

The State Emblem Of India (Regulation Of Use) Rules, 2007

UNION OF INDIA

India

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Rule

THE-STATE-EMBLEM-OF-INDIA-REGULATION-OF-USE-RULES-2007 of 2007

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1. [Amended by The State Emblem of India (Regulation of Use) Amendment Rules, 2010 (Rule G-S-R-629-E- of 2010) on 22 July 2010]

The State Emblem Of India (Regulation Of Use) Rules, 2007Published vide Notification G.S.R. 643(E), dated 4.10.2007, published in the Gazette of India, Part 2, Section 3(ii), Sl. No. 448, dated 4.10.2007.

1015.

In exercise of the powers conferred by section 11 of the State Emblem of India (Prohibition of Improper Use) Act, 2005 (50 of 2005), the Central Government hereby makes the following rules regulating the use of the State Emblem of India in official seal and on stationery and its design, namely:-

1. Short title, extent, application and commencement .-(1) These rules may be called The State Emblem of India (Regulation of Use) Rules, 2007.

(2)It extends to the whole of India and also to the citizens of India outside India.(3)They shall come into force on the date of their publication in the Official Gazette.

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

(a)"Act" means the State Emblem of India (Prohibition of Improper Use) Act, 2005 (50 of 2005);(b)"Emblem" means the State Emblem of India as defined in clause (b) of section 2 of the Act;(c)"Schedule" means a Schedule appended to these rules;(d)"State Government" in relation to a Union territory means the Administrator of that Union territory appointed by the President under article 239 of the Constitution.

3. Design of the official seal .-(1) The design of the Official Seal shall have the emblem enclosed in an oval or round frame.

(2)The name of the Ministry or the office shall appear between the inner and outer rims of the frame.(3)The abbreviated form of the name of a Ministry or the office may be inscribed where it is not possible to accommodate the name in full.

4. Adoption by States or Union territories .-(1) A State Government may adopt the emblem as the official Emblem of the State or the Union territory, as the case may be, without obtaining the approval of the Central Government.

(2)Where a State Government proposes to incorporate the emblem or any part thereof in the Emblem of that State or Union territory, as the case may be, it shall do so after obtaining the prior approval of the Central Government and shall get the design and layout approved by the Central Government:Provided that where a State Government has already incorporated the emblem or part thereof in the Emblem of that State or Union territory, as the case may be, prior to the coming into force of these rules, it may, subject to the other provisions of these rules, continue to use the emblem.

5. Use in official seals .-The use of the emblem in official seal shall be restricted to the authorities specified in Schedule I.

6. Use on stationery .-(1) The use of the emblem on official or demi-official stationery shall be restricted to the authorities specified in the Schedule I aforesaid.

(2)The emblem, when printed or embossed on official or demi-official stationery, shall appear prominently on the middle of the top of such stationery.

7. Display on vehicles .-The use of the emblem on vehicles shall be restricted to the authorities specified in Schedule II.

8. Display on public buildings .-(1) The emblem may be displayed on very important public buildings, like, the Rashtrapati Bhawan, Parliament House, Supreme Court and Central Secretariat buildings.

(2)The emblem may be displayed on Raj Bhawan or Raj Niwas and State Legislature, High Courts and Secretariat buildings of the States or the Union territories that have adopted the emblem or have incorporated the emblem in the Emblem of the State or the Union territory.(3)The emblem may be displayed on the premises of India's Diplomatic Mission abroad and the heads of Missions may display the emblem at their residences in the countries of their accreditation.(4)The emblem may be displayed on the buildings occupied by India's Consulates abroad at the entrance doors thereof and on the residences of Heads of consular posts in the countries of their accreditation.

9. Use for various other purposes .-Subject to the provisions of these rules, the emblem may be used for other purposes as are specified in Schedule III.

10. Restriction on the use of the emblem .-(1) No person (including former functionaries of the Government, like, former Ministers, former Members of Parliament, former Members of Legislative Assemblies, former Judges and retired Government officials), other than those authorised under these rules, shall use the emblem in any manner.

(2)No Commission or Committee, Public Sector Undertaking, Bank, Municipal Council, Panchayat Raj Institution, Parishad, Non-Government Organisation, University, other than those authorised under these rules, shall use the emblem in any manner.(3)No association or body of persons, whether incorporated or not, shall use the emblem on their letter-heads, brochures, seats, crests, badges, house flags or for any other purpose in any manner.(4)[No professional qualification or private profession shall be mentioned with the name of the person authorised to use the emblem under these rules on the stationery, including letter heads, visiting cards and greetings cards with emblem printed or embossed on it.]

11. Cases and conditions restricting the use of the emblem .-No person shall use or continue to use the emblem or any colourable imitation thereof for the purpose of any trade, business, calling or profession or in the title of any patent, or in any trade mark or design:

Provided that a person or a group of persons, association, body, corporate, may use the emblem in connection with an event organised by it or a publication brought out jointly with a Ministry or Department of the Central or State Government, with the prior approval of the Central Government.

12. Availability of design of the emblem .-(1) Photographic designs of the emblem are available with, and can be obtained from, the Manager, Photo Litho Wing, Government of India Press, Minto Road, New Delhi.

(2) Sample of standard dies of the emblem can be obtained from the Office of the Chief Controller of Printing and Stationery, New Delhi.

