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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/CEC/NOTIF-01/2017/3361

Dated: 31st of July 2017

NOTIFICATION

Bye-Election for the Post of *Gewog Tshogde Tshogpa* in *Langthil Chiwog* of *Langthil Gewog* under Trongsa Dzongkhag

The Election Commission of Bhutan, in pursuance to Sections 577 and 579 of the Election Act of the Kingdom of Bhutan 2008, and Sections 33 and 34 of the Local Government Act, 2009, hereby calls The Bye-Election for the post of ***Gewog Tshogde Tshogpa* in *Langthil Chiwog* of *Langthil Gewog*** under Trongsa Dzongkhag for the vacancy resulted upon the demise of the incumbent.

The Election Schedule and the details concerning *Demkhong*, Selection Procedure for Nomination of Candidates, Electoral Rolls, EVMs, Polling Stations, Polling Officials, Polling Management, Security and other arrangements are hereby being notified as follows:

(A) Election Schedule

1. The Schedule shall be as follows:

Date and Time	Remarks
31 st of July 2017	- Issuance of Notification calling for Bye-Election - Commencement of Signature process by Eligible candidates for the post of <i>Gewog Tshogpa</i>
4 th of August 2017	- Last Date for filing of Nominations of Candidates
5 th of August 2017	- Scrutiny of Nominations of Candidates & Commencement of the Election Campaign
7 th of August 2017	- Last date for withdrawal of Candidature
16 th of August 2017	- End of Election Campaign (9.00 AM)
18 th of August 2017	Poll Day and Counting of Results
19 th of August 2017	- Declaration of Results & Submission of the Results to the Druk Gyalpo - Start of Election Petition Period

25 th of August 2017	- Issuance of the Certificate of Election
31 st of August 2017	- End of Election Petition Period

(B) Polling Hours

2. The polling hours shall be from 9 a.m. to 5 p.m.

(C) Demkhong

3. The name and boundary of the *Demkhong* to be used shall be as written in the Order No. **DC/CHAIR/2011/1520** of **27th of February 2011**.

(D) Selection Process of the Candidates

4. A registered voter who fulfills the criteria laid down in Section 178 of the Election Act of the Kingdom of Bhutan 2008 is eligible to be nominated as a Candidate for Election.
5. A Registered Voter aspiring to contest *Gewog Tshogde Tshogpa* Election in *Langthil Chiwog* shall produce signatures of at least 5 percent of the Registered Voters from the *Chiwog* supporting his/her nomination provided no voter has supported more than one Nominee.
6. For the purposes of ascertaining the age eligibility of Candidates which as per the Electoral Laws must be minimum of 25 years and maximum of 65 years, a Candidate for this Election must be born on or before 4th of August 1992 but not before 4th of August 1952.

(E) Electoral Roll

7. The Electoral Roll used for the Local Government Election 2016 shall be used as the base with further revision as per the qualifying date. All those registered in the Final Electoral Roll shall be eligible to vote in the concerned *Demkhong*.
8. The qualifying date for the Electoral Roll shall be the 1st of July 2017 Therefore; all those who are not younger than eighteen years of age as on 1st of July 2017 or born on or before 1st of July 1999 shall be deemed to meet the minimum age requirement to be a voter.

9. No changes shall be made to the Electoral Roll after 31st of July 2017 However, the respective Dzongkhag Election Office shall continue to distribute the Voter Photo Identity Cards to those who were unable to collect it earlier even up to the Poll Day.
10. The Final Electoral Roll for the Election shall be published and provided to the Returning Officer by 6th of August 2017 and to the Candidates by 7th of August 2017.

(F) Election Campaign

11. A Candidate shall have up to **11 days** for campaigning, which must stop 48 hours before the start of Poll.
12. No Minister, Member of Parliament, official or member of a political party or elected shall campaign directly or indirectly for any Candidate. No trips or official tours shall be undertaken by a Minister or Member of Parliament to a *Demkhong* during the Election Period except to cast their votes on the Poll Day should they wish not to use the Postal Ballot facility extended to them and their spouse under Section 331 of the Election Act of the Kingdom of Bhutan 2008.
13. The other elected Local Government officials i.e. the *Gup, Mangmi, Gewog Tshogpas* and *Thromde Ngotshab* shall not campaign directly or indirectly for any Candidate and shall only participate as a voter on the Poll day.

(G) Election Campaign Finance

14. A Candidate cannot exceed his/her election campaign expense beyond the ceiling fixed in Section 59 of the Public Election Fund Act 2008 i.e. total of Nu. 50,000/-.

(H) Election Campaign Returns

15. A Candidate must submit accounts of campaign to the National Observer for his/her scrutiny and file Election Returns within thirty days of declaration of the Election Result as per the prescribed procedures.
16. Election Commission of Bhutan shall maintain a list of all contesting Candidates (elected or not elected) who failed to lodge accounts of election expenses within the time and in manner required under Section 179 (d) of the Election Act will result in being barred from participation in future elections.

(I) Common Form for Public Address by All Candidates

17. The Returning Officer, in consultation with the respective Election Coordinator and Security Coordinator shall arrange a Common Forum in Langthil *Chiwog* and further at villages as may be necessary and found feasible to provide the Candidates of the concerned *Demkhong* equal opportunity to address the electorate eliminating the necessity to call for public meetings by each Candidate separately and thereby avoiding inconvenience to voters of attending multiple sessions as per the Guidelines for the Conduct of the Common Forum for Election Campaign, 2015.

