

अखिल कुमार जैन, भा. प्र. से.
महासचिव
AKHIL KUMAR JAIN, IAS
Secretary General



By Speed Post
राष्ट्रीय मानव अधिकार आयोग
फरीदकोट हाऊस, कोपर्निकस मार्ग
नई दिल्ली- 110 001 भारत
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi - 110 001 INDIA

DO No.15(38)/2008-Coord

25th September 2009

Dear *Shri Sivastava*

As you may be aware, the Emblems and Names (Prevention of Improper Use) Act, 1950 regulates the use of names, emblems, etc. of organisations mentioned in the Schedule of the Act.

2. Section 3 of the Act stipulates that "Notwithstanding anything contained in any law for the time being in force, 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 Government as may be authorised in this behalf by the Central Government".

3. Section 4 of the Act provides that:

- (1) "Notwithstanding anything contained in any law for the time being in force, no competent authority shall
 - (a) register any company, firm or other body of persons which bears any name, or
 - (b) register a trade mark or design which bears any emblem or name, or
 - (c) grant a patent in respect of an invention which bears a title containing any emblem or name,

if the use of such name or emblem is in contravention of Section 3.

- (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 may refer the question to the Central Government, and the decision of the Central Government shall be final."

4. The name and logo of the National Human Rights Commission has been listed in the Schedule of Emblems and Names (Prevention of Improper Use) Act, 1950 under entry number 26 and 27. The improper use/misuse of the logo and the name of the Commission attract the provisions of the Act and as per Section 5 of the Act, any person who contravenes the provisions of Section 3 shall be punishable with fine which may extend to five hundred rupees.

5. It has come to the notice of the Commission that some NGOs/Organizations/ Societies are getting themselves registered as society/trust/company with names similar to the National Human Rights Commission or State Human Rights Commission for example using words such as 'National Human Rights Association' or State Human Rights Association' etc. This attracts the provisions of Section 4 of the Emblems and Names (Prevention of Improper Use) Act, 1950.

6. Some instances of misuse of the name/logo of NHRC have also come to notice of the Commission. Some organisations are taking advantage of the similarity of their name with NHRC or SHRC in various manners.

7. May I, therefore, request you to:

(a) Draw attention of all authorities registering societies/trusts/companies etc. to the provisions of the Act with advice that if any organisation applies for registration with a name/logo similar to NHRC or SHRC, the matter be referred to the Central Government under intimation to NHRC.

(b) Advise all DMs/SDMs/SSPs that if any instances of misuse of name/logo of NHRC come to their notice, the matter should be reported to NHRC.

8. The nodal Ministry in this regard in the Central Government is the Ministry of Consumer Affairs and Public Distribution, Department of Consumer Affairs and the concerned officers are:

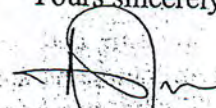
Director (Internal Trade Division)
Department of Consumer Affairs,
Room No.312-A, Shastri Bhavan,
New Delhi
E-mail: dirt-ca@nic.in
Fax - 011 23385821

Assistant Economic Advisor
Department of Consumer Affairs
Room No.307-A, Shastri Bhavan,
New Delhi
E-mail: astteal-ca@nic.in
Fax - 011 23385821

I shall be grateful for an early action on your part.

best wishes

Yours sincerely,



(A.K. Jain)

Shri S.K. Srivastava,
Chief Secretary,
Government of Goa,
Panaji

के.एस. मणि
महासचिव
K.S. MONEY
Secretary General

मुख्य सचिव कार्यालय
C.S./Monit/ 28 /2011
दिनांक 03/01/2011
समय सीमा



By Speed post

राष्ट्रीय मानव अधिकार आयोग (5)
फरीदकोट हाऊस, कोपरनिकस मार्ग,
नई दिल्ली- 110 001 भारत
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi-110 001 INDIA

D.O. No.18(13)/2010-Coord.

Dear Mr. Vansh,

27th December, 2010

5/11/11
29
JAN 2011
PS, WAD(HR)

D.S.K 04 JAN 2010

The Commission in the recent past has come across cases where some individuals/NGOs/organizations are misusing the name of the National Human Rights Commission by illegally using the NHRC logo claiming association with the NHRC. Some of these organizations have registered themselves having similar acronym or logo with an intention to mislead the public.

2. The Commission has neither a provision for registration, affiliation of the individuals/NGOs/organizations nor authorize any one to act on its behalf. The individuals/NGOs/organizations using the NHRC logo, name or writing 'Having association with NHRC' or words to the effect misleading the public by misusing the name of the Commission will render themselves liable for legal action.

3. The name and logo of the National Human Rights Commission has been listed in the Schedule of Emblems and Names (Prevention of Improper Use) Act, 1950 under entry number 26 and 27. The improper use/misuse of the logo and the name of the Commission is punishable as per the Act.

4. The Commission has written to Chief Secretaries of States and UTs to take strict action against such individuals/NGOs/organizations misusing the name and logo of the Commission and misleading the public.

5. However, the practice of misusing the name and logo of the NHRC by the individuals/NGOs/organizations is unabated and Commission has taken serious note of it. To check misuse of the name and logo of the Commission, you are requested to:

- direct all DMs/SSPs to take immediate action against such individuals/NGOs/organizations who are found misusing the name and logo of the Commission and ensure that nobody misuses the name and logo of the NHRC for personal gains and action taken report may be sent to NHRC.
- direct Registrar of Societies in the State not to register any organization having similar name/acronym/logo as NHRC, India.

Contd...2/-


Handwritten notes and signatures on the left margin, including '27/11/11' and '6 5/11/11'.

Handwritten initials and notes at the bottom, including 'R 5/11' and '3/3 (HR)'. There is also a circular stamp with '29' in the center.

- (c) give wide publicity in the local electronic and print media that there is no provision for registration, affiliation of the individuals/NGOs/organizations with the National Human Rights Commission and Commission does not authorize any one to act on its behalf. The individuals/NGOs/organizations misusing the name and logo of the NHRC will invite legal action against them.

I shall be grateful for an early action on your part.

With regards,
Yours sincerely,


(K.S. Money)

Shri Avani Vaish
Chief Secretary
Government of Madhya Pradesh
Bhopal.
FAX: 2441751

CR

डॉ. परविन्दर सोही बिहुरिया, आई.आर.एस.
महासचिव
Dr. Parvinder Sohi Behuria, IRS
Secretary General



राष्ट्रीय मानव अधिकार आयोग
मानव अधिकार भवन, सी-ब्लॉक, जीपीओ कॉम्प्लेक्स आईएनए,
नई दिल्ली-110 023 भारत

National Human Rights Commission
Manav Adhikar Bhawan, C-Block, GPO Complex,
INA, New Delhi-110023 India

LD/MISC/CD-2013

11th December 2013

Dear

During the visits of the National Human Rights Commission to various States in the country, the NGOs and Human Rights Defenders have drawn the attention of the Commission to the functional environment in the States being not very conducive to their work. They have alleged that functionaries of NGOs and Human Rights Defenders are being threatened and some times have been physically manhandled by the State authorities. It has been stated by them that they live in constant fear of being implicated in false cases. These issues have also been discussed with the State Government officers during the Commission meetings, Open hearings and Camp sittings.

It would, therefore, be of immense help if State Government functionaries are sensitized about the problems being faced by NGOs and Human Rights Defenders. The latter should be treated as partners in bringing about a positive change in the human rights environment in the States.

Yours sincerely,

Sd/-

(Parvinder Sohi Behuria)

To,

Chief Secretaries of all States/UTs