

**Service Rules and Regulations of Election Commission of
Bhutan 2015
(ECB-SRR 2015)**

ELECTION COMMISSION OF BHUTAN

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CHAPTER 1

PRELIMINARY

In accordance to Article 24 of the Constitution of the Kingdom of Bhutan and Section 41 of the Election Act of the Kingdom of Bhutan, 2008, to maintain an independent, professional and strong election management body capable of conducting free and fair elections and National Referendums in the Kingdom of Bhutan, the Election Commission of Bhutan (ECB) hereby adopts the *Service Rules and Regulations of the Election Commission of Bhutan 2015*.

1. Short Title, Extent, Application and Commencement

- 1.1 These Rules shall be known as the Election Commission of Bhutan Service Rules and Regulations 2015 (ECB-SRR 2015).
- 1.2 These Rules shall extend to all employees, including regular, secondment, contract, general service personnel (GSP) and elementary service personnel (ESP) of the Commission.
- 1.3 These Rules shall not extend to the Chief Election Commissioner and the two Election Commissioners of Bhutan unless stated otherwise.

2. Rules of Construction

- 2.1 In these Rules, unless the context indicates otherwise, the singular shall include the plural.

3. Supplementary Order

- 3.1 The Election Commission of Bhutan shall issue Executive Orders consistent with these Rules as may be necessary to reinforce these Rules from time to time.

CHAPTER 2

DEFINITION

1. **Academic:** means full-time study in a school, college or university.
2. **Ad hoc Offer:** means any bilateral or multilateral training offer, either partially or fully funded by the donors.
3. **Administrative Offence:** means any administrative actions resulting from the breach of the *ECB-SRR 2015*.
4. **Apolitical:** means not involved in politics, activities of a political party and remaining non-partisan.
5. **Appraisal Cycle:** is the time frame of one year during which an employee's performance is either directly observed or verified for the purpose of providing a formal appraisal rating.
6. **Approved Route:** means the most direct and economic route.
7. **Basic Pay:** means the remuneration fixed on a time scale.
8. **Broad Banded Position:** means a position that is linked to one or higher or lower Position Levels in the same occupational group that require the same minimum qualifications and are very similar in purpose, roles and responsibilities.
9. **Commission:** means the Election Commission of Bhutan.
10. **Competent authority:** for attestation of specified required documents may include the Royal University of Bhutan, Bhutan Board of Examinations, Public Notary etc.
11. **Competitive Selection Process:** means that anyone is free to apply and

compete for a vacant position as long as he/she fulfills the eligibility criteria, which shall be advertised to ensure a fair and transparent process.

12. **Compulsory Retirement:** means the retirement from service of the Commission with post service benefits.
13. **Conflict of Interest:** means a real or seeming incompatibility between one's private interests and one's public or fiduciary duties.
14. **Constitution:** means the Constitution of the Kingdom of Bhutan.
15. **Conviction:** means when an employee of the Commission is found guilty of a criminal offence.
16. **Core Competence:** means the essential abilities that are required to perform the duties of a particular position to a satisfactory performance level which may be expressed through skills, knowledge, attitude and aptitude.
17. **Criminal Offence:** means an offence in violation of laws of the Kingdom.
18. **Cross Sector:** means occupations when the positions are more generic and exist in more than a sector such as lawyers, engineers, accounts personnel, HR /IT professionals.
19. **Daily Allowance (DA):** means the allowance payable per day to an employee of the Commission during in-country official tour.
20. **Daily Subsistence Allowance (DSA):** means the allowance per day payable to an employee of the Commission during ex-country official tour/travel as per the rates admissible to members of a government delegation of equal rank or status in a delegation.
21. **Dependent:** means the spouse, child or parents of an employee of the Commission as per the entries in the service record maintained by the

Commission.

22. **Duties and Responsibilities:** mean a large segment of a work performed in a position and may include any number of tasks such as outlines key areas of accountability as well as the expected outputs of the position.
23. **Elementary Service Personnel (ESP):** means an employee of the Commission with consolidated salary including the posts of Dry Sweeper, Security Guard (normal), Care Taker and Gardener or as may be revised from time to time.
24. **Embezzlement:** means fraudulently taking Government property/fund for personal gain.
25. **Employee:** means an employee of the Election Commission of Bhutan.
26. **Enforced Halt:** means a halt, which an employee of the Commission or his/her family, in the course of a journey, is obliged to make at an intermediate station for a reason beyond his/her control.
27. **Equal Pay for Work of Equal Value:** means that employees with the required qualifications and experience and performing comparable jobs as determined through the job evaluation process, should be compensated similarly; that is, within the same salary range.
28. **Executive:** means the Secretary, the Head of the Election Commission's Secretariat, for the purpose of the Performance Appraisal System.
29. **Family:** means spouse, children and parents of an employee of the Commission.
30. **Felony:** means a crime if it is so designated in the Penal Code or other laws and provides for a minimum term of three years for the convicted person.
31. **Force Majeure:** means an event or effect that can be neither anticipated nor

controlled.

- 32. **Formal University Degree:** means a degree not lower than a Bachelor's Degree conferred on a person after having pursued a formal course of study at a university or an institution of higher learning recognized by the Royal Government of Bhutan and attested by a competent authority in the Kingdom.
- 33. **Gambling:** means if an employee stakes or wagers something of value upon the outcome of a contest of chance or a future contingent event not under the defendant's control or influence upon an agreement or understanding that the defendant will receive something of value in the event of a certain outcome.
- 34. **General Service Personnel (GSP):** means an employee considered outside the regular service of the Commission, and includes the posts of Messenger and Wet Sweeper or as may be revised from time to time.
- 35. **Government:** means the Government of the Kingdom of Bhutan.
- 36. **Secretary:** means the Secretary of the Commission.
- 37. **Immediate Family Members:** means the spouse, children and parents of an employee of the Commission for the purpose of bereavement leave.
- 38. **Indirect Evidence:** means the evidence that is based on inference and not personal knowledge of observation.
- 39. **Job Description:** means the official description of the position including such information as its title, Position Level, location, purpose, duties and responsibilities, minimum qualifications and experience and various other factors describing the position fully.
- 40. **Leave Travel Passage:** means the provision of travel fares to a member and the family including domestic help for visiting homes in Bhutan or any other

country/place.

41. **Long Term Training:** means the training or studies with duration of more than six (6) months.
42. **Major Occupational Group:** means a major division of the Occupational Structure which embraces a group of associated occupations such as the Audit & Finance Group, the Architecture and Engineering Group, etc.
43. **Major Penalty:** means the withholding of annual increments, reduction of salary, withholding of promotion/demotion, compulsory retirement or termination from the service.
44. **Malafide Intention:** means having a bad or wrong intention.
45. **Malfeasance:** means a wrongful or unlawful act.
46. **Malversation:** means official corruption.
47. **Manager/Supervisor:** means an employee of the Commission who is above the employee in the chain of command in the organization from whom the employee receives the majority of instructions regarding his/her work and to whom the employee directly reports. The manager/supervisor is responsible for conducting formal appraisals and general performance management of the employee.
48. **Minimum Experience Requirement:** means the specific number of years of experience required in one's current position before becoming eligible to apply for notified vacancies or movement through broad-banded positions.
49. **Minimum Qualifications Requirement:** means the specific minimum level of qualification and training required to function effectively within a position.
50. **Minor Penalty:** includes reprimand, fine of an amount not exceeding one

month's salary or withholding of trainings/studies.

51. **Misappropriation:** means the use of public/or another's property or money dishonestly to one's own benefit.
52. **Misdemeanour:** means a crime if it is so designated in the Penal Code or other laws and provides for a maximum term of imprisonment of less than three years and a minimum term of one year for the convicted defendant.
53. **Non-partisan:** means non-involvement in partisan activities of any political parties.
54. **Oath of Allegiance and Secrecy:** means the execution of a pledge of service and adherence to the Code of Conduct & Ethics as provided in the Rules.
55. **Orientation Programme:** means the familiarization of an employee of the Commission in terms of the organization policies, values, mandates, work culture, plans, programmes, positions, duties & responsibilities, job descriptions, *ECB-SRR 2015*, Financial Rules and other expectations of organization.
56. **Performance Appraisal:** means the process of documenting performance accomplishments, determining whether and how well performance outputs were accomplished, and assigning appropriate ratings based upon the assessment.
57. **Position Description:** means the official description of the position including such information as its title, Position Level, location, purpose, duties and responsibilities, minimum qualifications and experience; and various other factors describing the position fully.
58. **Position Levels:** means positions placed in specific Position Levels based on the approved job evaluation of each position and each Position Level will have a corresponding salary range.

59. **Position:** means a specific role executed by an employee on behalf of an organization and each position has a generic and specific job description and associated Position Level.
60. **Professional:** means personnel in jobs that are scientific and technical in nature or legal field.
61. **Resident Rate:** means the stipend rate for the subsequent months of the scholarship spent in one location, given to an employee undergoing long-term training.
62. **Rules:** means the Election Commission of Bhutan Service Rules and Regulations 2015.
63. **Secretariat:** means the Secretariat of the Election Commission of Bhutan.
64. **Short Term Training:** means the training/study with a duration of six (6) months or shorter.
65. **Skill:** refers to an employee's ability to carry out the tasks, duties and responsibilities of a given position.
66. **Staffing Pattern/Strength:** means the posts for the Election Commission of Bhutan including relations, responsibilities and accountabilities.
67. **Study Tours:** includes monitoring and institutional visits.
68. **Subpoena Duces Tecum:** means a subpoena ordering the witness to appear and to bring specified documents, records or things.
69. **Subpoena:** means a written order commanding a person to appear before a court or other tribunal, subject to a penalty for failing to comply.
70. **Termination:** means separation from service of the Commission without any

post-service benefits but with entitlement of his/her own personal contribution such as Provident Fund (PF) & Group Insurance Scheme (GIS) with interest and cost of travel home.

71. ***Thrimthue***: means the financial penalty/fine in lieu of imprisonment, if the offence is not a felony and the defendant is not a recidivist and accustomed or habitual offender.
72. **Transfer**: means a lateral movement of an employee either within the Election Commission of Bhutan to fill an existing vacancy of the same or different position title.
73. **Transit Halt**: means a halt in a place/airport for less than 8 hours while on official tour/training ex-country.
74. **Travel Rate**: means the stipend rate for the first month of the scholarship spent in one location by an employee undergoing long-term training.
75. **Traveling Allowance**: means the allowance payable to an employee of the Commission to compensate for the cost of traveling during an in-country official tour.
76. ***Tsawa-Sum***: means the King, the Country and the People.
77. **Voluntary Resignation**: means the resignation as per one's own free will and as per these Rules.

CHAPTER 3

CODE OF CONDUCT AND ETHICS

1. An employee of the Commission shall :
 - 1.1 Strive to maintain the highest standards of integrity, honesty, fortitude, selflessness, loyalty, right attitude, right aptitude, patriotism and endeavour to maintain professional excellence in the service of the *Tsawa-Sum*;
 - 1.2 Not misuse his/her official position and authority;
 - 1.3 Maintain the confidentiality of official information and decisions;
 - 1.4 Render services with due respect, courtesy and sincerity;
 - 1.5 Conduct duties without fear or favor, prejudice or ill-will, avoiding all forms of discrimination;
 - 1.6 Ensure transparency, efficiency, effectiveness, professionalism, meritocracy and accountability;
 - 1.7 Ensure cooperation within the Commission and promote the judicious use of resources;
 - 1.8 Avoid all forms of discrimination and favor in discharging official responsibilities;
 - 1.9 Not accept, for himself/herself or family members, favors, gifts, benefits or donations which can be construed as affecting the decisions and performance of his/her duties;
 - 1.10 Be apolitical, non-partisan and not engage in proselytization;

- 1.11 Refrain from unauthorized communication of information, which shall be detrimental to the smooth and efficient functioning of the Commission and the prestige, territorial integrity, national security and stability of the Kingdom as a sovereign and independent nation;
- 1.12 Refrain from making any statement of fact or opinion in any medium or in any document which may have adverse effects against policies or actions of the Commission;
- 1.13 Abstain from indulging in any activity or association that adversely affects an institution, national sovereignty and integrity of the country;
- 1.14 Not provide any wrong information to the Commission;
- 1.15 Not coerce, attempt to coerce, order or advise an individual to pay, lend or contribute anything of value to a party, association, non-governmental organization (NGO), Agency or person whose activities are prejudicial to the *Tsawa-Sum*;
- 1.16 Not undertake any activity, private trade/commercial activity or additional employment that could lead to an actual or perceived conflict of interest with his/her official duties and responsibilities;
- 1.17 Disclose any relationship that could lead to a conflict of interest with his/her duties as an Election Officer;
- 1.18 Refrain from imbibing intoxicating spirits within the duty premises and refrain from consuming alcoholic drinks that may affect his/her normal behavior or endanger the safety of other people. Further, an employee shall totally abstain from use of psychotropic or habit-forming drugs, unless prescribed by a competent medical officer;
- 1.19 Maintain *Driglam Namzhag*, official decorum and refrain from indulging

in gambling or other habits and behavior that affects one's performance of official duties and/or tarnishes the image of the Commission;

- 1.20 Adhere to the prescribed working hours in the office;
- 1.21 Be conversant with all the provisions of *ECB-SRR 2015*;
- 1.22 Cherish, subscribe and promote the values of *Tha Damtsi* and *Lay Judrey*;
- 1.23 Uphold the Constitution and abide by the laws and Rules of the Kingdom;
- 1.24 Ensure that the provisions prescribed in the Electoral Acts or any Rules or Orders made thereunder are fully implemented in an impartial and equitable manner; and
- 1.25 Ensure that every party, candidate, voter and other participants in the election process are treated in a neutral and unbiased manner.

CHAPTER 4

RECRUITMENT, SELECTION AND APPOINTMENT

- 1.** The policy objectives of recruitment, selection and appointment of employees are to:
 - 1.1 Maintain a highly motivated, qualified and competent group of employees;
 - 1.2 Promote and sustain professionalism; and
 - 1.3 Facilitate recruitment and retention of qualified person with right attitude for the right job.
- 2.** The strategy adopted to achieve the objectives shall be through the creation of:
 - 2.1 Conducive work environment and professional opportunities;
 - 2.2 Equal opportunity to eligible candidates and appointment of the right person for the right job through a fair open and competitive selection process based on merit;
 - 2.3 Appropriate orientation of the selected candidate into the service of the Commission; and
 - 2.4 Clear and progressive personal and career development avenues.
- 3.** The recruitment planning process shall be as follows:
 - 3.1 The Commission shall determine the staffing pattern and strength required.
 - 3.2 The Secretariat shall identify recruitment needs against the vacant positions as per the approved staffing pattern and strength and initiate the

process for human resource recruitment as specified in these Rules.

3.3 The recruitment against a vacant position shall be made either by direct recruitment of a new employee or in-service recruitment through promotion and/or transfer of an employee of the Commission.

3.4 Direct recruitment can be selection from the open pool in the market.

3.5 The appointments shall be made either on regular or contract basis.

4. Authority for Recruitment, Selection and Appointment of employees

4.1 The Commission shall recruit, select and appoint its own personnel in accordance to Section 41 of the Election Act of the Kingdom of Bhutan, 2008.

4.2 The Commission shall be the final authority for recruitment and appointment of personnel against all positions.

4.3 The authority shall be vested and exercised as per the authority designated as follows:

Sl. No.	Position	Authority
1.	Secretary, Heads of Departments or Divisions	Election Commission
2.	Professional, Managerial & Supervisory staff (P5 to P2)	Commission on the recommendation of the ECB HR Committee
3.	Support, GSP & ESP staff	Secretary on the recommendation of the ECB HR Committee

5. Eligibility

5.1 A candidate for employment in the Commission shall:

- 5.1.1 Be a Bhutanese citizen;
- 5.1.2 Meet all qualification requirements specified for the particular position; and
- 5.1.3 Have attained at least 18 years of age but not more than 40 years on the date of recruitment, based on the birth certificate, unless specified otherwise in these Rules.

6. Disqualification

- 6.1 A candidate shall not be eligible for employment in the Service of the Commission, if he/she has:
 - 6.1.1 Been convicted of a criminal offence and sentenced to imprisonment;
 - 6.1.2 Been terminated or compulsorily retired;
 - 6.1.3 Been adjudged by a competent medical authority as mentally unsound and unable to discharge his/her duties;
 - 6.1.4 Intentionally provided false information in the application for employment or used fraudulent practices in the recruitment examination;
 - 6.1.5 Furnished fake/forged testimonials/documents;
 - 6.1.6 Registered as a member of a political party or has been found to be a supporter of a political party;
 - 6.1.7 Failed to furnish testimonials as required under the *ECB-SRR 2015*; and
 - 6.1.8 Been otherwise disqualified for appointment in the service of

the Government.

7. Guidelines for Recruitment, Selection and Appointment

Recruitment Procedure

- 7.1 The Commission shall advertise vacant positions through the media allowing at least two weeks' time for registration of applications.
- 7.2 The vacancy announcement shall clearly define the eligibility criteria, including invariably:
 - 7.2.1 Profile of the position;
 - 7.2.2 Qualification requirement;
 - 7.2.3 Document requirement;
 - 7.2.4 Registration process, schedule and venue;
 - 7.2.5 Selection process, date and venue;
 - 7.2.6 Date and venue for declaration of short listed applicants for the selection;
 - 7.2.7 Date and venue for declaration of the selection result; and
 - 7.2.8 Contact number and address.
- 7.3 An *Election Commission of Bhutan Employment Application Form* duly filled in by a candidate applying for a vacant position in the service of the Commission must be accompanied with the following documents attested by a competent authority:

- 7.3.1 Resume;
 - 7.3.2 Attested copies of academic transcripts;
 - 7.3.3 Attested copies of relevant training transcripts, if required;
 - 7.3.4 Copy of the Bhutanese citizenship identity card upon production of the original;
 - 7.3.5 Security Clearance Certificate; and
 - 7.3.6 Original medical fitness certificate issued by the RGoB physician.
- 7.4 The Secretariat shall register the application upon verification of all testimonials and academic transcripts using a checklist in respect of every applicant to record the verification and certification:
- 7.4.1 Shortlist the applicants against the eligibility criteria for the position; and
 - 7.4.2 Notify short-listed candidates on the status of applications.

