

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. ECI/PN/86/2024

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Press Note

Commission's second Suo motu report on two month's enforcement of MCC during GE 2024

Over 90 % complaints disposed: No major complaint pending from Parties except INC and BJP

Overall campaign violence free, less noisy, less cluttered and intrusive, free of inducement and ostentatiousness

Commission expects Star campaigners, particularly of National parties to lead by example in next phases and not vitiate delicate fabric of society

The Commission, in its firm commitment to transparency and disclosures, has decided to update the status of actions taken under MCC, based on complaints of political parties, on completion of two months of its operation. This is in continuation of Commission's transparency initiative of giving out MCC updates after first month of its coming into effect. Certain details of action taken, were also given out so that misgivings, however small or limited, are addressed and stopped.

Commission has chosen to put this information in public domain so that the most important stakeholders, the voters and the political parties get real time information on measures taken to maintain level playing field, that India is rightly proud of.

The Commission led by CEC Shri Rajiv Kumar along with ECs Shri Gyanesh Kumar and Shri Sukhbir Singh Sandhu monitors countrywide pending cases of alleged violations of MCC daily and actions are taken in timebound manner and on top priority. Many of these actions during the last two months have far reaching and systemic implications in cleaning up the campaign space in the long term as against only in an episodic prescriptive manner.

At the outset, Commission expects top leaders of political parties, especially of the major national parties, most of whom are star campaigners, to set good examples of campaign discourse expected of them in the current elections. It is primarily their responsibility to correct the course of their statements/ utterances in the remaining phases to avoid any permanent dent on the delicately balanced social fabric of the country.

The following are some of the decisions taken during two months of enforcement of MCC:

1. The Model Code came into effect on 16th March 2024 with the announcement of the general elections to the Lok Sabha and four phases are over.
2. With about two months completed since the Model Code of Conduct (MCC) came into effect, campaign by various political parties and candidates at constituency level has largely remained violence free, less noisy, less cluttered and intrusive, free of inducement and ostentatiousness.
3. Election Commission of India is broadly satisfied with the core functioning of conduct of peaceful, inducement free elections with enthusiastic participation of voters.
4. Peaceful voting in enthusiastic and festive spirit across the country till phase 4, especially in Manipur, Tripura, LWE areas, WB, Jammu and Kashmir, far flung and inaccessible areas show deep roots of democracy. Commission invites citizens to view glimpses of vibrancy of Indian elections in specially created photo gallery at it's this link: <https://www.eci.gov.in/ge-2024-photogallery>
5. Commission has issued 63 press notes so far from the day of announcement as a measure of enhanced level of transparency.
6. So far, 25 delegations from 16 political parties have met the Commission to lodge their grievances/ complaints on alleged violations of Model code. Apart from this, many delegations have met at the level of Chief Electoral Officer in the States.
7. All political parties have been promptly allocated time even at short notice and their grievances patiently heard.
8. Approximately 425 major complaints, excluding canvassing related or clarificatory complaints have been filed by various political parties and candidates at the level of ECI and CEOs. Of these, action has been taken (or matter disposed) in 400 cases. Approximately 170, 95 and 160 complaints were filed by INC, BJP and Others respectively. Most of these complaints have been acted upon.
9. A few complaints of INC and BJP against each other are pending alleging violation of MCC *inter alia* broadly in the genre of divisive statements by top Star campaigners on communal, caste, regional language divide, or on sanctity of Constitution of India. In the past, the Commission has been issuing notices to individual leaders who had committed violations of MCC. Commission has adopted a new course with its advisory dated 01st March 2024 to Party Presidents/Chairpersons/General Secretaries of all recognised political parties urging them to ask their leaders/candidates/star campaigners not to make speeches/ utterances which are in direct or indirect violation of MCC. The

Commission has taken a view that while the individual star campaigner/leader/candidate would continue to remain responsible for speeches made, the Commission will address Party President/Head of the political party, on case-to-case basis, as the Parties have prime responsibility to rein in their star campaigners from committing such violations. The purpose is to raise the accountability of the political party in compliance of MCC by all their cadres. Notices have been issued to presidents of both the parties in case of these pending complaints. Response from both parties has been received. Appropriate action on complaints/counter complaints is under examination/consideration of the Commission. Some prominent actions taken under MCC framework are given in following paras.

