



જિલ્લા શિક્ષણાધિકારીની કચેરી સુરત

બ્લોક-એ, ત્રીજો માળ, જિલ્લા સેવા સદન-૨ અઠવાલાઈન્સ સુરત- ૩૯૫૦૦૧



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જા.નં.મા-૨/૨૦૨૪ | ૧૯૪૦૬

તા. ૧૨/૧૨/૨૦૨૪

પ્રતિ,

આચાર્યશ્રી,

માધ્યમિક અને ઉચ્ચતર માધ્યમિક શાળાઓ, તમામ

સુરત.જિ.સુરત

આ સાથે સામેલ શિક્ષણ વિભાગ, બ્લોક નં./૭મો માળ, સચિવાલય, ગાંધીનગરનો પત્ર ક્રમાંક નં.ED/MIS/ e-file/3/2024/3259/CHH તા.૦૯/૦૯/૨૦૨૪ અન્વયે ભારત સરકારના Emblem & Names (Prevention of Improper use) Act, 1950 ની જોગવાઈનોનું ચુસ્તપણે તમામ શાળાઓને પાલન કરવા જણાવવામાં આવે છે.

જિલ્લા શિક્ષણાધિકારી

સુરત.જિ.સુરત

બિડાણ :- ઉક્ત પરિપત્રની નકલ

પત્ર ક્રમાંક : ED/MIS/c-filc/3/2024/3259/CHH

શિક્ષણ વિભાગ, બ્લોક નં. ૫/૭મો માળ,
સચિવાલય, ગાંધીનગર.

પ્રતિ,

(૧) સચિવશ્રી, ગુજરાત માધ્યમિક અને ઉચ્ચતર માધ્યમિક શિક્ષણ બોર્ડ, સેક્ટર- ૧૦/બી, ગાંધીનગર.

(૨) નિયામકશ્રી, ગુજરાત રાજ્યશાળા પાઠ્યપુસ્તક મંડળ, વિધાયન, સેક્ટર- ૧૦/એ, ગાંધીનગર.

વિષય: ભારત સરકારની Emblem & Names (Prevention of Improper use) Act, 1950 ની જોગવાઈનોનું ચુસ્તપણે અનુપાલન કરવા બાબત.

શ્રીમાન,

ઉપરોક્ત વિષય પરત્વે વિભાગની સંકલન શાખાના તા. ૧૫/૦૭/૨૦૨૪નો પત્ર બિડાણ સહિત આ સાથે સામેલ રાખી મોકલી આપતા જણાવવાનું કે, ઉક્ત પત્ર ભારત સરકારની Emblem & Names (Prevention of Improper use) Act, 1950 ની જોગવાઈનોનું ચુસ્તપણે અનુપાલન કરવા Competent Authority ને જરૂરી પગલાં ભરવા જરૂરી સુચના આપવા બાબતે છે જે પરત્વે અત્રેની જાણ હેઠળ યોગ્ય તે નિયમાનુસારની કાર્યવાહી કરવા વિનંતી છે.

આપનો વિશ્વાસુ,

(રાજદીપસિંહ રાઠોડ)
સેક્શન અધિકારી
શિક્ષણ વિભાગ

બિડાણ : ઉપર મુજબ

જિલ્લા શિક્ષણાધિકારીની કચેરી, મુરત.
આવક નંબર :- ૨૧/૧૬૧
તારીખ :- ૨૧/૦૮/૨૦૨૪
સંખ્યા :- ૬૪૬૧
સહી :-

૩૧/૮

Signature Not Verified

Signed by: R. Deepansh S
Rathod
Section Officer
Date: 2024 08 08 16:30:05

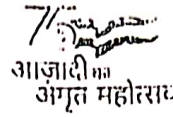
File No: ED/MIS/c-filc/3/2024/3259/CHH

Approved By: Under Secretary, CHH, ED

Open the document in Adobe Acrobat DC to verify the E-sign



भरत खेड़ा, भा.प्र.से.
अपर सचिव
BHARAT KHERA, I.A.S.
Additional Secretary
Tel. : 011-2338 3027
Fax : 011-2338 6575
E-mail : as-ca@nic.in



भारत सरकार
उपभोक्ता मामले विभाग
कृषि भवन, नई दिल्ली - 110001
Government of India
Department of Consumer Affairs
KRISHI BHAWAN, NEW DELHI - 110001

D.O. No. EN-01/19/2024

Dated the 13th May, 2024

Sir/Madam,

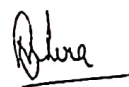
As you are aware that the Emblems and Names (Prevention of Improper Use) Act 1950 prohibits improper use of certain emblems and names specified in the Schedule for the purpose of any trade, business, calling or profession, or in the title of any patent, or in any trade mark or design. No person can use or continue to use the names specified in the Schedule to the Act without prior permission of the Central Government. Also no competent authority can register such names without prior permission of the Central Government. Instructions are issued from time to time to the State Governments for strict compliance of the provisions of the Act.

