

Bill No. 56 of 2019

THE EMBLEMS AND NAMES (PREVENTION OF IMPROPER USE)
AMENDMENT BILL, 2019

By

SHRI PARVESH SAHIB SINGH, M.P.

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BILL

further to amend the Emblems and Names (Prevention of Improper Use) Act, 1950.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Emblems and Names (Prevention of Improper Use) (Amendment) Act, 2019. Short title and commencement.

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

12 of 1950 **2.** In the Emblems and Names (Prevention of Improper Use) Act, 1950, in the Schedule, after entry 27, the following entry shall be inserted, namely:— Amendment of the Schedule.

10 “28. The names and emblems that may have high religious regard and whose improper use may hurt religious sensibility of any class, section or community of India.”.

STATEMENT OF OBJECTS AND REASONS

India is the second most populous nation in the world. As a result, we are home to many business firms, trading companies, corporate houses and their incalculable products and brand names. People generally have their product and brand names based on personal preference, family lineages, marketability, consumer attraction and several such considerations. However, Government has to ensure that naming of products does not cause copyright infringement of either Government symbols or other publicly renowned names and emblems.

The Emblems and Names (Prevention of Improper Use) Act, 1950 was enacted to make sure that no such imitations or improper use happens by private companies while naming professional or commercial products. The Act prohibits private parties from using title, trademarks or emblems which are mentioned in the exhaustive list provided in the Schedule.

However, there is a need that there should also be provisions which exercises some kind of regulation on the use of names and emblems for some commercial products which can potentially hurt religious sensibility of any class, group or community. Certain names and emblems may have a very high religious sanctity attached with them. Use of such words for certain products and items which may cause disregard to any religion or faith should be prevented for the overall benefit of the society. The Emblems and Names (Prevention of Improper Use) Amendment Bill, 2019 seeks to bring in a provision in the parent Act whereby any kind of names or emblems which may have high religious regard shall be censored from being used for certain kind of products and items which may cause disregard to the sentiments of faith of any particular religion, class or community.

Hence this Bill.

NEW DELHI;
June 4, 2019.

PARVESH SAHIB SINGH

ANNEXURE

EXTRACT FROM THE EMBLEMS AND NAMES (PREVENTION OF IMPROPER USE) ACT, 1950

[12 OF 1950]

THE SCHEDULE

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27. The name “National Human Rights Commission” and its abbreviation “NHRC/nhrc” [Ins. By notification No. S.O. 458(E), dated the 10th March, 2008].

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further to amend the Emblems and Names (Prevention of Improper Use) Act, 1950.

(Shri Parvesh Sahib Singh, M.P.)