

No. 24/242/2014-Public
Government of India / Bharat Sarkar
Ministry of Home Affairs / Grih Mantralaya

North Block, New Delhi
Dated the 1 July, 2014

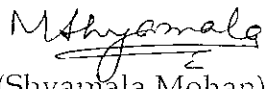
To,
Shri Vinay Chaganti,
Dwarakamai, 3-4-112/5,
Hyderguda Village,
Hyderabad-500048

Subject: Information sought under RTI Act, 2005.

Please refer to your online RTI application registration no. MHOME/R/2014/61437 dated 17.06.2014, on the subject noted above. The reply to the information sought is as under :-

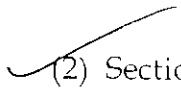
Point No.	Reply
1	The information sought by you in this point is concerned with the Ministry of Environment & Forest. Accordingly, a copy of your RTI application dated 17.06.2014 is being forwarded to them for providing the necessary information.
2	The State Emblem of India (Prohibition of Improper Use) Act, 2005, an act to prohibit the improper use of the State Emblem of India, is administered by the Ministry of Home Affairs. The use of the State Emblem of India for various purposes has been specified in the State Emblem of India (Regulation of Use) Rules, 2007 [as amended in 2010].
3	An act namely "The Emblems and Names (Prohibition of Improper Use) Act, 1950", administered by the Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs, prevents the improper use of certain emblems and names for professional and commercial purposes.
4	The State Emblem of India (Prohibition of Improper Use) Act, 2005 only deals with the matter related with improper use of the State Emblem of India.
5	You have not specified the particulars of the national symbols. However, so far as the use of State Emblem of India is concerned, it is informed that the use of the State Emblem of India for various purposes is restricted to the Constitutional or Statutory Authorities, Ministries or Departments of the Central Government, State Governments or Union Territory Administrations and other Government Functionaries, specified in the said Rules. The improper use of the State Emblem of India is a punishable offence under Section 7 [read with Section 3 and 4] of the State Emblem of India (Prohibition of Improper Use) Act, 2005.

2. Appeal may be made under Section 19 (1) of the Right to Information Act to the Appellate Authority within 30 days. Details of the First Appellate Authority in the matter is as follows: Shri Satpai Chauhan, Joint Secretary (Admin.) & Appellate Authority, Room No. 194, Ministry of Home Affairs, North Block, New Delhi-110001.


(Shyamala Mohan)
Director and
Central Public Information Officer

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Copy alongwith a copy of the abovementioned online RTI application dated 17.06.2014 received from Shri Vinay Chaganti to: (1) The Secretary, Ministry of Environment & Forests, Prayavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110003. The application is hereby forwarded for providing the necessary information sought in **point no. (1)** directly to the applicant.


(2) Section Officer, IT Cell, MHA, North Block for uploading on this Ministry's website.

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RTI REQUEST DETAILS

Registration No. : MHOME/R /2014/61437 Date of Receipt : 17/06/2014

Type of Receipt : Online Receipt Language of Request : English

Name : Vinay Chaganti Gender : Male

Address : Dwarakamai, 3-4-112/5, Hyderguda Village, Hyderabad, Pin:500048

State : Andhra Pradesh Country : India

Phone No. : +91-4024001166 Mobile No. : +91-9052415913

Email : fl3vinayc@iimahd.ernet.in

Status(Rural/Urban) : Urban Education Status : Above Graduate

Is Requester Below Poverty Line ? : No Citizenship Status : Indian

Amount Paid : 10 Mode of Payment : Payment Gateway

Mode(s) of information Supply : Hard Copy

Does it concern the life or Liberty of a Person ? : Details not provided. Request Pertains to : SHYAMALA MOHAN, DIR(A&V)

Information Sought :

I have observed that the ministry of environment and forestry had instituted the Indira Priyadarshini Paryavaran Puraskar Awards in 1987. They give these awards on an annual basis and the award is a Silver Lotus Trophy and some cash incentive. Lotus is the national flower of India. I found that there is a law prohibiting the misuse/abuse of national/state emblems on the website of ministry of home affairs (prohibition of improper use act, 2005). I wonder why there is no similar law in place to regulate the use of other national symbols. It is possible that I am not aware of laws if there is any which regulates the use of national symbols, such as in the case of using silver LOTUS for awarding organizations. My requests are here- (1) Could you please inform how it may have been possible for the ministry of environment to liberally use the national symbol in awarding to organizations. (2) Is there a procedure to obtain permission from the ministry of home affairs to use

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SO (pub) - on leave
 18/06/2014
 Sh. Nikash

these symbols. (3) I have observed that there are some private business firms and registered societies also using national symbols in their business/activity, though not national emblem. Is such use of national symbols regulated at all. (4) Section 3 of prohibition of improper use indicates the spirit of the act that the purpose of it was to impede possible impressions that private bodies are linked to government somehow. Was there ever a discussion in any meeting that discussed possible extension of this act to other national symbols. (5) Is it allowed to modify the presentation of a national symbol and use it, for any individual or organization in the country to signal that they may possibly are related to government.

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