



8th April 2024

The Chief Election Commissioner & Commissioners,

Election Commission of India,
Nirvachan Sadan,
Ashok Road, New Delhi

Subject – Violations of Electoral and Penal Laws

Dear Sir,

We wish to bring into your immediate attention the viral video being circulated on all the social media platforms in which it is purportedly shown that 'Rashtriya Swayamsewak Sangh' (RSS) has extended the support to the INDI Alliance and Indian National Congress.

A press conference was held on 24th March, 2024 by one Shri Janardan Moon claims to be the president of the organization having similar name 'Rashtriya Swayamsewak Sangh' and its being run from Nagpur.

The viral video pledging support to the INDI alliance and Congress Party was uploaded on the YouTube channel-'Aawaz India' posted on 24th March, 2024 with the title "RSS supports Congress, creates uproar across the country P C [Press Conference] of RSS Chief Janardan Moon, Abdul Pasha"

This propaganda video was shared by Shri Rahul Kajal INC a member of Indian National Congress on his 'X' account along with the post:

“और यह निर्णय लिया है कि इस चुनाव में बीजेपी को हराना है देश को बचाना है संविधान को बचाना है इसलिए 400 पार्क का जो सपना है बीजेपी का वो कैसा चूर कर सकते हैं

..... ऐसी स्थिति में संविधान बचाना हो तो हमें ये बीजेपी को पताने के लिए इंडिया गठबंधन को ही वोट देना जरूरी है”

The link of the post is given here:

https://x.com/RahulKajalRG/stat_fir_उन्हें_ये_भीtus/1772452764443967765?t=0LpQ89fhc6FLaiu6gIW_jw&s=08



It may please be noted that Shri Lalji Desai, Chief Organizer of Congress Seva Dal is the owner of this handle – ‘The East Bangalore Congress Sevadal,’ an affiliate body of INC. posted the video on 26th March, 2024 from its ‘X’ handle with Caption:

“देश और संविधान को बचाना है, मोदी को हटाना है : RSS”

The link of ‘X’ handle is given here:

<https://x.com/Sevadaleblr/status/1772511962129367395?t=WAFzvaX0Ge4jsDOJcCh-ig&s=08>

Apparently, the purpose of the press conference and making the video viral by the opposition parties, specifically Indian National Congress is to indulge in rumor mongering to confuse voters that the RSS which is the ideological parent of the BJP has extended support to INDI alliance and Congress.

The persons in the viral video holding the press conference under the banner of ‘Rashtriya Swayam Sangh (RSS)’ are not affiliated to the original RSS as asserted in the above social media posts.

In fact, the “Organizer Weekly” through its ‘X’ handle on 26.3.2024 refuted and disowned the fake news peddled on behest of the Congress. In its post it mentioned:

“ After cursing #RSS for more than 75 years, #Congress and INDI Alliance have come up with their own ‘FAKE RSS’ to confuse voters

A desperate attempt?”

In 2017, Shri Janardan Moon filed an application no. 615/2017 for grant of permission to register a charitable society under the name and style of “ Rashtriya Swayamsevak Sangh” which was opposed claiming that the society under the name and style of “Rashtriya Swayamsevak Sangh” has already been registered at Chandrapur vide Registration No. MH-08/D0018394 by the Indian Government since 1925, therefore, the Assistant Registrar of Societies vide order dated 4.10.2017 declined to register the RSS in favour of Shri Janardan Moon.

The order dated 4.10.2017 of Registrar of Societies was challenged before the Bombay High Court, Nagpur Bench, Nagpur in **Writ Petition No. 6700/2017 titled Janardan Versus State of Maharashtra, the Court pronounced the judgment on 21.1.2019.** The relevant portion of the Judgment is reproduced herein for your perusal:



"In the present case, the Assistant Registrar has recorded the finding that the registration of the petitioner-society is barred under Section 3-A of the Societies Registration Act in the absence of prior permission of the Government. It was a case of rejection which pertained to ground No.(i) in Section 3-A of the said Act. It was not the question involved as to whether in the absence of existing registered society having the name identical or resembling with the name of the society to be registered. We, therefore, do not find any substance in the arguments so advanced.

In the result, the petition is dismissed. Rule stands discharged. No order as to costs."

In a desperate attempt Shri Janardan Moon filed Special Leave Petition before the Supreme Court against the judgment dated 21.1.2019 passed by the High of Judicature at Bombay Nagpur Bench, Nagpur. He filed SLP on 30.4.2019, which was registered as SLP (C) no. 28913/2019.

The SLP was listed before the Court on 6.12.2019, the Court after hearing the matter passed the following order:

"Delay Condoned

We are not inclined to entertain the Special Leave Petition under Article 136 of the Constitution.

The Special Leave Petition is accordingly, dismissed."

Despite there being an order of the Supreme Court rejecting the case of Shri Janardan Moon for registering his Society with the same name as RSS. He and his associates at the behest of the opponents particularly Indian National Congress, misused the name of the Nationalist organization 'RSS' to spread lies and mislead the voters.

In this regard a case has also been registered at Police Station Sitabuldi against two person Janardan Moon and Javed Pasha for allegedly trying to misappropriate the name of "Rashtriya Swayamsevak Sangh (RSS)" for the commission of offences under sections 34, 505 (2) IPC and Sections 66 (C) and 66 (D) of the Information Technology Act.

Holding a media briefing and misusing the name of RSS is not only a criminal act under the Indian Penal Code but also the Contempt of the Court for willfully and deliberately flouting the orders of the Courts. The Congress Party is a master mind of



this whole episode and the primary instigator. They not only facilitated the Press Conference but also made sure its wide circulation through its supporter and official social media handles.

The grave criminal acts of Shri Janardan Moon, Javed Pasha and Congress Party are unpardonable which calls for strongest action and should be a precedent so that no other political party shall take such drastic and desperate steps to garner votes.

Furthermore, in perpetuating these misleading narratives, the Indian National Congress has violated numerous provisions, including those provided in the Indian Penal Code, the Model Code of Conduct, and the advisories and instructions issued by the Election Commission of India:

- a. *Section 123 (4) of the Representation of People Act, 1951.*
- b. *Section 171G. False statement in connection with an election. (IPC)*
- c. *Section 499. Defamation. (IPC)*
- d. *Section 419 Punishment for cheating by personation (IPC)*
- e. *Section 505 (2) Statement Conducing to public mischief (IPC)*
- f. *Model Code of Conduct*
- g. *Contempt of Courts Act*
- h. *Section 66 (C) and 66 (D) of Information Technology Act.*

The Commission must take immediate and effective action against these well-planned chain of criminal transactions, otherwise the public trust will be eroded.

Hence, we request the Election Commission to:

1. Direct the INC, the umbrella body of Congress Seva Dal and Congress Seva Dal to tender a public apology on all social media platforms.
2. Direct the INC to take down all the posts and videos from all social platforms.
3. Suspend the Congress Seval Dal X and other media handles
4. Direct to bar these social media accounts that spread lies, forthwith.



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5. Order immediate filing of FIR and criminal investigations against the INC .
Shri Janardan Moon and Shri Javed Pasha under provisions of the Indian
Penal Code, Representation of People Act 1951 and other applicable penal
laws.

Yours faithfully,


Arun Singh


Om Pathak


Sanjay Mayukh