2. However, it has been noticed that there is rampant use of various names in contravention of the provisions of the said Act. NGOs/Organizations etc. who contravene the provisions of the Act are liable to prosecution.

3. I shall, therefore, request you to kindly issue appropriate directions to the concerned authorities to take suitable and necessary action for strict compliance of the provisions of the said Act. In case the competent authority finds use of any name in contravention of the Act, appropriate action be taken immediately.

Regards,

Yours sincerely,


(Bharat Kherra)

To

Chief Secretaries of States/UTs

आई. एस. नेगी

वरिष्ठ आर्थिक सलाहकार

I. S. NEGI

Senior Economic Adviser

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srea-ca@nic.in



भारत सरकार
उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय
उपभोक्ता मामले विभाग
कृषि भवन, नई दिल्ली-110001
Government of India
MINISTRY OF CONSUMER AFFAIRS, FOOD AND
PUBLIC DISTRIBUTION
Department of Consumer Affairs
KRISHI BHAWAN, NEW DELHI-110001

D.O. No. EN-01/14/2024

Dated the 27th March 2024

Dear Sirs/Madam,

Department of Consumer Affairs, inter alia, deals with the Emblems and Names (Prevention of Improper Use) Act 1950 (copy of act attached). The Act was enacted in 1950 to prohibit improper use of certain emblems and names specified in the Schedule for the purpose of any trade, business, calling or profession, or in the title of any patent, or in any trade mark or design.

2. The Act provides that if any question arises before a competent authority (authority to register any company, firm, or other body of persons or any trade mark or design or to grant a patent) as to whether any emblem is an emblem specified in the Schedule or a colourable imitation thereof, the competent authority may refer the question to this Department.

3. It is, however, observed that a large number of references with proposals for names are received from offices of Registrars/Sub-registrars/SDMs. Most of these references do not have any relevance whatsoever with the said Act. The Department invariably has no comments to offer in such matters which unnecessarily contributes to delay in the decision of the matter.

4. In view of the above, I request you to direct concerned authorities to appropriately examine the cases at their end before sending any name for consideration/NOC under the E&N (PIU) Act, 1950 to the Central Government. In case, a case is found fit for examination under the Act, a reasoned proposal may be sent to this Department clearly outlining as to why the proposal seems to contravene the provisions of the Act.

With regards

Yours sincerely,

(I.S. Negi)

To

Chief Secretaries of States/UTs (as per list enclosed)

Encl.: As above.



CJS

List of States/UTs

To,

1.	Chief Secretary Government of Andhra Pradesh 1st Block, 1st Floor, Interim Government Complex, A.P Secretariat Office, Velagapudi - 522503 Email ID: cs@ap.gov.in
2.	Chief Secretary Government of Arunachal Pradesh Civil Secretariat, Itanagar - 791111 Email ID: cs-arunachal@nic.in
3.	Chief Secretary Government of Assam, Block-C Assam Sachivalaya, Dispur, Guwahati-781006 Email ID: cs-assam@nic.in
4.	Chief Secretary Government of Bihar, Main Secretariat Building, Patna-800015 Email ID: cs-bihar@nic.in
5.	Chief Secretary Government of Chattisgarh, Mahanadi Bhawan, Mantralaya, Naya Raipur-492002 Email ID: csoffice.cg@gov.in
6. ✓	Chief Secretary Government of Gujarat, Block No. 1, 5 th Floor, Sardar Bhawan, Sachivalaya, Gandhinagar-382010 Email ID: chiefsecretary@gujarat.gov.in
7.	Chief Secretary Government of Goa, Panaji-403001 Email ID: cs-go@nic.in
8.	Chief Secretary Government of Haryana 4 th floor, Haryana Civil Secretariat, Chandigarh. Email ID: cs@hry.nic.in

