

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

'(1) No party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.'; and

(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 04.05.2024 (copy enclosed), wherein it is alleged that Bharatiya Janata Party on



04.05.2024 published an advertisement in some regional newspapers of Kolkata containing highly derogatory, false, unverified appeal to voters on religious ground; 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:

“

Anti-Sanatan Trinamool

- *The Sanatan Dharma (traditional religion) has been defamed in this land of Swami Vivekananda and Shri Ramakrishna times and again in these thirteen years.*
- *The immersion (Visarjan) of the idol of Ma Durga has seen to be delayed due to the vote bank politics in this Bengal.*
- *The worship of Bagdevi is also seen to be impeded.*
- *The Ram mandir is considered unholy and the chanting of 'Jai Shree ram' is regarded as "abusive remarks" in this state.*
- *This Bengal is a witness of comparing the idol of Shree Ram with a 'show piece'.*
- *Attack on the rally celebrating Ram Nabami is regarded to be a 'trivial' event in this state. Shree Ramachandra is labeled as 'outsider' or 'BPL' in the land of Chaitanya Mahaprabhu.*
- *The Chief Minister herself condemns the worship of the familiar image of Bharat Mata painted by Abanindranath Thakur.*
- *The Chief Minister carelessly goes on reciting Mantras of Saraswati or Chandi incorrectly.*

Initiate the process of eradication of this Anti-Sanatan Government right from this Loksabha Elections itself"; 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: 04.05.2024

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 allegations and stoking communal disharmony to appeal for votes on religious grounds thereby violating the Model Code of Conduct (“MCC”) and engaging in “corrupt practices” in violation of the provisions of Representation of the People Act, 1951 (“RPA”).

Sir,

This is to bring to your attention that the BJP on 04.05.2024 published an advertisement in the AnandaBazar Patrika newspaper containing highly derogatory, false, unverified, malicious allegations, stoking communal disharmony to appeal for votes on religious grounds.

Few excerpts from the said publication, a copy of which is enclosed herewith for your reference, are reproduced below:

“Sanatan birodhi Trinamool

Baagdebi r aradhonateo dewa hoy badha....E rajjye ram mandir ke bola hoy apabitra ebong jay shree ram dhoni ke ‘gala-gali’ takma dewa hoy
Shree ramer murti ke ‘show piece’ er songe tulona korar moto ghotonar sakkhi thake ei bangabhumi.....Ram nabamir michile haamla e- rajjye samanno ghotona
Saraswati mantra theke chandipaath, abaleelay mantre-r bhul uccharon kore cholen mukhomantri”

The way such content is published, it creates an unwarranted impression in the minds of voters against the current West Bengal government of being against the Sanatan Dharm and its followers.

Although at first glance it looks like a normal publication, upon close perusal of the same it appears that there are sponsors who have funded this propaganda. It appears that the BJP in cohort with Ananda Bazar Patrika have attempted to pass off such paid advertisement 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 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 MCC.



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Not only is this a shameful attempt at hiding the sponsorer's details, the said publication also blatantly propogates misinformation and uses religion as a tool to spread false and malicious allegations, aggravate existing communal differences, and thereby appeal for votes on the basis of religion. The said publication also personally attacks the Hon'ble Chief Minister of West Bengal Smt. Mamata Banerjee and tries to portray her and the AITC as "Sanatan Birodhi", i.e. Anti-Hindu. Further such obscure acts also raise apprehensions about the media certification of such paid news/advertisement.

Such misinformation, without any concrete evidence, prima facie insinuates that the ruling party in West Bengal is against one particular religion. Any electorate reading these distorted statements would have an impression that the current political landscape of West Bengal especially the ruling party i.e. AITC is prejudiced against Hindus. The said publication in a widely circulated newspaper, categorically targeting the ruling dispensation of Bengal as if it is religiously motivated, spreads misinformation amongst the electorate during the ensuing election period. The print media being a trusted forum through which verified information is supposed to be transmitted to the mass, should act with utmost responsibility and cautiously choose to publish information on politically sensitive topics during election season, thereby minimizing the chance of misleading/influencing the voters. **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.**

Appealing for votes on religious grounds constitutes corrupt practices under the RPA. Such corrupt practices of the BJP shows blatant disregard to the MCC and RP Act which states:

- 1. 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.**
- 2. There shall be no appeal to caste or communal feelings for securing votes.**
- 3. Low level personal attacks insulting the rivals shall not be made.**
- 4. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.**

The publication of such misinformation during election period, and in such circumstances, you are called upon to forthwith:

- i. Issue appropriate direction(s) against Anandabazar Patrika and the BJP to immediately cease and withdraw the aforesaid propaganda;
- ii. Issue appropriate direction(s) against the Anandabazar Patrika and the BJP to prevent further religious appeals, and spread of misinformation against the current government in power i.e. AITC;
- iii. Issue direction(s) against the BJP for gross violations of MCC and RPA.



