



भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA
निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

No. 437/6/INST/ECI/FUNCT/MCC/2024

Dated: 25th April, 2024

NOTICE

Whereas, the role of Political Parties in electoral democracy, particularly after the notification of the General Election, is pivotal, and hence stands clearly recognized in the formal statutory framework of the Representation of the People Act, 1950 and 1951, the Conduct of Elections Rules, 1961 and the Registration of Electors Rules, 1960 and, in the 'instructions' issued by the Commission from time to time and, so also by various landmark rulings of the Hon'ble Supreme Court.

Whereas, with regard to the campaign space and in particular recalling the commitment of all political parties to the spirit and consensus underlying the Model Code of Conduct duly reinforced by Commission's series of advisories including the recent reminders dated 2nd May, 2023 and 1st March, 2024 whereby Commission had reminded all political parties of the vital role which their respective star campaigners play in maintaining high standard of campaign discourse.

Whereas, the grant of the status of the 'Star Campaigner' statutorily lies entirely within the realm of the Political Parties under Section 77 of the Representation of the People Act, 1951 and the Star Campaigners are expected to contribute to a higher quality of discourse, inter alia, by way of providing an all-India perspective, which sometimes gets distorted in the heat of the contests at the local level. Thus, the expectation from Star Campaigners is to provide corrective action or a sort of healing touch, when intensity of local campaign disrupts or inadvertently crosses over such boundaries. The Star Campaigners are thus expected to utilize this privilege for "propagating the programme of the political parties" and, therefore, their speeches in the campaign space necessarily needs to be judged at a higher threshold of compliance.

Whereas, in light of the above, the Commission considers the political party as the fundamental stakeholder, in terms of regulation, consultation and facilitation within and about the election process; and whereas over the years through various instructions/ orders and advisories, the Commission has sought to make political parties more accountable, transparent and

democratic in their functioning; and whereas the Commission is of the considered view that political parties will have to take primary and increasing responsibility for the conduct of their candidates in general and star campaigners in particular.

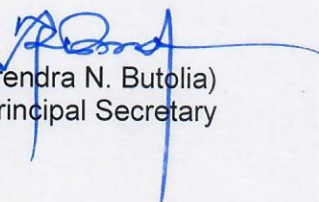
Whereas, yours is a National Party and is therefore expected to be the standard bearer in political and campaign discourse and as such should also set high standards of compliance of the model code of conduct.

Whereas, the Commission is in receipt of representations from various political parties/ civil society organizations and individual entities alleging violation of the Model Code of Conduct by speeches made during campaigning by some of your star campaigners. Whereas, these speeches are alleged to be in violation of MCC.

Whereas, in view of the foregoing and the plenary power of the political parties to nominate or withdraw the star campaigner's status with associated responsibility and authority to control their star campaigners, the Commission has taken a view that while the individual star campaigner would continue to remain responsible for speeches made, the Commission will address party President / Head of the political party, on case-to-case basis.

Accordingly, I am directed to forward a copy of the representation dated 21.04.2024 made by Indian National Congress (a National recognized political party), representation dated 23.04.2024 made by Communist Party of India (a State recognized political party) and representation dated 21.04.2024 Communist Party of India (Marxist-Leninist) Liberation (a State recognized political party) (Copies attached) with the direction to send comments to the Commission latest by 11:00 Hrs. on 29.04.2024 (Monday). You are also directed, as President of the National Party to bring to the notice of all your star campaigners to set high standards of political discourse and observe provisions of MCC in letter and spirit.

By Order,


(Narendra N. Butolia)
Sr. Principal Secretary

To

Shri J. P. Nadda,
National President,
Bharatiya Janata Party,
6-A, Deendayal Upadhyaya Marg,
New Delhi - 110002



21st April 2024

-Urgent Memorandum-

Ref: 0036A/Parliament Elections/2024

To
**Chief Election Commissioner,
& His Companion Election Commissioners of India,**
The Election Commission of India,
Nirvachan Sadan,
New Delhi – 110001

**REPRESENTATION AGAINST SHRI NARENDRA MODI'S DIVISIVE,
OBJECTIONABLE, AND MALICIOUS ELECTION SPEECH
DELIVERED AT BANSWARA, RAJASTHAN; AND**