9.	Chief Secretary Government of Himachal Pradesh H.P. Secretariat, Shimla-171002 Email ID: cs-hp@nic.in
10.	Chief Secretary Government of Jharkhand Ranchi-834001 Email ID: cs-jharkhand@nic.in
11.	Chief Secretary Government of Kerala, Thiruvananthapuram-695001 Email ID: chiefsecy@kerala.gov.in
12.	Chief Secretary Government of Karnataka, Bangalore-560001 Email ID: cs@karnataka.gov.in
13.	Chief Secretary Government of Madhya Pradesh, Bhopal-462004 Email ID: cs@mp.nic.in
14.	Chief Secretary Government of Maharashtra, Mantralaya, Mumbai-400032 Email ID: cs@maharashtra.gov.in
15.	Chief Secretary Government of Manipur, Old Secretariat, Bapupara, Imphal-795001 Email ID: cs-manipur@nic.in
16.	Chief Secretary Government of Meghalaya, Shillong-793001 Email ID: cso-meg@nic.in
17.	Chief Secretary Government of Mizoram, Aizawl-796001 Email ID: cs-mizoram@nic.in
18.	Chief Secretary Government of Nagaland, Kohima -797001 Email ID: csngl@nic.in
19.	Chief Secretary Government of Odisha, Bhubaneswar-795001 Email ID: csori@nic.in
20.	Chief Secretary Government of Punjab, Chief Secretary Office, 6th Floor, Punjab Civil Secretariat -1, Sector 1, Chandigarh, 160001 Email ID: cs@punjab.gov.in

21.	Chief Secretary Government of Rajasthan, Jaipur-302005. Email ID: csraj@rajasthan.gov.in
22.	Chief Secretary Government of Sikkim, New Secretariat, Development Area, Gangtok-737101 Email ID: cs-skm@hub.nic.in
23.	Chief Secretary Government of Uttarakhand, Dehradun-248001 Email ID: cs-uttarakhand@nic.in , chiefsecyuk@gmail.com
24.	Chief Secretary Government of Tamilnadu, Chennai-600009 Email ID: cs@tn.gov.in
25.	Chief Secretary Government of Tripura, New Secretariat Complex, Agartala- 799011 Email ID: cs-tripura@nic.in
26.	Chief Secretary Government of Uttar Pradesh Shri Lal Bahadur Shastri Bhawan Lucknow-226001 Email ID: csup@nic.in
27.	Chief Secretary Government of West Bengal, Kolkata- 700001 Email ID: cs-westbengal@nic.in
28.	Chief Secretary Government of Telangana, Secretariat, Hyderabad-500022 Email ID: cs@telangana.gov.in
29.	Chief Secretary Govt. of NCT of Delhi, Delhi Secretariat, New Delhi Email ID: csdelhi@nic.in
30.	Administrator Union Territory of Dadar and Nagar Haveli and Daman & Diu, Secretariat, Moti Daman-396220 Email ID: administrator-dd-dnh@nic.in
31.	Administrator Unionterritory of Lakshdweep, Lakshdweep House, Kavaratti-682555 Email ID: lk-advisor@gov.in
32.	Chief Secretary Andaman & Nicobar Administration Secretariat Port Blair. Email ID: cs-andaman@nic.in

33.	Chief Secretary Govt. of Puducherry, Chief Secretariat, Goubert Avenue , Pudhucherry-605001 Email ID: cs.pon@nic.in
34.	Adviser to the Administrator UT Secretariat, Leh-Ladakh Email ID: advisor-ig-ladakh@gov.in
35.	Adviser to Administrator UT Secretariat, Sector 9, Chandigarh Email ID: adviser-chd@nic.in
36.	Chief Secretary Government of Jammu & Kashmir(UT), Civil Secretariat, Srinagar-190001 Email ID: cs-jandk@nic.in

THE EMBLEMS AND NAMES (PREVENTION OF IMPROPER USE) ACT, 1950¹

(12 of 1950)

[1st March, 1950]

An Act to prevent the improper use of certain emblems and names for professional and commercial purposes.

Be it enacted by Parliament as follows:—

1. Short title, extent, application and commencement.—(1) This Act may be called the Emblems and Names (Prevention of Improper Use) Act, 1950.

(2) It extends to the whole of India² [***] and also applies to citizens of India outside India.

(3) It shall come into force on such date³ as the Central Government may, by notification in the Official Gazette, appoint.

COMMENTS

The Supreme Court has upheld the constitutional validity of this Act on the grounds that —(i) the Act, read as a whole, does not deal directly or substantially with trade or commerce. Therefore, it does not fall under Entry 26 of List II. Parliament was competent to make such law under Entry 49 of List II and the residuary Entry 97 of List I, (ii) The power bestowed on the Central Government to amend the Schedule by section 8 is subject to the provision of section 3 and hence is not in conflict with Article 14, (iii) The Act being regulatory in nature, imposes reasonable restrictions and hence does not interfere with Article 19 (1) (f), (g); *Sable v. Union of India*, AIR 1975 SC 1172.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "emblem" means any emblem, seal, flag, insignia, coat-of-arms or pictorial representation specified in the Schedule;

(b) "competent authority" means any authority competent under any law for the time being in force to register any company, firm or other body of persons or any trade mark or design or to grant a patent;

(c) "name" includes any abbreviation of a name.

