

THE UTTAR PRADESH STATE EMBLEM (PROHIBITION OF IMPROPER USE)
ACT, 2019

AN

ACT

to prohibit the improper use of the State Emblem of Uttar Pradesh for professional and commercial purpose and for matters connected therewith or incidental thereto.

IT IS HEREBY in the Seventieth Year of the Republic of India as follows:-

Short title, extent, application and commencement	1.	(1) This Act may be called the Uttar Pradesh State Emblem (Prohibition of Improper Use) Act, 2019. (2) It extends to the whole of Uttar Pradesh. (3) It shall come into force on such date as the State Government may, by notification in the Gazette, appoint.
Definitions	2	In this Act, unless the context otherwise requires,- (a) "competent authority" means any authority competent under any law for the time being in force to register any company, firm, other body of persons or any trade mark or design or to grant a patent; (b) "emblem" means the Emblem of the State of Uttar Pradesh as described and specified in the Schedule to be used as an official seal of the State Government.
Prohibition of improper use of emblem	3.	Notwithstanding anything to the contrary contained in any other law for the time being in force, no person shall use the emblem or any colourable imitation thereof in any manner which tends to create an impression that it relates to the State Government or that it is an official document of the State Government, or as the case may be, the State Government, without the previous permission of the State Government or of

such officer as may be authorised by it in this behalf.

Explanation.- For the purpose of this section, "person" includes a former functionary of the State Government.

Prohibition of use of emblem for wrongful gain

4. No person shall use the emblem for the purpose of any trade, business, calling or profession or in the title of any patent, or in any trade mark or design, except in such cases and under such conditions as may be prescribed.

Prohibition of registration of certain companies, etc.

5. (1) Notwithstanding anything contained in any other law for the time being in force, no competent authority shall,-
- (a) register a trade mark or design which bears the emblem, or
- (b) grant patent in respect of an invention which bears a title containing the emblem.
- (2) If any question arises before a competent authority whether any emblem is an emblem specified in the Schedule or a colourable imitation thereof, the competent authority shall refer the question to the State Government and the decision of the State Government thereon shall be final.

General powers of State Government to regulate use of emblem

6. (1) The State Government may make such provision by rules as appears to it to be necessary, to regulate the use of the emblem in official seal that is used in offices of the State Government its organisations including diplomatic missions abroad, subject to such restrictions and conditions as may be prescribed.
- (2) Subject to the provisions of this Act, the State Government shall have power , -
- (a) to notify the use of emblem on stationery, the method of printing or embossing it on demi-official stationery by the constitutional authorities, Ministers, Members of the Uttar Pradesh Legislative Council, Members of

the Uttar Pradesh Legislative Assembly and the officers of the State Government;

- (b) to specify the design of the official seal consisting of the emblem;
- (c) to restrict the display of emblem on vehicles of constitutional authorities, foreign dignitaries, Ministers of the State Governments;
- (d) to provide the guidelines for display of emblem on public buildings in State, the diplomatic missions and on the buildings occupied by State Government;
- (e) to specify the conditions for the use of emblem for various other purposes including the use for educational purposes and the Police forces personnel;
- (f) to do all such things (including the specification of design of the emblem and its use in the manner whatsoever) as the State Government considers necessary or expedient for the exercise of the foregoing powers.

Penalty

7. (1) Any person who contravenes the provisions of section 3 shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both, or if having been previously convicted of an offence under this section, is again convicted of any such offence, he shall be punishable for the second and for every subsequent offence with imprisonment for a term which shall not be less than six months, which may extend to two years and with fine which may extend to five thousand rupees.
- (2) Any person who contravenes the provision of section 4 for any wrongful gain shall be punishable for such offence with imprisonment for a term which shall not be less than six months, which may extend to two years and with fine which may extend to five thousand rupees.