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- iv. Issue direction(s) to all print media(s)/publication house(s)/electronic media restraining them from publishing any misleading statement(s) and/or misinformation, directly or impliedly, against AITC and its leaders/candidates during election period.
- v. Issue any further direction(s)/order(s) as may be deemed fit and proper.

Yours sincerely,
For All India Trinamool Congress



Authorised Representative



ALL INDIA TRINAMOOOL CONGRESS

Central Office: 30B, Harish Chatterjee Street, Kolkata - 700 026

Phone : (033) 2475 3000 / 2454 0881, Fax : (033) 2454 0880



চাঞ্চল্যপূর্ণ ভাবে
এর পর পৃঃ ৫ ▶

■ পূর্ব বর্ধমানের সমুদ্রগড়ের সভায় মুখ্যমন্ত্রী মমতা বন্দ্যোপাধ্যায়। শুক্রবার।
ছবি: জাজেদ আরফিন মণ্ডল

এর পর পৃঃ ৮ ▶

ছাই:
সি-র

রাণ

প্রল
কোর্টের
উল
নর চাকরি

ইল
তালিকা
দেওয়ার
র বাইরে
সকলের
দেওয়া
পক্ষে

গ্যদের
স্বব, তা
জানা।

দার
রম্যান

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খানোর মতো
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রম্যান কেন
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কোর্টে জমা
অযোগ্যদের
দিতে পারে,
কা তৈরিতে
মজার শিট
ওয়ার পরে
দি তালিকা
বে, ঘুরপাক

নের সঙ্গে
নিধি দলে
ন, "আমরা

র পৃঃ ৫ ▶

মনাতন বিরোধী তৃণমূল

- গত ১৩ বছরে স্বামী বিবেকানন্দ, শ্রীরামের মূর্তিকে 'শোপিস'-এর সন্তে তুলনা করার মতো ঘটনার সাক্ষী থাকে এই বঙ্গভূমি সনাতন ধর্মের
- ভোট রাজনীতির কারণে এই বাংলায় পিছিয়ে যায় মা দুর্গার বিসর্জন
- বাগদেবীর আরাধনাতেও দেওয়া হয় বাধা
- এ-রাজ্যে রাম মন্দিরকে বলা হয় অপবিত্র এবং 'জয় শ্রীরাম' ধ্বনিকে 'গালাগালি' তকমা দেওয়া হয়
- শ্রীরামের মূর্তিকে 'শোপিস'-এর সন্তে তুলনা করার মতো ঘটনার সাক্ষী থাকে এই বঙ্গভূমি
- রাম নবমীর মিছিলে হামলা এ-রাজ্যে 'সামান্য' ঘটনা
- চৈতন্য মহাপ্রভুর ভূমিতে শ্রীরামচন্দ্র 'বহিরাগত' বা 'বিপিএল'-এর তকমা পান
- অবনীন্দ্রনাথ ঠাকুরের চিত্রায়িত প্রচলিত ভারত মাতার পূজারও সমালোচনা করেন স্বয়ং মুখ্যমন্ত্রী
- সরস্বতীর মন্ত্র থেকে চণ্ডীপাঠ, অবলীলায় মন্ত্রের ভুল উচ্চারণ করে চলেন মুখ্যমন্ত্রী

এই লোকসভা নির্বাচন থেকেই
সনাতন বিরোধী সরকারের বিদায়ের সূচনা করুন



১৬/১৭, কলেজ স্ট্রীট, কলকাতা - ১ (৯০০৭৫৪৮৫৮৬)

Date : 04.05.2024

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

Through :
The Chief Election Commissioner
Election Commission of West Bengal
B.B.D. Bag, Kolkata.

Subject : Urgent Concern Regarding Communal Advertisement in Regional Language News Papers.

Dear Sir/Madam,

We, on behalf of Desh Bachao Gana Mancho, are writing to bring to your immediate attention a matter of grave concern regarding an advertisement published today in certain regional language (Bangla) newspapers originating from Kolkata. Enclosed with this letter, you will find a copy of the said advertisement for your perusal and consideration.

The advertisement in question was disseminated by the Bharatiya Janata Party (BJP) and bears highly communal undertones. It represents a despicable attempt to show division among the electorate by exploiting religious sentiments during the ongoing electoral process. Such propaganda not only threatens to incite communal tensions but also poses a significant threat to the integrity of the electoral process in the state of West Bengal.

We are deeply concerned that the circulation of such inflammatory material will not only disrupt the peaceful conduct of elections but also undermine the foundational principles of democracy, harmony, and unity in our nation. It is evident that such activities contravene the principles enshrined in the Indian Constitution and the Election Conduct Rules, which explicitly prohibit the use of religion as a tool for political gain, particularly during electoral campaigns.