**COMPLAINT AGAINST SHRI NARENDRA MODI FOR MAKING
FALSE STATEMENTS AND UNVERIFIED ALLEGATIONS AGAINST
THE INDIAN NATIONAL CONGRESS WHICH ARE BLATANTLY
DEFAMATORY, MALICIOUS TO SUCH AN UNPRECEDENTED
DEGREE THAT IT AMOUNTS TO COMMITTING OFFENCES
PUNISHABLE UNDER THE REPRESENTATION OF PEOPLE ACT,
1951; THE INDIAN PENAL CODE, 1860; & VIOLATIONS OF
PROVISIONS OF THE MODEL CODE OF CONDUCT AS WELL AS
OTHER PROVISIONS OF LAW**

Respected Sir (s),

On behalf of the Indian National Congress, we are compelled to bring to the urgent attention of this Hon'ble Commission the blatant violations of electoral laws as well as the Indian Penal Code by Prime Minister, Shri Narendra Modi. **These alarming and brazen violations committed by the Prime Minister, Shri Narendra Modi (on 21st April, 2024), call for the immediate exercise of this Hon'ble Commission's powers under Article 324 of the Constitution.**

We are constrained to approach this Hon'ble Commission in view of the highly objectionable, divisive and *ex-facie* illegal speech delivered by the Prime Minister, Shri Narendra Modi on 21.04.2024 in in his capacity as the Star Campaigner of the Bharatiya Janata Party (BJP) for the ongoing Lok Sabha Elections, 2024.



At the outset, it must be stated that Shri Narendra Modi and the Bharatiya Janata Party (and its senior leaders) have deliberately and repeatedly, invoked religion, religious symbols and religious sentiments in its election campaign and the same is being done without any impunity. These actions has been further bolstered by the Hon'ble Commission's inaction in penalising the Prime Minister and the Bharatiya Janata Party for their blatant and direct violations of electoral laws.

I.

On 21.04.2024, the Prime Minister, as a part of BJP's election campaign for the Lok Sabha Elections, 2024, addressed a public rally of electors at Banswara, Rajasthan. While we have objections to the entire tone and tenor of the Prime Minister's speech, in this representation we wish to highlight the completely unprecedented and malicious allegations as well statements which are clearly aimed at creating enmity between groups, far worse than any ever made by a sitting Prime Minister in the history of India. This cannot go unchecked, unanswered and unpunished.

The Speech has been uploaded by the official handle of Shri Narendra Modi in the public domain and is available at <https://www.youtube.com/watch?v=E8s9LkUoFzA&t=3s>. The pertinent extract of the speech made by the Prime Minister is reproduced herein below;

*“Aur phele jab unki Sarkar thi unhone kaha tha ki **Desh ki sampati par pehla adhikar Musalmaano ka hain.** Isska matlab, yeh sampati khatti karke kiskon baatengay? **Jinke zyada bache hain unko baatengay. Ghupathisyon ko baatengay. Kya aapki mehnat ki kamai ka paisa Ghupathisyon ko diya jaayega?** Apko manzoor hain yeh? Yeh Congress ka Manifesto keh raha hain ki woh Maata aur Behno ke son ka hisaab karengay, usski jardi karengay, jaankari lengay aur phir uss sampati ko baat dengay. **Aur unko baatengay jinko Manmohan Ji ki Sarkar ne kaaha tha ki saampti par pehla adhikar Musalmaano ka hain.** Bhaiyon aur Beheno, yeh Urban Naxal ki soch, meri maaton aur beehno, **yeh aapka mangalsutra bhi bachne nahin deengay yaahan tak jaayengay main kehne aaya hun.**”*

[36:50 - 38:03]

The above-mentioned statements make it amply evident that Shri Narendra Modi has (i) **made false and divisive insinuations,**



targeted at a particular religious community and a clear provocation to the general public to act out and breach peace, potentially against such a religious community; (ii) tried to mislead the voters by making these false and unverified allegations, which he knows to be untrue; (iii) accused the party that led India's struggle for freedom and which is also the principal Opposition Party in Parliament, the Indian National Congress of supporting terrorists and terrorism; (iv) made a desperate attempt to falsely tarnish the sacrifices and legacy of an almost hundred and forty year old party with an unmatched record of public service and sacrifice, all for the sake of petty political gains in the ensuing Lok Sabha Elections. There is no nuance here and the PM while making these claims, is clearly aware of what he is trying to achieve to malign, defame and perpetuate falsehoods against the Indian National Congress.