Previous sanction for prosecution	8.	No prosecution for any offence punishable under this Act shall be instituted, except with the previous sanction of the State Government or of any officer authorised in this behalf by general or special order of the State Government.
Savings	9.	Nothing in this Act shall exempt any person from any suit or other proceedings which might be brought against him under any other law for the time being in force.
Act to have overriding effect	10.	The provision of this Act or any rule made under there shall have effect notwithstanding anything inconsistent therewith contained in any other enactment or instrument having effect by virtue of such enactment.
Power to make rules	11.	<p>(1)The State Government may, by notification in the Gazette, make rules to carry out the purposes of this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-</p> <p>(a) cases and conditions regulating the use of the emblem under section 4;</p> <p>(b) making rules to regulate the use of the emblem in official seal of the State Government and specifying restrictions and conditions relating thereto under sub-section (1) of the section 6;</p> <p>(c) the use of emblem on stationery, design of official seal consisting of emblem and other matters under sub-section(2) of section 6;</p> <p>(d) authorising an officer by general or special order for giving previous sanction for instituting prosecution under section 8; and</p> <p>(e) any other matter which is required to be, or may be, prescribed.</p>

**Power to
remove
difficulties**

12. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, for removing such difficulty, by order published in the Gazette direct that the provision of the Act shall, during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission, as it may deem to be necessary and expedient.
- (2) No order under sub-section (1) shall be made after the expiration of a period of two years from the date of commencement of this Act.
- (3) Every order made under sub-section (1) shall be laid before each house of the State legislature.

THE SCHEDULE

[See section 2(b)]

EMBLEM OF THE STATE OF UTTAR PRADESH

DESCRIPTION AND DESIGN

The State Emblem of UTTAR PRADESH is consists of a circular seal depicting the confluence of the [Ganges](#) and [Yamuna](#) rivers at [Prayagraj](#), a pair of [Matsya](#) fish to represent the former Muslim rulers of [Oudh](#) and a bow and arrow to represent the Hindu deity [Rama](#) who was born in [Ayodhya](#) within the state. The legend around the seal translates as "Government of Uttar Pradesh".^[2]

The Emblem of the State of Uttar Pradesh shall conform to the designs as set out in Appendix I or Appendix II.

Appendix I



Appendix II.



STATEMENT OF OBJECTS AND REASONS

The use of State Emblem on any letter pad, visiting card etc. denotes the pride & authority of the State Government. Although it is improper to use the State Emblem without the authorisation of the State Government, but due to the absence of any law of the State in this regard, the unauthorised use of State Emblem does not come in the category of punishable offence.

It has, therefore, been decided to make a law to regulate the use of the State Emblem in the State of Uttar Pradesh in the light of the State Emblem of India (Prohibition of Improper Use) Act, 2005 (Act no. 50 of 2005).

The Uttar Pradesh State Emblem (Prohibition of Improper Use) Bill, 2019 is introduced accordingly.

By order,
J.P. SINGH-II,
Pramukh Sachiv.

**mRrj insk dk jkT; l arhd 1/2vufpr iz kx dk
ifr"l1/2vf/kfu;e] 2019**

1/2mRrj insk vf/kfu;e l 4; k 15 l u~20191/2
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ofRrd vks okf.kfT; d iz kstu dsfy, mRrj insk jkT; l arhd ds vufpr
iz kx dk ifr"l1/2 dk djust vks ml l sl 1/21/2kr ; k vku1/21/2d fo"1/2k; ka dsfy,
vf/kfu;e

l {klr uke]
foLrkj] ykxw
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i kjEHkA

Hkjr x.kjT; ds l Rrjoao"1/2eafufyf[kr vf/kfu;e cuk; k tkrk gS

1-1/21/2 ; g vf/kfu;e mRrj insk dk jkT; l arhd 1/2vufpr iz kx ifr"l1/21/2
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da uh] Qe] vU; 0; fDr fudk; ; k fdl h 0; ki kj fpUg ; k fMtkbu dks
jftLV1/2dr djust ; k dkbZ iS1/21/2 inku djust dsfy, l {ke ikf/kdkjh l s
gS

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ds fy, vuq 1/2ph ea ; Fkkof.kZr vks fofufnZV mRrj insk jkT; ds
l arhd l sgA

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vufpr iz kx
dk ifr"l1/21/2

3- rRI e; iDRR fdl h vU; fof/k ea vUrfoZV fdl h ckr ds ifrdny gkrs gq
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, s h jhfr] l sft l s ; g /kkj.kk mRi l u gksh gS fd og ; FkkfLFkfr l jdkj
l s l 1/21/2kr gS ; k ; g fd og jkT; l jdkj dk dkbZ 'kkl dh; nLrkost gS
jkT; l jdkj ; k ml ds }kjk bl fufeRr ikf/kdr vf/kdkjh dh i 1/21/2 vuq
dsfcuk iz kx ugha djsxkA