3. Prohibition of improper use of certain emblems and names.—Notwithstanding anything contained in any law for the time being in force, no person shall, except in such cases and under such conditions as may be prescribed by the Central Government, use, or continue to use, for the purpose of any trade, business, calling or profession or in the title of any patent, or in any trade mark or design, any name or emblem specified in the Schedule or any colourable imitation thereof without the previous permission of the Central Government or of such officer of Government as may be authorised in this behalf by the Central Government.

1. This Act has been extended to Goa, Daman and Diu by Reg. 12 of 1962, sec. 3 and Sch. to Pondicherry by Reg. 7 of 1963, sec. 3 and First Sch.

The Act has been enforced in Sikkim on 1-9-1975, vide S.O. 4292 of 1975 and to Dadra and Nagar Haveli by Reg. 6 of 1963.

2. The words "except in such cases and under such conditions as may be prescribed by the Central Government" omitted by Act 62 of 1956, sec. 2 and Sch. (w.e.f. 1-11-1956).

3. Came into force on 1-9-1950, see Gazette of India, 1950, Pt. II, Sec. 3, p. 451.

COMMENTS

No person can use, for the purpose of any trade, business, calling or profession, or in the title of any patent, or in any trade mark or design, any name or emblem or official seal or pictorial representation or any colourable imitation thereof of the following without the previous permission of the Central Government:—

1. United Nations Organisation
2. World Health Organisation
3. The Indian National Flag
4. The Government of India
5. The Government of any State
6. St. John Ambulance Association (India)
7. St. John Ambulance Brigade (India)
8. President of India
9. Governor of a State
10. Republic or Union of India
11. Any name which may suggest the patronage of the Government of India, or the Government of a State or connection with any local authority or any corporation or body constituted by the Government under any law.
12. United Nations Educational, Scientific and Cultural Organisation.
13. Rashtrapati
14. Rashtrapati Bhavan, Raj Bhavan
15. Chhatrapati Shivaji Maharaj
16. Mahatma Gandhi
17. Pandit Jawaharlal Nehru
18. Shrimati Indira Gandhi
19. Prime Minister of India
20. Medals, badges or decorations instituted by the Government or the miniatures or replicas thereof or the names of such medals, badges or decorations or of the miniatures or replicas thereof
21. International Civil Aviation Organisation
22. The word 'Interpol' which is an integral part of the International Criminal Police Organisation
23. World Meteorological Organisation
24. Tuberculosis Association of India
25. International Atomic Energy Agency
26. Ashok Chakra or Dharma Chakra
27. Parliament, Legislature of any State, Supreme Court, High Court of any State, Central Secretariat, Secretariat of any State Government, or any other Government office or building occupied by any of the aforesaid institutions
28. Ram Krishna Math and Mission
29. Sri Sarda Math and Ramkrishna Sarda Mission
30. Bharat Scouts and Guides
31. International Olympic Committee
32. National Youth Emblem

4. *The Emblems and Names (Prohibition of Improper Use) Act, 1950* [Part IV]
4. Prohibition of registration of certain companies, etc. (1) Notwithstanding anything contained in any law for the time being in force, no competent authority shall,--

- (a) register any company, firm or other body of persons which bears any name, or
- (b) register a trade mark or design which bears any emblem or name, or
- (c) grant a patent in respect of an invention which bears a title containing any emblem or name,

if the use of such name or emblem is in contravention of section 3.

(2) If any question arises before a competent authority whether any emblem is an emblem specified in the Schedule or a colourable imitation thereof, the competent authority may refer the question to the Central Government, and the decision of the Central Government thereon shall be final.

COMMENTS

No company, firm or other body of persons can be registered which bears any name, no trade mark or design can be registered which bears any emblem or name, no patent in respect of an invention can be registered which bears a title containing any emblem or name, if the use of such name or emblem is in contravention of the provisions of section 3.

5. Penalty.—Any person who contravenes the provisions of section 3 shall be punishable with fine which may extend to five hundred rupees.

6. Previous sanction for prosecution.—No prosecution for any offence punishable under this Act shall be instituted, except with the previous sanction of the Central Government or of any officer authorised in this behalf by general or special order of the Central Government.

7. Savings.—Nothing in this Act shall exempt any person from any suit or other proceeding which might, apart from this Act, be brought against him.

8. Power of the Central Government to amend the Schedule.—The Central Government may, by notification in the Official Gazette, add to or alter the Schedule, and any such addition or alteration shall have effect as if it had been made by this Act.