Selection Procedure

- 7.5 The competitive selection process for short listed candidates shall include any one or a combination of the following methods:
- 7.5.1 Panel interview which shall be mandatory; and
 - 7.5.2 Academic/relevant training; and/or
 - 7.5.3 Written/Practical examination.
- 7.6 If the selection process involves only two methods, weightage shall be assigned as follows:

- 7.6.1 Interview – 50%
- 7.6.2 Academic/relevant training OR Written/Practical examination
50%
- 7.7 If the selection process involves all the three methods, weightage shall be assigned as follows:
 - 7.7.1 Interview – 50%
 - 7.7.2 Academic/relevant training – 25%
 - 7.7.3 Written/Practical examination – 25%
- 7.8 The HR Committee comprising at least five relevant members shall constitute the Interview Committee and conduct the interview in bi-lingual, Dzongkha and English (Annexure: 4/2 Sample Form). The Committee members shall be properly briefed on the eligibility criteria for the position and the applicant's resume details prior to the interview. Code of Conduct and Ethics as enshrined in this Rule including declaration of "Conflict of Interest" as per format.
- 7.9 The Interview Committee shall pre-determine the cut off percentage to be eligible for selection.
- 7.10 A candidate shall be given opportunity to appeal to the Commission for review of the selection result within 10 working days from the date of declaration of the result.
- 7.11 Academic weightage shall be considered only for the minimum qualification required for the position. However, all relevant transcripts shall be required as documentary evidence.
- 7.12 Written examination shall be conducted to test the knowledge and skills

required for the position as well as the communication skills in both Dzongkha and English.

- 7.13 The Secretariat shall coordinate written examinations as approved and maintain strict confidentiality on the identity of the examiners. Examiners and any other resource persons shall be paid an honorarium as approved by the Commission.
- 7.14 The HR Committee shall conduct the interview.
- 7.15 The Committee members shall be properly briefed on the eligibility criteria for the position and the applicant's resume details prior to the interview.
- 7.16 Weightage shall, during the selection process, be given to:
 - 7.16.1 Relevant experience;
 - 7.16.2 Service record and past performance in his/her job wherever applicable;
 - 7.16.3 Suitability to perform the duties and responsibilities of the vacant position;
 - 7.16.4 Potential to shoulder higher responsibilities;
 - 7.16.5 Academic qualification;
 - 7.16.6 Training; and
 - 7.16.7 Skills and competence.
- 7.17 The Secretariat shall compile the selection result based on merit ranking.
- 7.18 The HR Committee shall verify the result and sign on the compiled result

sheet for submission to the Commission for its approval.

7.19 The Secretariat shall, after obtaining approval from the Commission, notify successful candidates of the selection result through the media.

7.20 The Secretariat shall, along with the declaration of the selection result, provide the candidates with information on the date of reporting.

Appointment Procedure

7.21 The Secretariat shall appoint selected candidates against approved vacant positions.

7.22 The employee's pay shall be fixed at the minimum of the scale prescribed for the position.

Probation

8. A candidate selected for appointment shall initially be placed on probation for a period of one year before his/her appointment to regular service is confirmed.

8.1 The services of a candidate shall be liable for termination during the probation period either with due notice of one month or his/her service shall not be regularized if his/her performance needs improvement.

8.2 The Secretariat shall, upon satisfactory completion of the probation period, issue an Office Order stating that employee's service has been regularized.

8.3 An employee shall not be eligible for training while on probation period if the training period exceeds 14 days.

8.4 The probation period shall not be considered as part of active service for the purpose of promotion and long term study leave.

8.5 An employee shall, during the probation period, be eligible only for casual leave, medical leave, paternity leave and maternity leave and not earn any other form of leave.

8.6 An employee of the Commission shall not be eligible for LTC during probation.

9. Oath of Allegiance

9.1 Every candidate selected for appointment in the service of the Commission shall take and sign an Oath of Allegiance upon joining the Commission as provided in **Annexure 4/1**.

10. Oath of Secrecy

10.1 Every candidate selected for appointment in the service of the Commission shall take and sign an Oath of Secrecy upon joining the Commission as provided in **Annexure 4/1**.

11. Orientation

11.1 Orientation shall be compulsory for a new employee and it shall be the responsibility of the HR Officer to conduct the orientation programme.

11.2 The Secretariat shall institute an appropriate Orientation Programme for every candidate selected for appointment.

11.3 The programme shall aim to properly induct the candidate into the service of the Commission at large and in particular integrate and assimilate the candidate as a team member.

11.4 An Orientation Programme shall, depending on the need, include the following:

- 11.4.1 Introduction to the organization – physical, work culture and organization values;
- 11.4.2 Familiarization with organization policies, plans & programmes, *ECB-SRR 2015* and Financial Rules; and
- 11.4.3 Understanding of his/her position, job description and the expectations of the Commission.

12. Obligation

- 12.1 Once appointed, an employee shall be obliged to serve a minimum of two years of active service provided there is no other service obligation.
- 12.2 An employee resigning before fulfilling the above obligation shall forfeit his/her post-service benefits, except Provident Fund and Group Insurance Scheme benefits.

**Election Commission of Bhutan
Employment Application Form**

Affix
Passport size
Photo Here

- 1 Full Name:
- 2 Sex: Male/Female:
- 3 Religion:
- 4 Nationality:
- 5 Citizenship Card No.:
- 6 Village/Thromde :

Dungkhag:

Dzongkhag:

Thram No.:

House No.:
- 7 Date of Birth: dd/mm/yy Day: Month: Year:
- 8 Post Applied For:
- 9 Mailing Address:
- 10 Contact No.:

11 Family Details:

Details	Name	Nationality	Occupation	Address
(a) Father				
(b) Mother				
(c) Guardian				
(d) Spouse				

12 I

hav

e not been:

Convicted of a criminal offence;

Terminated or compulsorily retired from service;

Terminated or compulsorily retired on disciplinary ground from corporation/project;

Adjudged as mentally unfit;

Disqualified by the Government for appointment in service; and

Previously selected but has dishonored the selection/ appointment.

9. ACADEMIC QUALIFICATION: (please start with Institute last attended).

Name of Institute	Country	Subjects	Year of Completion	Div.	Degree.	Dip.	Certificate

10. TRAINING:

Name of Institute	Country	Subjects	Year of Completion	Div.	Degree.	Dip.	Certificate

11. EMPLOYMENT HISTORY (if applicable):

Organization	Position Held	Post	Period From To	Appt. Status	Place Served	Reason for Change
PAST EMPLOYMENT:						
PRESENT EMPLOYMENT:						

12. EXTRA CURRICULAR ACTIVITIES: (please tick appropriate ones and attach attested copies of relevant certificates.

(a) Literary () (b) Sports () (c) Leadership () (d) Membership in

Community/Association () (e) Awards received () (f) others ().

13. DECLARATION: I hereby declare that the Information provided herein is true and complete to the best of my knowledge. In the event of detection of false or misleading information, I understand that the Election Commission of Bhutan shall cancel/reject my application. I also undertake to abide by all Rules and Regulations.

14. OATH OF ALLEGIANCE: I,....., do solemnly pledge to serve Tsawasum with *Lui Ngag Yid Sum*. I shall uphold the Constitution of the Kingdom of Bhutan and all the laws of the Kingdom, discharge and perform the duties of my office to the best of my ability without fear or favor.

15. OATH OF SECRECY: I,, do solemnly swear that I shall not directly or indirectly communicate or reveal to any person any matter brought under my consideration or become known to me as an employee of the Election Commission of Bhutan except, as may be required for the due discharge of my duties as in the Election Commission of Bhutan.

Date of application _____

Signature of Applicant

(Affix Legal Stamp)

Note: This form should be accompanied by attested copies of academic, training, medical fitness certificate, passport size photograph, security clearance certificate and Citizenship Identity Card.

For Official use

Verified by:

Name:

Remarks:

Position Title:

EID. No.:

Signature:

Annexure 4/2

Election Commission of Bhutan

Viva Voce Form

Name of Candidate:

CID No.....

Post Applied for:

Sl. #	Factors	Marks	Marks Awarded
1	PHYSIQUE, APPEARANCE & MANNER		
	a) General appearance	05	
	b) Manner and Disposition	05	
2	LANGUAGE PROFICIENCY	10	
	a) Dzongkha		
	a) English	10	
	b) Major Bhutanese dialects/languages*	05	
3	INTELLIGENCE, ABILITY & COMPETENCE	10	
	a) Professional subject knowledge		
	b) General awareness	10	
	c) Presentation skills (organization of thoughts)	10	
	d) Analytical ability	10	
	e) Promptness in comprehension and clarity in Expression	10	
	f) Confidence	05	
4	EXTRA CURRICULAR ACTIVITIES	05	
5	INDIVIDUAL ACHIEVEMENT RECORDS (IF ANY)	05	
	Total	100	

Date:

Signature:

Name:

Designation:

Note: The HR Committee may adapt this form to the specific needs of the Commission, if required.

CHAPTER 5

POSITION CLASSIFICATION SYSTEM AND STRUCTURE

1. Policy

- 1.1 The Commission shall adopt a Position Classification System (PCS) that shall be compatible to the Civil Service.
- 1.2 The Position Classification System (PCS) shall govern all matters relating to promotion, recruitment, staff strength, policy and planning of personnel in the employment of the Commission.
- 1.3 The position at officer levels for employment in the Commission shall, unless otherwise specified, be from P5 to EX2.
- 1.4 The position at support levels for employment in the Commission shall, unless otherwise specified, be from S5 to S1.
- 1.5 Appointment of general support service level shall be position level O4 to O1 and below excluding ESP and GSP.
- 1.6 The Commission shall review the job mapping and position classification of the Election Service when deemed necessary.

2. Entry Qualification for Officer's Level

- 2.1 A person to be eligible for post of an officer in the service of the Commission must have a minimum of formal university Degree issued by a university recognized by the Royal Government of Bhutan.
- 2.2 A selected officer shall be appointed initially to begin his/her career at P5 unless otherwise specified.

3. Support Level Staff

- 3.1 The personnel in support level shall have a minimum qualification of Class XII and above as evidenced by a Certificate from an institution recognized by the Government.
- 3.2 The employees shall, upon selection through the Support Personnel Selection Examinations by the Commission, be placed in S5 to S1.

4. General Support Service Level

- 4.1 The general support level shall include those personnel who render general services support in the service of the Commission.

CHAPTER 6

GENERAL SERVICE PERSONNEL (GSP) APPOINTMENT

1. Policy

- 1.1 Facilitate appointment of service-oriented personnel under contract who are considered outside the regular service of the Commission; and
- 1.2 Endeavour to outsource the services to private parties in order to minimize the appointment of General Service Personnel (GSP) and gradually replace the GSP appointment system.

2. GSP Position

- 2.1 The positions under the General Service Personnel (GSP) which may be revised from time to time, include the posts of:
 - 2.1.1 Messenger - (minimum qualification: Class VIII); and
 - 2.1.2 Wet Sweeper.

3. Authority for Appointment

- 3.1 Authority for appointment GSP on contract shall lie with the Head of the Secretariat of the Commission or the Dzongkhag Election Officer in the case of Dzongkhags.

4. Recruitment Procedure

- 4.1 All appointments shall be made as per the approved staffing pattern and the standard recruitment procedures.
- 4.2 The Secretariat shall verify all required documents such as citizenship identity card, security clearance certificate, medical fitness certificate and

any other document that may be required.

5. General Term of Appointment

- 5.1 A candidate shall have attained the minimum age of 18 years but not more than 40 years at the time of recruitment.
- 5.2 The physical fitness of the candidate shall be taken into account in the selection.
- 5.3 All initial appointments shall be made only under GSP II.
- 5.4 Initial contract appointments shall be made for a period not exceeding two years.
- 5.5 A GS employee on contract shall sign an agreement with the Commission specifying the terms and conditions at the time of appointment.
- 5.6 A GS employee may be posted at or transferred to the Commission Head Office or any Dzongkhag Election Office.
- 5.7 A GS employee shall be retired on completion of 55 years of age.

6. Remuneration and Benefit

6.1 Remuneration

- 6.1.1 The remuneration of a GS employee shall be fixed at the minimum of the pay scale determined by the Pay Commission.
- 6.1.2 A GS employee appointed under these Rules shall not be admissible for contract allowance.
- 6.1.3 A GS employee shall be entitled to annual performance increments as per the Rules.

6.2 Leave, Travel and Travel on Duty

6.2.1 A GS employee appointed under the provisions of these Rules shall be eligible for Earned Leave, Maternity Leave, Paternity Leave, Casual Leave, Medical Leave, LTC, TA and DA as per the prevailing Rules.

6.3 Medical Facility

6.3.1 A GS employee will be provided medical treatment as per the prevailing Rules.

6.4 Housing

6.4.1 A GSP employee shall make his/her own arrangements for housing. However, if Government accommodation is provided, house rent shall be deducted as per the prevailing Rules.

6.5 Pension, Provident Fund and Insurance

6.5.1 An appointee under these Rules shall not be covered by the National Pension and Provident Fund Scheme but shall be covered by the RGoB Employee Group Insurance Scheme.

6.6 Deduction

6.6.1 All statutory deductions shall be made in accordance with the Rules.

6.7 Retirement Benefit

6.7.1 Gratuity shall be paid at the rate of one month's last basic pay for every completed year of satisfactory service. The gratuity shall also be payable to the nominee(s) of a GS employee if

he/she expires while in service.

6.8 Extension

6.8.1 The extension of contract for GS employee shall be granted by the appointing authority, except in the case of expatriates whose extension shall be granted only by the Commission.

6.8.2 The GS employee's contract may be renewed with the consent of both the Commission and the employee concerned for terms not exceeding two years at a time.

6.8.3 The extension shall be granted only to those having a clear service history, which shall not contain any record of indiscipline, adverse report, misdemeanor, or any act that is considered as violation of the Commission's Code of Conduct and Ethics.

6.8.4 Performance evaluation shall be considered as an important criterion for extension.

7. Termination of Contract

7.1 A minimum of one month's notice shall be issued by the party intending to terminate the contract before expiry of the term. Basic pay of the employee concerned for the stipulated notice period shall be paid by defaulting party in the event of failure to give the required period of notice.

7.2 A GS employee shall be removed from service at any time if the Commission finds his/her services are not required.

7.3 The services of a GS employee shall be terminated without any notice or

payment of compensation thereof, if the employee is found guilty of an administrative offence by the disciplinary authority.

8. Renewal of Contract

8.1 A GS employee may be considered for renewal of contract based on the performance of the individual and the requirement of the Commission.

CHAPTER 7

ELEMENTARY SERVICE PERSONNEL (ESP) APPOINTMENT

1. Policy

1.1 Facilitate recruitment appointment of Elementary Service Personnel.

2. ESP Position

2.1 The positions under the Elementary Service Personnel (ESP) against which may be revised periodically, include the posts of:

2.1.1 Dry Sweeper;

2.1.2 Security Guard (normal);

2.1.3 Care Taker; and

2.1.4 Gardener.

3. Authority for Appointment

3.1 The authority for recruitment and appointment of ESP shall be the Head of the Secretariat of the Commission or the Dzongkhag Election Officer in the case of Dzongkhags respectively.

4. Recruitment Procedure

4.1 All appointments shall be made only against posts approved by the Commission.

4.2 An application for a candidate for recruitment to ES position shall be considered only if all required documents such as citizenship identity card, security clearance certificate, medical fitness certificate, and any other document that may be required under laws are valid.

5. General Terms of Appointment

- 5.1 A candidate shall have attained the minimum age of 18 years but not more than 40 years at the time of recruitment.
- 5.2 The fitness of the candidate shall be taken into account while considering appointment and extension of the contract.
- 5.3 Appointments shall be made on a consolidated monthly salary basis.
- 5.4 An ES employee may be posted at or transferred to the Commission Head Office or any Dzongkhag Election Office.
- 5.5 An ES employee shall be retired on completion of 55 years of age except in the case of security personnel the retirement age shall be 60 years.

6. Remuneration and Benefit

- 6.1 An ES employee shall be paid as per the rates approved by the Pay Commission.
- 6.2 An ES employee appointed under these Rules shall not be admissible for Contract Allowance.

7. Leave, Travel and Travel on Duty

- 7.1 An ES employee appointed under the provisions of these Rules shall be eligible for Earned Leave, Casual Leave, Maternity Leave, Paternity Leave, Medical Leave, LTC, TA and DA as per the prevailing Rules.

8. Medical Facility

- 8.1 Medical treatment shall be as per the prevailing Rules.

9. Housing

9.1 An ES employee shall ordinarily make his/her own arrangements for housing. However, if Government accommodation is provided considering the nature of the job, house rent shall be deducted at the rates prescribed.

10. Pension, Provident Fund and Insurance

10.1 An ES employee under these Rules shall not be covered by the National Pension and Provident Fund Scheme but shall be covered by the RGoB Employee Group Insurance Scheme.

11. Deduction

11.1 All statutory deductions shall be made in accordance with the Rules in force from time to time.

12. Terminal Benefit

12.1 Gratuity shall be paid at the rate of one month's last consolidated salary for every completed year of satisfactory service, irrespective of the number of years of service rendered.

12.2 The gratuity shall also be payable to the nominee(s) of an employee if he/she expires while in service.

13. Termination of Contract

13.1 An ES employee shall be liable to be removed from service at any time if the Election Commission finds his/her service is not required or found not satisfactory.

CHAPTER 8

IN-SERVICE TRAINING

1. Policy

- 1.1 Equip employees of the Commission with the right qualifications, skills, knowledge and right attitude to achieve organizational objectives;
- 1.2 Provide a high standard of professional service to the public; and
- 1.3 Recognize contribution in the field of free and fair elections.

2. Strategy

- 2.1 Need for training shall be assessed and identified based on the strategic human resource needs of the Commission.
- 2.2 An annual need assessment shall be conducted to ensure recognition of the past service and meet the needs of the impending challenges to respond to the changing priorities of the Commission.
- 2.3 The Commission shall provide adequate budget for HRD to meet the staff training needs.
- 2.4 In-country training programmes shall be encouraged as a cost effective mode of providing continuing education; and
- 2.5 There shall be in place a working Monitoring and Evaluation System to assess training impact and make necessary timely interventions.

