

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/01/WB-HP/ES-II/2024

Dated: 18th May, 2024

NOTICE

Whereas, the Election Commission of India vide its Press Note No. ECI/PN/23/2024, dated 16th March, 2024 has announced General Election to the Lok Sabha and Legislative Assemblies of Andhra Pradesh, Arunachal Pradesh, Odisha & Sikkim, 2024 and provisions of Model Code of Conduct for political parties and candidates have come into force from that very date; and

2. Whereas, para (2) of Part - I of the Model Code of Conduct for the Guidance of Political parties and Candidates provides, *inter alia*, that:-

"(2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided."

3. Whereas, para 9 (vi.) of the ECI letter No. 437/6/INST/ECI/FUNCT/MCC/2024, dated 01.03.2024, addressed to the President/ Chairperson/General Secretary of all Recognized National and State Political Parties, *inter alia*, provides: -

"Unverified and misleading advertisements are not to be given in the media."

4. Whereas, the Commission received a complaint from All India Trinamool Congress, dated 05.05.2024 (copy enclosed), wherein it is alleged that Bharatiya Janata Party on 05.05.2024 published an advertisement in Anandbazar and Pratidin newspaper containing, false, unverified and misleading statement to unduly influence the minds of the voter through false reporting; and

5. Whereas, transcript of the alleged advertisement has been obtained from the Chief Electoral Officer, West Bengal and authenticated transcript of alleged advertisement (Annexure-I) is as under:

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Trinamool is the Root of Corruption

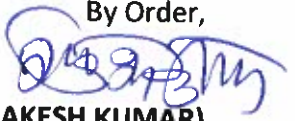
- *West Bengal has become the cradle of corruption thanks to this corrupt state government.*
- *They are playing with the lives of the examinees, the entire education department of Bengal is behind the bars.*
- *The ration distribution scam amounts to Rs. 20,000 crore, former Food and Supply Minister, Jyotipriya Mallick has been sent to jail.*
- *Even the children are not spared, the magnitude of mid-day meal scam is RS 100 crore.*
- *Coal and cattle smugglers 'Bhaipo (nephew) and Keshta are being shielded by the Chief Minister herself.*
- *1.3 crore fake job cards distributed under MGNREGA, 17.3 lakh ineligible people received dwelling facilities under the Awas Yojana.*
- *Eradicate the malicious power that has forced the people of Bengal to succumb to a dark future.*

Initiate the process of eradication of this anti-Bengal government right from this Loksabha elections.”; and

6. Now, therefore, you are hereby called upon to show cause by 17:00 hrs of 21.05.2024 as to why above advertisement is not treated as violation of provisions of Model Code of Conduct and directions issued by the Commission vide its letter No. 437/6/INST/ECI/FUNCT/MCC/2024, dated 01.03.2024 to the President/ Chairperson/General Secretary of all Recognized National and State Political Parties; and action is taken against you.

7. In the event of no response from your side within the stipulated time, it will be presumed that you have nothing to say in the matter and the Election Commission will take appropriate action or decision in the matter without making any further reference to you.

By Order,


(RAKESH KUMAR)
SECRETARY

Encl: As above.

To,

Dr. Sukanta Majumdar,

President

West Bengal Unit of Bharatiya Janta Party

(Through CEO, West Bengal)



ALL INDIA TRINAMOOOL CONGRESS

Central Office: 30B, Harish Chatterjee Street, Kolkata - 700 026
Phone : (033) 2475 3000 / 2454 0881, Fax : (033) 2454 0880



Date: 05.05.2024

To,
The Chief Electoral Officer
West Bengal
21, N.S. Road, Fairley Place
B.B.D. Bagh, Kolkata 700001

Sub: Complaint against the Bharatiya Janata Party (“BJP”) for publishing false, unverified, malicious and defamatory allegations against AITC, thereby violating the Model Code of Conduct (“MCC”) and provisions of Representation of the People Act, 1951 (“RPA”).

Sir,

This is to bring to your attention that the BJP on 05.05.2024 published misleading, unverified, fake and defamatory statements in Anandabazar newspaper, on its front page. The headline published at the behest of the BJP is “*Durnitir Mool Trinamool*”, that may be loosely translated in English to read as **the root of corruption is Trinamool**. The way such content is published, creates an unwarranted impression in the minds of voters against the current West Bengal government of being corrupt. Similar publication was also made in Pratidin newspaper. Copies of the newspaper extract(s) are enclosed herewith this complaint.

