

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 437/6/CG/2011-CC&BE

Dated : 10<sup>th</sup> January, 2012

## NOTICE

Whereas, the Election Commission has announced the General Elections to the Legislative Assemblies of five States, including the State of Uttar Pradesh, vide its Press Note dated 24<sup>th</sup> December, 2011; and

Whereas, the Model Code of Conduct came into force with immediate effect as mentioned in the said Press Note and also intimated to the Union Cabinet Secretary and the State Chief Secretary vide the Commission's letter No. 437/6/1/2011-CC&BE (Vol. III) dated 24<sup>th</sup> December, 2011; and

Whereas, the Commission received on 10<sup>th</sup> January, 2012, a complaint from the BJP (copy enclosed) that the newspapers of 10<sup>th</sup> January, 2012 carried a report that Shri Salman Khurshid, Union Law Minister, has made an announcement at an election rally at Farrukhabad to the effect that the Congress would provide a quota of 9% reservation to the minorities within the existing quota of 27% for OBCs and that he has also indicated that Muslims will be benefited from this move; and

Whereas, it is alleged that the above announcements by the Union Law Minister amounts to serious violation of Model Code of Conduct, as the Uttar Pradesh is having a sizeable population of the minorities, specially Muslims, who are directly targeted by the Congress Party; and

Whereas, the BJP has also mentioned that this direct appeal on religious, caste and communal basis is a direct and blatant violation of the Model Code of Conduct; and

Whereas, it is laid down in the "Model Code of Conduct for the Guidance of Political Parties and Candidates" that

*“Para 1(3): There shall be no appeal to caste or communal feelings for securing votes. ....*

*Para VII: “The Party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign*

*Para VII (vi): From the time elections are announced by the Commission, Ministries and other authorities shall not announce any financial grants in any form or promises thereof....., which may have the effect of influencing the voters in favour of the party in power” ; and*

Whereas, by announcement of such promise is prima facie a serious violation of the above provisions of the Model Code of Conduct;

Now, therefore, the Election Commission hereby gives notice to you, to show cause, as to why action should not be taken against you for the above violation of the Model Code of Conduct. Your written reply, if any, in the matter should be sent to the Commission so as to reach the same in the Commission by 12<sup>th</sup> January, 2012 before 1700 hrs., failing which it would be assumed that you have nothing to say in the matter and action as deemed fit would be initiated against you without any further notice to you.

By order,

**(K. N. BHAR)**  
**SECRETARY**  
**ELECTION COMMISSION OF INDIA**

**Shri Salman Khurshid,**  
**Union Minister of Law,**  
**Government of India,**  
**Shashtri Bhawan, New Delhi.**  
*Resi :- 4, Kushak Road, New Delhi.*