Li"Vhdj.k& bl /kkjk ds iz kstu ds fy,] 1/21/2 fDr1/2 ds vxrZr jkT;
l jdkj dk dkbZ i 1/21/2 dR; dkjh Hkh l fefyr gA

l nkšk vfHkykHk 4- dkbZ 0; fDr] fdl h 0; ki kj] dkjckj] vktHfodk ; k ofRr ds iz kstu ds fy,
ds fy; sl ä rhd ; k fdl h i s/ v/ dsuke ea ; k fdl h 0; ki kfjd fplg ; k fMtkbu ea l ä rhd dk
ds iz kx dk iz kx] , d sekeyka ds fl ok; vkš , d h 'krkã ds v?; /khu tš k fd fofgr fd; k
i fr"ksk tk;] ugha djskA

dfri; dā fu; ka 5- ¼½ rRl e; iDrR fdl h vU; fof/k ea vUrfoZV fdl h ckr ds ifrdny gkrs
vkfn ds gq Hkh] dkbZ l {ke i kf/kdkjh%&

jftLVhdj.k dk ½d½ fdl h , d s 0; ki kfjd fplg ; k fMtkbu] ftl ij l ä rhd gkš dks jftLVj
i fr"ksk ugha djsk] ; k

¼[k½ fdl h , d s vkfo"dkj] ftl dk , d k uke gkš ftl ea l ä rhd vk tkrk gkš
ds l cdk ea dkbZ i s/ v/ ugha inku djskA

½½ ; fn fdl h l {ke i kf/kdkjh ds l e{k ; g izu mBrk gšfd dkbZ l ä rhd
vuq ph ea fofufnZV l ä rhd gš ; k ml dh feyrh&tyrh udy gš rks l {ke
i kf/kdkjh ml izu dks jkT; ljdkj dks fufnZV djsk vkš ml ij jkT;
ljdkj dk fofu'p; vñre gkskA

l ä rhd ds 6- ¼½ jkT; ljdkj , d h 'kkl dh; epk ep ftl dk jkT; ljdkj rFkk ml ds
iz kx dks l xBuka ftuea fons kh jktuf; d fe'ku l fēfyr gš ds dk; kšy; ka ea mi ; kx
fofu; fer djus fd; k tkrk gš l ä rhd ds mi ; kx dks fofu; fer djus ds fy, , d s fucZku
dh jkT; vkš 'krkã tš k fd fofgr fd; k tk;] ds v/khu jgrs gq fu; eka nekjk , d k
ljdkj dh micl/k dj l dsh] tks ml svko'; d irhr gkA
l k/kj.k 'k fDr; ka

½½ bl vf/kfu; e ds micZkka ds v/khu jgrs gq jkT; ljdkj dks fuEufyf[kr
'k fDr; ka gksh]&

½d½ l dškkfud i kf/kdkfj; k ep=; k mRrj inš k fo/kku ifj"kn ds l nL; k
mRrj inš k fo/kku l Hkk ds l nL; ka vkš jkT; ljdkj ds vf/kdkfj; ka }kjk
y[ku l kexh ij l ä rhd ds iz kx] v/kZ kkl dh; y[ku l kexh ij ml ds
epz k ; k mRdh.kZu dh jhfr dks vf/kl fipr djuk(

¼[k½ l ä rhd l s feydj cuus okys 'kkl dh; epk dh fMtkbu dks fofufnZV
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½x½ l dškkfud i kf/kdkfj; k fons kh mPp inLFkka rFkk jkT; ljdkj ds ep=; ka
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1/2 1/2 jkT; ds ykd Hkouka jktuf; d fe'kuka ij vls jkT; I jdkj }kjk vf/keDr Hkouka ij I a rhd dks I a n f'kz djus ds fy, ekxh'kd fl nAkaraks dk micak djuk(

1/4-1/2 fofHkuu vU; iz kstuka ftuea 'ks{k d iz kstuka grq vls ifyl cyka ds dkfezka ds fy, iz ks I fefyr g\$ ds fy, I a rhd ds iz ks grq 'kr\$ fofufnZV djuk(