With great humility at our command, we may point out the cardinal maxim of every democracy- "Howsoever high you may be the law is above you". The Prime Minister, has to be held accountable by the ECI for the brazen trampling of the Model Code of Conduct as well as the whole gamut of offences- electoral and otherwise- committed by him and his Party. If this Hon'ble Commission fails to rise to the challenge of upholding the law in the face of these defiant, deliberate and brazen violations being committed by the PM and his Party, the Hon'ble ECI risks tarnishing its legacy and abandoning its Constitutional duty by setting a precedent of helpless inaction that will go down in infamy.

In the present case, the Prime Minister's statements to the voters is not only violative of the Representation of People Act, 1951, the Model Code of Conduct, Indian Penal Code, Hon'ble Commission's instructions, but also forms a part of larger and grossly problematic strategy of maliciously create enmity on grounds of religion and also tarnish the principal opposition party based on rank falsehoods with a view to adversely impact the minds of the voters. Coming from a person holding the high office of the Prime Minister of India, any voter would get influenced. Hence, the gravity of the offence is even more serious/egregious given that it is the Prime Minister of India who is making these false and reckless statements.

II.

The repeated violations of electoral laws by the Prime Minister seems to suggest the deliberate nature of this violations and the utter disregard that Shri



Narendra Modi holds for the rule of law. The speech made by the Prime Minister is in brazen violation of Section 123(2), 123 (3A), 123 (4) of the Representation of People Act, 1951 which labels such speech and malicious attempts as corrupt practices. Furthermore, it also attracts offences including Section 153A, 153B, 171C, 171G, 499, 500, 504, 505 (2) punishable under the Indian Penal Code, 1860.

An indicative list of relevant provisions being violated by the Prime Minister are mentioned herein below:

REPRESENTATION OF PEOPLES' ACT, 1951

"123. Corrupt practices.—The following shall be deemed to be corrupt practices for the purposes of this Act:—

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his election agent, with the free exercise of any electoral right:

...

(3A) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate."

Section 123 (4) - The publication by a candidate or his agent or by any other person 11[with the consent of a candidate or his election agent], of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal, 12 *** of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidates election.



1. **Section 153A of IPC, 1860 – Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.** (1) *Whoever –*
 - (a) *by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or castes or communities, or*
 - (b) *commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity...*”
2. **Section 171C of IPC, 1860 - Undue Influence at Elections - (1)** *Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election*
3. **Section 171G of IPC, 1860 – False Statement in connection with an elections -** *Whoever with intent to affect the result of an election makes or publishes any statement purporting to be a statement of fact which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine*
4. **Section 499 of IPC, 1860 - Defamation.** *-Whoever, by words either spoken or intended to be read, or by signs or by visible representations makes or publishes any imputation concerning any person intending to harm or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said except in the cases hereinafter expected to defame that person.*
5. **Section 500 of IPC, 1860 - Punishment for Defamation-** *Whoever defames another shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.*
6. **Section 504 of IPC, 1860 -** *Whoever intentionally insults, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace,*

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or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine or with both.

7. **Section 505(2) of IPC, 1860 – Statements creating or promoting enmity, hatred or ill-will between classes.** – *Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill- will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.*



Model Code of Conduct

Not only the above, but the Prime Minister has defiantly trampled upon and violated the Model Code of Conduct and the Hon'ble Commission's written directions.

A direct violation of the Clause 4.4.2 (B) (iii) of Model Code of Conduct, i.e., ***"No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic,"***

A direct violation of the Clause 4.4.2 (B) (iii) of Model Code of Conduct, i.e., ***"No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic,"***

A direct violation of the Clause 4.4.2 (B) (v) of Model Code of Conduct, i.e., ***"Other parties or their workers shall not be criticized based on unverified allegations or on distortions."***

This Hon'ble Commission has also reiterated that political parties cannot evoke religious sentiments of voters (which is likely to create disharmony among different religious groups) in attempts to further their electoral prospects vide ECI letter No. 437/6/INST/2014-CC&BE, dated 26.04.2014.