10. On INC complaint, CEO of Zila Parishad of a district in Haryana was transferred on receiving complaint for involvement in election campaign for a candidate.
11. On INC complaint of capturing of a polling booth and tampering of EVM in Dahod Parliamentary Constituency of Gujarat, re-poll was ordered and entire polling and police parties were placed under suspension, and concerned State authorities have been directed to initiate departmental proceedings against them.
12. On TDP complaint, the Commission censured President, YSRCP for violation of provisions of Model Code of Conduct and Commission's advisories relating to unverified allegations.
13. On complaint from Telangana Pradesh Congress Committee, President, BRS was barred for 48 hours from holding any public meetings, public processions, public rallies, shows and interviews and public utterances in media for making statements violating MCC during a press meet.
14. On complaints from BRS, a Minister in Telangana was censured for making unverified allegations and maligning the image of opposition party/leader.
15. On complaint of INC, a post from 'BJP4Karnataka' Twitter 'X' account was taken down on being found violative of MCC. A FIR was also registered in the matter.
16. On INC's complaint that the morphed images of Congress leaders are being put up with a malafide intent on a social media site, ECI directed to lodge FIR against the Instagram handle 'Bol Himachal' and directed to take necessary statutory action for removal of alleged objectionable social media posts.
17. On BJP's complaint, FIR lodged under Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against Madhya Pradesh State INC President for making objectionable remarks against a former lady Minister.
18. On complaint of AAP, CEO Delhi was directed to sensitize all the concerned officers/officials/authorities, to be more vigilant against anonymous handbills/pamphlets/hoardings at authorized/unauthorized sites, which may

have potential to vitiate the electoral space and negatively impact the campaign discourse. It was certified by field officers that there are no hoardings at authorised sites without name of publisher.

19. On complaint of AAP, CEO Delhi was directed to re-examine and clear the song submitted by AAP for clearance.
20. A FIR under provisions of Section 171F, 506 of IPC and Section 135 (c) of RP Act 1951 was ordered against an MLA of AITC for threatening local voters and opposition party workers about consequences after CAPF is withdrawn from West Bengal in an election rally in Chopra at North Dinajpur.
21. DGP (HoPF) of Andhra Pradesh removed. Further, DGP (Intelligence) Andhra Pradesh, Commissioner of Police Vijayawada, DIG Anantpuramu and SPs of Prakasam, Chittoor, Palnadu, Anantpuramu were also removed based on various complaints/inputs. On similar complaints/inputs, four DySPs/SDPOs and 5 Police Inspectors/ SHOs/ Sub Inspectors were also shifted/ suspended in Andhra Pradesh.
22. Managing Director of Andhra Pradesh state Beverages Corporation Limited was removed for inability to contain liquor as inducement and involvement in other undesired activities.
23. Secretary-cum-Commissioner Mission Shakti Department Government of Odisha was removed for inputs on not effectively controlling SHGs' platform being used for the purpose to influence election.
24. Based on complaints / inputs, five OC/SHOs of Police Stations of Saktipur, Beldanga, Anandpur, Diamond Harbour and Behrampur in west Bengal were shifted for failure to control violence, partial actions, etc.
25. Two FIRs against BJP candidate in Hyderabad PC in Telangana were filed on poll day for canvassing and influencing voters in 100 meters vicinity of polling station on poll day.
26. On complaint of National Platform for the Rights of the Disabled (NPRD), TDP leader Shri Chandrababu Naidu was censured for his statements calling Shri Jagan Mohan Reddy "psycho" in behaviour and claiming that his "mental condition" is not good. He was directed to remain careful and respectful towards PwDs in his public utterances in the future.
27. A complaint was registered on 22.04.2024 in Tura Police Station, West Garo Hills, Meghalaya under Rights of Persons with Disabilities Act, 2016 against Shri Kritenberth Marak who forced a PwD person to wear a scarf of NPP and participate in a video without his consent.