9. Power to make rules.—¹[(1)] The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

²[(2)] Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

1. Section 9 re-numbered as sub-section (1) thereof by Act 4 of 1986, sec. 2 and Sch. (w.e.f. 15-5-1986).
2. Ins. by Act 4 of 1986, sec. 2 and Sch. (w.e.f. 15-5-1986).

THE SCHEDULE

[See sections 2 (a) and 3]

1. The name, emblem or official seal of the United Nations Organisation.
2. The name, emblem or official seal of the World Health Organisation.
3. The Indian National Flag.
- ¹[4. The name, emblem or official seal of the Government of India or of any State, or any other insignia or coat-of-arms used by any such Government or by a Department of any such Government.]
- ²[5. The emblems of the St. John Ambulance Association (India), and the St. John Ambulance Brigade (India), consisting of the device of a white eight pointed cross embellished in the four principal angles ³[***], whether or not the device is surrounded or accompanied by concentric circles or other decoration or by lettering.]
- ⁴[6. The name, emblem or official seal of the President, Governor, ⁵[***] ⁶[Sadar-i-Riyasat] or Republic or Union of India.]
- ⁴[7. Any name which may suggest or be calculated to suggest—
 - (i) the patronage of the Government of India or the Government of a State; or
 - (ii) connection with any local authority or any corporation or body constituted by the Government under any law for the time being in force.]
- ⁴[8. The name, emblem or official seal of the United Nations Educational, Scientific and Cultural Organisation.]
- ⁷[9. The name, or pictorial representation of Rashtrapati, ⁸[***] Rashtrapati Bhavan, Raj Bhavan.]
- ⁹[9A. ¹⁰[The name or pictorial representation of Mahatma Gandhi ¹¹[Shrimati Indira Gandhi,] Chhatrapati Shivaji Maharaj or the Prime Minister of India or the words 'Gandhi' 'Nehru' or 'Shivaji', except the pictorial use thereof on calendars where only the name of the manufacturers and printers of the calendars are given and the calendars are not used for advertising goods.]]
- ¹²[9B. The name or pictorial representation of "Shri Lal Bahadur Shastri".]
- ¹³[10. The medals, badges or decorations instituted by the Government from time to time or the miniatures or replicas of such medals, badges or decorations ¹⁴[or the names of such medals, badges or decorations or of the miniatures or replicas thereof].]

1. Sub. by S.R.O. 1230, dated 4th June, 1955.
2. Added by S.R.O. 561, dated 20th March, 1952.
3. The words "alternatively with a lion passant quadrant and a unicorn passant" omitted by S.O. 2135, dated 12th August, 1972.
4. Added by S.R.O. 1230, dated 4th June, 1955.
5. The word "Rajpramukh" omitted by the Adaptation of Laws (No. 3) Order, 1956.
6. Added by S.R.O. 2011, dated 7th September, 1955.
7. Ins. by S.R.O. 2011, dated 7th September, 1955.
8. The words "Rashtra Bhavan" omitted by S.O. 1916, dated 30th July, 1960.
9. Added by S.O. 416, dated 14th February, 1959.
10. Subs. by S.O. 1503, dated 8th April, 1970.
11. Ins. by S.O. 239(E), dated 27th March, 1964.
12. Ins. by S.O. 448(E), dated 28th February, 2011.
13. Ins. by S.R.O. 525, dated 23rd February, 1956.
14. Added by S.R.O. 1862, dated 17th August, 1956.

¹[(11) The name, emblem or official seal of the International Civil Aviation Organisation.]

²[12. The word "Interpol" which is an integral part of the International Criminal Police Organisation.]

³[13. The name, emblem or official seal of the World Meteorological Organisation.]

⁴[14. The name and emblem of the Tuberculosis Association of India.]

⁵[15. The name, emblem and official seal of the International Atomic Energy Agency.]

⁶[16. The names of "Ashoka Chakra" or "Dharma Chakra" or the pictorial representation of Ashoka Chakra as used in the Indian National Flag or in the official seal or emblem of the Government of India or of any State Government or of a Department of any such Government.]

⁷[17. The name of the Parliament or the legislature of any State, or the Supreme Court, or the High Court of any State, or, the Central Secretariat, or the secretariat of any State Government or any other Government office or the pictorial representation of any building occupied by any of the aforesaid institutions.]

⁸[18. The name and emblem of the Rama Krishna Math and Mission consisting of a swan floating on water, with a lotus in the foreground and the rising sun in the background, the whole being encircled by a wild serpent (facing right) with the words ["तन्नो हंसः प्रचोदयात्"] superimposed on the bottom portion.]

⁹[19. The name and emblems of Sri Sarada Math and Ram Krishna Sarada Mission consisting of a swan (facing right) floating on waters, with a lotus in the foreground and the rising sun in the background, the whole being encircled by a wild serpent (facing right) with the words ["तन्नो हंसः प्रचोदयात्"] superimposed on the bottom portion.]

