

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

109

CWP-23514-2024

Date of Decision : April 22, 2026

PRIYA ALIAS GOURAV

-PETITIONER

V/S

PUNJAB SCHOOL EDUCATION BOARD AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Maninderjit Singh, Advocate (Through V.C.)
for the petitioner.

Mr. Anshul Muwal, Advocate (Through V.C.)
for the respondents No.1 and 2.

Mr. Vinish Singla, Sr. Panel Counsel
for the respondents No.7 and 8.

KULDEEP TIWARI, J. (ORAL)

1. The present writ petition assails Rule 2.1 of the undated instructions (Annexure P-19) issued by the Punjab School Education Board, to the extent that it mandates the requirement of a medical certificate and publication of the name in the Gazette of the Government of India for effecting a change of name as well as sex category in the official records of the Board. The petitioner further seeks issuance of directions to the respondents No.1 to 3 to record her changed name and gender in their official records and to issue revised certificates accordingly.

2. The challenge is founded on the ground that the mandate (*supra*) is contrary to the law laid down by the Hon'ble Supreme Court in "*National Legal Services Authority vs. Union of India and others*", (2014)

5 SCC 438, wherein the right to self-identification of gender has been recognized, as well as Section 7(3) of the Transgender Persons (Protection of Rights) Act, 2019 (hereinafter referred to as “the Act of 2019”), read with Rule 5(3) of the Transgender Persons (Protection of Rights) Rules, 2020 (hereinafter referred to as “the Rules of 2020”).

3. What emerges from a perusal of the writ petition is that, the petitioner was born on 05.10.1995 and was assigned male gender at birth, with the name “Gourav”. Over time, the petitioner came to identify as a transgender person and adopted the name “Priya”. The petitioner completed her secondary and senior secondary education under the Punjab School Education Board, and the certificates reflected her name as “Gourav”. The petitioner submitted an application seeking change of name and gender in the official records of the respondents No.1 to 3. However, no action having been taken on the application, the petitioner has approached this Court seeking the reliefs recorded hereinabove.

4. Upon issuance of notice, the respondents No.1 and 2 filed their reply, asserting that the instructions (*supra*) are legal, reasonable, and in consonance with the Act of 2019 read with the Rules of 2020. It is further averred that the requirement of a medical certificate and publication of name in the Gazette of the Government of India is in accordance with the rules framed by the Board. It is stated that the respondents have no objection to issue revised educational certificates reflecting the changed name and gender, subject to the petitioner furnishing the requisite documents. The relevant extract of the reply reads as under:—

“4. That in accordance with the aforesaid rules framed by the board, the board has required the medical certificate and the

recording of the name in Gazette of Government of India from the petitioner. The answering respondent has no objection to issue the educational certificate of the petitioner with the changed name and the gender if the requisite documents are provided by the petitioner.”

5. Learned counsel for the petitioner, on instructions, submits that the petitioner is ready and willing to furnish the requisite medical certificate and prays that appropriate directions be issued to the respondents No.1 and 2 to consider and decide the petitioner’s application expeditiously thereafter.
6. In view of the above, the **present writ petition is disposed of** with a direction to the respondents No.1 and 2 that, in the event the petitioner furnishes the requisite medical certificate within a period of three weeks from today, they shall consider and decide her application for issuance of revised educational certificates reflecting the changed name and gender expeditiously, in accordance with law.
7. The question of legality of the impugned Rule 2.1 is left open to be adjudicated in an appropriate case.

April 22, 2026
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No