



2 May 2023

To,  
The Chief Commissioner & Election Commissioners  
Election Commission of India  
Nirvachan Sadan, Ashoka Road,  
New Delhi

**Sub: Karnataka Assembly Election: Use of Derogatory & Abusive language –  
Crass violation of MCC & Legal Provisions**

Dear Sir,

Sh. Priyank Kharge S/o. Sh. Mallikarjun Kharge, National President of INC, is sitting MLA and a former minister and also a Candidate set up by India National Congress (herein referred as INC) from Chittapur, District Kalburgi, Karnataka. In a Public meeting at "Kalburgi" in Karnataka on 30<sup>th</sup> April 2023, he used abusive language against the Hon'ble Prime Minister of India Shri Narendra Modi calling him as "Nalayak Beta" and also invoked caste thus attempting to create disaffection amongst voters and citizens.

Shri Priyank Kharge while addressing a poll gathering said:

*"When you (PM Modi) came to Gulbarga (Kalaburagi) what did you tell the people of Banjara community? "Aap sab log dariye mat. Banjara ka ek beta Dilli mein Baitha hai (You do not be afraid. A son of Banjara is sitting in Delhi)."*

*"Aisa nalayak beta baitha to kaise hota bhai? Ghar kaise chalega?" (If an inept son is sitting in Delhi, how can you run the family?),*

[the video on the pen drive is enclosed for ready reference]

The Commission may recall, Shri Mallikarjun Kharge, had called the PM, Shri Narendra Modi, a 'poisonous snake'. A BJP delegation had met the Commission and had represented and requested the Commission to take effective steps to stop such disparaging remarks and lowering standards of political discourse. We are still waiting to see effective steps taken in this behalf.

The aforesaid statements are derogatory, abusive, malicious libelous and offensive and are made without any basis in law or in fact. A smear campaign is being run to tarnish the image and reputation of our respected Prime Minister Shri Narendra Modi Ji and BJP, with clear and wilful intention to tarnish the image of our Prime Minister.

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

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Further as Shri Priyanak Kharge invoked the interests of one particular caste, BANJARA to the exclusion of others and calling the PM, NALAYAK, Shri Priyank Kharge has violated not just the MCC, but also several other penal provisions in law.

**The Model code conduct directs;**

**Para 3.8.2(ii)**

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 affecting decency and morality.

**Para 4.3.1 States:**

Political Parties and candidates shall refrain from criticism of all aspects of private life, no connected with the public activities of the leaders and workers of other parties. It also provided that no party or candidate shall indulge in any activities which may aggravated existing differences or create mutual haltered or cause tension

**Para 4.3.2:**

“maintain high standard of election campaign”

**Para 4.3.2(ii)**

“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”

**Further, actions of Shri Kharge attack penalties under the following provisions of law:**

**Section 499 of IPC. 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.*

Explanation 1.—It may amount to defamation to impute anything to a deceased person, if the imputation would harm the reputation of that person if living, and is intended to be hurtful to the feelings of his family or other near relatives.



Explanation 2.—It may amount to defamation to make an imputation concerning a company or an association or collection of persons as such.

Explanation 3.—An imputation in the form of an alternative or expressed ironically, may amount to defamation.

Explanation 4.—No imputation is said to harm a person's reputation, unless that imputation directly or indirectly, in the estimation of others, lowers the moral or intellectual character of that person, or lowers the character of that person in respect of his caste or of his calling, or lowers the credit of that person, or causes it to be believed that the body of that person is in a loathsome state, or in a state generally considered as disgraceful

**Section 500 of IPC:**

**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.

**Section 504 of IPC.**

**Intentional insult** with intent to provoke breach of the peace.—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.

We request the Election Commission of India to intervene urgently and take the following action:


1. Lodge an FIR against Shri Priyank Kharge under the abovementioned provisions of law or any other Electoral or General law and take exemplary punitive action.
2. Take preventive and punitive action against Shri Priyank Kharge in accordance with the provisions of Model Code of Conduct.

Thanking You,

Yours Sincerely,

  
Piyush Goyal

  
Anil Baluni

  
Om Pathak



SECURITY, POLITICAL & TRADE TIES IN FOCUS AS  
 PM VISITS IRAN, TALKS WITH COUNTERPART

COPS STOP A  
 10PM DEADLINE

## Now, Kharge's son calls Modi 'nalayak'; BJP strikes back

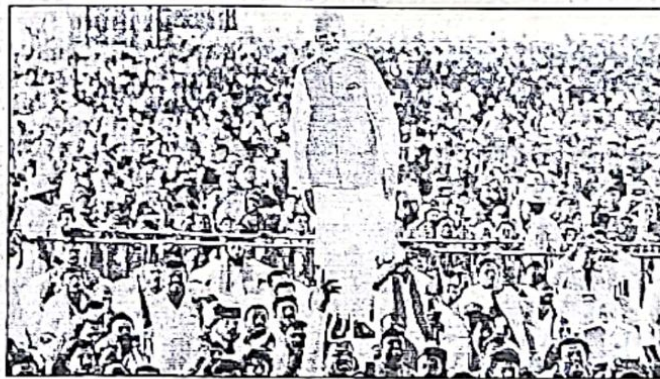
### Cong Plan To Shift Focus Away From Modi Scuppered Again

TIMES NEWS NETWORK

**New Delhi/Kalaburagi:** After Congress president Mallikarjun Kharge's 'venomous snake' barb aimed at Prime Minister Narendra Modi, his son and former Karnataka minister Priyank Kharge has allegedly called the PM 'nalayak beta', drawing fire from the BJP brass, which termed it a display of the opposition party's 'mental bankruptcy'.

Addressing a poll rally in Kalaburagi on Monday, Priyank said, "When PM Modi had come here, he said, 'Aap sab dariye mat, banjara community ka ek beta Delhi mein baitha hai (Do not be scared, a son from the banjara community is sitting in Delhi). Aisa nalayak beta baithega toh ghar kaise chalega (If an inept son is sitting in Delhi, how can you run the family)?"

Priyank is seeking re-election from Chittapur as-



BJP supporters during PM Modi's rally in Karnataka last month

sembly seat in Kalaburagi.

While senior party functionary and opposition leader in the assembly Siddaramaiah expressed regret at Priyank's remarks, Kharge Sr came to his son's defence, saying he never made those comments. "Don't put words into his mouth. Everywhere this (misquoting) is going on purposefully. Priyank has condemned it, but still you people are asking," he said.

However, BJP went on the offensive with party president J P Nadda saying opposition leaders were using such language against Modi to "please their masters". Nadda said Congress is going through "mental bankruptcy" and its leaders were following the Gandhi family in using derogatory language against the PM.

BJP IT department head Amit Malviya asked Priyank

what would he be doing if he was not the son of the Congress president? "It is anybody's guess. It is quite rich for someone who is feeding off his father's name to call a democratically elected PM 'nalayak'," he said.

The row erupted even as the Congress leadership is attempting to steer the focus away from the PM to local issues. Addressing a poll rally, Rahul Gandhi hit out Modi for the latter's claim that he had been "abused 91 times". "This election is not about you, it is about Karnataka's people and its future. You say Congress abused you 91 times, but you never speak about what you did for Karnataka," Rahul said in Tumakuru district.

The Karnataka BJP unit has filed a complaint with the Election Commission against Kharge Jr. It had also filed a complaint against Kharge Sr.