

ELECTION COMMISSION OF INDIA

NirvachanSadan, Ashoka Road, New Delhi – 110001

No.437/KT-LA/2023

Dated: 8th May, 2023

To

The President,
Indian National Congress,
24, Akbar Road,
New Delhi 110011

Subject:- General Election to the State Legislative Assembly of Karnataka, 2023 – Alleged Violation of provisions of Model Code of Conduct and other Election Laws – regarding.

Sir,

I am directed to refer to a complaint dated 8th May, 2023 (copy enclosed) submitted by the leaders of Bharatiya Janata Party, namely, Shri Bhupender Yadav, Dr. Jitendra Singh, Shri Tarun Chugh, Shri Anil Baluni and Shri Om Pathak to the Commission regarding a tweet which appeared on the official Twitter handle of the Indian National Congress on 6th May, 2023 at 09:46 PM.

2. The aforesaid tweet reads as under:-

" CPP Chairperson Smt. Sonia Gandhi Ji sends a strong message to 6.5 crore Kannadigas:

"The Congress will not allow anyone to pose a threat to Karnataka's reputation, sovereignty or integrity."

3. In the complaint made by BJP, it is alleged, inter-alia as quoted below –

"Karnataka, is a very important member state in the union of India and any call to protect the sovereignty of a member state of the union of India amounts to a call for secession and is fraught with perilous & pernicious consequences."

Furthermore, according to the complaint made by BJP, the above tweet is violative of the mandatory oath undertaken by the political parties under section 29A (5) of the Representation of the People Act, 1951 at the time of registration.

4. In this regard your attention is invited to the provisions of section 29A (5) of the Representation of the People Act, 1951 which inter-alia reads as under:-

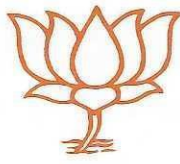
".....the association or body shall bear true faith and allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India."

5. In view of the above, you are requested to clarify and take rectification measures in respect of the social media post which has been put up on the INC Twitter handle and attributed to Chairperson CPP.

Yours faithfully,



(B. C. PATRA)
SECRETARY



8th May 2023

Chief Election Commissioner & Election Commissioners,
Election Commission of India
Nirvachan Sadan, Ashok Road
New Delhi.

Sir,

Sub: Karnataka Elections – Suggesting & Supporting Secession – Violation by Indian National Congress.

The Indian National Congress tweeted on 6th May 2023 at 9.46PM. The screen shot of the tweet is as per annexure A to this communication.

Such a tweet is well considered evil design to provoke the staunch nationalists, peace loving, progressive and globally recognised people of Karnataka. The intent apparently is to be disturb the equanimity, harmony and peace that obtains in Karnataka just to garner the votes and support of some select communities or groups, whose sole purpose and intent is to disrupt the very being of Indian State. The general and emerging impressions of Indian National Congress, amongst common people, is one of a party that always sides with forces that are inimical and opposed to the Indian state.

It is indeed unfortunate and inappropriate that a Indian National Congress is doing all it can to show India in poor light and negate the large strides that India and its people have made in the world of Culture, Education, Science, Industry and Trade especially at a time when India occupies centre stage in the new emerging world order.

To suggest secession, even remotely, to people of Karnataka, who were at the forefront of India's Independence movement and who have post-independence led in the fields of art, culture, education, industry & trade, amounts to insulting and humiliating people of Karnataka.

Karnataka, is a very important member state in the Union of India and any call to protect the **sovereignty** of a member state of the Union of India amounts to a call for secession and is fraught with perilous & pernicious consequences. This must be clearly understood in the backdrop of generally accepted essentials of a sovereign state. A **sovereign state has:**

6-ए, दीनदयाल उपाध्याय मार्ग, नई दिल्ली-110 002, दूरभाष : 011-23500000 फैक्स : 011-23500190

6-A, Deendayal Upadhyay Marg, New Delhi-110 002, Phone : 011-23500000 Fax : 011-23500190



- Space or territory that has **internationally recognized** boundaries
- People who live there on an ongoing basis
- Regulations governing foreign and domestic trade
- The ability to issue **legal tender** that is recognized across boundaries
- Maintains its **Defence Forces – Army, AirForce, Navy**
- An **internationally recognized** government that provides public services and police power and has the **right to make treaties, wage war**, and take other actions on behalf of its people
- Sovereignty, meaning that no other state should have power over the country's territory

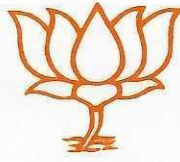
This call to protect the sovereignty of Karnataka follows a pattern of mischievous and intentional indiscretions committed by the Congress party. Supporting secessionist bodies or movements like Popular Front of India [PFI] or Tukde-Tukde or even running down and showing India in a poor light while on foreign lands tantamounts to working against the best interests of India by denting its image and standing in world community.

Not just that, such pronouncements and actions are in clear violation of mandatory oaths and pledges to bear true faith and allegiance to the Constitution of India and uphold the Sovereignty, Unity & Integrity of India.

Section 29 A (5) of RPA 1951 reads;

“The application under sub-section (1) shall be accompanied by a copy of the memorandum or rules and regulations of the association or body, by whatever name called, and such memorandum or rules and regulations shall contain a specific provision that the association or body shall bear true faith and allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India.”

We accordingly request the Commission to take cognisance of serious derelictions and take immediate and firm action against Indian National Congress and its leader Smt. Sonia Gandhi. The Commission may consider;



1. Revoking the registration of the party that acts in clear violation of the mandatory Oath of upholding the Sovereignty, Unity & Integrity of India.
2. Appropriate preventive and punitive action in accordance with directions contained in Model Code of Conduct.

Thanking you,

Yours Faithfully,

Bhupender Yadav

Dr. Jitendra Singh

Tarun Chugh

Anil Baluni

Om Pathak

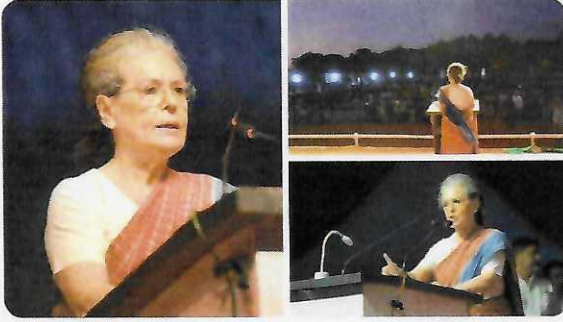
Annexure A to BJP representation to ECI dated 8th May 2023



Congress
@INCIndia

CPP Chairperson Smt. Sonia Gandhi ji sends a strong message to 6.5 crore Kannadigas:

"The Congress will not allow anyone to pose a threat to Karnataka's reputation, sovereignty or integrity."



9:46 PM · 06/05/23 from Earth · 401K Views