As per Indian Penal Code, Section 153 A(1) (a) - It says, --- Whoever --- by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on ground 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 religion,

Contd.....P/2

দেষ বাঁচাও গণমঞ্চ

১৬/১৭, কলেজ স্ট্রীট, কলকাতা - ১ (৯০০৭৫৪৮৫৮৬)

Date : 04.05.2024

-: 2 :-

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.

Representation of People Act 1951, Sec. 125 Also says -- Promoting enmity between classes in connection with an election under this Act promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings of enmity or hatred, between different classes of the citizens of India shall be punishable, with imprisonment for a term which may extend to three years, or with fine, or with both.

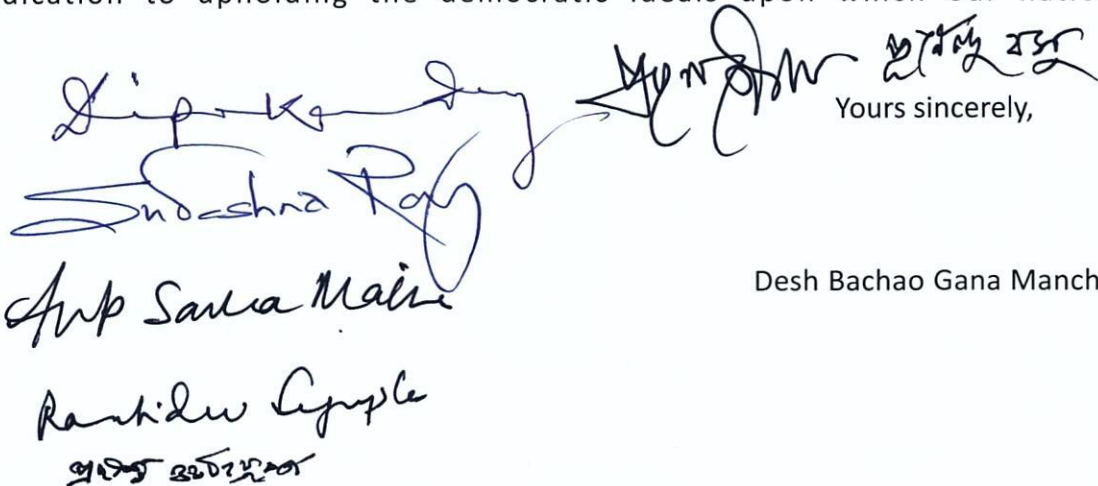
Model Code of Conduct Section (1) says--- No party or Candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

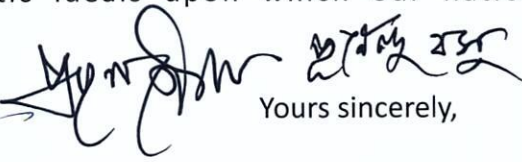
Given the sensitive nature of the electoral environment in West Bengal, it is imperative that swift and decisive action be taken to address this issue. Failure to do so may result in irreparable harm to the democratic fabric of our society and exacerbate existing communal tensions.

Therefore, we urge the Election Commission of India to undertake all necessary measures to investigate this matter thoroughly and take appropriate action against those responsible for disseminating such divisive propaganda. Additionally, we request the Commission to implement stringent monitoring mechanisms to prevent the recurrence of similar incidents in the future and uphold the sanctity of the electoral process.

We remain committed to fostering a democratic society built on the principles of equality, inclusivity, and mutual respect. It is our collective responsibility to safeguard these values and ensure that the electoral process remains free, fair, and transparent for all citizens.

Thank you for your prompt attention to this matter. We trust in the Election Commission's dedication to upholding the democratic ideals upon which our nation stands.


Dipankar Dasgupta
Sudashna Roy
Anp Sanna Maiti
Ranjiv Singh
প্রদীপ দাসগুপ্ত


Dipankar Dasgupta
Yours sincerely,

Desh Bachao Gana Mancha

সনাতন বিরোধী ভূগমূল

- গত ১৩ বছরে স্বামী বিবেকানন্দ, শ্রী রামকৃষ্ণের এই বাংলায় বারবার সম্মানহানি হয়েছে সনাতন ধর্মের
- ভোট রাজনীতির কারণে এই বাংলায় পিছিয়ে যায় মা দুর্গার বিসর্জন
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- সরস্বতীর মন্ত্র থেকে চণ্ডীপাঠ, অবলীলায় মন্ত্রের ভুল উচ্চারণ করে চলেন মুখ্যমন্ত্রী

**এই লোকসভা নির্বাচন থেকেই
সনাতন বিরোধী সরকারের বিদায়ের সূচনা করুন**

Anti-Sanatan Trinamool

- The Sanatan Dharma (traditional religion) has been defamed in this land of Swami Vivekananda and Shri Ramakrishna times and again in these thirteen years.
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- The Chief Minister carelessly goes on reciting Mantras of Saraswati or Chandi incorrectly.

Initiate the process of eradication of this Anti-Sanatan Government right from this Lok Sabha Elections itself.

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

Authenticated
Padmini Chakraborty
6.5.24