



26 March 2024

**The Chief Election Commissioner & Commissioners,**  
Election Commission of India,  
Ashok Road, New Delhi - 110001

**Subject – Violation of the Election Model Code of Conduct & Offence committed – DMK and its leader Shri Anitha R Radhakrishnan**

Respected Sir,

We wish to draw your urgent attention to a statement made by Shri Anitha R Radhakrishnan, Minister of Government of Tamil Nadu and DMK leader against Prime Minister Shri Narendra Modi while addressing in Tamil Nadu. He said the following in Tamil “**I am asking that while speaking in Salem he (PM Modi) spoke about Kamarajar as if Kamarajar hugged and embraced him and as if he happily accepted. M\*\*\*\*\*f\*\*\*\*\*r we know what you did. You guys tried to kill him when he was in Delhi**” His statements can be accessed through the link given <https://www.youtube.com/watch?v=HyFq8-d3-Tk>].

It is apposite to mention here that this is not the first time the DMK and its leaders have abused the Prime Minister Shri Modi and Hinduism. As a sustained campaign DMK leaders such as Shri. Udayanidhi Stalin, Minister in Govt of Tamil Nadu and Shri. A Raja, Member of Parliament (Lok Sabha) had attacked the Hindu Faith in all possible manners. Shri Stalin, on 3rd September 2023, while addressing a meeting in Chennai, had said, “*Like malaria, dengue, corona, even Sanatana Dharma should be eradicated*”. Whereas, Shri A Raja had stated “If you say it's this God, this is Jai Sri Ram, this is Bharat Mata ki Jai, then *we and Tamil Nadu will never accept Bharat Mata and Jai Shri Ram....Tamil Nadu won't accept. You go and tell, we're enemies of Ram*”.

Also, in the Past, several DMK leaders, including Shri Karunanidhi, had attacked Hindu Gods, particularly Bhagwan Shri Ram during the Ram Setu row, by asking which engineering college Shri Ram went to build the Ram Setu.

While this may have occurred before the imposition of Model Code, but a mention here is relevant as it illustrates mind-set, disposition and the hatred that DMK has been trying to spread – pitching one religious belief against other with the sole intention to secure votes. The Prime Minister, Shri Narendra Modi, during his public meeting in Salem had to appeal to parties to refrain from spreading hate against one particular religious group.

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Further, DMK mouthpiece 'Kalaingar Seithigal', a TV channel produced and broadcast a program titled Modi's Lies. The said program though aired sometimes in the recent past is still in circulation on WhatsApp and other social media groups. The pack of misinformation and misleading narrative that has been handed out in the said video, violates all covenants of free & fair elections. The video can be accessed at

<https://youtu.be/e787V4WN4sY?si=7otSWor4pJa0OKfa>

*This disparaging video has commented on Shri Narendra Modi's personal life spreading blatant lies. It also seeks to spread manufactured lies designed to misinform and misguide the voters.*

A transcript of the video Tamil to English is at Annexure A.

In doing so, Shri Anitha R Radhakrishnan and his party DMK have singularly & jointly violated several provisions of Indian Penal Code, the Representation of People Act 1951, and Model Code of Conduct and some of the latest advisories & Instructions of the Election Commission of India.

#### **Representation of Peoples Act 1951**

**Section 123 (4)** - The publication by a candidate or his agent or by any other person [with the consent of a candidate or his election agent], of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election."

While this section may speak of 'candidates' of their agents, but by implication, it applies, on a larger canvas, to the political parties and their campaigners too.

**The Model Code of Conduct and several advisories have repeatedly exhorted political parties to act with restraint and remain within the confined of a decent political discourse. Some of the relevant provisions are;**

1. Criticism of other political parties, when made, shall be confined to their policies and program, 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.

2. 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 provision of the MCC and other statutory provisions which hold the field and fix the framework of the expected campaign discourse.

3. MCC provision: as contained in Chapter 3 & 4 of Manual on Model Code of Conduct, provides the following :-

- (a) “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) “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) “maintain high standard of election campaign.”
- (d) “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) “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.”

### Indian Penal Code – Relevant Sections

**294. Obscene acts and songs.**— Whoever, to the annoyance of others,

(b) sings, recites or utters any obscene song, ballad or words, in or near any public place,



shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

**499. 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 excepted, to defame that person.

#### Case Law

The Madras High Court in the case titled as “*T.T.V. Dhinakaran v. City Public*” observed that:

*“that persons in public life and the leaders of various political parties should restrain themselves from making serious allegations or criticism against constitutional functionaries since leaders of political parties have huge followers and the same will have a serious impact on the followers and the followers also blindly follow the path of their leaders.”*

Shri Anitha R Radhakrishnan, Minister and DMK Leader, tragically departed from the standards of respectful and dignified communication, thereby transgressing legal statutes and undermining fundamental principles of political discourse. Their egregious attack against the Prime Minister, Shri Narendra Modi and Hinduism with vulgar words is not only unacceptable but also highly reprehensible.

Intriguingly, the same political party which is habitual of violating laws and code of conduct, is filing complaint against the BJP and its leaders by masquerading and camouflaging as victim. Whereas the fact of the matter is that flagging infractions by the DMK and INC, the PM appealed to all the leaders and political parties concerned not to indulge in activities that are detrimental and injurious to national unity and integrity. The PM has also requested the voters not to fall prey to such nefarious designs. The speech of the PM at Salem rally should be taken in this specific context only.

Therefore, swift and stringent action is required to uphold the integrity of political discourse and preserve the dignity and sanctity of this greatest celebration of world’ biggest and vibrant democracy, the General Elections of 2024.





