

Name and Gender change n official documents in Maharashtra

Dear client!

We, at Human Rights Law Network, congratulate you for choosing to undergo gender confirmation/on your ongoing transition/completion of your gender confirmation/not identifying with the gender assigned to you at birth while choosing to not undergo any medical procedure of gender confirmation/breaking away from binary gender categories in your thought and being/all of the above... We celebrate your choice!

Note: In case of minors (below the age of 18), a letter of consent from parents is required for all processes. In case you are a minor and wish to change your name or gender despite your parent's opposition we support your right to self determination. Please contact us and we will guide you after thorough assessment.

On changing your name on official documents.

The standard name change procedure has to be followed.

You can also take help from an agency (Google name change agencies in your city. Two of the top searches are these agencies however we do not take any guarantee for the quality of service they provide:

<https://changeofname.in/online-application-for-name-change-in-gazette/> and <http://ncragents.com/name-change-process.html>). They charge approx. Rs. 1,000-1,500 for the name change procedure.

If you wish to undertake the process on your own, the procedure is as follows:

It's a three step-process:

Step 1. Affidavit:

Go to you local Notary and make an affidavit regarding change of your name. Submit it in your respective District Court before a Magistrate or Notary Public. The Affidavit must mention the current name and the desired new name, and may mention in brief the reason for name change. The Affidavit must be made on a Non-Judicial Stamp Paper of minimal value.

Sample text:

Affidavit for Change in Name and Gender

By this deed I, **(name)** born s/o **(name of Father)**, currently residing at **(address)** and permanent address being : **(permanent address)**.

1. That I, **(name of the person getting their gender changed)** want to change my name from **(old name)** to **(new name)** and change my gender from **(previously assigned gender)** to **(self identifiid gender)**.

2. That through this affidavit I declare that I shall at all times hereafter in all records, deeds and writings and in all proceedings, dealings and transactions, private as well as upon all occasions whatsoever, use and sign the name of (new name) as my name/surname in place of my former name.

3. That I expressly authorize and request all persons in general and relatives and friends in particular, at all times hereafter to designate and address me by such assume name/surname of (new name)

4. That the facts stated above are true to the best of my knowledge, belief and information.

In
the presence of:

(new name)
Affiant

Witnesses

1. Name:

Address:

Sign :

2. Name:

Address:

Sign :

Identified
by me

Advocate,

Step 2. Newspaper Publication

The next step is to publish advertisements announcing your name change in two local newspapers – one in the local official language and another in English. You can pick a small news paper which does not have a big circulation or one which is not widely read within your circles.

There are several agencies, this is the top search on google:

https://www.booknamechangead.com/index.php?gclid=EAlaIQobChMI24aN6b-13QIVUKaWCh3AwAAwEAAYASAAEgIX- D_BwE

Sample text.

PUBLIC NOTICE

It is for general information that I was previously known as ____ (Old Name) ____
S/O _____ (Father's Name) _____
R/O _____ (Address) _____ have decided to
change my name to _____ (New Name) _____ ,D/O _____ (Father's Name) _____
R/O _____ (Address) _____. It is certified that I have
complied with other legal requirements in the connection.

(Your Old Name)

Step 3. Gazette Notification

Get your name published in the Official Gazette of your state. For this purpose, you must approach the Government Press of your respective state and fill up the form for the same and pay the prescribed fees. Your name change notification will be published in the state's Official Gazette and you will be sent copies of the same at the address given by you.

Documents required:

For Major / Adults (Mandatory Documents)

ID Proof : Pan card or Passport or Driving Licence or Aadhar Card or Voters Id

Address proof : Ration Card or Aadhar Card or Electricity Bill

Photo : One Passport Size Photo

Application Form : Duly Signed Application Form with all details Old & New Name, Correspondence address, Contact Details & reason for Name change

Optional :

Marriage certificate (if Any for Female after Marriage)

Affidavit (If Any Made for any reasons like Adoptions etc)
Divorce papers (In case of Divorce) etc

For Minor below 18 years (Mandatory Documents)

ID Proof: Aadhar card or School id or Aadhar Card

Address Proof: Ration card or Aadhar Card

Age Proof: Birth Certificate or Bonafide

Photo: One Passport Size Photo

Application Form : Duly Signed By Minor if possible and parents or Guardians

Note : As its a Online process all the documents need to be in JPEG format.

