

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

RAJYA SABHA
UNSTARRED QUESTION No. 1193
TO BE ANSWERED ON 10/03/2017

**USE OF PHOTOGRAPH OF PRIME MINISTER IN ADVERTISEMENTS BY
PRIVATE COMPANIES**

1193. SHRI KAPIL SIBAL:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether any permission was sought by private companies to use the photograph of the Prime Minister in full page advertisements while promoting their brands and if so, the details thereof;
- (b) if not, the action taken by Government against such companies;
- (c) whether there is any mechanism which approves the usage of Prime Minister's photographs by private companies and if so, the details thereof; and
- (d) if not, whether Government is planning to introduce any mechanism in this regard, if so, the details thereof and if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C.R. CHAUDHARY)

(a) : No, Sir

(b) : As per our knowledge, Paytm and Reliance Jio used the photograph of the Prime Minister in their respective full page advertisement contravening the 'prior permission' stipulation in such cases under 'The Emblems and Names (Prevention of Improper Use) Act, 1950'. Clarifications were sought by Department of Consumer Affairs from Paytm and Reliance Jio wherein they have apologized for their inadvertent mistake. Further, based on a request from the Department of Consumer Affairs, Ministry of Information and Broadcasting has issued an advisory to print medium to check-up the permission/authority from Competent Authority before issuing any advertisement wherein the Emblem and Names Specified under the act are mentioned.

(c) & (d) : Section 3 of 'The Emblems and Name (Prevention of Improper Use) Act, 1950' stipulates that '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 colorable imitation thereof without the previous permission of the Central Government or of such officer of Government as may be authorized in this behalf by the Central Government.' A committee is in existence in Department of Consumer Affairs for inter-alia examining proposals regarding prior approval stipulation under 'the Emblems and Names (Prevention of Improper Use) Act, 1950'.