28. Taking a serious view of issuance of pamphlets by political parties and candidates seeking details of voters and seeking registrations under the guise of various surveys for their proposed beneficiary schemes, as a corrupt practice of bribery under Section 123(1) of the Representation of the People Act, 1951, all national and state political parties have been advised to immediately cease and desist from any activities that involve registering individuals for post-election beneficiary-oriented schemes through any advertisements/ survey/App.
29. A total of 4,22,432 complaints have been filed on C-Vigil App/Commission's portal on violations for citizens as on May 14, 2024. Of these, action has been taken in 4,22,079 (99.9%) cases and of these, 88.7% of complaints were resolved in average time of less than 100 minutes. Because of the robustness of C-Vigil App, there is substantial reduction in illegal hoardings, defacement of property, campaigning beyond permissible time, deployment of vehicles beyond permitted ones.
30. Similarly, 2,31,479 permissions have been given on Suvidha portal as on May 14, 2024 leading to elimination of discretion in grant of entitlements by using FIFO (First-In-First-Out) and ease of election related facilitation for candidates / political parties.

Actions taken under MCC during first month and as released by Press note available at. (<https://tinyurl.com/ddpeukfh>)

31. Suo motu removal of officers holding dual charges as Principal Secretaries to Chief Ministers in six states namely Gujarat, Uttar Pradesh, Bihar, Jharkhand, Himachal Pradesh, and Uttarakhand, as they were holding charge of Home / General Administration department also. This was to distance election-related senior officers with control over DMs/DEOs/ROs and SPs, from Chief Minister's offices.
32. Suo motu removal of DGP West Bengal as he was barred from election duty in previous elections also.
33. Suo motu transfer of non-cadre officers who were posted at leadership positions as District Magistrate (DM) and Superintendent of Police (SP) in four states namely Gujarat, Punjab, Odisha and West Bengal.
34. Suo motu transfer of officers in Punjab, Haryana and Assam because of their kinship or familial association with the elected political representatives.
35. On complaint from INC and AAP, directive to MeitY to stop transmission of Government of India's Viksit Bharat Message on Whatsapp post announcement of elections.

36. On complaint from INC and AAP, directive to all States/UTs for compliance of ECI instructions on removing of defacement from Government/public premises with immediate effect.
37. On complaint from DMK, FIR was registered against BJP Minister for her unverified allegations on Rameshwar Café Blast.
38. On complaint from INC, directions to Cabinet Secretary for compliance of ECI instructions on removing of defacement from Government/public premises including hoardings, photos, and messages from DMRC trains and petrol pump, highways, etc.
39. On complaint from INC, directions to CBDT for verification of any mismatch in assets declaration by a Union Minister in his affidavit.
40. On complaint from AITMC, notice to BJP leader Mr. Dilip Ghosh for objectionable and disrespectful remarks towards Ms. Mamta Banerjee.
41. On complaint from BJP, notice to Ms Supriya Shrinete and Mr. Surjewala, both from INC for their derogatory remarks against Ms. Kangana Ranaut and Ms. Hema Malini respectively.
42. The Commission has specifically taken a firm stand in the matter of dignity and honour of women by issuing notices to leaders of parties who made derogatory and offensive remarks against women. The Commission went a step ahead in placing accountability on party chiefs/presidents for ensuring that their party leaders and campaigners do not resort to such disrespectful and derogatory comments.
43. FIR was lodged against remarks made by Shri Anitha R Radhakrishnan, DMK leader towards PM.
44. On INC complaint, directions have been issued to Municipal authorities in Delhi to remove cut-outs of star campaigners from various colleges.



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