Few excerpts from the said publication are reproduced herein below (English transcription), along with their English translation/meaning:

- ***Durnitibaj rajjyo sarkarer doulothe paschimbongo ekhon durnitir aaturghor***
(Under this corrupt state government, West Bengal is now a hotbed of corruption)
- ***Porikkharthider jibon niye khelche chinimini, banglar gota shikkha doftor tai jail e***
(They are playing with the lives of the examinees, the entire education department of Bengal is in jail)
- ***Ration durnitir porimaan kuri hazar koti taka, jail e prakton khaddyomontri Jyotipriyo Mallick o***
(Ration corruption amounting to 20,000 crores, former food minister Mr. Jyotipriya Mallik is also in jail)
- ***Rehai paini shishurao, mid day meal durnitir porimaan eksho koti taka***
(Children are not spared, the amount of mid-day meal corruption is 100 crores rupees.)
- ***Koyla o goru pacharkari bhaipo o keshto -r dhaan khod mukkhomantri***
(Coal and cattle smuggler Bhaipo and Keshto. Even CM is involved.)
- ***MNREGA-y jaal job card 1.3 koti, abaash jojonay 17.3 lokkho ojoggyo upobhokta peyeche baari***
(1.3 crore fake job cards under MNREGA, 17.3 lakhs ineligible beneficiaries got homes got homes under Awas Yojana)



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- ***Bangla jonogoner bhobisshot ke jara ondhokaare thele diyeche, shei asuvo shoktike bidday korun***
(Send away the evil forces that have cast the future of the people of Bengal into darkness)
- ***Lok Sabha Nirbachan thekei, bongo-birodhir ei sarkarer bidayi suchona korun***
(From the Lok Sabha elections, initiate the exit of this Anti-Bengal government).

It appears that the BJP in cohort with *Anadabazar Patrika* and *Pratidin* newspapers have attempted to pass off such paid advertisement(s) as news given that the details of the publisher i.e. BJP has been mentioned at the bottom in an obscure fashion in extremely small font size, making it almost illegible for the unsuspecting readers and thus manipulating them into believing that such publication is genuine and not a politically motivated paid advertisement by the BJP. Hence, it is clear that this has been done to hide the BJP's name and involvement behind it. Such propaganda, hence, is akin to paid news against the interests of AITC in this election and is a violation of the Model Code of Conduct. Not only is this a shameful attempt at hiding the publisher's details, the said publication also blatantly propagates misinformation and uses unverified statements as a tool to spread false and malicious allegations. Furthermore, it is also questionable as to how the BJP received prior- permission from the MCMC to publish such malicious advertisements.

Additionally, during the election period, the print media should refrain from publishing any unverified allegation against any candidate or political party either directly or impliedly, as per guidelines issued by Press Council of India's election reporting-1996 and further guidelines issued on 30.07.2010 to be followed during election.

Furthermore, no visible action has been taken on the basis of our previous complaint dated 04.05.2024, against the BJP for publishing false and religiously motivated political advertisement in Anandabazar newspaper. Since, no restrictions were imposed against such publication, the BJP has been emboldened to once again publish false, motivated and disparaging information which has no semblance with the truth. Such political propaganda by the BJP of spreading unverified statements is a corrupt practice as it is attempting to unduly influence the minds of the voters through false reporting.

In such circumstances, you are called upon to forthwith:

- i. Issue appropriate direction(s) upon the BJP and *Anadabazar Patrika* and *Pratidin* to cease and desist from publishing any further misinformation and defamatory statements against AITC at the behest of BJP;



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- ii. Issue appropriate direction(s) upon the BJP, *Anadabazar Patrika* and *Pratidin* to withdraw today's publication as false information, by publishing an equally large print in tomorrow's newspaper so that the electorate is made well-aware of the truth;
- iii. Issue appropriate direction(s) against the BJP for publication and circulation of fake news in violation of the MCC;
- iv. Issue direction(s) to BJP for including the expense of publication of such paid news in their election expense account;
- v. Issue any further direction(s)/order(s) as may be deemed fit and proper.