¹⁰[20. The name of "The Bharat Scouts and Guides" with its emblem.]

¹¹[21. The name and emblem of the International Olympic Committee consisting of five inter-laced rings.]

¹²[22. The name and the emblem of the National Youth Emblem which is in black and white and carries profiles of the faces of two onward looking young persons—male and female—inscribed within a circle. Both faces are turning towards the right and the profile of the male face is in black and is situated behind that of the female face. The back of profile of the female face forms the tail and wing of a dove flying in the opposite direction with its beak extending outside the circle and carrying a twig with leaf. The profile of the dove is in white and the balance space of the profile of the female face is covered with horizontal lines in black. The space between the black profile of the male face and the circle is also covered by horizontal lines in black. The space in between the

1. Added by S.R.O. 2906, dated 4th September, 1957.
2. Added by S.O. 1429, dated 19th June, 1959.
3. Added by S.O. 1544, dated 6th July, 1959.
4. Added by S.O. 1605, dated 13th July, 1959.
5. Added by S.O. 2438, dated 7th October, 1961.
6. Added by S.O. 671, dated 18th February, 1964.
7. Added by S.O. 3760, dated 24th October, 1964.
8. Added by S.O. 2356, dated 4th August 1973.
9. Added by S.O. 2697, dated 11th September, 1973.
10. Added by S.O. 1841, dated 10th July, 1974.
11. Added by S.O. 2457, dated 18th August, 1978.
12. Ins. by S.O. 373 (E), dated 23rd June, 1986.

(23) Profile of the dove and the circle to the left of the dove is also in black. The leaf and twig is in black. One eye of the dove is shown in the form of a dot.

¹[(23) The name and the emblem] of the 'auroville' consisting of two concentric circles; the inner circle is joint to the other circle with five equidistant radial lines to form five petals one of the radial line is oriented vertically down wards. An inner dot is placed at the center of the symbol. The petals may be shaded in orange or any other colour or may be unshaded.]

²[24. The name of Sri Sathya Sai Central Trust and its two emblems described below:—

(i) In the middle, it has a lotus flame that is spreading light of goodwill in all directions. Five universal human values—Truth, Right Conduct, Peace, Love and Non-violence are placed in the outer circle. These are universal values that are common to all faiths and beliefs. The emblem has no specific colour stipulation.

(ii) This emblem is a Sarvadharm (multi-religious) Symbol and equality of all religions symbol. It depicts symbols of major world religions—Om-in Sanskrit/Devnagri (Hinduism and Sikhism), Cross (Christianity), Crescent and Star (Islam), Fire (Zoroastrianism), and Wheel (Dharma Chakra revered by Buddhists and Jains). All signs are placed in a circle signifying their equality. In the middle circle, there is a Lotus Flame that signified Purity, Virtue and Character. This emblem is used in various colours and no specific colour is officially notified.]

⁴[25. The name of "Sri Sathya Sai".]

⁵[26. The logo/emblem of the NHRC described below:

(i) The logo features the Ashoka Chakra at its heart. The petals in the upper half of the Chakra, which is derived from the national flag, change to brilliant orange rays radiating upwards and outwards. Like the sun's rays, these too are indicative of hope and movement, with a far reaching penetrating quality. The rays benefit all, without distinction, and are not subject to limitations of any kind. The entire symbol is guarded by two side arms which seem to raise it and protect it, thereby suggesting universal love and hope—qualities which are the birthright of all mankind.

(ii) The Sanskrit quotation "Sarve Bhavantu Sukhinah" is also incorporated in the logo.]

⁶[27. The name "National Human Rights Commission" and its abbreviation 'NHRC/ nhrc']

⁷[28. The Names and Emblems of Federation Internationale de Football Association (FIFA) and Federation of Internationale de Football Association (FIFA) Under 17-World Cup described below:—

The Emblem of FIFA of the letter FIFA in blue on a white background. The letter FIFA are the acronym of Federation Internationale de Football Association.]

1. Ins. by S.O. 593 (3), dated 22nd July, 1999.
2. Subs. by S.O. 276 (E), dated 28th March, 2000 published in the Gazette of India, Extra., Pt. II, Sec. 3 (ii), dated 28th March, 2000.
3. Ins. by S.O. 77 (E), dated 15th January, 2004, published in the Gazette of India, Extra., Pt. II, Sec. 3 (ii), dated 15th January, 2004.
4. Ins. by S.O. 578 (E), dated 14th May, 2004, published in the Gazette of India, Extra., Pt. II, Sec. 3 (ii), dated 14th May, 2004.
5. Ins. by S.O. 1323 (E), dated 3rd December, 2004, published in the Gazette of India, Extra., Pt. II, Sec. 3 (ii), dated 3rd December, 2004.
6. Ins. by S.O. 458(E), dated 10th March, 2008.
7. Ins. by S.O. 2764(E), dated 13th September, 2013.