Procedure for Name Change in Gazette:

1. Need to Make a Login Id: Click on this link: <https://aaplesarkar.mahaonline.gov.in/en>
2. Log in with username & Password or make a new account.
3. Fill in All the correct Mandatory details like Old name & new Name / Reason for Name Change / date of Birth , Mobile No & Email Id / Address Etc.
4. Attach All the Documents (ID proof / Address Proof / Photo & Application Form) & Continue.
5. Select The payment options (Net Banking / Credit card / Debit card etc)

With Gazette notification, the name change is officially completed.

Now you can apply for name change in all other official documents by providing copies of Affidavit, newspaper ads and Gazette Notification as proof of name change.

It may take a month to change your name legally in India. But the time required to change name from official documents is additional.

Changing your name on your AADHAAR:

Documents required:

Supported Proof Of Identity Documents Containing Name and Photo

Passport

PAN Card

Ration / PDS Photo Card

Voter ID

Driving License

Government Photo ID Cards/ service photo identity card issued by PSU

NREGS Job Card

Photo ID issued by Recognized Educational Institution

Arms License

Photo Bank ATM Card
Photo Credit Card
Pensioner Photo Card
Freedom Fighter Photo Card
Kissan Photo Passbook
CGHS / ECHS Photo Card
Address Card having Name and Photo issued by Department of Posts
Certificate of Identify having photo issued by Gazetted Officer or Tehsildar on letterhead
Disability ID Card/handicapped medical certificate issued by the respective State/UT
Marriage Certificate
Proof of Marriage document issued by the Registrar
Gazette Notification
Legal Name Change Certificate

Procedure for name change Aadhaar:

You can apply for AADHAAR card name change / name correction / surname change online, by following these 3 easy steps:

1. Login to AADHAAR card Online Self Service Update Portal (<https://ssup.uidai.gov.in/web/guest/update>) using your AADHAAR number
2. Submit your AADHAAR card name change / name correction / surname change request online
3. Upload supporting self attested Proof of Identity document (soft copy) for AADHAAR card name change / name correction / surname change online

Procedure for name change on passport.

Check the list of documents required here:

<https://portal2.passportindia.gov.in/AppOnlineProject/docAdvisor/reissuePassport>

Name change procedure: <https://www.immihelp.com/nri/indianpassport/>

Apply here:

Changing your Gender on your Passport, Aadhaar.

According to the NALSA judgment, you do NOT need ANY special (letter or certificate from psychologist, gender change certificate, any other medical certificate) document to apply for gender change on official documents.

Simply go to the document office and apply for gender change directly. You do NOT have to cite any special document. NALSA allows for 'self-identification' of gender without the need for any proof or document. Please carry a copy of the NALSA judgment (available online) for reference and present it to the officer in case you face any resistance. There is NO NEED for any other ID to sanction ones choice of gender. A gender transition

certificate is provided to people who get confirmation surgery. It is not a requirement for facilitating change on official documents.

In our experience with past clients, Passport offices are most conducive for the process so you can start with the passport after which you can go to the nearest Aadhaar center and get the gender changed on the Aadhaar.

In case you face any hassles, please inform us. Our office will send a legal notice across or file a complaint if need be.

Changing the gender in educational certificates:

Sadly, it is schools and colleges that have been most inefficient in adapting to the NALSA judgment. Most of our clients have had to file applications in courts to facilitate their gender change process. It is advised you first approach a teacher (who is an ally) and through her reach out to the Principal.

In case, you face obstructions while getting this done, do let us know. We can reach out to the courts for support.

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For any queries write to shivam@hrln.org