**Hence, we request the Commission to;**

1. Direct Shri Anitha R Radhakrishnan to tender an unconditional public apology to the Prime Minister Shri Narendra Modi.
2. Ban Shri Anitha R Radhakrishnan from campaigning further in this Election.
3. Order immediate filing of FIR and criminal investigations against Shri Anitha R Radhakrishnan under various provisions of Indian Penal Code, Representation of People Act 1951.
4. Ban any further circulation of the aforesaid video titled 'Modi's Lies' and the book or any such material, not based on facts and violative of Commission's directions.
5. Direct the DMK and its leader to refrain from disparaging the Bhartiya Culture and desist from personal attacks on political leaders.
6. Put DMK family & associates owned TV Channel Kalaingar on notice not to run or broadcast programs that violate the Electoral Laws and the MCC and not act like the mouth piece of DMK.
7. Take *suo-moto* effective and deterrent against political parties and political leaders that violate the prescribed campaign and election code.

Yours faithfully,

**Ashwini Vaishnav**

**Om Pathak**

**Vinod Tawde**

**Sanjay Mayukh**



**Annexure A**

**Political Bazaar – “Lies of Modi” “ Modi’s Lies book by Sam Barakkath Ali**

Purpose is to count/keep count of Mody’s lies. During his tenure as CM of Gujarat, as well Prime Minister of India for 10 years, Modi has been uttering innumerable lies like making use of “Mann Ki Baat” programme only to unleash more and more lies **regularly every week on “Kalaingar News”** Modi has made use of his tenures as CM & PM only to utter false hood by making false premises

- a) Sethu Samudhram project is one such promise. The dream of Tamil People for more than 150 years. BJP has rendered this project a non starter on the grounds that dredging the sea deeper between Srilanka and Tamil Nadu will destroy Rama’s bridge.
- b) Empty promise was made the rupee will strengthen against the Dollar during Modi’s Rule. What happened all of you can see. Rupee has weakened so much that it never equalled the dollar in value when he came to power. One dollar is now Rs. 850.
- c) We all know how Modi will treat his wife, by confining her to her house, blocking all social activities and keeping her under surveillance all times. It is a mystery whether Modi is really married to this lady.
- d) It is a well known fact that Modi utters countless lies; how ever it is desirable that we keep a count on the lies uttered. The Presenter “ Varakanai Senthil” claim that to his knowledge, no book has been written on any politician depicting him in poorest light. Modi fries Vadai’s through his month. We propose to air the interview with the author Barakath Ali, in Kalaingar News.
- e) Modi travels all over the world but he tells Indian youth not to go abroad and work there.

TN Govt organized a Non Residents Tamil Summit in Chennai . It is noteworthy that Tamil Nadu sends the second largest numberof educated youth for employment abroad. However, Modi in a function at SRM University near Chennai advised students not to go abroad but to work in India itself but Modi himself travels all over the world





as and when he wants. Recently news has come donkey flights carrying mostly Gujarati youth for getting employment in foreign countries.

- f) Two flights had been intercepted and brought back to India with mostly Gujaratis . Modi is illegally allowing Gujarat Youth to seek employment outside India and comes to Tamil Nadu and advises the students of Tamil nadu not to go abroad for employment
- g) During the Gujarat riot in 2002 Modi has blamed Pakistan for the riots without any reason. Modi as Chief Minister of Gujarat had said that 59 Karasevaks were burnt alive by Pakistan ISI and Muslim extremist of India. Because of this news of blaming Pakistan and Muslims of India Riots in Gujarat increased and turned violent against Muslims in Gujarat. During the riots Congress MP Jaffrey house was surrounded by BJP men to attack him. The MP telephones the CM of Gujarat to save him. Modi did not respond and hang up his phone. Jaffrey was beaten to death and his house was burnt. Modi's lie that Muslim extremist were behind the killing of 59 Karasevaks had caused the increasing violence and riots in Gujarat.
- h) When Modi was Chief Minister of Gujarat he had said that Congress government is appointing only politicians as Governors whereas after becoming Prime Ministers , Modi appointed Tamil BJP leaders namely CP Radhakrishnan, L Ganesan , Mrs Tamilisai Soundarajan as Governors.
- i) Modi states it would have been better "had Sardar Patel becomes the Prime Minister of India instead of Jawaharlal Nehru, which would have benefitted India greatly.
- j) Modi speak about Make in India but for the " Make in India" places order with China for making Sardar Patel statue in Gujarat. Sardar Patel was more of an RSS leader and after the assassination of Mahatma Gandhi Nehru had told Patel that the RSS which he supported has indeed killed Gandhi
- RSS and BJP always propagate lie and work together in spreading lies causing, conflicts in the society.
- k) Yet another lie of Modi is his electoral promise to deposit Rs.15 lak into the bank accounts of every Indian which never took place.



The author Barakkath Ali claims that his book reveals the details of where Modi made this promise.

It is also alleged that Modi failed to prevent Chinese incursions into Indian state of Arunachal Pradesh and more allowed them to convert these two villages to Chinese Villages.

Yet another instance of Modi lies' his allegation that not even a single rupee was spent under the Nirbhaya scheme of Rupees 1000 crore by the Manmohan Singh Government.

But information received through RTI act that only 20 % of the 3600 crores of sanctioned amount was spent by Modi Government.

Mr Modi has been spreading lies on several issues like that Indian should not get married outside India they should get married in India so that the money spent will remain in India.

This statement of Modi supported Ambanis institution to conduct corporate style marriages ranging from 1 crore to 1000 crore

The chat show presenter finally request everyone to read this book on Modi lies so that they do not vote for Modi in the ensuing election of Lok Sabha 2024.