

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/WB-LA/2021

Dated: 15<sup>th</sup> April, 2021.

## ORDER

Whereas, the Commission had issued a Notice No. 437/WB-LA/2021 dated 13<sup>th</sup> April, 2021 to Shri Dilip Ghosh, State President of Bharatiya Janata Party for violation of Model Code of Conduct during ongoing General Election to Legislative Assembly of West Bengal; and

2. Whereas, the Commission has received a reply from Shri Dilip Ghosh to the aforesaid Notice on 14<sup>th</sup> April, 2021; and

3. Whereas, Shri Dilip Ghosh, in the aforesaid reply, has inter-alia submitted the following:-

*a. He is a responsible citizen of this country and have the highest regards for the Hon'ble Election Commission of India. He firmly believes in the conduct of peaceful, free, fair and impartial election without any ill-will, violence or attack on any candidates.*

*b. Election related violence witnessed in West Bengal is distinctive. Such scale of violence is not witnessed in any other State in India during the electoral process. It is owing to this unfortunate reality, that this Hon'ble Commission had deemed it fit to deploy CAPF personnel to ensure voters' security which would allow them to exercise their franchise freely and the electoral process passing off in a peaceful manner bereft of violence.*

*c. An environment of fear and intimidation has been created by the leaders of the All India Trinamool Congress which has jeopardized the conduct of free, fair and peaceful polls. As the State Party President it was his solemn duty to stand by his party karyakartas and encourage the voters to vote without fear. Violence of any kind has to be prevented.*

*d. It was never his intention to make any statement which would be in contravention of the Model Code of Conduct and the Representation of People Act / Indian Penal Code. He has always remained cautious and refrained from making any statement/s which would cause or aggravate differences. It will be the best illustration of the spirit of democracy if we together with all political parties are able to ensure violence free polls in West Bengal. His statement was only directed at the miscreants and anti socials who create disturbances and negatively impact the maintenance of law and order.*

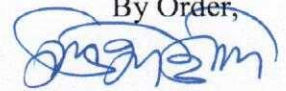
*e. Notwithstanding the above, if at all any of his expression is construed as violation of any provision of MCC, he respectfully submit that he will be careful in future. He regrets his remarks. The Bharatiya Janata Party and himself have firm belief and respect to the democracy and democratic institutions like the Election Commission of India, and would abide by any directive of ECI. "*

4. Whereas, the Commission has carefully considered the reply of Shri Dilip Ghosh and is of the considered view that **he has violated clauses (1) & (4) of Part I of 'General Conduct of Model Code of Conduct for the guidance of political parties and candidates'** and made highly provocative and

**inciteful remarks which could adversely impact law & order thereby adversely affecting the election process.**

5. Now, therefore, the Commission hereby **sternly warns Shri Dilip Ghosh** and advises him to desist from using such statement while making public utterances during the period when Model Code of Conduct is in force **and imposes a ban of 24 hours** from 7 pm on 15<sup>th</sup> April 2021 to 7 pm on 16<sup>th</sup> April 2021 during which he shall not be allowed to campaign.

By Order,



(RAKESH KUMAR)  
SECRETARY

To,

Shri Dilip Ghosh,  
State President of Bharatiya Janata Party,  
West Bengal.