MOST IMMEDIATE
BY FAX/ BY SPECIAL MESSENGER/BY EMAIL

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi 110 001

No. F.No.437/TN-LA/2026/SS-I(MCC Complaint) Dated: 22.04.2026

SHOW CAUSE NOTICE

Whereas, the Election Commission has announced the schedule for holding the General Election to the Legislative Assemblies of 05 States/UTs namely, Assam, West Bengal, Tamil Nadu, Puducherry and Kerala *vide* Press Note No. ECI/PN/029/2026, dated 15.03.2026; and

2. Whereas, the provisions of Model Code of Conduct have come into operation from the date of announcement of the election schedule by the Election Commission in the above-mentioned States/UT, as per para 23 of the said Press Note; and

3. Whereas, the Commission has received complaints dated 21.04.2026 and 22.04.2026 from Shri Kiren Rijiju and other office bearers of Bharatiya Janata Party, wherein it has been alleged that Shri Mallikarjun Kharge, National President, Indian National Congress and leader of opposition, Rajya Sabha has in his address in a conference has referred to the Hon'ble Prime Minister Shri Narendra Modi as a terrorist; and

4. Whereas, a transcript of the abovementioned address by Shri Kharge has been called for from the Chief Electoral Officer, Tamil Nadu; and

5. Whereas, a transcript of the press interaction held by Shri Kharge, at ITC Grand Chola, Chennai, on 21.04.2026 has been received. As per the transcript, the following statement has inter alia been made by Shri Kharge:

".....And one more thing I want to tell, how this AIADMK people who themselves put the photo of Annadurai and the party itself is after Annadurai, how can they join with Modi who is a terrorist and who is he who won't believe in equality..."

6. Whereas, use of intemperate and highly objectionable and dehumanising choice of words by a seasoned politician against a constitutional functionary appears to be not only inconsistent with the standards of public discourse but also undermines the dignity of democratic institutions; and

7. In the complaint received, it has further been alleged that the aforementioned statement of Shri Kharge has violated the provisions of Model Code of Conduct and relevant provisions of BNS, 2023; and

8. Whereas, said statement of Shri Kharge has been widely published in electronic, print as well as on social media which is available on X at the link : https://x.com/i/status/2046533378044989799; and

9. Whereas, Part I. GENERAL CONDUCT of the Model Code of Conduct for the Guidance of Political Parties and Candidates, *inter-alia* provides that –

> *"...(2) 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 of 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;* and

10. Whereas, the Election Commission of India has in exercise of its plenary powers under Article 324 of the Constitution of India issued directions and instructions for regulating the conduct of elections in order to ensure that the provisions of the Model Code of Conduct are adhered to by all stakeholders; and

11. Whereas, the Election Commission of India *vide* its letter No. 437/INST/ECI/FUNCT/MCC/2024, dated 01.03.2024 had issued advisory to political parties *inter-alia* advising Political Parties, their candidates and Star campaigners in particular to remain within the confines of the Model Code of Conduct and the legal framework, observe utmost restraint and decency in election campaign and to raise the level of election campaigning to "issue" based debate, and that any genres of surrogate or indirect violation of MCC and surrogate means leading to plummeting level of election campaign will be dealt with stern action; and

12. Whereas, the Commission is *prima- facie* of the opinion that Shri Mallikarjun Kharge, who is also a Star campaigner of Indian National Congress in the General Election to the Tamil Nadu Legislative Assembly has violated the aforesaid provisions of the MCC and relevant instructions issued by the Commission brought out at para 9 and 11 respectively;

13. Now, therefore, Commission gives you an opportunity to explain your stand in respect of the above within 24 hours from the issuance of this notice.

14. Take notice that in the event of no response from your side within the time limit stipulated, it will be presumed that you have nothing to say in the matter and the Election Commission will take appropriate action or decision in the matter without making any further reference to you.

By order,

(B.Konthoujam)
Director

To,

Shri Mallikarjun Kharge,
National President, Indian National Congress
and Leader of Opposition, Rajya Sabha
9A- Kotla Marg, New Delhi- 110002