

3. Application for change of name and surname of any person :-

(1) Any person desirous of changing his name or surname or both as recorded in the birth register, shall apply to the Registrar of the respective jurisdiction in which his birth is recorded in the prescribed form:

Provided that if such a person is a minor, the application shall be

made by his guardian.

(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 relevant notice in the Official Gazette calling for objections, if any, on the application within thirty days from the date of the notice.

(3) On receipt of the objections, the Registrar shall conduct an enquiry in the manner prescribed and pass such order as he deems fit within sixty days of the receipt of the application.

(4) In case no objections are received, or if the order under subsection (3) is for granting the request of the applicant, the Registrar shall call for the extract under section 17 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969) regarding the applicants birth registration, enter the relevant particulars in his register and also the changed name and surname and thereafter issue the certificate in the prescribed form.

(5) Any person aggrieved by the order of the Registrar under subsection (3), may, within thirty days from the date of communication of the order, prefer an appeal to the Chief Registrar and the order in appeal passed by the Chief Registrar shall be final.

4. Power to make rules :-

The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

5. Repeal and saving :-

(1) On and from the date of commencement of this Act, Articles 178 and 179 of the Codigo do Registo Civil do Estado da India approved by Decree dated 9-11-1912 shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken

in exercise of any power conferred by or under the said Articles shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or taken.