3. Application

- 3.1 In these Rules, the term formal training shall apply to course of short-term and full-term study, in-house or at a recognized institute of learning,

at the end of successful completion of which the trainee is awarded a:

- 3.1.1 Doctor in Philosophy degree;
 - 3.1.2 Master's degree;
 - 3.1.3 Bachelor's degree;
 - 3.1.4 Post Graduate Certificate or Diploma; or
 - 3.1.5 Certificate for a short term training course.
- 3.2 The term informal training shall apply to such programmes and activities that are of the nature of discussion on a subject or issue of topical relevance to a job or position in an agency, for which at the end of a successful conclusion a certificate will not necessarily be issued except a certificate of participation, including:
- 3.2.1 Symposium;
 - 3.2.2 Study-tour;
 - 3.2.3 Workshop; and
 - 3.2.4 Seminar.
- 3.3 The category of training shall be as follows:
- 3.3.1 Short-term training, duration of up to 6 months; and
 - 3.3.2 Long-term training, duration of more than 6 months.
- 3.4 The Commission shall not provide funds to pursue a full time in-service Bachelor's Degree Programme.

4. Authority to Approve Training and Non-training Programme

4.1 The Commission shall be the approving authority for all kinds of training.

5. Eligibility Criteria

5.1 A candidate shall be considered for a training/study if he/she has:

5.1.1 Rendered a minimum of three years of service, excluding the probation period at the time of submitting an application to avail a long term course;

5.1.2 Satisfactorily completed the probation period to avail a short-term course; and

5.1.3 Not attained more than 45 years of age at the time of commencing long term studies.

5.2 An employee of the Commission shall not be eligible for training when:

5.2.1 He/she has discontinued a training programme to which he/she had previously been nominated for reasons within his/her control;

5.2.2 His/her scholarship/fellowship granted previously was terminated for violation of training and/or other related Rules and regulations;

5.2.3 He/she has been nominated/short listed for another training programme, pending the declaration of the result.

6. Selection Criteria

6.1 The selection of a candidate for long term full or partial scholarship shall be based on the following:

- 6.1.1 Performance on the current job;
- 6.1.2 Relevance of the course to the position held or likely to be considered upon return; and
- 6.1.3 Time gap between the last ex-country training and the next ex-country training is less than six months.

7. Entitlement

- 7.1 The Entitlement Rules shall be applicable to both in-country as well as ex-country training, unless otherwise specified.

8. Study Leave for Long Term Training

- 8.1 An employee of the Commission shall be entitled to a total of 36 months Study Leave in the entire service period.
- 8.2 A training period up to 18 months for any single training shall be counted as part of active service for the purpose of promotion.
- 8.3 Study leave without pay and benefits shall be granted but position shall not be protected when the course is not directly relevant to the candidate's current job.

9. Remuneration and Benefit during Training

- 9.1 An employee of the Commission undergoing ex-country short-term training shall be entitled to full DSA for the first 15 days and stipulated stipend of that country thereafter.
- 9.2 The travel time from the home country to the destination shall be excluded for the purpose of calculating the total number of days for training and it shall be paid at the rates approved by the Government.

- 9.3 An employee of the Commission undergoing long-term training shall be entitled to stipend for the first month at the travel rate, and the resident rate for the subsequent months prescribed by the Government.
- 9.4 An employee of the Commission shall be covered by medical insurance while on training.
- 9.5 Remuneration and benefits for various modes of continuing education other than full time on campus shall be as per the prevailing Rules and Guidelines.
- 9.6 Allowance of any form shall not be paid during the training period, when the duration exceeds one month.

10. Benefit during In-country Training

- 10.1 The following shall apply to in-country institute based and in-house based training:
 - 10.1.1 Annual vacation and holidays as per the schedule of the Institute and the stipend shall be paid;
 - 10.1.2 Uniform/Uniform Allowance, if required, for the particular training programme;
 - 10.1.3 Travel Allowance and Daily Subsistence Allowance for travel from his/her office to the Institute and back to the office as per the normal rates and subject to other relevant Rules;
 - 10.1.4 Actual travel expenditure and Daily Subsistence Allowance at the prevailing rates during the field attachment/visit;
 - 10.1.5 The DA rates for the in-service in-country training when the duration is 30 days or less and the stipend rates for the in-

service in-country training when the duration is more than thirty (30) days are given at **Annexure 8/1**; and

- 10.1.6 A trainee shall be entitled to 50% of the DSA while attending training of 30 days or less in the same place of posting, irrespective of the source of funding. This excludes expenses pertaining to tuition fee, meals, refreshments, etc.

11. Benefit during Ex-country Training

11.1 The following shall apply to full time ex-country training:

- 11.1.1 An employee of the Commission who is required to halt in transit for 8 hours or more for the next flight while on travel outside the country shall be paid a Daily Subsistence Allowance.
- 11.1.2 Daily Subsistence Allowance shall be paid for the actual period of halts required for processing visa and it shall be paid at the prevailing RGoB rates.
- 11.1.3 The payment of Daily Subsistence Allowance for enforced halts shall be limited to two days for a round trip while on official travel, besides halts in transit, irrespective of the source of funding.
- 11.1.4 Daily Subsistence Allowance or related expense shall not be paid during participation in training, when the DSA and other expenses are paid by the donors.
- 11.1.5 If an employee of the Commission nominated for training outside the country is provided with airfare, room and board by the donor concerned, 20% of DSA shall be paid for the first

fifteen days to cover the incidental expenses and 10% of the DSA for the remaining period.

- 11.1.6 When an employee of the Commission is provided with only airfare and room facilities by the donors concerned, 50% of DSA shall be paid for the first fifteen days to cover other expenses and 20% of the DSA shall be paid for the remaining period.

12. Pre-training Requirement

12.1 Nomination Procedure

- 12.1.1 Nomination shall be in accordance with the Annual Training Plan, unless a training programme is an *ad hoc* offer.
- 12.1.2 Nominations shall be processed through the HR Committee of the Commission.
- 12.1.3 The prescribed HRD Form given at **Annexure 8/2**, letter of offer, letter of acceptance and departure intimation form shall be retained by the Commission.
- 12.1.4 Nominations for unplanned training and non-training programmes shall be approved by the Commission in the prescribed HRD Form, and formal approval from the Chairperson and other required documents given at **Annexure 8/3**.

12.2 Pre-departure Procedure

- 12.2.1 A candidate whose training is approved shall be briefed by the

Head of the Secretariat.

- 12.2.2 A candidate nominated for a training programme above six (6) months shall sign an Undertaking in the prescribed format (**Annexure 8/4**), that on completion of the long term training, the candidate shall return to Bhutan and continue in the service of the Commission for a minimum period as stipulated under these Rules or pay the stipulated penalty, unless the Commission terminates his/her service in the public interest.
- 12.2.3 He/she must produce an acceptable surety/guarantor who shall take responsibility for actions that would become necessary to be taken if the employee fails to report or return to the Commission upon the completion of the study.
- 12.2.4 The surety/guarantor of the employee of the Commission shall be briefed on the consequence of the undertaking in case an employee of the Commission fails to return to Bhutan upon completion of his/her studies.
- 12.2.5 The candidate and guarantor shall sign the undertaking in the presence of the Secretary.
- 12.2.6 The candidate must submit the duly filled pre-departure form given at **Annexure 8/5**.

13. Requirement during Training

13.1 Obligations of a Candidate during Training

- 13.1.1 An official of the Commission on training shall adhere to the following:

- 13.1.1.1 Conduct himself/herself at all times in a manner befitting his/her status and in a manner acceptable to the authority of the training Institute;
- 13.1.1.2 Refrain from engaging in political, criminal or commercial activities and taking up employment that may be prejudicial to the interests and image of the Kingdom of Bhutan;
- 13.1.1.3 Abstain from indulging in any activity that adversely affects the institution, national sovereignty and integrity.
- 13.1.1.4 Not coerce, attempt to coerce, order, or advise an individual to pay, lend or contribute anything of value to a party, committee, organization, Agency or person whose activities are prejudicial to the Constitution;
- 13.1.1.5 Refrain from giving expressions and statements on national or international affairs and in particular, from making any written or oral statement without specific prior approval of the Commission;
- 13.1.1.6 Refrain from making any statement of fact or opinion in any document published in his/her own name or anonymously, pseudonymously, or in the name of any other person or in any communication or a public utterance, make any statement which has the effect of an adverse criticism of any current or recent policy or action of the Commission;
- 13.1.1.7 Submit a course joining report (**Annexure 8/6**)

immediately for long term training to the Commission after joining the programme;

13.1.1.8 Submit grade/progress reports after every semester, examination or test through the course supervisor, academic adviser or the Head of the Institute/University when admitted for long-term training. The report shall consist of a brief description of the subjects studied, examinations taken, marks obtained, field trips (if undertaken) and a brief description of the study plan for the following semester;

13.1.1.9 The academic performance of an employee of the Commission undergoing a long-term training programme shall form part of the performance appraisal for any personnel actions;

13.1.1.10 Prior approval must be sought from Commission before undertaking field trips that are part of the course requirement. The application and the programme for such field trips shall be signed and certified by the Institute; and

13.1.1.11 Not change from the training programme specified in the letter of award or change the Institute/University.

13.2 Repetition and Extension of Scholarship

13.2.1 A candidate shall complete the training within the duration prescribed in the letter of award.

- 13.2.2 A candidate shall be allowed to repeat a course/examination and given extension of scholarship up to a maximum of 6 months only when he/she is unable to complete the course due to ill health or due to a reason which is beyond the control of the incumbent;
- 13.2.3 Extension shall not be granted to undertake an additional course; and
- 13.2.4 Prior approval of the Commission shall be required for repetition and extension of scholarship.

13.3 Termination of Scholarship

- 13.3.1 A scholarship shall be terminated if:
 - 13.3.1.1 The conduct of a candidate is not in conformity to these Rules;
 - 13.3.1.2 The performance of the candidate is observed to be below average or unacceptable to the authority of the training Institute.
 - 13.3.1.3 The candidate does not fulfill the attendance and other requirements stipulated by the Institute concerned; and
 - 13.3.1.4 The candidate fails to complete the course in the prescribed period and approval for extension of the candidate is not accorded.

14. Post Training, End of Fellowship and Return to Bhutan

- 14.1 The official on completion of training shall:

- 14.1.1 Return to Bhutan and continue in the service of the Commission at least for a period equal to double the duration of the course, unless the Commission terminates his/her service in the public interest;
- 14.1.2 Be required to report to the Commission upon completion of training
- 14.1.3 Submit a joining report, training report containing a comprehensive description of the subjects studied and a proposal for utilization of the knowledge and skills acquired in carrying out his/her responsibilities to the Commission and course completion certificate within two weeks from the completion of the course after availing the traveling time of two weeks; and
- 14.1.4 Be liable to submit a written explanation, if there is any delay in submitting the report.

15. Penalty

- 15.1 A candidate shall pay to the Commission an amount equal to two times the expenditure incurred on the particular training when:
 - 15.1.1 He/She fails to return to Bhutan on completion of the training;
 - 15.1.2 He/She discontinues his/her training for a reason other than ill health and returns to Bhutan or does not return to Bhutan; and
 - 15.1.3 He/She voluntarily resigns from the service of the Commission prior to rendering the specified duration of service;
- 15.2 His/her surety/guarantor shall, in the event the candidate fails to pay

double the expenditure, be liable to make the payment to the Commission.

15.3 Legal actions against the official shall, if the surety/guarantor fails to adhere to the Undertaking, be initiated in accordance with the Undertaking and the law of the country.

15.4 A candidate shall refund the expenditure on a pro-rata basis in the event he/she resigns from service before serving the stipulated duration.

15.5 The Secretariat shall be primarily accountable in ensuring that the individual employee refund the expenditure incurred on his/her training based on the circumstances, if the trainee does not complete the training course.

Issue	Penalty
1. Fails the course	1. No further long-term Training 2. Promotion to be delayed by double the duration of the approved study period from the due date of next Promotion.
2. Incomplete Course a. If returned on time.	1. No HR actions until the evidence of completion is furnished.
b. If returned early/early repatriation.	1. No further RGoB long-term Training. 2. Promotion to be delayed by double the duration of the approved study period from the due date of next promotion.
c. If Administrative discipline taken by the University	1. Refund as per Undertaking 2. Termination

<p>3. Course change</p> <p>a. Same level (not relevant to one's current job)</p>	<p>1. Non-acceptance of degree</p> <p>2. Promotion to be delayed by double the duration of the approved study period from the due date of next promotion</p>
<p>b. Same level (relevant to one's current job)</p>	<p>1. Acceptance of degree, subject to fulfilling eligibility criteria</p> <p>2. Promotion to be delayed by equal the duration of the course from the due date of next promotion as per the Undertaking.</p>
<p>4. Resignation during training</p>	<p>Action to be taken as per Rule 15 and the Undertaking as presented in (Annexure 8/4)</p>

**IN-SERVICE IN-COUNTRY TRAINING RATES OF DAILY SUBSISTENCE
ALLOWANCE AND STIPEND**

1. Daily Subsistence Allowance

1. An employee of the Commission during training of 30 days or less duration shall be paid DSA at the rate of Nu. 1000/- per day or rates admissible to equivalent post in the Civil Service.
2. An employee shall be entitled to 50% of the DSA while attending training within the same place of posting. This excludes expenses pertaining to tuition fee, meals, refreshments, etc.

2. Stipend

1. An employee of the Commission attending the in-service training programmes shall be paid stipend at the following rates:
 - (1) Nu. 8,000/- per month if the training venue is in Thimphu or Phuentsholing;
and
 - (2) Nu. 6,000/- per month in other places in Bhutan; or
 - (3) Rates admissible to equivalent post in the Civil Service.
2. An employee of the Commission shall be paid the stipend at the rate applicable to the particular programme if selected to a training programme designed for pre-service trainees.
3. The stipend to pre-service trainees shall be paid at the prevailing rates of the RGoB, subject to revision.

Note:

- 1 The tuition fee and administrative cost, if any, shall be paid directly to the training institute by the Election Commission of Bhutan.
- 2 The institute concerned shall deduct actual cost of food and lodging from the DSA/Stipend of the individual trainees, if provided.

IN-SERVICE TRAINING NOMINATION FORM

I. Particulars of the Candidate Nominated

- a) Name:
- b) Employee ID No.:
- c) Designation:
- d) Place of Posting:
- e) Date of Birth:
- f) Name, Occupation and Nationality of Spouse:
- g) Permanent Address:
- h) Documents verified (quote reference numbers) * for long term ex-country training:
 - (i) Security Clearance Certificate:
 - (ii) Audit Clearance Certificate:
 - (iii) Citizenship ID Card Number:
- i) Qualification:
- j) Date of Initial appointment in the RGoB/ Election Commission of Bhutan:
- k) Date of appointment to the present position:
- l) Present job description (State Briefly)

1.....

2

II. Details of Training to be undertaken

- a) Planned (quote slot number) or unplanned:
- b) Course Title/Field of Training:
- c) Institute and Location (Mention Country:
- d) Course commencement and duration:
- e) Funding Agency:

III. Details of all Past Training (including Seminars/Study Tours/Workshops) (if the space provided is not sufficient, use a separate sheet). **Please start with the last training attended.**

Course Title	Institute & Location (Mention Country)	Date (dd/mm/yy)	Duration (months)	Funding Agency
i)				
ii)				
iii)				
iv)				

IV. Special achievements/research work done/ extracurricular activities **(mention briefly and enclose documentary evidence)**

I hereby certify that the above information is correct to the best of my knowledge. I understand that I am liable to be subjected to disciplinary actions by appropriate authorities in the event that they find the above information incomplete or incorrect.

(Signature of the Candidate)

V. Recommendations of the Head of Department or Division.

The authorities countersigning this form shall be accountable and liable for disciplinary action in case information provided is incorrect.

- i) Give reasons for nominating the particular candidate.
- ii) Description of the use of this training to the Agency

Place: Signature:

Date: Name & Designation of the Head of Dept./Divisions.

DECISION

Place: Signature:

Date: Name & Designation of the Head of the Agency:

LIST OF DOCUMENTS TO BE SUBMITTED BY A CANDIDATE

- (i) Bhutanese Citizenship ID Card;
- (ii) Security Clearance Certificate;
- (iii) Audit Clearance Certificate;
- (iv) Training content and schedule from the Institute/Organization;
- (v) Attested copies of academic transcripts issued by an institute recognized by the RGoB/Election Commission of Bhutan;
- (vi) Offer of admission from the institute; and
- (vii) Any other documents that may be required by Election Commission of Bhutan.

UNDERTAKING

I, Mr./ Mrs./ Miss son / daughter of Mr./Mrs.
.....hereby accept the offer of scholarship from
..... (mention sponsoring Agency) for studies in
..... (mention the course) in
.....(mention institute/ university and country) for a
duration of

I hereby undertake to:

1. Pursue the course and complete it within the duration specified in the letter of award No. dated.....
2. Not change to another course or institute.
3. Abide by all Rules and Regulations of the Election Commission of Bhutan and the institute concerned.
4. Not discontinue the course and/or leave the institute prior to completion of the course without written consent from the Election Commission of Bhutan.
5. Complete my training/studies, return to Bhutan and continue in the services of Election Commission of Bhutan for a minimum period of two times the duration of the course, subject to a minimum of one year, unless the Election Commission of Bhutan terminates my services.
6. Pay to the Election Commission of Bhutan an amount equal to two times the expenses incurred on the training if:
 - 6.1 I discontinue the training for a reason other than ill health; or

- 6.2 I return to Bhutan without completing training; or
- 6.3 I do not return to Bhutan upon completion of my training; or
- 6.4 I return to Bhutan but voluntarily resign from my Agency without rendering the specified duration of service.

I, hereby do confirm that I have been briefed on all Rules governing my training and I have understood them, including the implication and consequences of deviating from them.

In particular, I understand that in the event that I do not adhere to any one of the above stated conditions, the guarantor and/or I shall be liable for legal action by the Election Commission of Bhutan.