The relevant portion of the letter is reproduced herein below:

"The Commission, having considered the matter, hereby lays down the following guidelines to be observed in the matter of such campaigns by organizations and persons other than political parties/candidates, during the period when Model Code of Conduct is in operation in connection with an election:

(i) They should not invoke, in any manner, religion or religious grounds in any manner, or any activities likely to create disharmony among different classes or groups of people, in their campaign. Such activities/ statements are prohibited being offences under various provisions of the law, like, section 125 of the Representation of the People Act, 1951 sections 153A, 153B, 171C, 295A, 505(2) of the Indian Penal Code and Religious Institutions (Prevention of Misuse) Act, 1988."

In fact, the Hon'ble Supreme Court in its landmark decision in ***Abhiram Singh v. C.D. Commachen, (2017) 2 SCC 629*** elaborated on the scope of Section 123 of the Representation of the People Act holding that an appeal to vote for or

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refrain from voting for a certain political party or candidate would directly constitute 'corrupt practice' under the Section. The relevant paragraph from the decision is reproduced herein below:

119. The corrupt practice lies in an appeal being made to vote for a candidate on the ground of his religion, race, caste, community or language. The corrupt practice also lies in an appeal to refrain from voting for any candidate on the basis of the above characteristics of the candidate. Electors however, may have and in fact do have a legitimate expectation that the discrimination and deprivation which they may have suffered in the past (and which many continue to suffer) on the basis of their religion, caste, or language should be remedied. Access to governance is a means of addressing social disparities. Social mobilisation is a powerful instrument of bringing marginalised groups into the mainstream. To hold that a person who seeks to contest an election is prohibited from speaking of the legitimate concerns of citizens that the injustices faced by them on the basis of traits having an origin in religion, race, caste, community or language would be remedied is to reduce democracy to an abstraction. Coupled with this fact is the constitutional protection of free speech and expression in Article 19(1)(a) of the Constitution. This fundamental right is subject to reasonable restrictions as provided in the Constitution. Section 123(3) was not meant to and does not refer to the religion (or race, community, language or caste) of the voter. If Parliament intended to do so, it was for the legislature to so provide in clear and unmistakable terms. **There is no warrant for making an assumption that Parliament while enacting Section 123(3) intended to sanitize the electoral process from the real histories of our people grounded in injustice, discrimination and suffering. The purity of the electoral process is one thing. The purity of the process is sought to be maintained by proscribing an appeal to the religion of a candidate (or to his or her caste, race, community or language) or in a negative sense to these characteristics of a rival candidate.**

Moreover, in another key decision of the Supreme Court in **S. Harcharan Singh v. S. Sajjan Singh and Others**, AIR (1985) SC 236, the Court held that;

"In order to determine whether certain activities come within the mischief of Section 123 (3), regard must be had to the substance of the matter rather than to the mere form or phraseology. The



inhibition of Section 123 (3) should not be permitted to be circumvented indirectly or by circuitous or subtle devices. The court should attach importance to the effect and impact of the acts complained of and always keep in mind the paramount purpose of Section 123 (3) namely to prevent religious influence from entering the electoral field. The nature and consequence of an act may not appear on its very face but the same can be implied having regard to the language, the context, the status and position of the person issuing the statement, the appearance and know religion of the candidate, the class of persons to whom the statement or act is directed, etc.”

III.

