

OFFICE OF THE DISTRICT ELECTION OFFICER, UT, CHANDIGARH
-CUM-RETURNING OFFICER, CHANDIGARH PARLIAMENTARY
CONSTITUENCY

ORDER

No. DEO-RO/UT/2024/ 11017-18

Dated: 17/05/2024

Vide Memo No.R.O./10685 dated 14.05.2024, a Show Cause Notice was served to Sh. Manish Tewari, Candidate, Indian National Congress and Sh. H.S. Lucky, State President, Indian National Congress based on complaints regarding filling up and distribution of guarantee cards by Congress workers in favour of Sh. Manish Tewari & INDI Alliance. Office of District Election Officer UT Chandigarh-cum-Returning Officer, Chandigarh Parliamentary Constituency (PC) took cognizance of field reports obtained from Flying Squads by Assistant Returning Officers wherein it was reported that some of residents have been made to fill forms attached with 'Guarantee Cards' in which details like name, address, phone number etc. of person filling the form have been taken by the party workers belonging to Indian National Congress. As per instructions issued by Election Commission of India vide Memo No.437/6/INST/ECI/FUNCT/MCC/2024 dated 02.05.2024 in this regard, since a prima-facie case of violation of above cited instructions dated 02.05.2024 was made out against the candidate and the political party hence directions were issued to immediately ensure that no such illegal electoral activity is done further on behest of either the Candidate or Political Party in Chandigarh Parliamentary Constituency and it was informed that if any such illegal electoral activity is reported in Chandigarh Parliamentary Constituency in future, then immediate penal action would be initiated against the candidate and office bearers of political party.

Reply dated 15.05.2024 was received in office of District Election Officer UT Chandigarh-cum-Returning Officer, Chandigarh

Parliamentary Constituency on behalf of the Candidate and State
President of Indian National Congress whereby it was mentioned that:-

“As a part of its National effort to ensure that the Guarantees reach the people, the Indian National Congress at an institutional and organization level nationally has issued Guarantee cards to its booth, block, district and state units to disseminate the information about these guarantees, which are made in overall interest of the people of the country. The party has not authorized anyone to get the personal information of the voters like name, address, etc. nor has the party registered any individual as alleged, in view of the instructions of Election Commission of India dated 02.05.2024. The reports allegedly received by the authorities in this regard are incorrect and fake. The Indian National Congress is fully aware of this.

We re-iterate that we have never directed anyone to register individuals for beneficiary oriented scheme by any means including Guarantee Cards, in view of the aforesaid instructions of Election Commission of India.

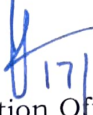
Therefore, the memo/show cause notice issued by the District Election Officer, U.T cum Returning Officer is based on wrong and false information received by the Authorities. The Indian National Congress is strictly adhering the instructions of Election Commission of India dated 02.05.2024 and the provisions of Section 123(1) of Representation of People Act, 1951 and Section 171(B) of IPC and there has been no violation of these provisions at all.”-----

“Hence, the complaints are frivolous, vexatious, malafide and capricious and therefore deserve not to be entertained in any manner.

In view of the actual situation on the ground as explained above, it is requested that the said Show Cause Notice/Memo No. R.O./10685 dated, Chandigarh the 14/05/24 may kindly be withdrawn.”

Considering the reply received from the Candidate and the Political Party whereby it has been assured that none of their party workers have been directed to collect personal information of voters through a form attached with the ‘Guarantee Cards’ in view of instructions dated 02.05.2024 and that these instructions of Election Commission of India are being strictly adhered by Indian National Congress, hence as such conclusive violation of these provisions is not made out against the candidate and the political party. But considering the Election Commission of India’s instructions dated 02.05.2024, the Candidate and Political party are hereby issued the advisory reiterating the Election Commission of India’s instructions regarding complete ban on obtaining details of voters through survey forms attached with the

election manifesto/guarantee card/nyay patras etc. On examination of the reply received from the Candidate and Political Party, the complaint is disposed of.


17/5/24
District Election Officer, UT, Chandigarh
-cum-Returning Officer,
Chandigarh Parliamentary Constituency

Dated: 17.05.2024

To


1. Sh. Manish Tewari,
Indian National Congress,
Congress Bhawan, Sector 35,
U.T, Chandigarh
2. Sh. Harmohinder Singh Lucky,
State President,
Indian National Congress,
Congress Bhawan, Sector 35,
U.T, Chandigarh.

Endst. No. DEO-RO/UT/2024/11019-21

Dated: 17/05/2024

A copy is forwarded to the following for information and necessary action:-

1. Chief Electoral Officer, UT, Chandigarh.
2. Senior Superintendent of Police, UT, Chandigarh.
3. All Assistant Returning Officers, UT, Chandigarh.


17/5/24
District Election Officer, UT, Chandigarh
-cum-Returning Officer,
Chandigarh Parliamentary Constituency