Sd/Place: (Affix Legal Stamp)

Date: Name & Office address

Caution: This is an important legal document and therefore, should be executed after clearly understanding all the responsibilities, liabilities and implications.

In the event of any failure on the part of the above named person to abide by this undertaking, I, resident of hereby undertake to refund to the Election Commission of Bhutan the stipulated amount or accept my liability to any other penalty as may be decided by the Election Commission of Bhutan.

In the event that I do not adhere to the above, I understand that I shall be liable for legal actions by the Election Commission of Bhutan.

Sd/Place: (Affix Legal Stamp)

Date:

Name of Guarantor:

Relation with the candidate:

Occupation:

Present address:

Village:

Mailing address:

Witnesses:

1).....

2).....

DEPARTURE INTIMATION FORM FOR FELLOWSHIP TRAINEE

To,

Chief Election Commissioner of Bhutan

Election Commission of Bhutan

Thimphu

- 1 Name of the Candidate :
- 2 Present Designation :
- 3 Title of Course/Programmes for which the candidate is nominated :
- 4 Institute of training and location :
- 5 Date of Commencement :
- 6 Duration of Course and Completion :
- 7 Date of Departure from Bhutan :
- 8 Funding Agency :

I hereby certify that the information given above is correct to the best of my knowledge.

Place:

Date:

(Signature)

**COURSE JOINING REPORT FORM AND BANK ACCOUNT
INFORMATION**

Chief Election Commissioner of Bhutan

Election Commission of Bhutan

Thimphu

Sir/Madam,

I,..... have joined the Course/Training Programme as
per details below:

1. Course title :

2. Institute &
address :

3. Start date of
course and :
duration

4. Date of joining :

5. Funding Agency :

6. Mailing address :

7. Telephone #:

Fax #

e-mail:

I have opened the following bank account where payments of stipend and allowance can be remitted subsequently. *(To be completed by candidate.)*

Name of the Bank:

Complete Address of the Bank:

Bank Account:

Fax # of the bank:

Name:

Signature:

Designation:

Official address in Bhutan:

Place:

Date:

(COUNTER SIGNED)

Place:

Date: (Course Supervisor/Head of Institute)

CHAPTER 9

LEAVE

1. Policy

- 1.1 Leave is provided to enable an employee to attend to personal responsibilities and obligation without affecting the official responsibilities and time.
- 1.2 Leave shall not be claimed by an employee of the Commission as a matter of right.
- 1.3 The authority vested with the powers to grant leave shall exercise his/her discretion in granting leave in a just and fair manner.

2. Category of Leave

- 2.1 An employee of the Commission shall be entitled to the following categories of leave:
 - 2.1.1 Earned Leave
 - 2.1.2 Casual Leave;
 - 2.1.3 Bereavement Leave;
 - 2.1.4 Maternity Leave;
 - 2.1.5 Paternity Leave;
 - 2.1.6 Medical Leave;
 - 2.1.7 Study Leave; and
 - 2.1.8 Extraordinary Leave.

3. Earned Leave

- 3.1 An individual shall earn leave with gross pay at the rate of 2.5 (two and half) days for every completed month in service.
- 3.2 Earned Leave shall be accumulated only to a maximum period of ninety (90) days.
- 3.3 Government holidays and weekly off days (Saturdays and Sundays) within the period of the earned leave sanctioned to a candidate shall not be counted as earned leave.
- 3.4 The Chief Election Commissioner shall be competent to sanction Earned Leave for the Election Commissioners, Heads of Department, Divisions and Dzongkhag Electoral Officers and the Secretary of the Commission for other officials.
- 3.5 An official shall not accrue earned leave during probation period and training period.
- 3.6 An official shall be entitled to start accumulating Earned Leave only after his/her service is regularized.
- 3.7 An employee joining a new post on transfer without availing the full joining time shall be entitled to credit the number of days of un-availed joining time to the earned leave account subject to the maximum limit of 90 days of earned leave.

4. Casual Leave

- 4.1 Casual Leave shall be:
 - 4.1.1 Granted to an employee of the Commission for a short period on account of illness or urgent personal affairs and an employee

of the Commission on Casual Leave shall be considered on duty for all purposes;

- 4.1.2 Admissible for a maximum of ten (10) working days during a calendar year;
- 4.1.3 Granted even for half-a-day;
- 4.1.4 Granted by the immediate supervisor of the applicant;
- 4.1.5 Allowed to be availed by an employee of the Commission while on tour with the approval of the competent authority, but Daily Allowance shall not be admissible for the days of Casual Leave;
- 4.1.6 Allowed to be availed by a fresh appointee joining service in the course of a calendar year, proportionately calculated on a monthly basis;
- 4.1.7 Balance casual leave shall be credited to the following year; and
- 4.1.8 Casual Leave account shall be maintained in respect of every employee of the Commission.

5. Bereavement Leave

- 5.1 In the event of death of a family member, parents, spouse's parent, and sibling, Bereavement Leave of 21 days, including weekends and holidays shall be provided to an employee of the Commission on each occasion.

6. Maternity Leave

- 6.1 Maternity Leave with full gross remuneration for a total period of three months from the date it commences shall be admissible to an employee of the Commission. The Maternity Leave shall, at the latest, commence from

the date of delivery.

- 6.2 Maternity leave of one additional month shall be granted for twins or more and premature birth.
- 6.3 A female employee of the Commission shall be admissible to claim Maternity Leave during miscarriage for a maximum period of one month with full gross pay on production of a medical certificate.
- 6.4 Maternity Leave may be combined with any other form of leave.
- 6.5 Government holidays shall be prefixed or suffixed, but holidays intervening the maternity leave shall be counted as leave.
- 6.6 Maternity Leave shall be granted by the respective controlling officer on production of medical certificate.
- 6.7 The number of times that Maternity Leave shall be granted to an employee shall be as per the prevailing Rules of the Royal Government.
- 6.8 To facilitate baby feeding, a mother with baby/ies up to 12 months may be allowed to extend lunch time from 12 noon to 2 pm. In case of those providing direct services such as teaching and medical professions, the management shall ensure that services are not affected.
- 6.9 Feeding mother shall be facilitated and appropriate arrangements made where normal working time is not followed.
- 6.10 Maternity leave shall be granted for a legally adopted new-born baby until the baby is three months old.

7. Paternity Leave

- 7.1 An employee shall be granted Paternity Leave of five working days and 10 working days for twins or more, premature birth and caesarean.
- 7.2 The Paternity Leave may be combined with other forms of leave and shall be prefixed or suffixed to public holidays.
- 7.3 The number of times that Paternity Leave shall be granted to an employee shall be as per the prevailing Rules of the Royal Government.

8. Medical Leave

- 8.1 An employee of the Commission shall, who has been certified as incapable of performing duties due to illness or injury, be granted Medical Leave for the period on production of a medical certificate issued by a medical authority in Bhutan, as detailed below:
 - 8.1.1 Up to one (1) month - A Medical Officer.
 - 8.1.2 Up to six (6) months - A Medical Board of Doctors appointed by the Ministry of Health.
 - 8.1.3 Exceeding six (6) - Head of the Department of Health Services on the recommendation of a Medical Board appointed by the Ministry of Health.
- 8.2 An employee of the Commission on medical leave shall be paid full gross pay to a maximum of six months. In the event the Medical Leave exceeds six (6) months, the allowances if any, shall cease to be paid for the subsequent period.
- 8.3 An employee of the Commission, who has been granted Medical Leave for more than three (3) months, on re-joining the duties, shall be required to produce a medical certificate of fitness to perform the duties.

- 8.4 An employee of the Commission shall be granted the Medical Leave for a maximum period of one (1) month to escort a direct dependent of the employee of the Commission concerned. He/she shall be entitled to TA/DA as per the medical referral treatment Rules and regulations. HR Committee of the Commission may grant extension based on medical report.
- 8.5 Medical Leave shall be sanctioned only by the Chief Election Commissioner who may delegate such authority to the Secretary of the Commission, if necessary.

9. Study Leave

- 9.1 Study Leave shall be granted to an employee of the Commission to enable him/her to pursue a formal course of study/training relevant and useful to the present or future duties.
- 9.2 Study Leave shall be granted only to pursue relevant courses conducted by a recognized University/Institute. All such courses/training pursued by an employee of the Commission therefore, shall require the approval of the Commission.
- 9.3 When the course is directly relevant to the candidate's current job and a candidate meets the eligibility and selection criteria, Study Leave with pay and benefits shall be granted to pursue long-term training courses.
- 9.4 An employee shall be entitled to a total of 36 months Study Leave with pay in the entire service period, except to pursue ex-country bachelor's degree.
- 9.5 An employee may avail Study Leave without pay if long-term training require more than the entitled 36 months.

- 9.6 When the course is not directly relevant to the candidate's current job, but relevant to the country in general, Study Leave without pay and benefits shall be granted to pursue the training.
- 9.7 Study Leave shall be granted to an employee of the Commission for the actual duration of the approved training and journey periods to join the training and to return to the duty station on completion of the training.
- 9.8 An employee of the Commission applying for Study Leave shall produce evidence to the effect that he/she has secured admission to the training. On his/her return from the leave, documentary evidence shall be submitted to show that he/she has completed the course.
- 9.9 An employee of the Commission shall be entitled to a total of 36 months Study Leave in the entire service period for any long-term studies.
- 9.10 Training period up to 18 months for any single training shall be counted as part of active service for the purpose of promotion.
- 9.11 An employee of the Commission granted Study Leave with pay and benefits for any single long-term training shall be entitled to the full basic pay for a period of twelve months. When the duration exceeds twelve months, he/she shall be entitled to fifty percent of the basic pay for the remaining period.
- 9.12 The Election Commission shall be the competent authority for granting Study Leave upon approval of the nomination of the candidate by the HR Committee.
- 9.13 The period of Study Leave shall be considered as part of active service for the purpose of retirement benefits.

10. Extraordinary Leave

10.1 Extraordinary Leave (EOL) shall be granted to employee of the Commission up to a maximum period of twenty-four (24) months in total during the entire service period.

However, EOL shall neither be applied nor granted during an Election Period as well as before twelve months and after one month of it, unless approved by the Commission based on genuine grounds.

10.2 An employee of the Commission shall be eligible for EOL for three months or more, only after rendering a minimum active service of five (5) years.

10.3 EOL shall be granted to an employee of the Commission only after fulfilling all conditions of service laid down under the training Rules, if he/she has undergone training.

10.4 Government holidays may be prefixed and/or suffixed to Extraordinary Leave, but Government holidays intervening the period of leave shall be considered as leave.

10.5 Total period of Extraordinary Leave availed during the entire service shall be excluded while calculating the number of completed years of service rendered by an employee of the Commission as on the last day of his/her service for the purpose of gratuity claims.

10.6 Remuneration or other benefits of the post held shall not be granted to an employee of the Commission for the days of Extraordinary Leave.

10.7 Promotion processed prior to availing Extraordinary Leave, if granted, shall be effected only on rejoining the service.

10.8 An employee of the Commission occupying RGoB accommodation shall vacate it when the employee of the Commission is granted Extraordinary

Leave for a period exceeding one year at a time. The employee of the Commission shall be allowed to retain the RGoB accommodation on full payment of the house rent in advance, when the Extraordinary Leave period is one year or less.

10.9 The RGoB agency in charge of housing shall be informed of the Extraordinary Leave sanctioned to an employee of the Commission by the Administration and Finance Division immediately upon the approval.

10.10 An employee of the Commission applying for Extraordinary Leave shall furnish specific reasons in the application along with a completed letter of undertaking, stating the reasons mentioned in the applications are true.

10.11 An employee of the Commission may be granted the Extraordinary Leave for the following purposes:

10.11.1 Pursuing studies, when the study leave is not permissible.

10.11.2 Family problems, when the attention of the official concerned is genuinely required.

10.12 The position of an employee of the Commission shall not be protected while availing Extraordinary Leave beyond six months.

11. Authority to Grant Extraordinary Leave

11.1 The authority to grant extraordinary leave shall be vested in the Election Commission.

12. Paid Leave

12.1 An employee of the Commission shall be paid basic pay and allowances, if any, for the period of Casual Leave, Paternity Leave, Earned Leave, Maternity Leave and Medical Leave. However, payment of an allowance

shall be limited to the first six months in case the medical leave period extends beyond this period.

- 12.2 The advance, if any, shall be promptly adjusted against the leave salary due to the employee of the Commission for the period of leave.

13. General Rule

- 13.1 An employee of the Commission shall be considered as on duty at any time in a day and can be called on duty by the appropriate authority at any time of a day according to exigencies of service.
- 13.2 Except in the case of sudden illness or unforeseen circumstances, an employee of the Commission shall not remain absent from duty or leave station without taking prior permission from the immediate superior.
- 13.3 Submission of application for leave by an employee of the Commission does not imply that the leave is approved till a written order is passed to that effect by the approving authority.
- 13.4 Leave shall not be approved beyond the date of retirement.
- 13.5 In case of termination of services due to failure of an employee of the Commission to resume duty on expiry of leave sanctioned, leave salary in respect of the period covered by the sanction shall be payable. Dues recoverable from an employee of the Commission shall be adjusted out of the leave salary or any claim to be paid to him/her.
- 13.6 Joining time on transfer may be suffixed to any form of leave.
- 13.7 Leave account records, except that of casual leave, of all employees of the Commission shall be maintained in the formats given in the service record.

14. Leave Travel Concession (LTC)

- 14.1 An amount equal to one month basic pay as an LTC shall be paid once in every financial year as per the prevailing Rules and Regulations.
- 14.2 An employee of the Commission shall be eligible for the LTC during the training period.
- 14.3 An employee of the Commission shall not be eligible for the Leave Travel Concession (LTC) during the probation period and EOL. In the event an employee of the Commission completes the probation period in the course of a financial year, he/she shall be entitled to the LTC only for the following financial year.

15. Revocation of the Leave Granted

- 15.1 The grant of leave shall be determined by the exigencies of the service and the Chief Election Commissioner shall have the discretionary power to refuse the leave or revoke the leave already granted.

16. Unauthorized Absence

- 16.1 The unauthorized absence of an employee of the Commission shall not normally be regularized through grant of leave, even if leave is available at credit.

However, should the Chief Election Commissioner be convinced that the employee of the Commission has remained absent under unavoidable circumstances and deserves regularization, leave may be granted as per the entitlement of the individual employee of the Commission.

- 16.2 Regularization of unauthorized leave can be done only upon submission of written application with full justification(s) to the Chief Election

Commissioner.

CHAPTER 10

REMUNERATION, ALLOWANCES AND BENEFIT

1. Policy

- 1.1 Pay adequate remuneration and benefits to the employees of the Commission;
- 1.2 Ensure judicious administration of compensation within the Service of the Commission founded on the principle of equal pay for equal value of work;
- 1.3 Maintain a competitive remuneration structure;
- 1.4 Attract and retain the best and the brightest employees of the Commission; and
- 1.5 Motivate the employees of the Commission to serve the Commission with full potential.

2. Pay Scale

- 2.1 The Pay Scale for the employees of the Commission shall be fixed at par with the Pay Scale applicable for Civil Service or as may be approved by the Royal Government from time to time.

3. Revision of Salary

- 3.1 The Commission shall revise its remuneration as per the decision reached on the recommendation of the Pay Commission.
- 3.2 The procedure for pay fixation at the time of revision of pay scales shall be as prescribed in the pay scales revision order.

4. Pay Fixation

4.1 On Initial Appointment

4.1.1 The basic pay of an employee of the Commission shall, on initial appointment, be fixed at the minimum of the scale.

4.2 On Promotion

4.2.1 On promotion to a higher Position Level, the pay of an employee of the Commission in the higher pay scale shall be fixed at the minimum of the time scale prescribed for the higher position, when such minimum is higher than the pay drawn by the public servant of the Commission in the lower scale/Position Level at least by an amount equal to one annual increment in the higher pay scale.

4.2.2 Where the minimum of the pay scale of the higher Position Level is less than the pay actually drawn by the employee of the Commission in the lower scale or when the difference between them is less than the amount of one annual increment in the higher scale, an amount equal to one annual increment in the higher scale shall be added to the pay drawn by the employee of the Commission and the pay shall be fixed at the amount so obtained provided there is a stage in the pay scale. If there is no stage, it shall be fixed at the next higher stage in the pay scale.

4.2.3 When an employee of the Commission is promoted with effect from a date on which the annual increment is to be granted, the annual increment in the lower Position Level shall be released first and the pay shall then be re-fixed in the pay scale of the higher Position Level.

4.3 On Demotion

4.3.1 The pay of an employee of the Commission on demotion to a lower position level shall be fixed at the minimum of the pay scale.

4.4 On return from Secondment

4.4.1 An employee of the Commission on return from secondment to Commission shall be placed in the same Position Level and pay scale held by the official immediately before the secondment. The pay in the respective Position Level/pay scale shall be fixed after taking into account the increment that would have been sanctioned to him during the period of secondment.

4.4.2 However, when the employee is promoted during the period of secondment, the pay of the official shall be re-fixed in the Commission pay scale first in accordance with Section 4.4.1 above as on the date of promotion. The pay and benefits drawn by the official in the organisation to which he is seconded shall have no bearing in re-fixing the pay on return.

4.5 On return from EOL

4.5.1 An employee shall not be entitled to increment during EOL.

4.5.2 The pay fixation on return from EOL shall be based on the pay scale held by the official immediately before the EOL.

4.6 Annual Increment

4.6.1 Annual Increment shall, in the respective pay scale, be given to all employees of the Commission based on their performance.

4.6.2 The Secretary shall sanction the annual increments to the employees of the Commission.

4.6.3 The authority to grant the annual increment shall be vested with the Secretary for all Position Levels.

4.6.4 A non-performing employee with “Improvement needed” rating shall receive no increment.

4.7 Date of Increment

4.7.1 An employee of the Commission appointed/promoted on or between 1st January and 1st July or 1st July and 31st December, shall draw his/her annual Increment in that scale on 1st January/1st July upon serving minimum of 12 months.