In order to demonstrate the fact that this is not the first time the BJP or its leaders including the Prime Minister and BJP have invoked religion to make divisive and hate filled statements in their election campaigns for the Lok Sabha Election, the Indian National Congress has prepared an illustrative list of such instances

S.N O	PARTICULARS OF INCIDENT	DATE OF INCIDENT	REFERENCE LINK
INSTANCES OF VIOLATIONS BY THE PRIME MINISTER			
1.	During a public rally in Salem, Tamil Nadu, Mr. Modi made allegations against Mr. Rahul Gandhi, claiming he has called for the eradication of “Shiv Shakti” and that this election is an election between “those who worship Shakti and those who wish to eradicate it”. The statement has also been publicized by the Official Twitter Handle for Mr. Modi’s personal website	19.03.2024	https://www.ndtv.com/india-news/sheer-insult-to-hindus-pm-modi-again-targets-rahul-gandhi-on-shakti-remark-5268643
2.	Public Post made by Mr. Modi’s personal websites Official Twitter Handle @narendramodi_in claiming that I.N.D.I.A is against Hindu Culture.	19.03.2024	https://twitter.com/narendramodi_in/status/1770002596901622070/photo/1



3.	During a rally in Saharanpur, Uttar Pradesh, Mr. Modi made claims about the INC's Manifesto is modeled on the ideology of the Muslim League.	06.04.2024	https://www.youtube.com/watch?v=zyquarS2FjM
4.	During a public rally, Shri Narendra Modi falsely stated that the INC is opposed to the construction of the Ram Mandir and appealed to the voters to refrain from voting in favour of the INC for being "sinners" who oppose a particular religion.	07.04.2024	https://twitter.com/ANI/status/1776876143276331086
5.	During an election rally in Amroha, Uttar Pradesh, Mr. Modi made remarks about Mr. Rahul Gandhi and falsely claiming that he is dismissive about Hindu culture while simultaneously referring to his visit at the alleged location of Dwarka Nagari, the kingdom of Lord Krishna as per the Mahabharata.	19.04.2024	https://timesofindia.indiatimes.com/india/congress-shehzada-mocked-my-dwarka-pooja-for-vote-bank-politics-pm-modis-dig-at-rahul-gandhi/articleshow/109426174.cms

IV.

The Indian National Congress has filed numerous complaints against the Prime Minister and the BJP. However, **till date, this Commission has not even issued a show-cause notice to the said individual much less initiate action against them.** The Commission must ask itself if the same leeway would be granted to any other candidate if the so arrogantly and repeatedly defied the laws of our country.

We take it upon ourselves to remind the Hon'ble Commission of its vast and expansive powers under Article 324 to arrive at solutions to ensure that the integrity of the electoral process is not compromised.

The Hon'ble Supreme Court in the judgment of *Union of India v. Association for Democratic Reforms* (2002) 5 SCC 294 observed the wide reservoir of powers divested upon the Hon'ble Election Commission by the Constitution. The relevant portion of the said judgment is reproduced herein below;

"46 (1). The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of elections and the



word 'elections' is used in a wide sense to include the entire process of election which consists of several stages and embraces many steps.

(2)...Constitution has taken care of leaving scope for exercise of residuary power by the Commission in its own right as a creature of the Constitution in the infinite variety of situations that may emerge from time to time in a large democracy, as every contingency could not be foreseen or anticipated by the enacted laws or the rules. By issuing necessary directions, Commission can fill the vacuum till there is legislation on the subject...

The only available remedy compatible with the principle of zero-tolerance towards allegations of corrupt practices, is the disqualification of the candidates who try to create a divide between different classes of the citizens of India regardless of the stature or position of that candidate. We hope that this Hon'ble Commission treats this situation with the gravity it deserves. This is not a candidate who will be silenced by a simple censure.

However, the integrity of our elections which are the bedrock of our democracy is at stake. We hope that the this Hon'ble Commission appreciates the seriousness and on this occasion, intervenes decisively.

Warm Regards,

A handwritten signature in black ink, appearing to read 'Randeep Singh Surjewala'.

Randeep Singh Surjewala

Member of Parliament, Indian National Congress

24, South Avenue

New Delhi – 110013

COMMUNIST PARTY OF INDIA

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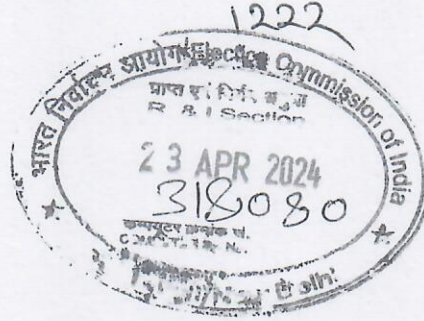
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D. RAJA
General Secretary

New Delhi,
April 23, 2024

PS TO LEE
Jeeva

To,
Shri. Rajiv Kumar,
Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi-110001.