(J) Postal Ballots

18. The Postal Voter List shall be based on Postal Voters Registration for the *Second Local Government Election 2016*.
19. The schedule for the processing of Postal Ballots shall be as given below:

Date and Time	Remarks
31 st of August 2017	- Eligible Postal Voters to initiate application for Postal Ballot to the Returning Officer
7 th of August 2017	- Last date of receipt of Application for Postal Ballots by Returning Officer - Returning Officer to commence sending Postal Ballot to registered Postal Voters
17 th August 2017	- Last day/ time for receiving Postal Ballots
18 th of August 2017	- Poll Day and Counting of Results

(K) Voter Photo Identity Card (VPIC)

20. Voter Photo Identity Card (VPIC) issued by the Election Commission shall be the valid document for identification of voters at the Polling Stations during the Elections.

21. However, all voters must carry with them the Citizenship Identity Card issued by the Ministry of Home and Cultural Affairs. In the event of any dispute related to the VPIC, the Citizenship Identity Card will form the basis for taking decision by the Presiding Officer.

(L) Electronic Voting Machines

22. The Electronic Voting Machine (EVM) shall be used for polling in all the Polling Station.

(M) Indelible Ink

23. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the Index finger.

(N) Polling Stations

24. The Polling Stations shall be as indicated in the Final Electoral Roll for the Bye-Election in Langthil *Demkhong* of Langthil *Gewog* under Trongsa Dzongkhag.

(O) Election Officials

Election Coordinators

25. The *Dzongdag* of Trongsa Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab as the Deputy Chief Election Coordinator and the *Gewog* Administrative Officer of Langthil *Gewog* as the Assistant Chief Election Coordinator. All Election Officials appointed hereof shall be responsible for carrying out the roles, responsibilities and duties as provided in the Electoral Laws, the Appointment Order issued by the Election Commission on 31st of August 2017 and vested with authority, Roles and Responsibilities as per provisions in the Electoral Roll Laws, Rules, Regulations and Guide Lines and Respective Handbooks.

National Observers

26. The Election Commission shall appoint a National Observer for observing the Election.

Returning Officers

27. The Election Commission shall appoint the Dzongkhag Electoral Officer of Trongsa Dzongkhag as the Returning Officer for conduct of the *Bye-Election*.

Presiding and Polling Officers

28. The appointment of Presiding Officers and Polling Officers for the Elections shall be as per the Appointment Orders issued by the Returning Officer on or before 15th of August 2017 i.e. three days before the day of Poll, unless otherwise authorised.

Counting Supervisors & Counting Assistants

29. The Presiding Officers shall serve as the Counting Supervisors and a Polling Officer as the Counting Assistant, authorized as such in the Appointment Orders issued by the concerned Returning Officer.

Assignment of Duty Stations

30. The Election Officials shall not be posted to the *Chiwog* where his/her *Gung* or *Mitsi* is registered.

(P) Law and Order & Deployment of Forces

31. The *Dzongdag* and the Gewog Administrative Officer in the *Gewog* shall serve as the Focal Points for all administrative matters in the Dzongkhag and *Gewog* respectively for the election period.
32. The *Dzongdag* and the Gewog Administrative Officer shall be responsible to ensure that the jurisdictions under their control are conducive and congenial for the conduct of free and fair elections.
33. All Election Officials must remain in their station during the entire election period.
34. The Royal Bhutan Police shall be responsible for security as per the Election Security Rules and Regulations of the Kingdom of Bhutan.
35. The Election Security Focal Officers of the Trongsa Dzongkhag shall work in close coordination and cooperation with the election officers as a team towards conducting the bye-elections for Gewog Tshogde Tshogpa election smoothly.

(Q) Election Code of Conduct

36. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from 31st of July 2017 to 31st of August 2017.
37. All Election Officers, Candidates and Voters must comply with the Election Code of Conduct and the provisions of the Electoral Laws, Rules and Regulations and Guidelines.

(R) Poll Day - A Public Holiday

38. The Poll Day, 18th of August 2017, shall be declared a Public Holiday in the concerned *Demkhong*. All employers are required by law to grant required number of days as election leave for any registered voter from the *Demkhong* wishing to go to vote in person.

(S) No or Only One Candidate

39. If there is no Candidate after the last date for filing of nomination of Candidates notified herein, the election will be postponed till further notice.
40. If there is only one Candidate after the last date of filing of nomination of Candidates announced herein, an uncontested election, in accordance with Sections 575 and 576 of the Election Act of the Kingdom of Bhutan 2008, will be conducted.

Now, thereof, from the day of issue of this Notification, the Election Commission of Bhutan notifies the general public on the Election Schedule of the Bye-Election for the Post of *Gewog Tshogde Tshogpa* of Langthil *Chiwog* of Langthil *Gewog* under Trongsa Dzongkhag, 2017 and all matters relating to it.

Issued on the 8th Day of the Sixth Month of the Fire Female Bird Year corresponding to 31st of July 2017.

Chief Election Commissioner of Bhutan