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# ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/CEC/NOTIF-01/2015/1142

Dated: 23<sup>rd</sup> of January 2015

## NOTIFICATION

### Bye-Election for the Post of *Gup* in Monggar *Gewog* under Monggar Dzongkhag, and *Gewog Tshogde Tshogpa* in Brekha\_Merengzor *Chiwog* of Khaling *Gewog* under Trashigang 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-Elections for the post of *Gup* in Monggar *Gewog* under Monggar Dzongkhag and *Gewog Tshogde Tshogpa* in *Brekha\_Merengzor Chiwog* of Khaling *Gewog* under Trashigang Dzongkhag for the vacancy resulted upon the demise of incumbents.

The Election Schedule and the details concerning *Demkhongs*, 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
23 <sup>rd</sup> of January 2015	- Issuance of Notification calling for Bye-Elections
25 <sup>th</sup> of January 2015	- Commencement of <i>Zomdus</i> for selection
1 <sup>st</sup> of February 2015	- Last Date for filing of Nominations of Candidates
2 <sup>nd</sup> of February 2015	- Scrutiny of Nominations of Candidates & Commencement of the Election Campaign
4 <sup>th</sup> of February 2015	- Last date for withdrawal of Candidature
15 <sup>th</sup> of February 2015	-End of Election Campaign (9.00 AM)

17 <sup>th</sup> of February 2015	<b>Poll Day and Counting of Results</b>
18 <sup>th</sup> of February 2015	- Declaration of Results & Submission of the Results to the Druk Gyalpo - Start of Election Petition Period
24 <sup>th</sup> of February 2015	- Issuance of the Certificate of Election
6 <sup>th</sup> of March 2015	- End of Election Petition Period

**(B) Polling Hours**

2. The polling hours shall be from 8 a.m. to 4 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 27<sup>th</sup> 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. The selection process for the Candidates contesting for the post of *Gup* shall be as per the Guidelines for Selection of the Gewog/Dzongkhag Thromde Nominee;
  - 5.1. A *Zomdu* shall be held in each *Chiwog* of Monggar *Gewog* by the Monggar Dzongkhag Election Authority for the purpose of selecting not more than one Candidate from every *Chiwog* of the *Gewog* for the Post of *Gup*.
  - 5.2. The EVM must be used in the *Chiwog Zomdu*.
  - 5.3. In the absence of any Registered Voter interested to contest, the meeting shall submit to the Dzongkhag Election Authority a Statement (Nomination Form No.6A) to that effect.
  - 5.4. A Registered Voter aspiring to contest *Gewog Tsogde Tshogpa* Election in Brekha\_Merengzor *Chiwog* shall produce signatures of at least 5 percent of the Registered Voters from the *Chiwog* supporting his/her nomination provided it

is from at least 5 different *Gungs* and no voter or *Gung* 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 1<sup>st</sup> of February 1990 but not before 1<sup>st</sup> of February 1950.

**(E) Electoral Roll**

7. The Electoral Roll used for the General Election 2013 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 1<sup>st</sup> of January 2015 Therefore; all those who are not younger than eighteen years of age as on 1<sup>st</sup> of January 2015 or born on or before 1<sup>st</sup> of January 1997 shall be deemed to meet the minimum age requirement to be a voter.
9. No changes shall be made to the Electoral Roll after 23<sup>rd</sup> of January 2015 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 26<sup>th</sup> of January 2015 and to the Candidates by 30<sup>th</sup> of January 2015.

**(F) Election Campaign**

11. A Candidate shall have up to **13** 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 Dzongkhag *Thromde Thuemi* 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 each *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, 2013.

**(J) Postal Ballots**

18. The Postal Voter List shall be based on Postal Voters Registration for the *Second Parliamentary Election 2013*.
19. The schedule for the processing of Postal Ballots shall be as given below:

<b>Date and Time</b>	<b>Remarks</b>
23 <sup>rd</sup> of January 2015	- Eligible Postal Voters to initiate application for Postal Ballot to the Returning Officer
2 <sup>nd</sup> of February 2015	- Last date of receipt of Application for Postal Ballots by Returning Officer
3 <sup>rd</sup> of February 2015	- Returning Officer to commence sending Postal Ballot to

	registered Postal Voters
17 <sup>th</sup> February 2015	- Last day/ time for receiving Postal Ballots
18 <sup>th</sup> of February 2015	- 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 Forefinger.

**(N) Polling Stations**

24. The Polling Stations shall be as indicated in the Final Electoral Roll for the Bye-Election in *Monggar Demkhong* of Monggar Dzongkhag and *Brekha\_Merengzor Demkhong* of *Khaling Gewog* under Trashigang Dzongkhag.

