

By e-mail

भारत निर्वाचन आयोग सचिवालय
SECRETARIAT OF THE ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

NirvachanSadan, Ashoka Road, New Delhi-110001

No.56/01/Dispute/PPS-II/2022/

Dated: 11th October, 2022

To

Sh. Eknathrao Sambhaji Shinde,
Chief Minister,
Government of Maharashtra,
Subh-Deep Bungalow,
Landmark Society, Thane
Maharashtra

Sub: - Dispute in Shivsena- Commission's Interim Order dated 08.10.2022.

Sir,

I am directed to refer to your letter dated 11.10.2022, received in the Commission on 11.10.2022, giving choice of fresh symbols for your group.

2 Having considered your request, the Commission has already allotted the name '**Balasahebanchi ShivSena**' for your group.

3. In regard to the symbol of the group, it is to mention here that the symbols furnished by your group **are not from the list of free symbols** as notified in the Commission's Notification dated 23.09.2021 and **advised by the Commission's Interim Order dated 08.10.2022; and are considered for allotment** as explained below:

i. **Sun/Surya/Sooraj** – cannot be allotted for the following reasons-

- a) The Name of the symbol resembles with already reserved symbols 'Sun (without rays)' and 'Rising Sun' of recognized Political Parties namely 'Zoram Nationalist Party' (recognized party in the state of Mizoram) and 'Dravida Munnetra Kazhagam' (recognized party in the state of Tamil Nadu and Union Territory of Puducherry) respectively;
- b) The symbol also seems to resemble with reserved symbol 'sun (without rays)' (Zoram Nationalist Party) and free symbols 'Apple', 'Cauliflower' and 'Foot ball'; and Para 9 of the Symbols Order states that – "*Restriction on the allotment of Symbols reserved for State Parties in States where such parties are not recognized.*"
- c) The symbol is not in the list of free symbols.

ii. **Dhal Talwar** – The symbol is not in the list of free symbols. It resembles an erstwhile reserved symbol 'Do Talwarein aur Ek Dhal (Two Swords & Shield)' of 'People's Democratic Movement' which was derecognized as a state party in 2004 and further delisted on 26.12.2016. On receipt of your request dated 11.10.2022, the Commission has

decided to declare 'Do Talwarein aur Ek Dhal (Two Swords & Shield)' (copy of the approved design as available with the Commission is enclosed) to be a free symbol and allots it as the symbol to be allotted to the candidate set up, if any, by your group in the current bye-elections and till the final order is passed in the Dispute case number 1 of 2022.

Yours faithfully,

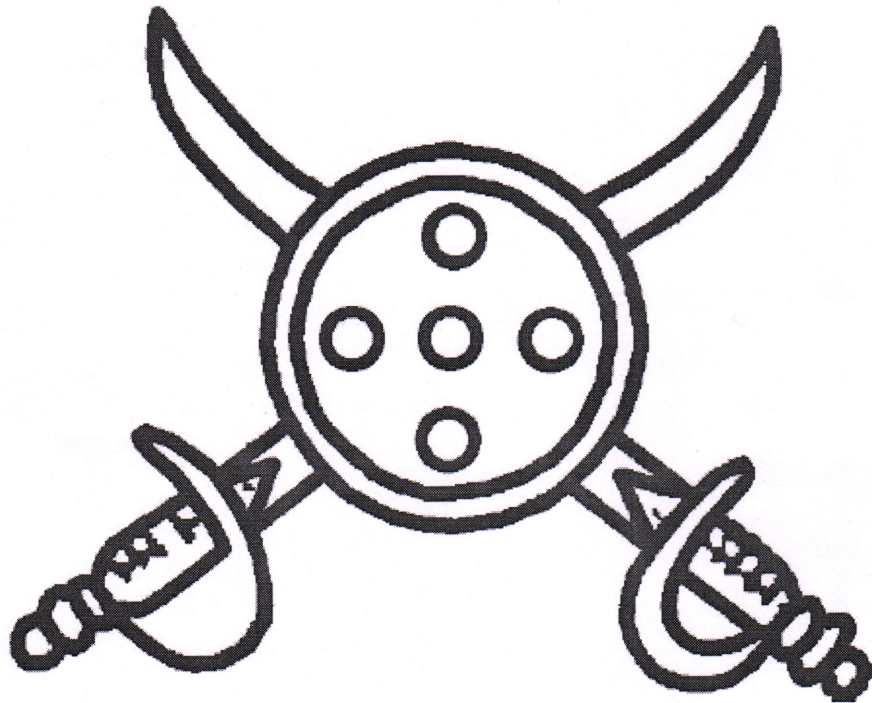

(Manish Kumar)

Under Secretary
E-mail: mnayak86@eci.gov.in
Extn no – 487, Ph.no – 23052008

Copy to: The Chief Electoral Officers, Maharashtra, Bihar, Haryana, Telangana, Uttar Pradesh, Odisha, with a request that the above decision may be communicated immediately to the Returning Officer **of all concerned Assembly Constituencies** in the said state. It is also clarified that the said communication is for the purpose of allotment of symbol for the ongoing Bye-Elections. '**Balasahebanchi ShivSena**' may be treated as a **State Recognized Party** in the state of **Maharashtra only**.

2. Sh. Vivek Singh, Advocate, D-246, Third Floor, Defence Colony, New Delhi-110024
3. West Section-II;
4. North Section-II;
5. North Section-III;
6. South Section-III;
7. East Section-I;
8. East Section-II; and
9. Guard File.

IMAGE/DESIGN OF THE SYMBOL



TWO SWORDS &
SHIELD