1/p 1/2, d h I Hkh ckra 1/4 ftuea I a rhd ds fMtkbu dk fofunZk vls bl ds iz ks dh jhfr pkgs tks gk\$ I fefyr g\$ djuk t\$ k fd jkT; I jdkj] i mZkeh 'kDr; ka dk iz ks djus ds fy, vko'; d ; k I ehphu I e>A

'kkfLr

7-1/4 1/2, d k dkbZ 0; fDr tks /kkjk 3 ds micakka dk mYyaku djsxk] , d s dkjkokl I \$, d h vof/k] tks nks o"z rd gks I drh g\$ ds fy, ; k t\$ku\$ tks i k\$ gtkj : i ; s rd dk gks I drk g\$ I s ; k nksuka I s nMuh; gksk vFkok ; fn bl /kkjk ds v/khu fdl h vijk/k ds fy, igys gh fl) nksk Bgjk; s tkrsgq Hkh , d s fdl h vijk/k ds fy, i q% fl) nksk fd; k tkrk g\$ rks og n\$ js vls i R; d i 'pkrorhZ vijk/k ds fy, dkjkokl I s, d h vof/k] tks N% ekl I s de ugha gksch] tks nks o"z rd gks I drh g\$ ds fy, vls t\$ku\$ tks i k\$ gtkj : i ; s rd gks I drk g\$ I s nMuh; gkskA

1/2 1/2 dkbZ 0; fDr] t\$ I nksk vfHkykHk ds fy, /kkjk 4 ds mioak dk mYyaku djsxk] , d s vijk/k ds fy, , d s dkjkokl I \$, d h vof/k] tks N% ekl I s de dh ugha gksch] tks nks o"z rd gks I drh g\$ ds fy, vls t\$ku\$ tks i k\$ gtkj : i ; s rd gks I drk g\$ I s nMuh; gkskA

vfHk; kstu ds fy, i mZ Lohdfr

8- bl vf/kfu; e ds v/khu nMuh; fdl h vijk/k ds fy, dkbZ vfHk; kstu] jkT; I jdkj ds I k/kj.k ; k fo'ksk vkn\$ k nekjk jkT; I jdkj ; k ml ds }kjk bl fufeRr i k f/kdr fdl h vf/kdkjh dh i mZ Lohdfr ds fcuk] I a LFkr ugha fd; k tk, xkA

0; koFRr; ka

9- bl vf/kfu; e dh fdl h ckr I s fdl h 0; fDr dks , d s fdl h okn ; k vU; dk; Zkfg; ka I \$ tks rRI e; i Dr fdl h vU; fof/k ds v/khu ml ds fo:) dh tk I drh gk\$ ea NW i klr ugha gkschA