4.7.2 An employee of the Commission who is demoted on or between 1st January and 1st July shall draw his/her subsequent annual Increment in the lower pay scale on 1st July of the succeeding year and if demoted on or between 1st July and 31st December, inclusive, he/she shall draw the annual Increment on 1st January after serving a minimum of 12 months.

4.7.3 Annual increment beyond the maximum ceiling of the pay scale of that Position Level may be granted by the HR Committee if the employee does not have disciplinary, adverse or non-performance record during the last three years.

4.7.4 In the event an employee of the Commission retiring or resigning in June, the annual increment shall be released and it shall be considered for the purpose of calculating gratuity and other retirement benefits.

4.7.5 The amount of Gratuity payable under this Rule shall be computed based on the last basic pay drawn times the number of completed years of service. However, service of six months and above shall be considered as a complete year for the purpose of calculating gratuity.

4.7.6 In the event of separation, increment shall be released and

considered for the purpose of gratuity and other benefits if he/she has completed 12 months of service after the previous increment.

5. Benefits

5.1 Duty Free Vehicle Quota

5.1.1 An employee of the Commission shall be entitled to import duty free foreign vehicle as per the prevailing norms of the Royal Government.

6. Allowances

6.1 An employee of the Commission shall be entitled to the following allowances as per the prevailing norms:

6.2 Red Kabney Allowance

6.2.1 An employee of the Commission awarded a red *Kabney* shall be entitled to a monthly allowance approved by the Government.

6.3 Paatag Allowance

6.3.1 An employee of the Commission shall be entitle to a one-time Patang Allowance approved by the Government.

6.4 Officiating Allowance

6.4.1 An Officiating Allowance (OA) shall be provided to an employee of the Commission officiating for more than one month but not exceeding six months as per the schedule approved by the Royal Government.

6.4.2 OA is payable for officiating positions in P1 (without sub-levels) and above managerial positions, and heads of institutes only.

6.4.3 OA shall be sanctioned only to those in one to two Position Levels lower than the officiated Position.

6.4.4 OA shall be payable to an employee of the Commission officiating:

6.4.5 When the incumbent in Position Level P1 and above managerial position, and head of institute is not in office for more than a month;

6.4.6 HR Committee of the Commission shall ensure that OA is not misused.

6.5 High Altitude Allowance

6.5.1 A High Altitude Allowance shall be paid to an employee of the Commission posted for investigation for more than one month to a place which is 10,000 feet and above, or as determined by the competent authority from time to time.

6.6 Overtime Payment

6.6.1 An Overtime Payment shall be provided to an employee of the Commission as per the prevailing norms.

6.7 RGoB Accommodation

6.7.1 An employee of the Commission allocated RGOB/public housing shall pay as per the prevailing norms.

6.8 Entitlement for Election Period

6.8.1 Election officers working at the Headquarters and Dzongkhags, involved in the conduct of elections shall be given a bonus of one month basic pay per election.

6.8.2 All officers who have been directly involved in the conduct of elections

shall be paid adequate mobile recharge vouchers, as per procedure adopted by the Secretariat.

6.9 Other Benefits

6.9.1 An employee of the Commission may be entitled to other benefits enjoyed by Civil servants of equal rank/position at par with the prevailing norms in the Civil Service.

CHAPTER 11

PERFORMANCE MANAGEMENT SYSTEM

1. Policy

- 1.1 Enable fairness in career advancement and promote competence, meritocracy, productivity and morale;
- 1.2 Enhance both organizational and individual development and effectiveness by introducing objective performance management mechanism; and
- 1.3 Enhance professionalism and accountability.

2. Strategy

- 2.1 Conduct regular review of the organizational structure;
- 2.2 Promote performance-based culture; and
- 2.3 Institute a rigorous performance appraisal system.

3. Organizational Review

- 3.1 The Commission shall within an interval of five years review the vision, mission, performance standards, values & strategies, structure, staff strategies and staffing pattern/strength.
- 3.2 The Commission shall annually appraise the achievement of the previous year's targets and set targets for the following year. This shall be the basis for performance appraisal.
- 3.3 The Commission shall promote a conducive organizational culture for the benefit of the general public through appropriate motivational measures.

- 3.4 The Commission shall develop a high performance culture through training and performance management.
- 3.5 The Commission shall ensure that the organizational review is supported by effective performance management.

4. Promote a Performance-based Culture

4.1 Training

- 4.1.1 Appropriate training programmes shall be made available throughout the service of the Commission to develop the competence required for effective performance management. These shall include:

- 4.1.1.1 Understanding performance management policies;
- 4.1.1.2 Performance Appraisal System;
- 4.1.1.3 Training in performance management;
- 4.1.1.4 Managing and coaching staff performance;
- 4.1.1.5 Giving and receiving feedback; and
- 4.1.1.6 Motivation and rewards.

4.2 Performance Survey

- 4.2.1 The performance of the Commission shall be reviewed after every election cycle through a performance survey including feedback from staff, election officials and a review of election observation reports.

5. Performance Appraisal System

5.1 The performance appraisal system aims to:

5.1.1 Provide an objective basis for personnel actions including incentives, rewards and managing poor performance.

5.1.2 Enhance performance of employees through continuous and objective performance planning, monitoring, reviewing and recognition; and

5.1.3 Enhance productivity by aligning employee performance to the organizational goals.

5.2 **General Provision**

5.2.1 Every employee of the Commission shall be provided with information on the performance appraisal system.

5.2.2 Existing employees shall familiarize themselves with the performance appraisal system, and new employees shall be provided with this information through an induction programme.

5.2.3 For employees on long-term training, their academic performance at the institute shall form part of the performance appraisal.

5.2.4 The Commission shall facilitate training for all employees to enable them to participate meaningfully in the Performance Appraisal System.

5.2.5 The Human Resource Officers shall take custody of the performance appraisal forms and make them available as and when required.

- 5.2.6 The Secretariat of the Commission shall study the overall performance trends of its employees and present to the Commission on an annual basis, along with proposals for bringing about improvement during the next Appraisal Cycle.
- 5.2.7 All performance information, including the ratings shall be analyzed and archived accordingly, and shall be computed through the use of appropriate software which shall be used to generate quantitative data as well as document of critical incidences. The Human Resource Officer/s shall be responsible for managing this information.
- 5.2.8 In cases where individual employee has more than one manager, the manager who supervises major job responsibilities shall be considered the primary manager. The primary manager shall consult all significant managers of the employee during the work planning and review sessions. The primary manager shall reflect the views and judgment of other managers while recording the performance plans and ratings.
- 5.2.9 In cases where an employee has been transferred under a new manager, the following shall be observed regarding the performance rating:
- 5.2.9.1 In case the employee has not worked for at least one quarter of the Appraisal Cycle, the earlier manager should undertake to review the performance of the employee.
- 5.2.9.2 In case the employee has completed at least one quarter of the Appraisal Cycle under the new

manager, the new manager shall undertake to review the performance for the appraisal quarter.

5.3 Appraisal Instrument

5.3.1 The Performance Appraisal System shall consist of three sets of appraisal instruments.

Executive Performance Appraisal

5.3.2 For the purpose of the Performance Appraisal System, Executive shall mean the Secretary of the Commission.

5.3.3 The performance of the Secretary shall be reviewed and appraised using the Executive Performance Appraisal Forms on an annual basis. The Executive Performance Appraisal Form (**Annexure 11/4**) shall be completed by the Election Commissioners.

5.3.4 The overall performance of the Secretary shall be reviewed and appraised using the Assessment of Secretary by the Chief Election Commissioner of Bhutan Form in **Annexure 11/6** on an annual basis.

5.3.5 The Assessment of Secretary's Form shall be completed by the Chief Election Commissioner.

General Employees' Appraisal

There are two phases in the appraisal process for general employees of the Commission.

Phase 1: Work Planning and Review Form

- 5.3.5.1 The Work Planning and Review Form shall be used by the manager and the employee to determine half yearly work targets as well as identify six relevant core competencies.

Phase 2: Summative Performance Review Form

- 5.3.5.2 The Summative Review Form shall be used by the Head of the Secretariat, the Manager and the employee to reflect on the work targets and the overall performance of the employee. The Summative Review shall consist of three components: viz. the review of performance factors, review of core competencies and recording of specific comments. The Summative Review is to be undertaken annually.

5.4 Performance Rating

- 5.4.1 The performance ratings on all the performance appraisal forms shall be as per the following four rating scales:

5.4.1.1 Outstanding : 4 points

5.4.1.2 Very Good : 3 points

5.4.1.3 Good : 2 points

5.4.1.4 Improvement Needed : 1 point

5.5 Evaluation Summary

- 5.5.1 The average scores across both performance outputs and core competencies shall form the final rating of the employee as

follows:

5.5.1.1 Average total scores of 3.5 – 4.00 : Outstanding

5.5.1.2 Average total scores of 2.5 - 3.49 : Very Good

5.5.1.3 Average total scores of 1.5 - 2.49 : Good

5.5.1.4 Average total scores of 0 -1.49 : Improvement
Needed

6. Use of the Performance Appraisal Results

6.1 The Performance Appraisal results shall be used to:

6.1.1 Identify and address development needs of employees.

6.1.2 Determine appropriate performance increment.

6.1.3 Recognize good performers and provide appropriate incentives and rewards.

6.1.4 Promote an employee to a higher position available in the service of the Commission.

6.1.5 Take other personnel actions inter alia, transfer, confirmation of services for the probationers and assigning special tasks.

6.1.6 Identifying non-performance.

7. Managing Non-performance

7.1 Where employees are not performing satisfactorily, a number of strategies shall be utilized, including:

7.1.1 Training of the managers in performance management.

- 7.1.2 Staff development in the form of training, counseling and coaching.
- 7.1.3 Review current work responsibilities against the job descriptions and annual work plan.
- 7.1.4 Improvement of job environment and workload.
- 7.1.5 Transfer and reassignment.
- 7.1.6 Disciplinary actions, including termination.

8. Role of the Human Resource Officer (HRO)

- 8.1 The HRO shall ensure that every employee and his/her manager use the appraisal instruments at all times.
- 8.2 The HRO shall ensure that the forms are properly completed at the end of each review period.
- 8.3 The HRO shall generate individual and aggregated performance appraisal report for the employees in the Commission for submission to the Secretary on a yearly basis.
- 8.4 The HRO shall facilitate performance feedbacks between the Manager and Employee.

9. Accountability

- 9.1 The Secretary shall be held accountable for ensuring effective implementation of the Performance Appraisal System by providing necessary guidance and support.
- 9.2 The Manager shall be responsible for:

- 9.2.1 Guiding and facilitating their employees to fill in the forms as per the requirements and principles of the Performance Appraisal system. Initiating the appraisal process and establishing the employee's work targets and core competencies at the beginning of the Appraisal Cycle.
- 9.2.2 Regularly monitoring the employee's performance during the Appraisal Cycle and providing feedback on performance and achievements to employees.
- 9.2.3 Maintaining custody of the performance appraisal document of the employee during the Appraisal Cycle and submitting them to the Human Resource Officer, as and when required.
- 9.3 The Human Resource Officer shall be responsible and accountable for the effective implementation and management of the Performance Appraisal System under the overall guidance of the Head of the Secretariat.
- 9.4 Every employee shall ensure that his/her performance is planned, monitored and rated as per the requirements of the Performance Appraisal System.
- 9.5 Precautionary measures shall be taken at all levels to maintain confidentiality of information throughout the performance appraisal process. Breach of confidentiality shall be considered an offence and shall result in appropriate disciplinary action.

ELECTION COMMISSION OF BHUTAN

WORK PLANNING AND REVIEW FORM

For the period: _____ to _____

Agency:

Name of the Employee:

Name of the Manager:

Employee ID No:

Position Title:

Position Title:

<p>These performance outcomes are to be made priorities for the next 6 month period. To be completed jointly by the manager and the employee at the beginning of the work planning cycle. Use the employee's job description and annual work plan as guidelines.</p>	<p>Each performance output should be reviewed at the end of each 6 month period. Review Date:</p>	<p>No ratings are required in this review phase, just remarks in relation to how the employee is progressing or not progressing in meeting each performance output.</p>
<p>Expected Performance Output/ Services</p>	<p>Remarks of the Employee:</p>	<p>Remarks of the Manager:</p>
<p>Output I:</p> <p>Output II:</p> <p>Output III:</p> <p>Output IV:</p>		

(Use additional sheet if required)

ELECTION COMMISSION OF BHUTAN

WORK IDENTIFICATION OF CORE COMPETENCIES

Instructions

The core competencies are the special skills/qualities required to fulfill the roles and responsibilities of the position. The manager and the employee should jointly identify six core competencies relevant to the employee's position. The core competencies may be identified using the Sample Competency Library provided in Appendix I.

Each core competency will be evaluated at the end of the appraisal cycle using the Core Competency Rating Scale (see Appendix H).

Agreed Core Competencies

1
2
3
4
5

(Signature of the Employee)

(Signature of the Manager)

ELECTION COMMISSION OF BHUTAN

SUMMATIVE PERFORMANCE REVIEW FORM

For the period..... to

Employee / Manager Information

Name of Agency:

Name of the Employee:

Employee ID No:

Position Title:

Position Level:

Major Occupation Group:

Sub Group:

Name of the Manager:

Position Title of the Manager:

Note: under Performance Outputs, a separate rating is required for both the 'quantity' and 'quality' sections. The 'final rating' is to be approved and written down by the Manager.

ELECTION COMMISSION OF BHUTAN

SUMMATIVE PERFORMANCE REVIEW FORM (CONTINUED)

RATINGS ON PERFORMANCE FACTORS

(Use additional sheets if required)

(Ratings should pertain to Performance Outputs as outlined in Work Planning and Review Forms. Add additional outputs as necessary)	Final rating (Manager):
PERFORMANCE OUTPUT 1: Quantity of Work:	
Quality of Work:	
PERFORMANCE OUTPUT 2: Quantity of Work:	
Quality of Work:	
PERFORMANCE OUTPUT 3: Quantity of Work:	
Quality of Work:	
TOTAL FINAL RATING:	
AVERAGE RATING (A):	

Divide 'Total Final Rating' by number of individual final ratings =

(Signature of the Employee)

(Signature of the Manager)

The Employee may add any comment here on the rating given by the Manager

ELECTION COMMISSION OF BHUTAN

SUMMATIVE PERFORMANCE REVIEW FORM (CONTINUED)

RATINGS ON CORE COMPETENCIES

Core Competency	Comments by Manager:	Final Rating (Manager):
1.		
2.		
3.		
4.		
5.		
6.		
TOTAL FINAL RATING:		
AVERAGE RATING (B):		

Divide 'Total Final Rating' by 6 =

(Signature of the Employee)

(Signature of the Manager)

The Employee may add any comment here on the rating given by the Manager

DEVELOPMENT NEED OF THE EMPLOYEE

Comments by the Employee

(Comment on some of your special achievement and on areas that you need to improve)

(Signature of the Employee)

ELECTION COMMISSION OF BHUTAN

SUMMATIVE PERFORMANCE REVIEW FORM (CONTINUED)

Comments by the Manager:

(Comment on the special achievements and/or development needs of the employee and suggest some measures to improve the performance of the employee)

(Signature of the Manager)

[THE APPRAISAL MEETING WITH THE EMPLOYEE IS CONCLUDED AT THIS POINT.]

THE MANAGER SHALL COMPLETE THE FINAL RATINGS CALCULATION BELOW, AND FORWARD THE SUMMATIVE REVIEW FORM TO THE HEAD OF AGENCY FOR REVIEW AND FINAL APPROVAL.]

FINAL RATINGS CALCULATION:

Average Rating (A): _____ 60% Weightage

+ Average Rating (B): _____ 40% Weightage = Final Rating (C): _____

$$\bullet \text{ Calculation: } (A \times 0.6) + (B \times 0.4) = C$$

If C = [tick appropriate box to confirm Final Rating and associated Performance Increment (PI)]:

3.50 – 4.00 Outstanding 1.50 – 2.49 Good

2.50 – 3.49 Very Good 0 – 1.49 Improvement Needed

Name and Signature of Manager Approval by Head of Agency

Comments by the Head of Agency:

(Comment on the general performance and potential of the employee)

(Name and Signature of Head of Agency)

ELECTION COMMISSION OF BHUTAN

EXECUTIVE PERFORMANCE APPRAISAL FORM

For the rating period: _____ to _____

Name of the Employee:

Name of the Manager:

Employee ID No:

Position Title:

Position Title:

1. EVALUATION OF PERFORMANCE OUTPUT

- A) How would you rate the extent of his/her performance accomplishment in terms of the programmes, projects and their targets for the last twelve months?

4 = Outstanding; 3 = Very Good; 2 = Good; 1 = Improvement needed

Substantiate rating with at least one example: _____

- B) How would you rate the quality of his/her /her work output in the last twelve months?

4 = Outstanding; 3 = Very Good; 2 = Good; 1 = Improvement needed

Substantiate rating with at least one example: _____

- C) How would you rate the timeliness of his/her work output in the last twelve months?

4 = Outstanding; 3 = Very Good; 2 = Good; 1 = Improvement needed

Substantiate rating with at least one example: _____

TOTAL RATING: _____ **DIVIDE 'TOTAL RATING' BY 3 = AVERAGE RATING (A):** _____

2. EVALUATION OF COMPETENCIES

- D) Management of Work (it includes among others the ability to plan, prioritize, delegate, monitor, evaluate and decision making skills)

4 = Outstanding 3 = Very Good 2 = Good 1 = Improvement needed

Substantiate rating with at least one example: _____

- E) Management of People (it includes among others the ability to establish clear vision /direction, promote professionalism, advance career growth of subordinates, motivation of subordinates and effective communications skills)

4 = Outstanding 3 = Very Good 2 = Good 1 = Improvement needed

Substantiate rating with at least one example: _____

- F) Management of Resources (it includes among others the ability to mobilize resources, effective utilization, proper management of facilities and equipment)

4 = Outstanding; 3 = Very Good; 2 = Good; 1 = Improvement needed

Substantiate rating with at least one example: _____

- G) Management of Linkages (it includes among others the ability to work effectively with other peers of other organizations / departments, stakeholders, superiors and clients)

4 = Outstanding; 3 = Very Good; 2 = Good; 1 = Improvement needed

Substantiate rating with at least one example: _____

TOTAL RATING: _____ **DIVIDE 'TOTAL RATING' BY 4 = AVERAGE RATING (B):** _____

Comments by the Employee (EXCLUDING: SECRETARY)

(Comment on some of your special achievement and on areas that you need to improve)

(Signature of the Employee)

[The appraisal meeting with the employee is concluded at this point.

