

राजस्थान सरकार
(निर्वाचन विभाग)

क्रमांक: एफ. 3(1)(4)प्रथम/निर्वा/2021/ 2115

जयपुर, दिनांक 8.6.2023

प्रेषक : मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

प्रेषिति : 1. आम आदमी पार्टी, 206, राउज एवेन्यू, डी.डी.यू. मार्ग, नई दिल्ली-110002
2. बहुजन समाज पार्टी, डी-170/सी भृगु मार्ग, बनीपार्क जयपुर।
3. भारतीय जनता पार्टी, सी-51, सरदार पटेल मार्ग, सी-स्कीम, जयपुर।
4. कम्युनिस्ट पार्टी ऑफ इण्डिया, (मार्क्ससिस्ट) मजदूर किसान भवन, शान्ति
नगर, हटवाड़ा रोड़, जयपुर।
5. इण्डियन नेशनल कांग्रेस, राजस्थान प्रदेश कांग्रेस कमेटी, इन्दिरा गांधी भवन,
स्टेशन रोड़, जयपुर।
6. नेशनल पीपुल्स पार्टी, प्लॉट नं०, Lachaumiere Dis., East Khasi
Hills Dist., Shillong.-793001
7. राष्ट्रीय लोकतांत्रिक पार्टी, प्लॉट नं. 26-27 आउट ऑफ खसरा 170/151,
तेजा कॉलोनी, निकट शीतला माता मंदिर, मानासर, जिला-नागौर,
राजस्थान-341001

विषय : मान्यता प्राप्त राष्ट्रीय एवं राज्यीय दलों तथा स्टार प्रचारकों द्वारा चुनाव प्रचार के
दौरान सार्वजनिक भाषण के गिरते स्तर को सम्मान का अपेक्षित स्तर बनाये रखने
के संबंध में भारत निर्वाचन आयोग के निर्देश।

महोदय,

उपरोक्त विषयान्तर्गत भारत निर्वाचन आयोग ने पत्र क्रमांक 437/6/INST/ECI/FUNCT/
MCC/2023 दिनांक 02.05.2023 के द्वारा समस्त मान्यता प्राप्त राष्ट्रीय एवं राज्यीय राजनैतिक
दलों को चुनाव प्रचार के दौरान सार्वजनिक भाषण के गिरते स्तर को सम्मान का अपेक्षित स्तर
बनाये रखने के संबंध में निर्देश प्रेषित किये हैं, जो आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु
प्रेषित है।

भवदीय,

(सुरेश चन्द्र)

विशेषाधिकारी, निर्वाचन विभाग,
राजस्थान, जयपुर।

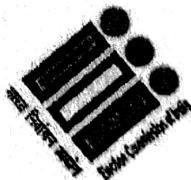
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जयपुर, दिनांक 8.6.2023

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. निजी सचिव, मुख्य निर्वाचन अधिकारी, राजस्थान, जयपुर।
2. निजी सचिव, अतिरिक्त मुख्य निर्वाचन अधिकारी, राजस्थान, जयपुर।
3. समस्त जिला निर्वाचन अधिकारी (कलक्टर), राजस्थान, जयपुर।

विशेषाधिकारी, निर्वाचन विभाग,
राजस्थान, जयपुर।



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/2023

Dated: 2nd May, 2023

To

The President/General Secy./Chairperson of
All National/State recognized Political Parties.
(As per the list attached)

6/5/23
Sharma
Sub: Instructions on plummeting level of public discourse during campaigning, maintain expected level of dignity and in particular by star campaigners, recognized National and State Political Parties.

Sir/Madam,

The Commission, in collaboration and consultation with all stakeholders, in particular, the political parties and the candidates, has invested effort in encouraging all stakeholders to maintain a level of political discourse during campaigning which is befitting the widespread admiration and standing of Indian democracy worldwide.

2. In the run up to the General Election to the Legislative Assembly of Karnataka, plummeting level of campaign discourse has been brought to the attention of the Commission. Instances of inappropriate vocabulary and language used during the on-going campaign by persons, in particular, by those invested with the statutory status of star campaigner have occasioned various complaints, cross complaints and have also attracted negative media attention.

3. As per the MCC provisions, use of provocative and inflammatory statements, use of intemperate and abusive language transgressing the limits of decency and attacks on the personal character and conduct of political rivals vitiate the level playing field. Attention of the political parties is drawn to the following provisions of the MCC and other statutory provisions which hold the field and fix the framework of the expected campaign discourse.

3.1) MCC provision: as contained in Chapter 3 & 4 of Manual on Model Code of Conduct, (March, 2019) which provides the following: -

- (a) Para 3.8.2 (ii) of Chapter 3 states, "Nobody should indulge in any activities or make any statements that would amount to **attack on personal life of any person** or statements that may be malicious or offending decency and morality."
- (b) Para 4.3.1 of Chapter 4 states "Political parties and candidates **shall refrain from criticism of all aspects of private life**, not connected with the public activities of the leaders and workers of the other parties. It also provides that no party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension."
- (c) Para 4.3.2 of Chapter 4 states, "**maintain high standard of election campaign.**"
- (d) Para 4.3.2(ii) of Chapter 4 states, "Election Commission while expressing deep anguish on the progressively plummeting levels of political discourse, put the political parties on notice that repeated violation of Model Code may invite action against them."



- (e) Para 4.4.2 (B) (iii) of Chapter 4 provides that "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."
- (f) Para 4.4.2 (B) (v) of Chapter 4 "Other parties or their workers shall not be criticised based on **unverified allegations or on distortions.**"

3.2) Further, attention is also drawn to the following provisions of IPC-

- (a) **Section 171G of the IPC- "False Statement in connection with an election."**
- (b) **Section 499 the IPC** states that "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."
- (c) **Section 500 IPC** states that "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."
- (d) **Section 504 of the IPC-**"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, 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."

4. The spirit of the MCC is not just avoidance of a direct violation. It definitely also prohibits attempts to vitiate the electoral space through suggestive or indirect statements or innuendoes. During campaigning in ongoing elections in Karnataka, some star campaigners/leaders of National political parties have not kept the high standard expected and have made such utterances vitiating the election environment.

5. The Commission has taken serious note of such plummeting level of campaign discourse. National Parties and Star Campaigners enjoy extra enablement within the R.P. Act. It is imperative that all parties and stakeholders remain within the confines of the Model Code of Conduct and the legal framework in their utterances while campaigning so as to maintain the dignity of the political discourse and not to vitiate the campaign and the election atmosphere. They are thus expected to contribute in maintaining and raising the level of discourse to "issue" based debate, provide pan India perspective and depth to the local discourse and to reassure all sections of electors to participate fully and fearlessly in a free and fair election.

6. Accordingly, the Commission reiterates the MCC instruction and strongly advises and cautions all National and State Parties, the RUPPs and, independent candidates to exercise caution and restraint in their utterances. All CEOs are directed to bring this to the notice of the all National and State Parties for strict compliance. They may also ensure widest publicity of this advisory and compliance thereof failing which appropriate action must be initiated as per the extant regulatory/legal framework.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SR. PRINCIPAL SECRETARY