THE EMBLEMS AND NAMES (PREVENTION OF IMPROPER USE) RULES, 1982¹

In exercise of the powers conferred by section 9 of the Emblems and Names (Prevention of Improper Use) Act, 1950 (12 of 1950), Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Emblems and Names (Prevention of Improper Use) Rules, 1982.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Emblems and Names (Prevention of Improper Use) Act, 1950 (12 of 1950);

(b) "Committee" means the Committee appointed by the Central Government under rule 4;

(c) "designated officer" means an officer designated by the Central Government under rule 3;

(d) "Schedule" means Schedule to the Act.

3. Appointment of designated officer.—The Central Government may, for purposes of these rules designate an officer who shall not be below the rank of a Group 'A' officer of the Central Government as designated officer.

4. Appointment of Committee.—The Central Government may appoint a Committee for purposes of these rules consisting of,—

(i) an officer of the Central Government not below the rank of a Joint Secretary to the Government of India in the Ministry/ Department of that Government which is administratively concerned with the administration of the Act

(ii) an officer of the Ministry of Law, Justice and Company Affairs in the Department of Legal Affairs

(iii) an officer of the Ministry of Home Affairs

—Chairman;

—Member;

—Member.

5. Co-option of Members of the Committee.—The Committee may, at its discretion co-opt any person or persons of eminence/erudition not exceeding two at a time as its members for considering any proposal or classes of proposals for the consideration of which such persons' views are considered valuable by the Committee.

6. Processing of proposals.—Any proposal for making additions or alterations to the Schedule received by the Central Government from any State Government, local authority or any other source, shall be referred to the designated officer who shall, after examining the same and after classifying the said proposals in

1. Vide S.O. 4100, dated 27th November, 1982, published in the Gazette of India, No. 50, Pt. II, Sec. 3 (2), dated 11th December, 1982.

2. Came into force on 11-12-1982.

7. Recommendation of the Committee.—(1) The Committee shall, after considering the proposal submitted by the designated officer, make appropriate recommendations as to the desirability or otherwise of including any particular proposal or classes of proposals in the Schedule.

(2) The designated officer shall, on receipt of the recommendations from the Committee, submit the same to the Central Government whose decision thereon shall be final.

8. Use of emblems and names contained in the Schedule.—No person shall use or continue to use, for the purpose of any trade, business, calling or profession, or in the title of any patent, or in any trademark or design, any name or emblem specified in the Schedule or any colourable imitation thereof without the previous permission of the Central Government or of such officer of Government as may be authorised in this behalf by the Central Government except in the following cases, namely:—

- (1) the use thereof by the agencies, bodies or persons to whom the name or emblem belongs;
 - (2) the use thereof by the Central Government or any State Government to whom the name or emblem belongs;
 - (3) issue of postal stamps, coins or other commemorative items brought out by the Central Government or a State Government in honour of any of the persons or institutions whose names are included in the Schedule;
 - (4) the use of the names of persons included in the Schedule by bodies set up by the Central Government or State Government for propagation of the ideals for which they stood and lived;
 - (5) the authorship, production, publication, exhibition or transmission by any medium for academic, artistic, biographical, cultural, educational, scientific or spiritual purposes with the previous permission of the Central Government and subject to such conditions as the Central Government may lay down while granting such permission.
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ગુજરાત સરકાર

અન્ન, નાગરિક પુરવઠા અને ગ્રા.બા.નો વિભાગ

બ્લોક-૧૪, પાંચમો માળ, સરદાર ભવન

નવા સચિવાલય, ગાંધીનગર

પ્રતિ,

અધિક મુખ્ય સચિવશ્રી/ અન્ન સચિવશ્રી/ સચિવશ્રી

તમામ વિભાગો,

ગુજરાત સરકાર,

ગાંધીનગર

વિષય: Emblems and Names (prevention of Improper Use) Act, 1950ની જોગવાઈઓનું ચુસ્ત અનુપાલન કરવા Competent Authority ને જરૂરી પગલાં ભરવા સૂચના આપવા બાબત.