**(O) Election Officials**

**Election Coordinators**

25. The *Dzongdag* of Monggar and Trashigang Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab as the Deputy Chief Election Coordinator and the *Gewog* Administrative Officer 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 25<sup>th</sup> of January 2015 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 Monggar and Trashigang *Dzongkhag* as the Returning Officer for conduct of the *Bye-Election* in their *Dzongkhags*.

#### **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 21<sup>st</sup> of February 2015 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 Gewog where his/her *Gung* or *Mitsi* is registered.

#### **(P) Law and Order & Deployment of Forces**

31. The *Dzongdags* and the Gewog Administrative Officers in the *Gewogs* shall serve as the Focal Points for all administrative matters in the *Dzongkhag* and *Gewog* respectively for the election period.
32. The *Dzongdags* and the Gewog Administrative Officers 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 concerned Dzongkhag shall work in close coordination and cooperation with the election officers as a team towards conducting the elections smoothly.

**(Q) Election Control Rooms**

36. Control Rooms shall be established in the Office of the Returning Officer and at the Election Commission Headquarters to effectively supervise, direct, monitor and backstop the conduct of elections.
37. The Control Rooms shall be set up and function in the manner detailed in the *Manual for Control Rooms*.

**(R) Election Code of Conduct**

38. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from 23<sup>rd</sup> of January 2015 to 6<sup>th</sup> of March 2015.
39. 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.

**(S) Poll Day - A Public Holiday**

40. The Poll Day, 17<sup>th</sup> of February 2015, 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.

**(T) No or Only One Candidate**

41. 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.
42. 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 Gup in Monggar Gewog under Monggar Dzongkhag and Gewog Tshogde Tshogpa of Brekha\_Merengzor Chiwog of Khaling Gewog under Trashigang Dzongkhag, 2015** and all matters relating to it.

Issued on the 3<sup>rd</sup> Day of the Twelfth Month of the Wood Female Sheep Year corresponding to 23<sup>rd</sup> of January 2015.

By Order,



(Kunzang Wangdi)  
**CHIEF ELECTION COMMISSIONER**

**Copies to:**

1. Hon'ble Prime Minister, Royal Government of Bhutan, Kingdom of Bhutan.
2. Hon'ble Chief Justice of Bhutan, Royal Court of Justice, Supreme Court of Bhutan, Thimphu.
3. Hon'ble Officiating Chief Justice, Royal Court of Justice, High Court of Bhutan, Thimphu.
4. Hon'ble Speaker, National Assembly, Parliament of Bhutan, Thimphu, Bhutan.
5. Hon'ble Chairperson, National Council, Parliament of Bhutan, Thimphu, Bhutan.
6. Hon'ble Opposition Leader, National Assembly, Parliament of Bhutan, Thimphu, Bhutan.
7. Hon'ble Secretary to His Majesty the King of Bhutan, His Majesty's Secretariat, Tashichhodzong, Thimphu.
8. Hon'ble Secretary to His Majesty, Secretariat of Druk Gyal Zhipa, Thimphu.
9. Hon'ble Chief Operations Officer, Royal Bhutan Army, Tashichhodzong, Thimphu.
10. Hon'ble Commandant, Royal Body Guards, Dechhen-Chhoeling, Thimphu, Bhutan.
11. Hon'ble Chairperson, Royal Civil Service Commission, Thimphu, Bhutan.
12. Hon'ble Chairperson, Anti-Corruption Commission, Thimphu, Bhutan.
13. Hon'ble Auditor General, Royal Audit Authority, Thimphu, Bhutan.
14. Hon'ble Cabinet Secretary, Royal Government of Bhutan, Tashichhodzong Thimphu.
15. All Hon'ble Secretaries to the Royal Government of Bhutan.



16. Hon'ble Chief of Police, Royal Bhutan Police, Thimphu, Bhutan.
17. Hon'ble President, Bhutan Chamber of Commerce and Industry, Thimphu, Bhutan.
18. Dzongdag, Dzongkhag Administration, Monggar and Trashigang Dzongkhags.
19. Drangpon, Royal Court of Justice, Monggar and Trashigang Dzongkhags.
20. Election Security Coordinator, Royal Bhutan Police, Thimphu.
21. Dzongkhag Electoral Officer, Monggar and Trashigang Dzongkhags.
22. Gewog Administrative Officer, Monggar and Trashigang Dzongkhags.
23. Postal Ballot Focal Officers, Armed Forces.
24. Managing Director, BBSC, Thimphu.
25. Managing Director, Kuensel Corporation, Thimphu.

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