Yours sincerely,

For All India Trinamool Congress



Derek O'Brien
Authorized Representative

Enclosed: As above



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দুর্নীতির মূল তৃণমূল

- এই দুর্নীতিবাজ রাজ্য সরকারের দৌলতে পশ্চিমবঙ্গ এখন দুর্নীতির আঁতুরঘর
 - পরীক্ষার্থীদের জীবন নিয়ে খেলাছে ছিনিমিনি, বাংলার গোটা শিক্ষা দফতরই জেলে
 - বেশন দুর্নীতির পরিমাণ ২০ হাজার কোটি টাকা, জেলে প্রাক্তন খাদ্যমন্ত্রী জ্যোতিপ্রিয় মল্লিকও
 - বেহাই পায়নি শিশুরাও, মিড-ডে মিল দুর্নীতির পরিমাণ ১০০ কোটি টাকা
 - কয়লা ও গরু পাচারকারী 'ভাইপো' ও 'কেই'-এর চাল খোদ মুখ্যমন্ত্রী মনরেগায় জাল জব কার্ড ১.৩ কোটি, আবাস যোজনায় ১৭.৩ লক্ষ অযোগ্য উপভোক্তা পেয়েছে বাড়ি
- বাংলার জনগণের ভবিষ্যতকে যারা অন্ধকারে ঠেলে দিয়েছে, সেই অশুভ শক্তিকে বিদায় করুন

লোকসভা নির্বাচন থেকেই,
বঙ্গ বিরোধী এই সরকারের
বিদায়ের সূচনা করুন



আজকের আর্থিক সংস্কৃত হয়েছি আপনি বাজার ভেতরে

আনন্দবাজার পত্রিকা

আমি ও শাহেদুল হক
 জগদীশ চন্দ্র গুপ্ত
 অর্থমন্ত্রী
 জগদীশ চন্দ্র গুপ্ত
 অর্থমন্ত্রী

'সাজানো' নটক বনাম 'সাজানো ভিডিও', তরজা

সিটং-এ বিদ্বান সন্দেশখালি

সিটং-এ বিদ্বান সন্দেশখালি
 সন্দেশখালি সিটং-এ বিদ্বান সন্দেশখালি
 সন্দেশখালি সিটং-এ বিদ্বান সন্দেশখালি

সাজানো নটক বনাম 'সাজানো ভিডিও', তরজা
 সাজানো নটক বনাম 'সাজানো ভিডিও', তরজা
 সাজানো নটক বনাম 'সাজানো ভিডিও', তরজা

২০১৪-র টেট কি বৈধ, প্রথম হাই কোর্টের
 ২০১৪-র টেট কি বৈধ, প্রথম হাই কোর্টের

সিটং-এ বিদ্বান সন্দেশখালি
 সিটং-এ বিদ্বান সন্দেশখালি
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 ২০১৪-র টেট কি বৈধ, প্রথম হাই কোর্টের

KFC SUNDAY Feast
 GET A CHANCE TO WIN MATCH TICKETS
 SAVE 40%

৪ Pcs HOT & CRISPY - ৪ Pcs HOT BUNDS - ৪ Pcs BREADLESS STUDDA & MASHED POTATO

চাকরির বাজারে আশুন, ভোট-ভাবনার সময় কই

কটির ভোট
 চাকরির বাজারে আশুন, ভোট-ভাবনার সময় কই

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দুরীতির মূল তৃণমূল

দুরীতির মূল তৃণমূল
 দুরীতির মূল তৃণমূল

- এই দুরীতির কারণে সরকারের নৈবেদ্য পরিহার করা হবে
- দুরীতির কারণে সরকারের নৈবেদ্য পরিহার করা হবে

Trinamool is the Root of Corruption

- West Bengal has become the cradle of corruption thanks to this corrupt state government.
- They are playing with the lives of the examinees, the entire education department of Bengal is behind the bars.
- The ration distribution scam amounts to Rs. 20,000 crore, former Food and Supply Minister, Jyotipriya Mallick has been sent to jail.
- Even the children are not spared, the magnitude of mid-day meal scam is RS 100 crore.
- Coal and cattle smugglers 'Bhaipo' (nephew) and Keshta are being shielded by the Chief Minister herself.
- 1.3 crore fake job cards distributed under MGNREGA, 17.3 lakh ineligible people received dwelling facilities under the Awas Yojana.

Eradicate the malicious power that has forced the people of Bengal to succumb to a dark future.

Initiate the process of eradication of this anti-Bengal government right from this Lok Sabha elections.

Published by: Bharatiya Janata Party, 68, Pandit Deen Dayal Upadhyay Marg, New Delhi.

Authenticated
Padmini Chaurahly
6.5.24