The manager shall complete the final ratings calculation below, and forward the summative review form to the Secretary or Commission for review and final approval.]

Final ratings calculation:

Average Rating (A): _____ 60% Weightage

+ Average Rating (B): _____ 40% Weightage = Final Rating (C): _____

• Calculation: $(A \times 0.6) + (B \times 0.4) = C$

If C = [tick appropriate box to confirm Final Rating and associated Performance Increment (PI)]:

3.50 – 4.00: Outstanding

2.50 – 3.49: Very Good

1.50 – 2.49: Good

0.00 – 1.49: Improvement Needed

Ratings by

(Election Commissioner)

(Election Commissioner)

Approval by

(Chief Election Commissioner)

ELECTION COMMISSION OF BHUTAN

EMPLOYEE FEEDBACK FORM

To be completed by the immediate subordinate for those holding executive, managerial and formal supervisory positions.

Name of the Employee whom the feedback is for:	
Employee Position Title: Employee ID:	
Name of the Manager:	
Manager Position Title:	
Agency:	
Date:	

This feedback will be kept anonymous. You are required to provide honest and constructive comments on the employee's overall performance and management style/practice.

- 1 List one or more things you would like your manager to stop doing:**

- 2 List one or more things you would like your manager to continue doing:**

- 3 List one or more things you would like your manager to start doing:**

- 4 List one or more things your manager could do better:**

ELECTION COMMISSION OF BHUTAN

ASSESSMENT OF SECRETARY

BY THE CHIEF ELECTION COMMISSIONER OF BHUTAN

Agency:	
Name of Secretariat:	
Name of Chairperson:	
Date:	

Key Results Areas:		Rating:	Example: (Please support rating with at least one example)
1	Management of Work: Overall achievement of policy objectives and enactment of legislation		
2	Support to Bhutan's constitutional process and Good Governance		
3	Timely achievement of planned sector targets		
4	Management of Resources: control of costs and efficient use of resources		
5	Quality of service delivery and client/citizen satisfaction		
6	Promotion of innovation, technology, research and global thinking		
7	Management of People: utilization of human resources and right-sizing of the workforce.		
8	Management of Linkages: success in establishing international and national partnerships and cooperation		
9	High level of communication, public image and relations		
10	Realization of ethical standards, Good Governance, cultural heritage and environment, and the principles of GNH		

Signature of Chief Election Commissioner of Bhutan

Date:

CHAPTER 12

PROMOTION

1. Policy

- 1.1 Reward and motivate a potential and competent employees of the Commission to carry out the responsibilities of a higher position;
- 1.2 Promote fairness and equity in the Service of the Commission through open and competitive promotion system; and
- 1.3 Provide equal career advancement opportunities to retain the best and brightest employees of the Commission.

2. Strategy

- 2.1 Conduct a fair, open and competitive selection based on merit;
- 2.2 Performance of an employee shall be used as the basis for considering his/her promotion; and
- 2.3 The Commission shall be highly selective while considering promotion of an employee of the Commission to Executive Positions.
- 2.4 The position directory and fulfillment of promotion.

3. Identification of Vacancy for Promotion

- 3.1 The Commission vested with the authority to grant promotion shall identify vacancies for promotion in line with the ECB Position Directory.

4. Authority to Grant Promotion

4.1 The Commission shall be vested with the authority to promote an employee of the Commission as follows:

Position category	Authority for Promotion
Secretary & Head of Departments/ Division Chiefs	Election Commission
Professional, Managerial & Supervisory staff (P5-P1)	
Support, GSP & ESP staff	Secretary of the Commission

5. Promotion Criteria

5.1 The criteria for promotion of an employee of the Commission shall be based on:

5.1.1 Availability of post vacancy with exception in the case of promotions within the broadband;

5.1.2 Merit defined in terms of:

5.1.2.1 Past and present performance in his/her job as reflected in the performance appraisal;

5.1.2.2 Relevant experience;

5.1.2.3 Clear service record;

5.1.2.4 Not reflected in the negative list of the RAA/ ACC;

5.1.2.5 Suitability to perform the duties and responsibilities of the vacant position;

5.1.2.6 Potential to shoulder higher responsibilities;

5.1.2.7 Academic qualification;

5.1.2.8 Training; and

5.1.2.9 Skills and competence.

5.2 The training period beyond 18 months of any single training and any other form of leave exceeding three months at a time shall not be counted as part of active service for promotion.

5.3 The promotion of an employee of the Commission shall not be processed during his/her leave of absence from duties, except when the candidate meets the promotion criteria before availing the leave or when the employee of the Commission concerned is undergoing a training of six (6) months or less duration.

5.4 A promotion shall entail a higher degree of responsibilities, requiring greater knowledge, skills and ability. Minimum qualification requirements prescribed for the respective position shall be fulfilled by the employee of the Commission under consideration.

5.5 An employee of the Commission considered for promotion to Position Level P5 and above shall possess leadership qualities, including:

5.5.1 Integrity;

5.5.2 Effective communication skills and good command of Dzongkha and English;

5.5.3 Ability to motivate, direct and supervise;

5.5.4 Ability to take initiatives, strong commitment, competence and

ability to shoulder higher responsibilities;

5.5.5 Ability to negotiate effectively and make decisions;

5.5.6 Ability for strategic planning and monitoring; and

5.5.7 Ability to control costs.

5.6 Additional qualifications relevant to the nature of duties and responsibilities shall be given weightage.

5.7 An employee of the Commission shall complete a minimum of 4 years of active service in the current Position Level for the purpose of promotion to the next higher position.

6. Process

6.1 The HRO shall, prepare a List of all employees of the Commission who are due for Promotions based on the promotion criteria, including for meritorious promotion.

6.2 The promotion shall be based on the following criteria:

6.2.1 Performance ratings securing 'good' or above for the past three subsequent years;

6.2.2 Completion of the minimum years' of experience required in the current position;

6.2.3 Acquisition of the minimum level of knowledge and skills identified for the higher Position Level, where a greater level of responsibility and autonomy within the role is also required; and

6.2.4 A clear service record.

6.3 The HR Committee constituted within the Commission shall review all proposals to promote employees of the Commission for recommendation to the appropriate authority in the Commission for its approval.

6.4 The proposal for promotions shall include:

6.4.1 Promotion Form given at **Annexure 12/1**;

6.4.2 Performance appraisal reports;

6.4.3 Security Clearance Certificate; and

6.4.4 Clearance certificate to certify that the employee is not reflected in the negative list of the RAA/ACC.

6.5 Schedules for Promotion

6.5.1 Review recommendation: by 30 April/31 October

6.5.2 Shortlist: by 30 May/30 November

6.5.3 Approval: by 15 June/15 December.

7. Meritorious Promotion

7.1 All meritorious promotions shall be granted by the Commission to reward and recognize outstanding performance of an employee of the Commission who shall be a role model.

7.2 The Commission shall consider an outstanding employee of the Commission with leadership qualities for fast track promotion by relaxing the minimum required experience to a post that is higher by one Position Level or on completion of at least two years in a particular post, so long as the other eligibility criteria are fulfilled, including the following:

- 7.2.1 Potential to shoulder higher responsibilities;
- 7.2.2 Consistent outstanding performance for at least the last two years;
- 7.2.3 Exceptional act or service in the public interest besides his/her normal responsibilities; and
- 7.2.4 Suggestion, invention, accomplishment or personal effort has contributed to the efficiency, economy, or other improvement in the Commission.

8. Post Vacancy

- 8.1 The Commission shall also fill up senior posts vacancy through an open competitive environment when there are no eligible candidates within the Commission as follows:
 - 8.1.1 The Commission shall announce the vacant positions through media as and when the vacancy arises and provide at least one month for candidates to submit their applications. Selection process shall be completed within two months from the date of the vacancy announcement.
- 8.2 Vacancy announcement shall be as per the Job Description and Specification approved for a post that clearly defines eligibility criteria, including the following:
 - 8.2.1 Qualification, skills, knowledge and competency requirements;
 - 8.2.2 Requirement of Documents;
 - 8.2.3 Minimum service required in the current Position Level, excluding the probation period;

- 8.2.4 Selection process, date and venue;
 - 8.2.5 Date and venue for declaration of short-listed applicants for the selection process;
 - 8.2.6 Date and venue for declaration of the selection result;
 - 8.2.7 Application deadline and venue; and
 - 8.2.8 Contact number and address.
- 8.3 A candidate shall be required to submit application along with the following documents:
- 8.3.1 Resume;
 - 8.3.2 Attested copies of academic transcripts;
 - 8.3.3 Attested copies of training certificates (if required);
- 8.4 Copy of the Bhutanese citizenship identity card subject to production of the original, when required;
- 8.4.1 Security clearance certificate;
 - 8.4.2 Not reflected in the negative list of the RAA/ ACC/ RCSC; and
 - 8.4.3 Any other documents that may be required.

- 8.5 The HR Committee of the Commission shall:
- 8.5.1 Verify all testimonial and academic transcript;
 - 8.5.2 Shortlist the applicants against the eligibility criteria for the position; and
 - 8.5.3 Notify applicant on the status of application.
- 8.6 Selection of a candidate for the vacant position shall be based on merit. A combination of assessment methods stated below may be applied:
- 8.6.1 Academic qualification;
 - 8.6.2 Panel review or Interview; and
 - 8.6.3 Written Examination.
- 8.7 The HR Committee shall coordinate written examinations, where necessary, and maintain strict confidentiality on the identity of the resource persons.
- 8.8 The HR Committee shall conduct the interview.
- 8.9 The Committee members shall be properly briefed particularly on the eligibility criteria for the position and the applicant's resume details prior to the interview. Guidelines for code of conduct for the HR Committee shall be circulated.
- 8.10 The HR Committee shall compile verify and sign the compiled result sheet/s.
- 8.11 The HR Committee shall, as the recommending authority, prepare the final results in order of merit with a clear recommendation for appointment to the position.

8.12 The Commission, as the approving authority, shall make its decision taking into account the results of the selection process and the recommendation of the HR Committee.

8.13 The HR Committee shall, upon approval by the Commission, declare the result through the media within two weeks of the selection process. Unselected candidates shall be informed in writing.

8.14 The Commission shall appoint the selected candidate against the vacant position.

9. Handing/Taking Over of Charge

9.1 There shall be proper handing/taking over of charge before an employee of the Commission is relieved from the current post, including:

9.2 All public property (acquired as per procurement manual or donated/procured through projects); and

9.3 Files and records.

10. Orientation

10.1.1 The Commission shall institute an appropriate Orientation Programme and ensure that in-service candidates for promotion are properly inducted.

ELECTION COMMISSION OF BHUTAN

Promotion Form

EMPLOYEE ID No.:

Name:				Sex:		M	F
Date of birth:		D	M	Y	Nationality:		
Citizenship Card No.	Date of issue:	D	M	Y	Place of issue:		
Full Postal Address:	House No.		Village:		Municipality:		
	Thram No.		Gewog:				
Particulars: (i) Father (ii) Mother (iii) Spouse		Name:		Nationality:		Occupation and Address:	

EDUCATION: Academic and Training (please start from the Institute last attended)

Name of School/ College/Training Institute	Location and Country	Field of Study	Subjects	Duration		Degree/ Diploma Certificate obtained
				Start Date		End Date
a.						
b.						
c.						
d.						
Research/ Publication:						
Title		Date		Purpose		
a.						
b.						
c.						

State whether selected in the Civil Service Common Examination. If selected, state the year of selection and position ranking:

a. Year of selection:

b. Merit Rank:

Speak

Write

Understand

Language	Outstanding	Very Good	Good	Outstanding	Very Good	Good	Outstanding	Very Good	Good
Dzongkha									
English									
Others									

PRESENT JOB IDENTIFICATION:

1. Position Title:

2. Job Code No.:

3. Position Level:

4. Pay Scale:

5. Major Occupational Group:

6. Sub-Group:

Date of Last Promotion: Attach a copy of specific duties and responsibilities of the position.

EMPLOYMENT HISTORY -Post (s) held so far, (starting with the present position). Please indicate the position level changes.

Agency/Dept & Division/ Unit	Designation	Grade/ Position Level	Period	Place of Posting		Office Order No. & Date
			From (Date)	To (Date)		
Extra Ordinary Leave availed:		Long term training/Higher studies availed:				
Duration:		Duration:				

From: To		From:		To:
No. of continuous & active years of service completed from the date of initial appointment:		No. of continuous & active years of service completed since the last promotion:		
PERFORMANCE – Ratings for the past three years: (each out of the total factors) copies of performance evaluation reports should be attached.				
Year	Improvement Needed	Good	Very Good	Outstanding
(i) PROMOTON RECOMMENDED 1. Position Title: 2. Job Code No.: 3. Position Level: 4. Pay Scale: 5. Major Occupational Group: 6. Sub-Group:				
(ii) Is the proposed promotion against the approved post? _____ (iii) State whether the candidate fully matches the job requirements of the post: _____ (iv) Qualification requirements for the proposed post				
Information verified by HR Officer of ECB <div> <div>Date</div> <div>Signature</div> <div>Name & Designation (Official Seal)</div> </div>				
Recommendation of the ECB I also certify that the information furnished in this form has been verified and is found correct and that there is no adverse report against him/her during the past three years. Date Signature Name & Designation of the recommending authority (Official Seal)				

Recommendation/Decision of the Secretariat		
Date	Signature	Secretary (Official Seal)
Recommendation/Decision of the Election Commission of Bhutan		
Date	Signature	Chief Election Commissioner (Official Seal)
Information verified by:		
Name of the HRO	(Official seal)	Date:
Decision of the ECB HR Committee (reference of the Meeting No dated) Approved w.e.f. Date Month Year Not approved Date <div style="display: flex; justify-content: space-between; align-items: flex-end; padding: 10px;"> <div style="width: 40%;"> Chief Election Commissioner of Bhutan </div> <div style="width: 40%;"> (Official Seal) </div> </div>		

CHAPTER 13

TRAVEL

1. Policy

- 1.1 Performance of duty effectively;
- 1.2 Compensate an employee of the Commission for expenses incurred during official travel; and
- 1.3 Ensure judicious use of public resources.

2. Purpose

- 2.1 Assess the progress of investigation and other related works;
- 2.2 Assess the impact of programmes already implemented;
- 2.3 Conduct supervision/monitoring/inspection/investigation/audit;
- 2.4 Collect information;
- 2.5 Attend official meetings and/or submit reports;
- 2.6 Attend or preside over official functions;
- 2.7 Lead or accompany official delegations;
- 2.8 Proceed for studies/trainings/seminars/workshops;
- 2.9 Proceed on transfers, home travel on retirement and resignation;
- 2.10 Undergo medical treatment/escort; and
- 2.11 Carry out any other official duties duly assigned.

3. Procedure

- 3.1 Travel shall be undertaken by an employee of the Commission only after obtaining approval from a competent authority.
- 3.2 The travel shall be planned for a specific period and the programme shall be submitted while seeking approval.
- 3.3 An employee of the Commission who is not able to follow the approved tour programme due to unavoidable reasons or be required to change it in the interest of the Commission, he/she must obtain *ex-post facto* sanction for making changes in the programme immediately on his/her return to the duty station.
- 3.4 An employee of the Commission shall carry with him/her proper identification documents.
- 3.5 Travel shall be arranged by the administrative section concerned in conformity to guidelines issued by the Commission.

4. Authority to Approve Travel

- 4.1 An employee of the Commission shall undertake travel only after obtaining approval from the competent authority.
- 4.2 The authority concerned shall exercise reasonable prudence in approving the travel programme.

5. Entitlement for Daily Allowance

- 5.1 The Commission shall adopt the rate of entitlement for travel at the rates applicable to same or equivalent positions in the Civil Service issued by the Royal Government from time to time.

- 5.2 The day of duty shall be calculated from the time of commencement of the journey from the place of posting and the days shall be reckoned on the basis of twenty (24) hours of absence from the duty station for the purpose of calculating Daily Allowance.
- 5.3 Half Daily Allowance shall be paid if the absence from the duty station is more than eight (8) hours but less than twelve (12) hours and full Daily Allowance shall be paid if the absence is twelve (12) hours with night halt.
- 5.4 Full Daily Allowance shall be paid only for the first thirty (30) days of continuous halt on duty at one particular place. After thirty (30) days, only 50% of the Daily Allowance shall be paid for a maximum period of five subsequent months. For continuous stay beyond 6 months, no daily allowance shall be admissible.
- 5.5 In the event an employee of the Commission is required to leave the location of temporary duty prior to completion of the assigned work and return to the same station to continue the same work within a period of six months from the date of commencement of the tour, the duty shall be considered as continuous and the 50% Daily Allowance shall be admissible for the remaining period.
- 5.6 In the event an employee of the Commission is required to leave the location of temporary duty prior to completion of the assigned work, he/she shall be entitled to claim full travel benefits for the journey undertaken outside the jurisdiction of the temporary posting.
- 5.7 An employee of the Commission required to halt in transit for 8 hours or more for the next flight while on travel outside the country shall be paid Daily Subsistence Allowance.

- 5.8 Daily Subsistence Allowance shall be paid for the actual period of halts required for processing visa and it shall be paid at the prevailing rates.
- 5.9 The payment of Daily Subsistence Allowance for enforced halts shall be limited to two days for a round trip while on official travel besides halts in transit, irrespective of the source of funding.
- 5.10 Daily Subsistence Allowance or related expense shall not be paid by the Commission during a training period when the DSA and other expenses are paid by the donors.
- 5.11 Notwithstanding the section above, an employee of the Commission shall be reimbursed the visa fee and airport tax on production of original receipts/documents.

