



भारतीय जनता पार्टी
Bharatiya Janata Party

2nd April 2021

The Chief Election Commissioner & Election Commissioners,
Nirvachan Sadan,
Ashok Road, New Delhi

Subject: Representation seeking disqualification of Sh. Udhayanithi Stalin's candidature in the upcoming Tamil Nadu Assembly Elections 2021.

Sir,

The President of Youth Wing of DMK, Sh. Udhayanithi Stalin has while addressing a political gathering in Dharapuram, Tamil Nadu on 31.03.2021, made a statement that "Sushma Swaraj and Arun Jaitley (Late Union Ministers of India) both died unable to tolerate the pressure and torture given by Prime Minister Narendra Modi." The video of Sh. Stalin making the aforesaid statement is available on Twitter with <https://twitter.com/coolfunnytshirt/status/1377679801524183041?s=24>.

The statement made by Sh. Stalin is false, misleading, defamatory and violates provisions of Model Code of Conduct.

The Model Code of Conduct stipulates,

"Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism as 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."

The aforesaid statement does not in any manner relate to policies and programmes rather is a false and baseless criticism of private life of Hon'ble Prime Minister Sh. Narendra Modi and two Late Hon'ble Union Minister of India.

Sir, the false statement besides violating provisions of Model Code of Conduct, also constitutes corrupt practice as defined in section 123 of the Representation of the People Act, 1951. At the same time, it intends to promote misunderstanding amongst the leading political figures in the country and their families.

The false statement made by Sh. Udhayanithi Stalin has already been condemned by Ms. Bansuri Swaraj, daughter of Late Smt. Sushma Swaraj and Ms. Sonali Jaitley, daughter of Late Sh. Arun Jaitley by their respective Tweets. [copies enclosed]



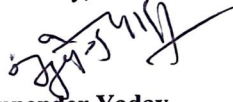
The statement made by Sh. Stalin also violates instructions issued by the Commission vide letter bearing no. 437/6/INST/2015-CCS dated 09.10.2015, the relevant portion of which is as follows:

“The Commission would also like to invite the attention of all Political Parties, their leader and candidates to the observation of the Hon’ble Supreme Court of Gadakh Yashwantrao Kankarrao v ES Balasaheb Vikhe Patil (AIR 1994 SC 678) viz

“ the duty of the top echelons of leadership at the state and national levels of all political parties is to set the trend for giving the needed information to the electorate by adopting desirable standards so that it percolates to the lower levels and provides a congenial atmosphere for a free and fair poll. A contrary trend of speeches by the top leaders tends to degenerate the election campaign as it descends to the lower levels and at time promotes even violence leading to criminalization of politics. The growth of this unhealthy trend is a cause for serious concern for the proper functioning of the democracy and it is the duty of the top leaders of all political parties to reverse this trend to enable movement of the functioning of democracy in the proper direction.”

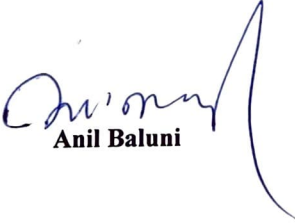
Since Sh. Udhayanithi Stalin has violated provisions of the Model Code of Conduct and mandatory instructions issued by the Commission vide letter dated 09.10.2015, his candidature from Chepauk-Triplicane Assembly Constituency is liable to be disqualified. It is also requested that Sh. Udhayanithi Stalin be debarred from campaigning, spreading lies and promoting misunderstanding amongst leading political figures, living or dead; in ensuing Tamil Nadu Assembly Elections.

Yours truly,


Bhupender Yadav


Mukhtar Abbas Naqvi


Prakash Javadekar


Anil Baluni


Om Pathak


Neeraj

Encl:

1. Screenshot of Tweet
2. Print outs of Tweets made by Ms. Bansuri Swaraj & Ms. Sonali Jaitley

2:08



Tweet



Keh Ke Peheno
@coolfunnytshirt

lowest of the low of politics..

Dharmendra Chhonkar @your... · 17h

Sushma Swaraj ji and Arun Jaitley ji died because of pressure from PM Modi : Stalin's Son Udayanidhi.

Request @ECISVEEP to ban him and take strongest action against this liar.
#BanUdhayNidhi #AntiWomenDMK

@blsanthosh @BansuriSwaraj
@governorswaraj



Tweet your reply



2:14

4G

Sonali Jaitley Bakhshi

4,920 Tweets

Tweets

Tweets & replies

Media

Likes

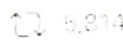


Sonali Jaitley Bakhshi · 15h

.@Dadraystalin ji, I know there is election pressure - but I won't stay silent when you lie & disrespect my father's memory.

Dad @arunjaitley & Shri @narendramodi ji shared a special bond that was beyond politics. I pray you are lucky enough to know such friendship...

@BJP4India



Sonali Jaitley Bakhshi · 1d

Many congratulations to Shri @rajinikanth ji on being honoured with the #DadaSahebPhalke A

Over the years. he has captivated



2:13

4G

Bansuri Swaraj

New Delhi Joined February 2020

32 Following 72.1K Followers



Followed by Bar & Bench, Swapnil V. Tripathi, and Dhananjay Maha...

Tweets Tweets & replies Media Likes

Bansuri Swaraj Retweeted



Bansuri Swaraj @Bansu... · 18h
@udhaystalin ji please do not use my Mother's memory for your poll propaganda! Your statements are false! PM @Narendramodi ji bestowed utmost respect and honour on my Mother. In our darkest hour PM and Party stood by us rock solid! Your statement has hurt us @mkstalin @BJP4India

578 7,931 23.1K



Bansuri Swaraj @Bansu... · 2d
चित्ते प्रसन्ने भुवनं प्रसन्नं चित्ते विषण्णे भुवनं विषण्णम् ।
अतोऽभिलाषो यदि ते सुखे स्यात् चित्तप्रसादे प्रथमं यतस्व ॥

अगर मन खुश है, तो पूरी दुनिया खुश है
मन निराश है, तो सारा संसार दुखी लगता है

