

**No.N-41015/26/2017-BC-III  
GOVERNMENT OF INDIA  
MINISTRY OF INFORMATION & BROADCASTING  
'A' WING, SHASTRI BHAWAN,  
NEW DELHI – 110001**

22<sup>nd</sup> March, 2017

**ADVISORY**

**Subject: Compliance with the Emblems and Names (Prevention of Improper Use) Act, 1950.**

Whereas instances have come to the notice of the Government that recently some commercial organisations released their advertisements promoting their own brands/products without having regard to the provisions contained in The Emblems and Names (Prevention of Improper Use) Act, 1950 and Schedule and Rules thereunder.

Whereas attention is drawn to Section 3 of 'The Emblems and Names (Prevention of Improper Use) Act, 1950' which provides 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 colourable imitation thereof without the previous permission of the Central Government or of such officer of the Government as may be authorised on this behalf by the Central Government'*.

Whereas it has been explicitly stipulated in the Act that previous permission of the Central Government or of such officer of the Government as may be authorised on this behalf by the Central Government is required to be taken for use of any name or emblem specified in the Schedule of the Act or any colourable imitation thereof.

Therefore all TV channels as also Indian Broadcasting Foundation (IBF), News Broadcasters Association (NBA), and Advertising Standards Council of India (ASCI) are hereby advised to ensure that the provisions as contained in the aforesaid Act are not contravened vis-à-vis any programme, advertisement or otherwise.

  
( AMIT KATOCH )  
Director (BP&L)  
Tele.23386394

To

1. All TV Channels
2. Shri Puneet Goenka, President, Indian Broadcasting Foundation (IBF), B-304, 3<sup>rd</sup> Floor, Ansal Plaza, Khelgaon Marg, New Delhi – 110049.
3. Shri Ashish Bagga, President, News Broadcasters Association (NBA), Mantec House, 3<sup>rd</sup> Floor, C-56/5, Sector 62, NOIDA – 201307.
4. Ms. Shweta Purandhare, Secretary General, Advertising Standards Council of India (ASCI), 219, Bombay Market Building, 78 Tardeo Road, Mumbai – 34