6. Rate of Daily Allowance

- 6.1 An employee of the Commission while on official tour within Bhutan or outside shall be admissible for Daily Allowance at the rates prescribed by the Royal Government.
- 6.2 An employee of the Commission proceeding on medical treatment or as an escort shall be paid Daily Allowance only at the rates prescribed in the medical treatment Rules of the Ministry of Health. However, medical personnel, or any other employee of the Commission deputed by the Commission as an escort, shall be entitled to the normal Daily Allowance.
- 6.3 Daily Allowance shall be paid at the rate prescribed by the Royal Government for travels connected with study tour, training, seminar, symposium, attachment, conference, institutional visit, meeting and workshop funded under the projects.

7. Mode and Class of Transport

- 7.1 The Election Commissioners and Secretary of the Commission shall be entitled to business class for travel by air.
- 7.2 An employee of the Commission deputed by the Royal Government as the head of delegation shall be entitled to business class while traveling by air.
- 7.3 An employee of the Commission in EX1/ES1 shall be entitled to travel by executive class.
- 7.4 An employee of the Commission in Professional/Management to EX/ES categories shall be permitted to claim mileage at the rates prescribed by the Royal Government.
- 7.5 An employee of the Commission in Supervisory/Support (S1 to S5) to Operational Category (O1) shall be eligible to claim mileage for two wheelers.
- 7.6 Mileage claim shall be based on the actual distance covered.
- 7.7 An employee of the Commission traveling outside the country shall be entitled to claim the mileage for to and fro journey as follows:
 - 7.7.1 From the place of work to the airport to drop the employee of the Commission and return to the work place; and
 - 7.7.2 From the work place to the airport to pick up the employee of the Commission and return to the work place.
- 7.8 In order to claim mileage, an employee of the Commission shall submit a copy of the blue book indicating that an employee of the Commission or his/her spouse owns a vehicle.

- 7.9 An employee of the Commission shall, in areas where there is no motorable road or where vehicles do not ply, be entitled to claim the hire charges of ponies/mules or porter charges while on official tours as per the following scales:

Position	Riding Pony	Porter
EX3-EX1/ ES3-ES1	1	3
P5-P1	1	2
S5-S1/ O4-O1	1	1

- 7.10 Once the tour/training/treatment is approved, no separate approval shall be required for travel by the entitled mode/class.
- 7.11 A member of the general public, other than an employee of the Commission, if required to attend to the Commission's need, the Commission shall bear the cost of TA/ DA as per the prevailing rates prescribed by the Royal Government.

8. Submission of Tour Report

- 8.1 It is mandatory for every employee of the Commission who undertakes a tour to submit the tour report within a week after his/her return from the tour to the duty station.

9. Control and Monitoring of Follow-up Actions

- 9.1 The respective controlling authority shall ensure that the purpose of the travel is genuine and that the employee of the Commission has been able to achieve the intended purpose. He/She shall also ensure that appropriate remedial and follow-up actions are taken timely.

10. Accountability

- 10.1 Travel undertaken not in conformity to the provisions of these Rules shall be regarded as unauthorized and hence the expenses incurred shall be recovered from the employee of the Commission concerned. The employee of the Commission who undertakes such travel and the approving authority shall be accountable and liable for disciplinary actions.

CHAPTER 14

TRANSFER

1. Policy

- 1.1 Facilitate mobility among employees of the Commission so their services are best utilized in the interest of the Commission;
- 1.2 Diversify the experience & knowledge and develop appreciation for social, cultural and economic conditions prevailing in the country among the employees of the Commission through change of post, organization or place of posting, particularly from central offices to rural areas; and
- 1.3 Avoid development of vested interests leading to corruption, nepotism and red-tapism due to the prolonged stay of an individual in any particular place or post.

2. General Rule

- 2.1 A change in duties and posts within the same Department/ Division in the same work station shall not be considered as a transfer under this Rule.
- 2.2 Transfers between Head Quarters and Dzongkhags shall be effected wherever possible.
- 2.3 An employee of the Commission may participate in open competitions conducted by any agency of the Royal Government only with prior approval of the Commission.
- 2.4 The Commission shall have the authority to second any of its officers to any other agency provided there is no conflict of interest and in conformity with the national terms and conditions for secondment.

- 2.5 An employee of the Commission shall not be permitted to transfer any public properties along with him/her upon his/her transfer.
- 2.6 An employee of the Commission shall be relieved on transfer only upon production of all the necessary no due certificate from the Head of Departments and Divisions.

3. Preparatory Leave

- 3.1 An employee transferred from one duty station to another shall be eligible for five working days of preparatory leave provided the new duty station is at least 10 kilometers away from the previous station involving change of residence.
- 3.2 The actual time required for travel shall be allowed in addition to the preparatory leave.

4. Benefit

- 4.1 An employee of the Commission shall be entitled to the following transfer benefits:
- 4.1.1 Travel expenditure for self (DA/TA) and family (TA) as admissible under the prevailing Rules;
 - 4.1.2 Transfer grant equal to one month's basic pay; and
 - 4.1.3 Transport charge of personal effects at the rates given in **Annexure 14/1**, subject to revision.
- 4.2 An employee of the Commission transferred within a distance of 10 kilometers from the original place of posting shall not be entitled to transfer benefits.

Transport Charge of Personal Effects while Proceeding on Transfer/Retirement

Position Level	Entitlement	Rate	Pack Pony Scale (non-motorable road)	Monetary Ceiling
EX1/ES1 - EX3/ES3	Two trucks	At prevailing market rate prescribed by the RSTA	13	Nu. 55,000/
P1 -P5	One truck	-do-	10	Nu. 27,000/
S1-5 -O1-4	One DCM or equivalent	-do-	7	Nu. 15,000/

Note:

1. The transport charge shall be admissible only for the minimum capacity prescribed by the RSTA for various types of trucks.
2. The transport charge shall be admissible only for one way and the distance by the most direct route shall be taken into account;
3. The employee of the Commission concerned shall submit a written claim based on the distance and prescribed rates. The amount thus claimed or the ceiling prescribed above, whichever is less, shall be payable:
4. When both husband and wife are employees of the Commission and both are transferred/repatriated together (places of posting being the same), the transport charge shall be admissible only for one person;
5. The transport charge for the journey to home town on retirement shall be admissible only once during the entire service period, irrespective of changing the status or terms of appointment;
6. In the event Government vehicles are used for transportation of personal effects, the transport charge shall not be admissible; and
7. The halt for the trucks shall not be admissible.

CHAPTER 15

PRIVATE TRADE AND EMPLOYMENT

1. Policy

- 1.1 Restrict an employee of the Commission from engaging in trade and commercial activities which have conflict of interests and thereby compromises the public interests; and
- 1.2 Prevent corrupt practices among and by employees of the Commission.

2. General Rule

- 2.1 In order to avoid any possible conflict of interest, the following procedures/restrictions shall be strictly observed:
 - 2.1.1 An employee of the Commission shall declare the business/trade of his/her spouse/dependents to the Commission.
 - 2.1.2 The Commission shall maintain a list of spouses and dependents of their employees engaged in formal or non-formal business.
 - 2.1.3 No spouse or dependent of an employee of the Commission shall be allowed to participate in supply of goods and services to the particular office where the employee of the Commission is employed or where the employee of the Commission has an authority over it.
 - 2.1.4 An employee of the Commission participating as a member of a tender committee shall not communicate any information to the bidders, except those officially required.
 - 2.1.5 An employee of the Commission shall not serve as a member of

the Board of Directors of any private company.

- 2.1.6 An employee of the Commission shall not hold majority shares of any company and shall not engage in trading of shares or bonds, except those owned by him/her.
- 2.1.7 Utilization of office time and resources for private purposes is not permitted.
- 2.1.8 An employee shall not become a member of Editorial Board of any newspaper and other media.

1. Liability

- 1.1 Submission of false information in relation to these Rules or suppression/withholding of any relevant information by an employee of the Commission shall be treated as an offence and shall be liable for administrative action as per *ECB-SRR 2015*.

2. Penalty

- 2.1 An employee of the Commission engaged in activities in violation of these Rules shall be:
 - 2.1.1 Terminated from service without any post-service or retirement benefits; or
 - 2.1.2 Prosecuted under the criminal laws of the Kingdom of Bhutan.

CHAPTER 16

ADMINISTRATIVE DISCIPLINE

1. Policy

- 1.1 Require employees of the Commission to observe the Code of Conduct and Ethics, Rules & Regulations and Laws of the Country.
- 1.2 Promote Transparency, Efficiency, Professionalism and Accountability in the Commission.
- 1.3 Provide speedy and just process in the conduct of disciplinary actions against an erring employee of the Commission.
- 1.4 Promote high morale and create confidence among the employees of the Commission by ensuring justice, fairness and equity in protecting the innocent and punishing the guilty.
- 1.5 An authority vested with the power to enforce discipline shall lawfully exercise such power against an erring employee of the Commission.
- 1.6 An employee of the Commission shall not be falsely accused, which would unjustly injure his/her reputation or cause unjustified and unreasonable worries.
- 1.7 An employee of the Commission shall be protected against intimidation and/or legal action resulting from discharge of official duties in accordance with the Electoral Laws, Rules and procedures.
- 1.8 A person related to or prejudicial against a respondent employee of the Commission shall not serve as an investigation authority, disciplinary authority, a member of the investigating committee or as an appellate authority.

- 1.9 Investigation and adjudication of administrative charges or complaints against an employee of the Commission shall be in conformity to Rules, Regulations and laws of the Kingdom.

2. Fiscal Responsibility, Accountability and Liability

- 2.1 The Secretary shall be primarily responsible for all public funds and properties, or any lapse of fiscal responsibility and duties pertaining to the Commission.
- 2.2 An employee of the Commission whose official duties and responsibilities require possession or custody of public funds, properties or accountable forms shall be liable for their safekeeping.
- 2.3 An employee of the Commission shall be held responsible and liable for expenditure of public funds, use of public properties, or any decision or action thereon in violation of the Rules & Regulations and laws.
- 2.4 An employee of the Commission responsible for machineries or any other forms of public property shall be held personally liable to answer in case of improper or unauthorized use or misapplication by him/her or any person for whose acts he/she may be responsible.
- 2.5 An employee of the Commission shall be held responsible and liable to make good all loss, damage, or deterioration of such public properties caused by negligence or misuse.
- 2.6 Every employee of the Commission accountable for public funds shall be liable for all losses resulting from unlawful deposit, use, or application thereof and for all losses attributable to negligence in keeping of the funds.
- 2.7 An accountable employee of the Commission shall not be relieved from

liability by reason of his/her having acted under the direction of a superior if he/she fails to notify the superior in writing on the illegality of such an act. The superior directing any illegal action shall be primarily responsible for any loss incurred thereby, while the accountable officer or employee of the Commission who fails to serve the required notice shall be secondarily responsible.

- 2.8 An employee of the Commission shall not have any personal or pecuniary interest in any contract or transaction of the respective Agency. The individual shall be held primarily responsible for any violation of this Rule, unless it is evident beyond reasonable doubt that:

2.8.1 It was for the best interest and exigencies of the service;

2.8.2 It was due to *force majeure* or fortuitous event; or

2.8.3 It was inevitable to prevent further losses and to ensure continuity of operations in the public interest.

3. Causes for Disciplinary Action

- 3.1 Disciplinary action against an employee of the Commission shall be taken for offences related to:

3.1.1 Conduct or behaviour;

3.1.2 Performance of official duties; and

3.1.3 Fiscal responsibility, accountability and liability.

- 3.2 Offences related to conduct or behaviour in violation of Code of Conduct and Ethics shall be:

3.2.1 Disgraceful and immoral conduct, in particular, misuse of his/her

position for taking undue personal advantage on subordinates or colleagues;

3.2.2 Misconduct, inter-alia, repeated lack of *Driglam Namzhag*, habitual absence from duties, violation of dress code, discourtesy in the course of official duties, habitual drunkenness; physical or mental incapacity due to immoral or vicious habits or conviction of a crime involving moral turpitude; and

3.2.3 Engagement in private trade and business activities in violation of the Code of Conduct and Ethics.

3.3 Offences Related to Performance of Official Duties shall be:

3.3.1 Neglect of duty, inter-alia, non-compliance with or non enforcement/non-implementation of lawful and proper orders, directives, appropriate recommendations, sanctions, etc. without justifiable reasons;

3.3.2 Abuse of official authority and position;

3.3.3 Refusal to perform official duty;

3.3.4 Insubordination; and/or

3.3.5 Disobedience to superior/ lawful authority.

3.4 Offences related to fiscal responsibility, accountability and liability shall be:

3.4.1 Misuse of public funds and properties;

3.4.2 Non-remittance/non-deposit of collections;

- 3.4.3 Incurring of illegal and unauthorized expenditures, including unjustified, irregular, excessive, unnecessary and extravagant expenditures;
- 3.4.4 Malversation, embezzlement, malfeasance and misappropriation of Government funds and properties;
- 3.4.5 Failure of an employee of the Commission to produce or render accounts of public funds and properties entrusted to him/her upon demand by an appropriate authority;
- 3.4.6 Failure on the part of an employee of the Commission concerned to submit records, documents and reports required by Rules & Regulations and laws within the prescribed period, without justifiable reason;
- 3.4.7 Failure of a responsible officer or any employee of the Commission to render or settle the accounts and make good his/her fiscal responsibility/ accountability.
- 3.4.8 Flagrant or willful violation of Rules & Regulations and laws on financial management and control; or
- 3.4.9 Failure to settle liability for losses, damages, etc. as hereinafter prescribed.
- 3.4.10 Refunding of the misappropriated funds or deposit of the cost of misused materials, properties or equipment shall not relieve an employee of the Commission from the liability of having committed the offence and the employee involved in such irregularities shall be liable for administrative and legal actions even after such refunds are made.

4. Filing of Administrative Charge(s)

4.1 An administrative charge against an employee of the Commission may be filed by:

4.1.1 A department/ division/ unit of the Commission on its own initiative; or

4.1.2 Any person in the form of a written complaint, supported with sufficient documentary evidence.

4.2 A complaint, including anonymous letters, not filed properly as prescribed herein, shall not be admitted.

5. Jurisdiction and Power

5.1 The Commission shall:

5.1.1 Enforce all Rules & Regulations and laws governing the discipline of an employee of the Commission;

5.1.2 Exercise appellate authority in required cases;

5.1.3 Summon witnesses and/or the parties concerned with administrative complaints, issue subpoena and subpoena *duces tecum*, and take testimony in an investigation or delegate such power to the Disciplinary Committee or an appropriate and competent employee of the Commission;

5.1.4 Punish or recommend punishment for contempt of a witness or the party concerned who fails to comply with a summons, subpoena *duces tecum*, duly issued according to the subpoena or

procedures herein prescribed, and with the same penalties provided in the law; and

5.1.5 Enforce decisions on disciplinary actions involving an employee of the Commission.

5.2 The Commission shall be responsible to act upon all administrative and disciplinary issues and grievances concerning any of its employees.

6. Notification to the Respondent Employee

6.1 The Commission, when convinced that *prima facie* a case exists, shall notify the respondent employee of the Commission in writing of the administrative charge(s) and require him/her to answer the charge within thirty (30) days from receipt of the said notification.

6.2 The respondent employee of the Commission shall answer the charge(s) and support it with relevant documents and evidence. He/She shall indicate in the answer whether or not he/she opts for a formal investigation of the charge(s).

6.3 The Commission may dismiss the case when the respondent employee of the Commission's answer proves beyond doubt that the administrative charge(s) is/are without basis.

Alternately, the Commission may designate an investigator within the Commission or constitute an Investigation Committee from within the Commission to conduct a formal investigation and submit the investigation report.

6.4 The complainant and the respondent employee of the Commission may avail themselves of the services of counsel(s) (*Jabmi*) and require the presentation of witnesses and evidence in their favour through the process

of written summons, subpoena or a subpoena *duces tecum*.

7. Summary Proceedings

7.1 The Commission, may remove or dismiss a respondent employee of the Commission from the service without formal investigation when an employee of the Commission:

7.1.1 Habitually exhibits bad behaviour and poor performance as may be indicated in the Performance Appraisal; and

7.1.2 Is charged with a very grave or serious offence and the guilt is proven with evidence beyond reasonable doubt.

8. Investigation and Adjudication

8.1 The Investigation Committee shall commence its function within ten (10) days upon appointment of the Committee.

8.2 The investigator or an investigating committee appointed by the Commission may order testimony to be taken by deposition at any stage of a proceeding or investigation. Depositions may be taken before an individual designated by the investigator/ investigating committee under the direction and shall be subscribed by the deponent. Any person connected with the case may be compelled to appear, depose and produce documentary evidence before the committee.

8.3 The investigation shall be completed within thirty (30) days from its commencement. The period for investigation may be extended for not more than thirty (30) days by the Commission.

8.4 The Evidence Act of the Kingdom of Bhutan 2005 shall govern evidence

of the case.

- 8.5 Administrative cases shall be determined by a preponderance of evidence, which must clearly and convincingly outweigh opposing evidence in the judgment of the proper authority rendering the final decision.
- 8.6 The investigator or investigating committee shall submit a written report on the investigation within thirty (30) days after the completion of the investigation to the concerned authority indicated in the table below:

Position Category of Employee being Investigated	Disciplinary Committee with Authority for Reviewing Investigation Report
Secretary & Head of Departments/ Division Chiefs	2 Election Commissioners
Professional, Managerial & Supervisory staff (P5-P1)	
Support, GSP & ESP staff	Secretary of the Commission (Chair), Heads of Departments and Divisions

9. Decision/Penalty

- 9.1 The powers to impose a penalty on an employee shall be as follows:

Degree of Penalty	Authority
Major	Election Commission
Minor	Secretary of the Commission

- 9.2 In the imposition of penalties, the concerned authority shall take into consideration the nature and seriousness of the offence, as well as the circumstances, which either mitigate or aggravate the intention of the respondent employee of the Commission and the offence.

