



28th January 2025

To,

The Chief Election Commissioner and Commissioners,
Nirvachan Sadan,
Ashoka Road,
New Delhi-110001.

SUBJECT: FALSE, MALAFIDE & MISCHIEVIOUS ALLEGATIONS – AAM ADMI PARTY

Dear Sir,

Shri Arvind Kejriwal has made grossly misleading, mischievous, false and unsubstantiated allegations against the people of Haryana and their elected government, claiming that they have deliberately poisoned the Yamuna river and same was detected and stopped by the engineers of Delhi Jal Board. This allegation is not only baseless but also dangerous to public order and harmony. His statement can be accessed at;

<https://www.facebook.com/share/v/15veDEbEuR/>

Transcript of the relevant portions of the interview

"..... हरियाणा में यमुना के रास्ते पीने का पानी आता है भारतीय जनता पार्टी की हरियाणा की सरकार ने दिल्ली में यमुना से आने वाले पानी में जहर मिलाकर भेज दिया है. ये तो हमारे भला और हमारे दिल्ली जल बोर्ड के इंजीनियर्स का की उन्होंने पकड़ लिया उन्होंने दिल्ली के बॉर्डर पर ही वह पानी रोक दिया और उस पानी को दिल्ली के अंदर नहीं आने दिया अगर वो पानी दिल्ली के अंदर आ जाता और पीने के पानी में मिल जाता दिल्ली के अंदर ना जाने कितने लोगों की मौत हो जाती है एक मास जेनोसाइड हो जाता. दिल्ली के अंदर अगर ये पानी जो भारतीय जनता पार्टी की हरियाणा सरकार ने दिल्ली में भेजा है इसके अंदर उन्होंने ऐसा जहर मिलाकर भेजा है जिसका दिल्ली में जो वाटर ट्रीटमेंट प्लांट है उसमें भी उसकी सफाई नहीं हो सकती और इसकी वजह से लगभग एक तिहाई दिल्ली के अंदर पीने के पानी की कमी हो गई है

ऐसे तो कोई दो दुश्मन देश होते हैं उनके देखा गया था कि अमेरिका ने जापान के अंदर नागासाकी और हिरोशिमा में नुक्लेअर बम फेंक दिया था कहीं दो देशों के युद्ध में वायोलॉजिकल वेपन्स फेंक दिए जाते हैं. दो देशों के युद्ध के अंदर पानी में जहर मिलाकर वहाँ पे जाने वाली नदी में फेंक डाल दिया जाता है इस तरह से



तो दो देशों के युद्ध के अंदर हम लोगों ने इस तरह के काम देखे थे लेकिन आज जीस तरह से भारतीय जनता पार्टी ने दिल्ली में आने वाले पानी में जहर मिलाकर भेज दिया है दिल्ली ताकि दिल्ली के अंदर अफरा तफरी मच जाए दिल्ली के लोग मर जाएं.....”

Shri Kejriwal has not produced any evidence or basis of the allegations of such poisoning. His claim that the Delhi Jal Board Engineers discovered attempted poisoning of the Yamuna water at the border area and further alleging that had this poisoned waters reached Delhi's water supply, it would have **resulted in mass genocide**. Such inflammatory statements, made without any evidence whatsoever, constitute a severe breach of several electoral and other statutes in addition to electoral ethics. These allegations are particularly concerning as they involve matters of public health and safety, potentially causing unnecessary panic among millions of Delhi residents.

On the contrary, Times of India reported a letter written by CEO of Delhi Jal Board to Chief Secretary of Delhi calling the bluff of Shri Arvind Kejriwal and sought to bring the matter to the notice of Lieutenant Governor of Delhi for appropriate action. Excerpts of the letter;

“These statements are factually incorrect, without any basis and misleading. The fact of the matter is that DJB regularly monitors incoming water quality and regulates supply depending on the various parameters’. The Press statement is annexed herewith as EVIDENCE-2

The Tweets ny Jal Board official handle are at the links below;

<https://x.com/DelhiJalBoard/status/1883916664653357513>

The statement of former Chief Minister and present Chief Minister that the Haryana government has released “poison in the water” is false, misleading, and factually incorrect. Such alarmist statements amount to fear mongering. Water in river Yamuna is of the same quality

<https://x.com/DelhiJalBoard/status/1883916620386713871>

as it's in annual winter season & people of Delhi are assured that there is no cause of concern for drinking water quality in the city. CEO DJB, in a detailed report, has apprised the Chief Secretary with a request to bring this to the attention of the Hon'ble Lieutenant Governor



Link of TOI report 28th January 2025 - https://epaper.indiatimes.com/article-share?article=28_01_2025_004_006_cap_TOI&utm_medium=referral&utm_campaign=IOSapp

The CEO of Delhi Jal Board has also shared pollution levels of Yamuna River (Wazirabad Pond) at WTP to explain ammoniacal-N (mg/L) from 01.12.2024 to 27.01.2025. This clearly proves that Shri Arvind Kejriwal is trying to manipulate facts and misleading the public with an intent to cause chaos and enmity between the regions of Delhi and Haryana. *The Pollution Report is annexed herewith as EVIDENCE-3*

The mischievous, malafide and conspiratorial accusations made by Mr. Arvind Kejriwal violate multiple sections of the **Bharatiya Nyaya Sanhita, 2023**, including Section 196, 197 (Promoting enmity between different groups), Section 353 (Statements conducing to public mischief), and Section 356 (Defamation). By making such serious allegations against a democratically elected government without any substantiating evidence, Mr. Arvind Kejriwal has not only violated criminal law but has also attempted to create discord between the residents of Delhi and Haryana, potentially leading to social unrest and regional tensions.

