



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली -110 001
ASHOKA ROAD, NEW DELHI - 110 001

No:-437/UP-HP/2019

Dated:- 15th April, 2019.

ORDER

Whereas, the Commission had issued a show cause notice number 437/UP-HP/2019 dated 11th April, 2019 to Sh. Yogi Adityanath, Chief Minister of Uttar Pradesh for violation of certain provisions of Model Code of Conduct and Representation of the People Act, 1951 by making some objectionable statements during a public rally on 09.04.2019 at Meerut in 10-Meerut PC; and

Whereas, the Commission has received a reply to the aforesaid Notice on 13th April, 2019 through the Chief Electoral Officer, Uttar Pradesh; and

Whereas, the Commission has carefully gone through the contents and averments made in the aforesaid letter dated 11th April, 2019, of Sh. Yogi Adityanath, wherein he has *inter-alia* accepted using the reference of “हरा वायरस”; and

Whereas, he has also accepted using the reference to “बजरंग बली”; and

Whereas, the Commission observes that being the Chief Minister of a State Sh. Yogi Adityanath has an added responsibility to not only uphold the basic tenets, including Secularism, of the Constitution of India but also to display the same in his public appearances/meetings/speeches as well.; and

Whereas, the Commission has again seen the video recording of his impugned speech and is convinced that he has made highly provocative speech which has the tone and tenor to aggravate existing differences or create mutual hatred between different religious communities, and thus violative of aforesaid provisions of Model Code of Conduct; and

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“Greater Participation for a Stronger Democracy”

Whereas, the Commission in another matter, *vide* its Order no. 437/उ०प्र०-
लो०स०/2019, dated 05th April, 2019 had advised Sh. Yogi Adityanath to be more
careful in public utterances; and

Whereas, the Commission observes that being a senior leader, Sh. Yogi
Adityanath should have desisted himself in making statements that have the
undertone and propensity to polarize the elections, which is not confined to the
constituency only where the statement is made, but to the other parts as well due to
fast dissemination of information in this digital age; and

Whereas, the Commission, while deliberating this matter on 14.04.2019,
expressed its concern on such public utterances, which contaminate the electoral
process; and

Whereas, the Commission is also of the view that Sh. Yogi Adityanath in his
impugned speech has appealed to secure votes on religious lines that tantamount to
violation of provisions of para 3 and para 4 of part I '**General Conduct**' of "**Model
Code of Conduct, for the guidance of Political Parties and Candidates**" which
specify that:-

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

(4) *All parties and candidates shall avoid scrupulously all activities which are
"corrupt practices" and offences under the election law, such as bribing of voters,
intimidation of voters....'; and that he has disobeyed the Hon'ble Supreme Court's
judgement made in Civil Appeal No 37 of 1992 (Abhiram Singh vs C. D.
Commachen and others), with Civil Appeal No.8339 of 1995;*

Now, therefore, the Commission, without prejudice to any Order/Notice
issued or to be issued in the matter relating to MCC violations to him, hereby,
strongly condemns the impugned statements made by him during election
campaign held at Meerut and **censures** Sh. Yogi Adityanath, Chief Minister of Uttar
Pradesh for the above said misconduct. The Commission, under Article 324 of the
Constitution of India and all other powers enabling in this behalf, bars him from

holding any public meetings, public processions, public rallies, road shows and interviews, public utterances in media (electronic, print, social media) etc. in connection with ongoing elections for 72 hours from 06:00 am on 16th April, 2019 (Tuesday).

By Order,



(ANUJ JAIPURIAR)
PRINCIPAL SECRETARY

To

Sh. Yogi Adityanath ji,
Chief Minister, Govt. of Uttar Pradesh,
Lucknow.