5.10 p.m.

Dear Sir,

The speech delivered by prime minister Shri Narendra Modi at Banswara, Rajasthan on 21st April, 2024 during 2024 Lok Sabha elections campaign is highly objectionable. The contents of public speech are clearly in violation to the Model Code of Conduct. In this speech prime minister said "Should your hard-earned money be given to those with more children?" This he was referring for Muslims. This is widely telecasted by almost all TV channels and printed by most of the newspapers.

He said (translated from Hindi to English) "If the Congress government is formed then everybody properties will be surveyed. Besides the gold our sisters have will be investigated and accounted for. Further, the silver of our tribal families will also be accounted for. He desperately asked government employees how much places they have, gold and properties will be distributed equally. Is all this accepted to you? Can government take away properties which is hard-earned by you. The Prime Minister even stated this issue is related to highly objectionable use of a word 'Mangalsutra', which is related to her pride, it is not a matter of cost of the Mangalsutra gold. Their manifesto says that it will be taken away (the above statement is made by the Prime Minister in the election public speech with reference to the Congress manifesto).

This clearly shows that the statement made by the Prime Minister are not only inflammatory and illegal and promote ill-feeling among communities. When he refers to 'Mangalsutra' is clearly referring to Hindu community. The Prime Minister when he refers to Gushpetiye (meaning intruder) and "jinke jayada bacche hai" means he clearly speaking in reference to Muslim community.

Prime Minister intentionally used the word "Gushpetiye" (Hindi) (meaning "intruder" or "invader") describing persons to whom the property of Hindus would be distributed. This he said in reference to former prime minister Shri Manmohan Singh.

Targeting of any particular community, the ECI will concur, stands in total violation of Section 123 (3) of the Representation of People's Act and the Model Code of Conduct. Apart from the MCC and the RP Act, the ECI has from time to time been sending out advisories to political parties on plummeting levels of public discourse, fake news, against invoking religion, hate etc. The latest was its circular of March 1, 2024.

Hence, our party request your office for immediate initiation of action against Shri. Narendra Modi for his hate speeches.

Thanking you,

Yours sincerely,



(D. RAJA)
General Secretary



COMMUNIST PARTY OF INDIA (MARXIST-LENINIST) LIBERATION

भारत की कम्युनिस्ट पार्टी (मार्क्सवादी-लेनिनवादी) लिबरेशन

Central Office / केंद्रीय कार्यालय



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CPIML/CO-1/ELECTION/2024/0421

IMMEDIATE

April 21, 2024
New Delhi

DEC (AB)

22/4

To,
CHIEF ELECTION COMMISSIONER,
Election Commission of India,
Nirvachan Sadan, New Delhi

***Attempt to Promote Enmity or Hatred on Grounds of Religion - Complaint against
Shri. Narendra Modi, Prime Minister and Star Campaigner of BJP for gross
violation of Section 123(3A) of RPA and Model Code of Conduct (MCC) -- Reg.***

Dear Sir,

On behalf of the Communist Party of India (Marxist-Leninist) Liberation we are filing this complaint in regard to Prime Minister Narendra Modi's speech at Banswara, Rajasthan on 21st April 2024.

In this widely reported speech, Prime Minister Narendra Modi while referring to the Congress Manifesto has engaged in blatant lies, crudity and communal dog-whistling against the Muslim community which is not only violative of the Representation of People's Act, 1951 but also of the Model Code of Conduct for the elections.

In this speech Mr. Modi has insinuated that the Congress intends to survey, appropriate and distribute properties including gold and silver of common citizens to the members of the Muslims community.