Section 196 & 197 in Bharatiya Nyaya Sanhita, 2023

Section- 196 Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.—

- a) *Whoever, by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racials, language or regional groups or castes or communities; or*
- b) *commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity; or shall be punished with imprisonment which may extend to three years, or with fine, or with both*

Section- 197 Imputations, assertions prejudicial to national integration—

1. *Whoever, by words either spoken or written or by signs or by visible representations or through electronic communication or otherwise,*



- (a) makes or publishes any imputation that any class of persons cannot, by reason of their being members of any religious, racial, language or regional group or caste or community, bear true faith and allegiance to the Constitution of India as by law established or uphold the sovereignty and integrity of India; or
- (b) asserts, counsels, advises, propagates or publishes that any class of persons shall, by reason of their being members of any religious, racial, language or regional group or caste or community, be denied, or deprived of their rights as citizens of India; or
- (c) makes or publishes any assertion, counsel, plea or appeal concerning the obligation of any class of persons, by reason of their being members of any religious, racial, language or regional group or caste or community, and such assertion, counsel, plea or appeal causes or is likely to cause disharmony or feelings of enmity or hatred or ill-will between such members and other persons; or
- (d) makes or publishes false or misleading information jeopardising the sovereignty unity and integrity or security of India, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

Section 353 in Bharatiya Nyaya Sanhita, 2023

Statements conducing to public mischief

1. *Whoever makes, publishes or circulates any statement, false information, rumour, or report, including through electronic means—*
 - (b) *with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity; or*
 - (c) *with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community,*

shall be punished with imprisonment which may extend to three years, or with fine, or with both
2. *Whoever makes, publishes or circulates any statement or report containing false information, rumour or alarming news, including through electronic means, with intent to create or promote, or which is likely to create or promote, on grounds of*



religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

Section 356. of Bharatiya Nyaya Sanhita 2023

(1) Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes in any manner, any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter excepted, to defame that person.

Section 54 of Disaster Management Act 2005 - Punishment for false warning -

Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

Apart from the above criminal offences, the statements made by Arvind Kejriwal also violates the Model Code of Conduct, *Paragraph 1(1) of the Model Code of Conduct*

“..... explicitly prohibits any activity or statement that may aggravate existing differences or create mutual hatred between different states, regions, or communities....”

Furthermore, his allegations violate *Paragraph 4 of the Model Code of Conduct,*

“... which mandates that criticism of other political parties shall be confined to their policies, programs, past record, and work, rather than baseless accusations that can create public fear and panic....”

These preposterous statements are factually unsubstantiated, mischievous, inflammatory, and clearly intended to create unrest amongst two states of the Indian Union, while it is intended to. It is especially troubling that such claims are being made by an individual who has been a Chief Minister, and Ms. Atishi, the current Chief Minister. Their positions require them to act responsibly, and they are undoubtedly aware of the institutional frameworks that govern all inter-state matters. Their conduct demonstrates a deliberate attempt to mislead the voters of Delhi during the ongoing assembly elections, creating unwarranted alarm and influencing electoral outcomes through misinformation.



The timing and nature of these allegations suggest a deliberate attempt to influence voter behaviour through fear-mongering and false propaganda. Such tactics not only undermine the democratic process but also pose a serious threat to public order and interstate relations. The allegation of attempted mass genocide through water contamination is particularly serious as it can create lasting mistrust between neighbouring states and their populations.

This is not merely a case of political rhetoric gone too far; it represents a calculated attempt to manipulate public sentiment through false allegations about a basic necessity like water. The potential consequences of such statements are far-reaching, potentially affecting:

1. Public health and safety protocols
2. Interstate relations between Delhi and Haryana especially enticing regional differences thus disrupting public harmony
3. The functioning of public utilities like the Delhi Jal Board
4. Public trust in government institutions
5. The peaceful conduct of upcoming elections

In light of these serious violations, We request the Election Commission to take the following immediate actions:

1. Utilize the Election Commission's 'Myth vs Reality Register' to publicly refute their statements and present accurate information to the electorate.
2. Direct Mr. Kejriwal to issue a public retraction of his false statements and apologize for creating unnecessary public panic.
3. Direct the Media Certification and Monitoring Committees (MCMC) to identify and remove all instances of these false claims being circulated.
4. Initiate & Pursue appropriate legal action and lodge FIR under the relevant provisions of the Bhartiya Nyaya Sanhita and the Disaster Management Act.
5. **Issue an immediate ban on Mr. Arvind Kejriwal's participation in election campaigning until the completion of the electoral process, as his continued participation may lead to further violations and potential public unrest.**
6. Take appropriate measures to prevent the spread of such false information through media channels and social media platforms.



भारतीय जनता पार्टी
Bharatiya Janata Party

The severity of these violations demands immediate and strict action to preserve the integrity of the electoral process and maintain public order. Mr. Kejriwal's statements not only violate electoral laws but also threaten the peaceful conduct of elections by creating unnecessary fear and panic among the public.

Given the serious nature of this violation and its potential impact on public order and the electoral process, We request your immediate intervention in this matter.

Best Regards,

Nirmala Sitharaman

Bhupender Yadav

Nayab Singh Saini

Virendra Sachdeva

Sanket Gupta

Sanyay Mayukh