I

(See rules 5 and 6) Constitutional or statutory authorities, Ministries or Departments of The Central Government, State Governments or Union Territory Administrations and other Government Functionaries which may use the Emblem (i) President, Vice-President, Prime Minister and a Union Minister; (ii) Governors, Lieutenant Governors, Administrators, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory, as the case may be; (iii) Office and officers of the Parliament of India; (iv) Judges and office and officers of the Judiciary; (v) Office and officers of the Planning Commission; (vi) Chief Election Commissioner of India, Election Commissioners and the office and officers of the Election Commission of India; (vii) Comptroller and Auditor General of India, the office and officers of the Comptroller and Auditor General of India; (viii) Chairperson and Members of the Union Public Service Commission and the office and officers of the Union Public Service Commission; (ix) Ministries, Departments and offices of the Central Government and their officers; (x) Diplomatic Missions abroad and their officers; (xi) Chief Ministers and Ministers of the States and the Union territories, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory; (xii) Members of Parliament and Members of State or the Union territory Legislative Assemblies or Councils, as the case may be; (xiii) Ministries, Departments and offices of the State and the Union territory Governments and their officers, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory; (xiv) Office and officers of the State or the Union territory Legislative Assemblies or Councils, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory; (xv) Commissions and authorities, constituted or established by an Act of Parliament or set up by the Central Government; (xvi) Commissions and authorities constituted or established by an Act of the State Legislature or set up by the State Government, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory; [Explanation.-For the purpose of this Schedule, the expression "officer" shall mean a Gazetted Officer.]

II

(See rule 7)

Part I – Constitutional Authorities and other Dignitaries which may display the Emblem on their Cars

(i) cars of Rashtrapati Bhawan, when the following dignitaries or their spouses are travelling by such vehicles: (a) President, (b) Visiting Heads of foreign States, (c) Visiting Vice-Presidents of foreign State

or dignitaries of equivalent status,(d)Visiting Heads of foreign Governments or dignitaries of equivalent status like Crown Prince or Princess of a foreign State,(e)The spare car following the car of the President;(ii)[(a) car of Vice-President when he or his spouse is travelling by such vehicle;(b)the spare car following the car of the Vice-President.](iii)cars of Raj Bhawan and Raj Niwas, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory, when the following dignitaries or their spouses are travelling by such vehicles within the State or the Union territory concerned:(a)President,(b)Vice-President,(c)Governor of the State,(d)Lieutenant Governor of the Union territory,(e)visiting Heads of foreign States,(f)visiting Vice-Presidents of foreign States or dignitaries of equivalent status,(g)visiting Heads of foreign Governments or dignitaries of equivalent status;(iv)cars and other means of transport used by the Heads of India's Diplomatic Missions in the countries of their accreditation;(v)cars and other means of transport used by the Heads of India's Counsellor posts abroad in the countries of their accreditation;(vi)cars maintained by the Protocol Division of the Ministry of External Affairs when in use for duty with the foreign dignitaries of the rank of Cabinet Ministers and above visiting India, and Ambassadors accredited to India on ceremonial occasions.

Part II – Authorities which may Display the Ashoka Chakra (which is part of the Emblem) on Triangular Metal Plaques on their Cars

(i)cars of the Prime Minister and Ministers of the Union, Speaker and Deputy Speaker of the Lok Sabha, Deputy Chairperson of the Rajya Sabha when travelling anywhere in India;(ii)cars of Chief Justice of India and Judges of the Supreme Court, and Chief Justices and Judges of High Courts within their respective territories;(iii)cars of Cabinet Ministers in States, Ministers of States in States, Speakers and Deputy Speakers of the State Legislative Assemblies, Chairmen and Deputy Chairmen of Councils of States, Ministers (other than Deputy Ministers) of Union territories with Legislature, and Speakers and Deputy Speakers of Legislative Assemblies in Union territories, when they are travelling within their State or Union territory, as the case may be (if the emblem is adopted by, or is incorporated in the Emblem of, the State or the Union territory).

III

(See rule 9)Other purposes for which Emblem may be used(i)visiting cards of the functionaries or officers specified in Schedule I for legitimate representational purpose;(ii)greeting cards sent by functionaries or officers specified in Schedule I for legitimate representational purpose;(iii)official publications of the Government;(iv)films and documentaries produced by the Government;(v)stamp papers;(vi)Government advertisements, banners, pamphlets, boards, etc.;(vii)crests, flags, seats with such modification as considered necessary;(viii)identity cards, licenses, permits, etc., issued by the Government;(ix)websites of the Government;(x)coins, currency notes, promissory notes and postal stamps issued by the Mint or Press of the Government of India;(xi)medals, certificates and sanads instituted by the Government;(xii)Invitation Cards for functions of the Government;(xiii)representational glassware crockery and cutlery used at the Rashtrapati Bhawan, Raj Bhawans, Raj Niwases and Indian Missions or Posts abroad;(xiv)Badges collars, buttons, etc.,

with such modifications as are considered necessary, on the uniforms of (a) commissioned or Gazetted Officers of the armed forces of the Union; (b) Gazetted Officers of uniformed services (other than armed forces) of the Union and such of the State Governments and Union territory Administrations that have adopted the emblem, or have incorporated the emblem in the Emblem of that State or Union territory; (c) authorised staff of Rashtrapati Bhawan and Indian Missions or Posts abroad; (xv) school textbooks, books on history, art or culture or in any periodical as part of the text of a Chapter, Section, etc., for the purpose of explaining or illustrating the origin, significance or adoption of the emblem: Provided that the emblem shall not be used on the front page, title or cover of such publication so as to give an impression that it is a Government publication. [Explanation.-For the purpose of this Schedule, "Government" includes the Central Government, the State Governments, Union territory Administrations and other Offices mentioned in Schedule-I.] [Substituted by Notification No. G.S.R. 629 (E) dated 22.7.2010 (w.e.f. 4.10.2007)] [Substituted by Notification No. G.S.R. 629 (E) dated 22.7.2010 (w.e.f. 4.10.2007)]