vf/kfu; e dk v/; kjkgh i Hkko gksuk	10- bl vf/kfu; e ; k bl ds v/khu cuk, x, fdl h fu; e dk micak] fdl h vU; vf/kfu; febr ; k , d h vf/kfu; febr ds vk/kkj ij i Hkko j [kus okys fdl h fy [kr ea vrfnZV fdl h ckr ds vl Ec) gksrsg Hkh i Hkkoh gkskA
fu; e cukus dh 'kDr	11- $\frac{1}{4}$ $\frac{1}{2}$ jkT; I jdkj] xtV ea vf/kl puk }kjk bl vf/kfu; e ds iz kstuka dks dk; kUor djus ds fy, fu; ekoyh cuk I drh gA
	$\frac{1}{2}$ $\frac{1}{2}$ fof'k"Vr; k vkj i dZkeh 'kDr; ka dh 0; ki drk ij ifrdny i Hkko Mkys fcuk] , d h fu; ekoyh ea fuEufyf [kr I Hkh ; k fdl h fo"k; dk micak gks I drk g\$ vFkkZ%&
	$\frac{1}{d}$ $\frac{1}{2}$ /kkjk 4 ds v/khu I arhd ds iz kx dks fofu; fer djus okys ekeys vkj 'kr
	$\frac{1}{4}$ $\frac{1}{2}$ /kkjk 6 dh mi /kkjk $\frac{1}{4}$ $\frac{1}{2}$ ds v/khu jkT; I jdkj ds 'kkl dh; epk ds I arhd ds iz kx dks fofu; fer djus vkj ml l s l a/kr fucakuka vkj 'krka dks fofufnZV djus ds fy; s fu; ekoyh cukuk
	$\frac{1}{x}$ $\frac{1}{2}$ /kkjk 6 dh mi /kkjk $\frac{1}{2}$ $\frac{1}{2}$ ds v/khu y\$ku I kexh ij I arhd dk iz kx] I arhd okyh 'kkl dh; epk dk fMtkbu vkj vU; fo"k; (
	$\frac{1}{2}$ $\frac{1}{2}$ /kkjk 8 ds v/khu vfHk; kstu I aLFkr djus ds fy, i dZ vuoknu nus ds fy, I k/kkj .k ; k fo'k\$ vkns\$ nekjk vf/kdkjh dks i kf/kdr djuk(vkj
	$\frac{1}{M}$ $\frac{1}{2}$ dkbZ vU; fo"k;] ftl s fofgr fd; k tkuk vi\$kr gks ; k ftl s fofgr fd; k tk, A
dfBukb; k nj djus dh 'kDr	12- $\frac{1}{4}$ $\frac{1}{2}$; fn bl vf/kfu; e ds micakka dks i Hkkoh djus ea dkbZ dfBukbZ mRi Uu gksrh g\$ rks jkT; I jdkj , d h dfBukbZ dks nj djus ds fy, xtV ea izkf'kr vkns\$ }kjk ; g fun\$ ns I drh g\$ fd mDr vf/kfu; e ds micak vkns\$ ea ; Fkk fofufnZV vof/k ds nkjku mikUrj.k] ifjo)Z ; k pnd Lo: i , d s vuokhuka t\$ kfd og vko'; d , oal ehphu I e>\$ ds v/; /khu i Hkkoh gkskA
	$\frac{1}{2}$ $\frac{1}{2}$ bl vf/kfu; e ds i k] Hk gks ds fnukad I snks o"Z dh vof/k ds I ekflr ds i 'pkr~mi /kkjk $\frac{1}{4}$ $\frac{1}{2}$ ds v/khu dkbZ vkns\$ ugh fd; k tk, xkA
	$\frac{1}{3}$ $\frac{1}{2}$ mi /kkjk $\frac{1}{4}$ $\frac{1}{2}$ ds v/khu fd; k x; k i R; d vkns\$ jkT; fo/kku e.My ds i R; d I nu ds l e\$ k j [kk tk; xkA

vuq ph

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o.ku vlg fMtkbu

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vo/k ds inžeflye 'kkl dka dk ifrfuf/kRo djus grq eRL; eNyh ds ; fe vlg jkT; ea
fLFkr v; lš; k ea mRi lu gq fgluwnørk jke dk ifrfuf/kRo djus grq /kuqk , oa ok.k dk
fp=.k djus okys pdkdkj epk l sfufeŕ gA

mRrj inš k jkT; dk l ärhd] ifjf'k'V , d ; k ifjf'k'V nkseafn; sx; s fMtkbu ds
vuq i gkskA

ifjf'kV ,d



ifj'kV nks



mnas'; vlj dkj.k

jkT; lārhd dk fdl h yvj iM] foftrVx dkmZ vkfn ij izksx fd;k tkuk] jkT; ljdkj dh xfjek rFkk iktf/kdkj dk |ksd gA ; |fi jkT; ljdkj ds iktf/kdkj ds fcuk jkT; lārhd dk izksx djuk vuqpr gS fdUrq bl ls lEcafkr jkT; eadkbZ fof/k u gkus ds dkj.k jkT; lārhd dk vuf/kdr izksx] n.Muh; vij/k dh Jskh ea ugha vkrk gA

vr,o Hkkjr dk jkT; lārhd ¼vuqpr izksx dk ifr'ksk½ vf/kfu;e] 2005 ¼vf/kfu;e lE; k 50 l u~2005½ ds vkyksd eamRrj ins'k jkT; ealārhd ds izksx dks fofu;fer djusgrq, d fof/k cukus dk fofu"p; fd;k x;k gA

rnuq kj mRrj ins'k dk jkT; lārhd ¼vuqpr izksx dk ifr'ksk½ fo/k d] 2019 ij %Fkkfir fd;k tkrk gA

vkKk l }
tSiho fl g&ll,
iedk l fpoA