શ્રીમાન,

ઉપર્યુક્ત વિષય સંબંધિત ભારત સરકારના તા.૧૩/૦૫/૨૦૨૪ ના પત્રથી (નકલ સામેલ છે) જણાવ્યા મુજબ Emblem & Names (Prevention of Improper use) Act, 1950 કોઈપણ વેપાર, વ્યવસાય, કોલિંગ અથવા પ્રોફેશનના હેતુ માટે અથવા કોઈપણ પેટન્ટના શીર્ષકમાં અથવા કોઈપણ ટ્રેડ માર્ક અથવા ડિઝાઇનમાં અનુસૂચિમાં ઉલ્લેખિત ચોક્કસ પ્રતીકો અને નામોના અયોગ્ય ઉપયોગને પ્રતિબંધિત કરે છે.

૨. ઉક્ત બાબતે જણાવવાનું કે, કોઈપણ વ્યક્તિ Emblems and Names (prevention of Improper Use) Act, 1950ની અનુસૂચીમાં આપેલ નામોનો ભારત સરકારની પૂર્વ મંજૂરી સિવાઈ ઉપયોગ કરી શકાતો નથી અથવા ઉપયોગ કરવાનું ચાલુ રાખી શકાતો નથી. તે ઉપરાંત કોઈ પણ Competent Authority (authority to register any company, firm, or other body of persons or any trade mark or design or to grant a patent) ભારત સરકારની પૂર્વ મંજૂરી સિવાઈ આવા નામોની નોંધણી કરી શકાતી નથી. તેમાં છતાં, આ કાયદાની જોગવાઈઓનું ઉલ્લંઘન કરી વિવિધ નામોનો ભેદાસ ઉપયોગ થતો હોવાનું ભારત સરકારના ધ્યાન ઉપર આવેલ છે.

૩. આથી, ઉક્ત વિગતે Emblems and Names (prevention of Improper Use) Act, 1950ની જોગવાઈઓનું ચુસ્ત અનુપાલન કરવા આપના વિભાગ હેઠળની Competent Authority ને જરૂરી સૂચના આપવા વિનંતી છે અને જો કોઈ નામમાં Competent Authority ને આ કાયદાનો ભંગ થતો જણાતો હોય તો તે અંગે તાત્કાલિક યોગ્ય પગલાં ભરવા જણાવવા વિનંતી છે.

આપનો વિશ્વાસુ,

(એન. એસ. વસાવા)

નાયબ સચિવ

અન્ન, ના.પુ.અને ગ્રા.બા નો વિભાગ.

વિહારા :- ઉપર મુજબ.

Signature Not Verified

Signed by: N S Vasava
Deputy Secretary
Date: 2024.06.18

File No: FCSCAD/EMB/c-file/5/2023/0023/D (Weights and Measures)

Approved By: Principal Secretary, FCSCAD

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પ્રતિ,

સર્વે સેક્શન અધિકારીશ્રી

શિક્ષણ વિભાગ, સચિવાલય, ગાંધીનગર.

વિષય- Emblems and Names(Prevention of Improper Use) Act,1950ની જોગવાઈઓનું સૂચિ અનુપાલન કરવા
Competent Authority ને જરૂરી પગલાં ભરવા સૂચના આપવા બાબત.

શ્રીમાન,

ઉપર્યુક્ત વિષય પરત્વેના અમ્ર. નાગરિક પુરવઠા અને ગ્રા.બા.નો વિભાગના તા.૧૪/૦૩/૨૦૨૪ના પત્ર ની બદલે આ માટે સમગ્ર રાજી મહેકારી અનુસૂચિ જણાવવાનું કે, Emblems and Names (Prevention of Improper Use) Act,1950 ની અનુસૂચિમાં આપેલ નામોના ઉપયોગને નિયંત્રિત કરવા માટેની જોગવાઈઓનું પૂર્ણ અંદાજે શિક્ષણ વિભાગ દ્વારા કરી શકાતો નથી અથવા ઉપયોગ કરવાનું ચાલુ રાખી શકાતો નથી.તે ઉપરાંત કોઈ પણ Competent Authority ભારત સરકારની પૂર્વ મંજૂરી શિવાઈ આપ્યા નામના નોંધણી કરી શકાતી નથી તેમ છતાં આ કાયદાની જોગવાઈઓનું ઉલ્લંઘન કરી વિવિધ નામોનો લેફામ ઉપયોગ થતો હોવાનું ભારત સરકારના ધ્યાન ઉપર આવેલ છે. આથી Emblems and Names (Prevention of Improper Use) Act,1950 ની જોગવાઈઓનું સૂચિ અનુપાલન થાય માટે આપની દેઠળના Competent Authority ને જરૂરી સૂચના પરિપત્રિત કરવા વિનંતી છે.

આપનો વિશ્વાસુ

(એ.એમ.જાદવ)

સેક્શન અધિકારી

શિક્ષણ વિભાગ

લિડાણ:-ઉપર મુજબ.