Details of speech of Shri. Narendra Modi at Rajasthan's Banswara on April 21, 2024:

Available at YouTube page of Shri. Narendra Modi

URL: <https://www.youtube.com/watch?v=E8s9LkUoFzA>

Timestamp: 36:32 min to 37:50 min (Total Length: 44:40)



@cpimliberation

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Backup URL (Bharatiya Janata Party- YouTube):

<https://www.youtube.com/watch?v=d1Y110JbtzI>

Timestamp: 36.32 min to 37:50 min (Total Length: 44:20)

Backup URL (WION news- YouTube):

<https://www.youtube.com/watch?v=nRXYxNXmfkM>

Timestamp: 36.28 min to 37:45 min (Total Length: 43:17)

Transcript of speech of Shri. Narendra Modi at Rajasthan's Banswara on April 21, 2024 [Timestamp: 34.45 min to 37:18 min/YouTube page of Shri. Narendra Modi]:

Tum use chhinane ki baat kar rahe ho apne manifesto mein. Gold le lenge, aur sabko vitrit kar denge. Aur pehele jab unki sarkar thi to unhone kaha tha, ki desh ki sampatti par pehela adhikar Musalmano ka hai. Iska matlab, ye sampatti ikhatti karke kisko batenge....jinke jyada bacche hai unko batenge. [Response by audience] Ghuspaithiyo ko batenge. Kya apki mehnat ki kamayi ka paisa ghuspaithiyo ko diya jayega....[Response by audience] Apko manzur hai ye...[Response by audience] Ye congress ka manifesto ke raha hai ki wo matao aur beheno ka sone ka hisab karenge, uski jaldi karenge, jankari lenge aur phir uss sampatti ko baat denge. Aur unko batenge...jinko Manmohan Singhji ki sarkar ne kaha tha ki sampatti par pehela adhikar musalmano ka hai. Bhaiyo beheno.. ye urban naxal ki soch.. mere matao aur beheno ye apka mangal sutra bhi bachne nahi denge.

English Transcription of the speech:

You [Congress] are referring to grabbing of that [gold and property] in your manifesto...They will take the gold and distribute it to all. When their [Congress] government was there, they had said that Muslims have the first right over country's property. Whom they [Congress] will distribute to after accumulating the property? They will give to people who have more children* ... will your hard earned money be given to infiltrators... Do you accept it?

This is what congress manifesto says that gold of mothers and sisters will be accounted, searched and inquired and then it will be distributed.. to Muslims, whom Manmohan Singh ji had said has the first right over property. Brothers and sisters, this is urban naxal mentality... my mothers and sisters, they [Congress] will not even leave your mangalsutra.

The speech by Prime Minister Narendra Modi at Banswara, Rajasthan on 21st April 2024 violates section 123(3A) of the Representation of the People Act, 1951 that clearly prohibits the promotion of, or attempt to promote, feelings of enmity or

hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate. It is also in blatant violation of the Model Code of Conduct and the "Advisory to political parties on plummeting level of public discourse during campaigning" dated 1st March 2024.

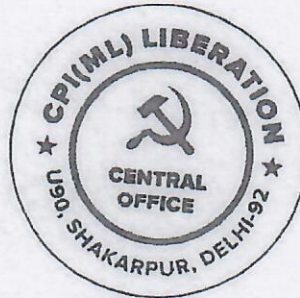
Please note that this communal speech of Prime Minister Narendra Modi follows up on his various speeches (speech on 6th April at Ajmer, Rajasthan, 7th April at Nawada, Bihar, speech on 9th April at Pilibhit, Uttar Pradesh) where he has repeatedly made references to the Ram temple at Ayodhya and the Hindu community. We understand that there are several complaints pending with the ECI in regard to these speeches.

Prime Minister Narendra Modi has resorted to such a speech unbecoming the position he holds as the Prime Minister. **We are filing this complaint urging the Election Commission of India to take strict action against Shri Narendra Modi to protect any possibility of free and fair elections. we urge you to implement Model Code of Conduct in a strict manner and take strict action against Shri Narendra Modi for this disgraceful speech which is highly venomous, communal and hate-mongering in nature, aimed at promoting enmity between the citizens of India on grounds of religion, and seeks to vitiate the poll atmosphere and spread hatred against the Muslim community.**

Thanking you,



Sanjay Sharma
Member, Politburo,
CPI(ML) Liberation [CPI(ML)L]



(Soft copy of the letter was submitted your office via email)