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**ELECTION COMMISSION OF BHUTAN**

*(Ensuring Free, Fair & Democratic Elections & Referendums)*



ECB/CEC/NOTIF-01/2013/323

Dated: 19<sup>th</sup> of August 2013

## **NOTIFICATION**

### **Bye-Election for the Post of *Gup* in Darla Gewog under Chhukha Dzongkhag, 2013**

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 for Bye-Election for the post of ***Gup*** in **Darla Gewog** under Chhukha Dzongkhag for the vacancy resulted upon the demise of Mr. Bhudiman Samal on 8<sup>th</sup> of August 2013.

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:

<b>Date and Time</b>	<b>Remarks</b>
19 <sup>th</sup> of August 2013	- Issuance of Notification
21 <sup>st</sup> of August 2013	- Commencement of <i>Zomdus</i> for selection
30 <sup>th</sup> of August 2013	- Last Date for filing of Nominations of Candidates
31 <sup>st</sup> of August 2013	- Scrutiny of Nominations of Candidates & Commencement of the Election Campaign
2 <sup>nd</sup> of September 2013	- Last date for withdrawal of Candidature

17 <sup>th</sup> of September 2013	-End of Election Campaign (9.00 AM)
19 <sup>th</sup> of September 2013	<b>Poll Day and Counting of Results</b>
20 <sup>th</sup> of September 2013	- Declaration of Results & Submission of the Results to the Druk Gyalpo - Start of Election Petition Period
21 <sup>st</sup> of September 2013	- Issuance of the Certificate of Election
4 <sup>th</sup> of October 2013	- 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 **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* by the 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 (**Annexure**) to that effect.

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 July 1988 but not before 1<sup>st</sup> of July 1948.

**(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 July 2013. Therefore; all those who are not younger than eighteen years of age as on 1<sup>st</sup> of July 2013 or born on or before 1<sup>st</sup> of July 1995 shall be deemed to meet the minimum age requirement to be a voter.

9. No changes shall be made to the Electoral Roll after 19<sup>th</sup> of August 2013. 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 22<sup>nd</sup> of August 2013 and to the Candidates by 26<sup>th</sup> of August 2013.

**(F) Election Campaign**

11. A Candidate shall have up to **17** 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 *Mangmi*, *Gewog Tshogpas*, *Dzongkhag Thromde Thuemi*, *Thrompon*, and *Thromde Tshogpa* shall not campaign directly or indirectly for any Candidate and shall only participate as a voter on the Poll day.

**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/-.

**Election Campaign Returns**

15. A Candidate must submit accounts of campaign to the National Observers 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.

### **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/ Thomde* 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.

### **(G) 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>
19 <sup>th</sup> of August 2013	- Eligible Postal Voters to initiate application for Postal Ballot to the Returning Officer
1 <sup>st</sup> of September 2013	- Last date of receipt of Application for Postal Ballots by Returning Officer
2 <sup>nd</sup> of September 2013	- Returning Officer to commence sending Postal Ballot to registered Postal Voters
18 <sup>th</sup> of September 2013	- Last day/ time for receiving Postal Ballots
19 <sup>th</sup> of September 2013	- Poll Day and Counting of Results

**(H) 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.

**(I) Electronic Voting Machines**

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

**(J) Indelible Ink**

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

**(K) Polling Stations**

24. The Polling Stations shall be as indicated in the Final Electoral Roll for the Bye-Election in Darla *Demkhong* of Chhukha Dzongkhag.

**(L) Election Officials**

**Election Coordinators**

25. The *Dzongdag* shall be appointed as the Chief Election Coordinator, Dzongrab as the Deputy Chief Election Coordinator and the *Gewog* Administrative Officer of Darla *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 19<sup>th</sup> of August 2013 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 in the Gewog.

### **Returning Officers**

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

### **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 15<sup>th</sup> of September 2013 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.

**(M) Law and Order & Deployment of Forces**

31. The *Dzongdag* 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 *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 concerned Dzongkhag shall work in close coordination and cooperation with the election officers as a team towards conducting the elections smoothly.

**(N) 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*.

**(O) 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 19<sup>th</sup> of August 2013 to 4<sup>th</sup> of September 2013.
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.

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

40. The Poll Day, 19<sup>th</sup> of September 2013, shall be declared a Public Holiday in the Darla Gewog. 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.

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

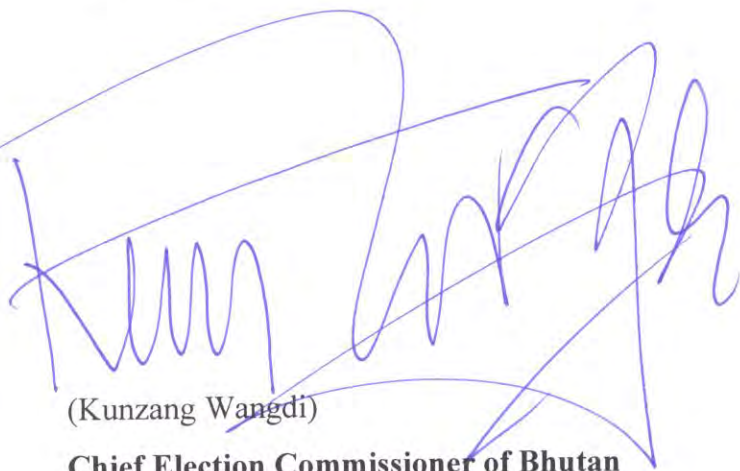
41. If there is no Candidate after the last date for filing of nomination of Candidates notified herein, the election will be postponed till further notice.
42. If there is only one Candidate after the last date of filing of nomination of Candidates announced herein, an uncontested election, in accordance 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 Darla Gewog under Chhukha Dzongkhag, 2013** and all matters relating to it.

• Issued on the 13<sup>th</sup> Day of the Seventh Month of the Water Female Snake Year corresponding to 19<sup>th</sup> of August 2013.

By Order,



(Kunzang Wangdi)  
**Chief Election Commissioner of Bhutan**

**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, Tashichhoedzong, 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, Chhukha Dzongkhags.
19. Drangpon, Royal Court of Justice, Chhukha Dzongkhags.
20. Election Security Coordinator, Royal Bhutan Police, Thimphu.
21. Dzongkhag Electoral Officer, Chhukha Dzongkhag.
22. Gewog Administrative Officer, Darla Gewog
23. Postal Ballot Focal Officers, Armed Forces.
24. Managing Director, BBSC, Thimphu.
25. Managing Director, Kuensel Corporation, Thimphu.
26. Managing Director, Bhutan Times, Thimphu.
27. Managing Director, Bhutan Today, Thimphu.
28. Managing Director, Business Bhutan, Thimphu.
29. Managing Director, The Journalist, Thimphu.
30. Managing Director, Dzongkha Neytsuel, Thimphu.
31. Chief Executive Officer, Radio Valley, Thimphu.
32. Coordinator, Kuzoo FM, Thimphu.
33. Chief Executive Officer, Centennial Radio, Thimphu.
34. Chief Executive Officer, Radio High, Thimphu.
35. Chief Executive Officer, Radio Waves, Thimphu.

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