

To,
The Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110001,
India.

Thursday, July 20, 2023

Subject: Application for initiating action against the political parties for improper use of the word "INDIA".

Respected Sir,

I hope this letter finds you in good health. As a concerned citizen of India, I write this letter to you with respect to bring to the kind attention of your esteemed institution a matter of utmost concern and urgency regarding the improper use of the word "**INDIA**" further elaborated as Indian National Democratic Inclusive Alliance by some political parties which has come to my knowledge through various verified and reputed Newspapers and Digital media platforms.

As the largest democracy in the world, India as a country holds, free and fair elections as sacrosanct to the democratic ethos enshrined in our Constitution and the Constitution has vested in the Election Commission of India the superintendence, direction, and control of the entire process for the conduct of elections, ensuring its integrity and impartiality.

I firmly believe that preserving the sanctity and integrity of our democratic process is of paramount importance, and any attempt to mislead voters or create false associations must be addressed expeditiously due to the following reasons:

1. The Emblems and Names (Prevention of Improper Use) Act, 1950, is in place precisely to prevent the misuse of names, emblems, and seals that may imply or suggest an association with the Government of India or any State. Section 2 (c) of the Act explicitly defines "name" to include any

abbreviation of a name, leaving no room for ambiguity. Furthermore, when read in conjunction with Schedule 1, Clause 4, it becomes evident that the name, emblem, or official seal of the Government of India or any State, along with any other insignia or coat-of-arms used by such Governments or Departments, are protected against improper use.

2. Schedule 1, Clause 7, clearly states that no name should suggest or be calculated to suggest the patronage of the Government of India or a State or any connection with local authorities, corporations, or bodies constituted by the Government under existing laws.
3. It is also essential to highlight that a political party, as per the Representation of the People Act, 1951, is considered an association or body of persons. This classification is particularly crucial when reading Section 4 (1) (a) of the Emblems and Names (Prevention of Improper Use) Act, 1950, which prohibits any association or body of persons from using certain emblems and names.
4. It is abundantly clear that the use of the name "INDIA" by political parties for the purpose of participating in the elections is highly questionable and potentially unlawful and such an act may mislead voters, suggesting an affiliation or endorsement from the Government of India, which could significantly influence electoral outcomes and undermine the democratic principles we hold supreme as per the law and practice.

Therefore, I humbly and urgently request the Election Commission of India to take immediate cognizance of this issue in the national interest and thoroughly investigate the matter. Further, appropriate and stringent actions should be taken against such parties as per the law of the land.

True democracy can function only when the elections are free and fair and not rigged and manipulated and I have unwavering faith in the Election Commission's commitment to upholding the democratic values of our nation. Addressing this issue with promptness and decisiveness is crucial to maintain

citizens' trust in the electoral process and ensuring fair, transparent, and unprejudiced elections.

Thank you for your attention to this pressing matter. I earnestly anticipate your response and the necessary actions taken by the Election Commission of India to safeguard our democratic ideals and values envisaged by our constitution.

Yours faithfully,

A handwritten signature in blue ink that reads "Saket Sourav". The signature is written in a cursive, slightly slanted style.

Saket Sourav

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