- 9.3 The concerned authority shall take into consideration the nature of the offence, circumstances leading to the commission of the offence and the past service record of the respondent before imposing a major penalty of removal from the service with retirement benefits or termination of service without post-retirement benefits.
- 9.4 Only one penalty shall be imposed in each case.
- 9.5 The same penalties shall be imposed for similar offences under similar circumstances.
- 9.6 A minor penalty shall consist of one or a combination of actions such as a reprimand, fine of an amount not exceeding one month's salary, withholding of training, withholding of one/two annual performance increments.
- 9.7 A reprimand shall generally be issued for:
- 9.7.1 Irregular attendance;
 - 9.7.2 Lack of *Driglam Namzhag*;
 - 9.7.3 Unbecoming etiquettes and manners;
 - 9.7.4 poor performance reflected in the Performance Evaluation Appraisal; and
 - 9.7.5 Carelessness and/or negligence of duties.
- 9.8 A major penalty shall consist of:
- 9.8.1 Withholding of annual performance increment for a period of three to five years;
 - 9.8.2 Reduction of salary below the existing pay level but with

entitlement to normal increments on due dates;

9.8.3 Withholding of promotion;

9.8.4 Reversion or demotion to a lower Position Level;

9.8.5 Compulsory retirement from service with post-retirement benefits; and

9.8.6 Dismissal or termination of service without post retirement and other benefits, except one's own contribution.

9.9 In no case shall imprisonment be imposed as a penalty in an administrative case. It shall be pronounced only by a court of law. If warranted under the circumstances, the disciplinary authority shall file appropriate criminal charges against a respondent employee of the Commission in a court of law with the jurisdiction.

9.10 All disciplinary cases involving employees of the Commission shall be referred to the State Agency responsible for prosecution if the need for criminal prosecution in a court of law is established beyond reasonable doubt.

9.11 Any minor or major penalty imposed on an employee of the Commission shall be entered in his/her service record. It shall like-wise be reflected in the Annual Performance Appraisal and negative list of the Commission.

9.12 The decision taken through due process shall be executed and enforced by the Commission after remedies are made known to the respondent.

10. Appeal

10.1 A respondent employee of the Commission may appeal against the decision of the Disciplinary Committee within ten (10) days from the

receipt of the decision. Such an appeal shall be submitted to the relevant appellate authority for the reasons that:

- 10.1.1 There is evident injustice due to grave abuse of discretion;
 - 10.1.2 The decision is not supported by the evidence on record;
 - 10.1.3 Evidence was not considered when imposing the penalty;
 - 10.1.4 Newly discovered or additional evidence which materially affects the decision is presented; or
 - 10.1.5 There is patent error in the interpretation of Rules & Regulations and laws, prejudicial to the interest of the respondent employee of the Commission.
- 10.2 The appellate authority to review and modify the decisions taken on all cases against an employee shall be the Chief Election Commissioner.
- 10.3 The appellate authority, on receipt of an appeal from the defendant shall review the decision taken to confirm that the prescribed procedures have been followed and action taken is reasonable and lawful.
- 10.4 The appellate authority may constitute an Administrative Review Committee, if necessary, in order to review the decision taken by the disciplinary authority and to submit its findings and recommendations thereof for decision-making.
- 10.5 The authority shall adopt or modify such a decision if warranted under the circumstances with the reasons thereof and the circumstances fully stated in each case.
- 10.6 Decision on the appeal shall be rendered within thirty (30) days from receipt of the appeal.

- 10.7 The decision of the appellate authority shall be enforced by the Commission.
- 10.8 An aggrieved employee of the Commission, if not satisfied with the decision of the appellate authority, may appeal against such decision to the High Court or Supreme Court.
- 10.9 In the event the High Court or Supreme Court acquits the respondent employee of the Commission on reviewing the appeal against the decision of the appellate authority, the penalty imposed shall stand revoked. The employee of the Commission concerned shall be reinstated in the service, if specifically ordered so in the judgment of the court.

11. Procedural Requirements

- 11.1 A person who is either related or prejudiced against a respondent employee of the Commission shall not be eligible to serve as a witness, member of the Investigation Team, Disciplinary Committee or the Administrative Review Committee.
- 11.2 The reports/ recommendations/ decisions of the committees designated herein (i.e. Investigating Committee, Disciplinary Committee or Administrative Review Committee) shall be jointly signed by the Committee Chairperson and the Members.
- 11.3 Any qualifying statement or dissenting views shall be reflected in the committee report/ recommendations, or indicated above the signature of the Chairman or the Member concerned.

12. Suspension

- 12.1 The Commission may place an employee of the Commission under suspension pending an investigation when:

- 12.1.1 The employee of the Commission is charged with dishonesty, grave misconduct, neglect of duty, or abuse of official authority and power;
 - 12.1.2 There are justifiable reasons and the evidence of strong guilt; and
 - 12.1.3 The employee of the Commission faces criminal charges in a court of law.
- 12.2 Suspension shall be affected through a formal Office Order. A copy of the order shall be delivered to the respondent employee of the Commission.
 - 12.3 An employee of the Commission under suspension shall receive a subsistence allowance of an amount equal to half of the pay to which he/she is entitled to immediately before being placed under suspension.
 - 12.4 The subsistence allowance at 50% of the last basic pay shall be paid up to a maximum period of twelve months of suspension. The authority concerned shall ensure that the disciplinary case is decided within twelve months, failing which the matter shall be reported to the Commission through the Secretariat. However, on finalization of the disciplinary proceedings if the employee of the Commission is found innocent and acquitted of all charges and accordingly re-instated in service, he/she shall be entitled to receive full salary for the entire period of suspension.
 - 12.5 The period of suspension shall be considered as part of active service for the purpose of gratuity, annual performance increment and promotion only if the respondent employee of the Commission is found innocent and acquitted accordingly.
 - 12.6 Where an order of suspension is issued or deemed to have been made, or

extended by the disciplinary authority, a copy of the order and the detailed report of the case shall be furnished to the Commission, within a period of ten (10) days from the date of suspension.

- 12.7 An order of suspension shall remain in force as herein provided, unless it is modified or revoked by the appropriate authority.
- 12.8 Where an employee of the Commission is suspended, whether in connection with a disciplinary proceeding or otherwise, and another disciplinary proceeding is commenced against him/her during suspension, the authority competent to place him/her under suspension may, for justifiable reasons, order the continued suspension of the employee of the Commission until the completion of all the proceedings against him/her.
- 12.9 In the event a respondent employee of the Commission expires during his/her suspension, the administrative case against him/her shall be immediately decided, so that whatever benefits decided in his/her favour may be availed of by his/her family or legal nominees.

13.Termination of Services/ Compulsory Retirement

- 13.1 An employee of the Commission shall be terminated from service if he/she is convicted by the court of law for an offence of:
- 13.1.1 A misdemeanour relating to his/her power and function or corruption; and
 - 13.1.2 Any felony.
- 13.2 An employee of the Commission convicted of any petty misdemeanour may be retired from service with or without post service benefits based on the nature and gravity of the offence.

CHAPTER 17

SUPERANNUATION, RESIGNATION AND RETIREMENT BENEFIT

1. Policy

- 1.1 Promote dignity and financial security to an employee of the Commission during the post retirement period so that he/she can devote time effectively during the period of service, contributing his/her best.

2. Strategy

- 2.1 The Early Retirement Scheme (ERS) may be implemented by the Commission from time to time.
- 2.2 An employee of the Commission shall retire from service on attaining the following superannuation age:
 - 2.2.1 Executive and Specialist Position Category: 60 years of age;
 - 2.2.2 Professional and Management Position Category: 58 years of age; and
 - 2.2.3 Supervisory & Support and Operational Categories: 56 years of age.
- 2.3 An employee of the Commission in Executive & Specialist and Professional & Management Position Categories shall have the option to resign after attaining the age of 56 years with full pension benefits.
- 2.4 The Commission shall issue orders rendering an employee eligible to go on superannuation upon attaining superannuation age by an official.
- 2.5 The date of birth recorded in the service record at the time of the initial appointment of an employee of the Commission shall be the basis for

deciding the date of retirement.

- 2.6 Except otherwise specifically provided by this Rule, the actual retirement on superannuation shall be effective on the first day of the month following the actual date of retirement.
- 2.7 The gratuity and other post-retirement benefits shall be computed as on the effective day of retirement.
- 2.8 No employee of the Commission shall be retained in service beyond the age of superannuation either through re-appointment or otherwise.
- 2.9 An employee of the Commission, subject to other Rules, on his/her own may seek voluntary resignation from service after giving notice at least one month in advance.
- 2.10 An employee of the Commission who fails to give the prescribed period of notice of resignation shall be liable to pay an amount equal to the basic pay for the prescribed period of notice.

3. Authority to Accept Resignation

- 3.1 The powers to accept voluntary resignation submitted by an employee of the Commission shall be vested with the following authorities respectively, based on the Position Category of the employee of the Commission:

Position Category	Authority to Accept Resignation
Secretary, Departmental/ Division Chiefs, Professional, Managerial & Supervisory staff	Commission
Support, GSC & ESP staff	Secretary

- 3.2 An employee of the Commission standing as a candidate for election to any elective bodies in Parliament or Local Governments shall resign from service at least six months prior to the due date of an election.
- 3.3 He/she shall not be entitled to reinstatement/re-employment in the Commission.
- 3.4 The authority that recommends and accepts the resignation shall ensure that the resigning employee of the Commission has complied with the conditions of service laid down in this Rule.
- 3.5 An employee of the Commission shall submit resignation to a competent authority through the respective Controlling Officer and/or the Chief Election Commissioner for approval as per the delegation of authority.

4. Retirement Benefit

4.1 Gratuity

4.1.1 Eligibility

- 4.1.1.1 An employee of the Commission who is separated from service shall be entitled to receive gratuity after rendering a minimum of ten (10) years of service, except when the separation is on disciplinary grounds and the forfeiting of the gratuity is specified in the separation order.

4.1.2 Amount of Gratuity

- 4.1.2.1 The amount of gratuity payable under these Rules shall be as per the prevailing Rules of the Royal Government.

4.1.3 Conditions for Payment

4.1.3.1 The gratuity shall be paid to an employee of the Commission only upon production of an audit clearance certificate.

4.1.4 Recovery

4.1.4.1 The amount due from an employee of the Commission, if any, at the time of retirement or demise and not recoverable other-wise, shall be recovered from the gratuity payable to the incumbent, his/her nominees or other legal heir to whom such payments may be released.

4.1.5 Authority to Sanction Gratuity

4.1.5.1 The gratuity shall be sanctioned to an employee of the Commission by a competent authority to which such powers are delegated in the financial manual after completing the required formalities and the sanction shall be accorded in the prescribed form.

4.2 Pension

4.2.1 An employee of the Commission who has served a minimum of ten (10) years in the service and made 120 monthly contributions to the pension account and retires from service on attaining minimum retirement age, shall be entitled to monthly pension benefits. If however, an employee of the Commission is terminated from employment by the employer, either on disciplinary ground or convicted of a felony under any court of law, he/she shall neither be eligible for the pension benefits nor be entitled to refund of contributions made to the pension account.

4.3 Provident Fund Benefit

4.3.1 An employee of the Commission who has served for a minimum of one year and retired from service shall be entitled to the provident fund benefits, both the employee and employer contributions together with returns thereon credited to pension account as per the National Pension and Provident Fund Rules and Regulations.

4.3.2 An employee of the Commission whose services are terminated from the service by the employer on disciplinary ground or has been convicted of a felony under any court of law shall be entitled only to his/her contribution together with returns credited thereon to provident fund account.

4.3.3 Amount of Monthly Pension and Provident Fund Benefits

4.3.3.1 The amount of monthly pension benefits and the Provident Fund payable to retired employees of the Commission under the National Pension Plan and the Provident Fund benefits shall be subject to the provisions in the National Pension and Provident Fund Plan Rules and Regulations.

4.3.4 Condition of Payment

4.3.4.1 The pension and provident fund benefits shall be paid subject to the provisions in the National Pension and Provident Fund Plan - Rules and Regulations.

4.3.4.2 A copy of the order relieving an employee of the Commission on separation from service of the Commission shall be endorsed to the National Pension and Provident Fund, which shall form the basis for the

National Pension and Provident Fund to sanction the pension and provident fund benefits.

4.3.5 Recovery

4.3.5.1 The amount accumulated to a member under the National Pension and Provident Fund Plan shall not be liable to attachments, garnishments, levy or seizure, except to pay any dues of the member payable to the National Pension and Provident Fund Plan or to the employer.

4.3.6 Authority to Sanction Pension and Provident Fund Benefits

4.3.6.1 Pension and provident fund benefits shall be sanctioned to a retired employee of the Commission by the National Pension and Provident Fund Plan in accordance with the National Pension and Provident Fund Plan-Rules and Regulations.

4.4 Verification of Service

4.4.1 The services of an employee of the Commission claiming the gratuity, the pension and provident fund benefits under these Rules shall be verified with respect to the service book of the employee of the Commission and certified in the prescribed respective form by a designated authority.

4.5 Travel Allowance

4.5.1 An employee of the Commission who leaves the service for any reason shall be entitled to Travel Allowance of an amount equal to one month's last basic pay.

4.6 Transfer Grant

4.6.1 An employee of the Commission who leaves service for a reason other than termination shall be entitled to the transfer grant of one-month basic pay, provided the incumbent has rendered a minimum service of three years.

4.7 Transport Charge of Personal Effects

4.7.1 An employee of the Commission, who leaves service for a reason other than termination, shall be entitled to receive transport of personal effects as per the Rules in force.

4.8 Employees Group Insurance Benefit

4.8.1 An employee of the Commission who leaves Government service shall be entitled to the benefit of Employees Group Insurance.

4.9 Benefits Payable to the Family when an employee Expires

4.9.1 If an employee of the Commission expires while in service, the members of his/her family residing with the incumbent at the time of his/her demise shall be entitled to a full month salary, travel allowance, transfer grant and transport charge of personal effects as admissible under Rules.

5. Incidence and Payment of Retirement Benefits

5.1 The gratuity and other retirement benefits shall be paid to the retired employee of the Commission.

5.2 Gratuity and other terminal benefits shall be claimed by an employee of the Commission from the Election Commission of Bhutan from which he/she received the last pay.

- 5.3 For an employee of the Commission who has served both in the Election Commission of Bhutan and public sector corporation(s), the gratuity shall be paid for the entire service period, provided the gratuity apportionable to the respective corporation(s) in proportion to the actual length of service rounded to completed months is remitted to the Ministry of Finance.
- 5.4 In the event the annual increment is due for an employee of the Commission on the day following the date of retirement, the annual increment shall be released and it shall be considered for the purpose of calculating all retirement benefits.
- 5.5 The gratuity in respect of an employee of the Commission reverted from secondment to an Agency for the period of service rendered by the employee in the corporation, calculated proportionately for the length of service in completed months, shall be remitted by the corporation to the Ministry of Finance. The details of such remittances shall be recorded in the service book of the employee of the Commission.
- 5.6 The gratuity and other benefits shall also be payable to the nominee(s) of an employee of the Commission who expires while in service of the Commission.
- 5.7 The gratuity and other retirement benefits payable to a public servant of the Commission who expires without filing the nomination shall be disbursed in accordance with the law of the country.
- 5.8 A retired employee of the Commission or his/her survivor or nominee shall not be paid gratuity and other retirement benefits if the individual:
- 5.8.1 Is under indictment or has charges outstanding against him/her preferred under the Rules of the Government;

- 5.8.2 Willfully remains outside the Kingdom of Bhutan with the knowledge of the indictment or charges, as the case may be; or
- 5.8.3 Fails to appear, testify, or produce a book, paper, record, or other document, relating to the service as an employee, before a Government appointed authority or a court of law concerning the past or present relationship with a foreign Government/Agency or a matter involving or relating to an interference with or endangerment of, or involving or relating to a plan or attempt to interfere with or endanger the national security or sovereignty of the Kingdom of Bhutan.

6. Nomination

- 6.1 An employee of the Commission shall submit to the Commission a nomination in the prescribed form, conferring on one or more persons the right to receive the retirement benefits that may be due to him/her in the event of his/her demise. The name, address and contact details of the nominee(s) shall be required to be clearly indicated.
- 6.2 An employee of the Commission, who desires to nominate more than one person under Clause No. 6.1 above, shall specify the amount payable to each of the nominees.
- 6.3 An employee of the Commission may, at any time, cancel a nomination and submit a fresh one in its place.
- 6.4 An employee of the Commission may state in a nomination that in the event of the predecease of the nominee, the right conferred upon the nominee shall automatically change to another person or persons, as may be specified in the nomination.

- 6.5 An employee of the Commission not having a family at the time of nomination shall file a fresh nomination on acquiring a family and if one fails to comply with this requirement, the benefits shall be paid to the nominees nominated earlier or disbursed in accordance with the law of inheritance, as the case may be.
- 6.6 Every nomination made and every notice of cancellation by an employee of the Commission shall, to the extent it is valid, take effect on the date on which it is received by the Agency concerned.
- 6.7 The personal file and service record of the Commission superannuated or whose services are separated from Service of the Commission, irrespective of the reason for the separation, shall be retained by the Commission.

7. Retirement Formality

- 7.1 There shall be proper handing/taking over of the charge before an employee of the Commission is relieved on retirement, including all public property, files and records.
- 7.2 The AFD shall take the responsibility to process on time his/her post-retirement benefits upon superannuation or retirement.
- 7.3 An employee of the Commission with clear service record shall be relieved with appreciation and dignity.

8. Accountability

- 8.1 A retirement/resignation/superannuation not carried out in conformity to the provisions of these Rules shall be regarded as illegal. An employee of the Commission who dishonours the Office Order issued by the competent authority shall be accountable and liable for disciplinary

actions.

CHAPTER 18

GENERAL

1. Power of the Commission

1.1 The Commission shall have the authority to issue instructions and directions:

1.1.1 For the clarification of any of the provisions of these Rules and Regulations;

1.1.2 For the removal of any difficulty which may arise in relation to the implementation of any such provisions; and

1.1.3 In relation to any matter with respect to service in the Commission for which these Rules make insufficient provision and clarification is necessary in the opinion of the Commission.

2. Authority of Interpretation and Amendment

2.1 The Commission shall be the final authority for interpretation and may amend by way of addition, variation, or repeal of any provision of these Rules.

Done under the seal of the Election Commission of Bhutan on this 3rd of July 2015 corresponding to the 16th Day of the 5th Month of the Wood Female Sheep Year in the Bhutanese Calendar.


Election Commissioner


Election Commissioner


Chief Election Commissioner