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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/CEC/NOTIF-01/2015/1629

Dated: 14th of August 2015

NOTIFICATION

Bye-Elections for the Post of *Gup* in *Dekiling Gewog* under *Sarpang 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 Bye- Election for the post of *Gup* in *Dekiling Gewog* under *Sarpang Dzongkhag* which has fallen vacant upon the demise of the incumbent.

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
14 th of August 2015	- Issuance of Notification - Freezing of Electoral Roll
16 th of August 2015	- Commencement of <i>Zomdu</i> for selection for post of <i>Gup</i>
23 rd of August 2015	- Last Date for filing of Nominations of Candidates
24 th of August 2015	- Scrutiny of Nominations of Candidates & Commencement of the Election Campaign
26 th of August 2015	- Last date for withdrawal of Candidature
7 th September 2015	- End of Election Campaign (9.00 AM)
9 th of September 2015	Poll Day and Counting of Results

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10 th of September 2015	- Declaration of Results & Submission of the Results to the Druk Gyalpo
	- Start of Election Petition Period
12 th of September 2015	- Issuance of the Certificate of Election
29 th of September 2015	- 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/Signature Process of/by 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 Thomde* Nominee.
 - 5.1. A *zomdu* shall be held in each *Chiwog* of *Dekiling Gewog* by the Sarpang 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.

6. For the purpose of ascertaining the age eligibility of candidate 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 23rd of August 1990 but not before 23rd of August 1950.

(E) Electoral Roll

7. The Electoral Roll used for the General Election 2013 shall be used as the basis 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 2015. All those who are not younger than eighteen years of age as on 1st of July 2015 or born on or before 1st of July 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 14th of August 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 on 16th of August 2015 and to the Candidates on 26th of August 2015.

(F) Election Campaign

11. A Candidate shall have up to 14 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*, *Dzongkhag Thomde Thuemi*, and *Thromde Tshogpa* 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 Observers for his/her scrutiny and file Election Returns within thirty days of declaration of the Election Result as per the prescribed procedures, failing which he/she will be barred from participation in future elections.

(I) Common Forum for the Public Address by All Candidates

16. 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

17. The Postal Voter List shall be based on Postal Voters Registration for the *Second Parliamentary Election 2013*.

18. The schedule for the processing of Postal Ballots shall be as given below:

Date and Time	Remarks
14 th of August 2015	- Eligible Postal Voters to initiate application for Postal Ballot to the Returning Officer
26 th of August 2015	- Last date of receipt of Application for Postal Ballots by Returning Officer - Returning Officer to commence sending Postal Ballot to registered Postal Voters
8 th of September 2015	- Last day/ time for receiving Postal Ballots (5 PM)
9 th of September 2015	- Poll Day and Counting of Results

(K) Voter Photo Identity Card (VPIC)

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

20. However, all voters must also 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

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

(M) Indelible Ink

22. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the **Left Index Finger.**

(N) Polling Stations

23. The Polling Stations shall be as indicated in the Final Electoral Roll for Bye-Election.

(O) Election Officials

Election Coordinators

24. The *Dzongdag*, *Dzongrab*, and *Gewog* Administrative Officers shall be appointed as the Chief, Deputy Chief & Assistant Chief Election Coordinators in the respective Dzongkhag/Gewog. 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 14th of August 2015 and vested with authority, Roles and Responsibilities as per provisions in the Electoral Roll Laws, Rules, Regulations and Guidelines and respective Handbooks.

National Observer

25. The Election Commission of Bhutan shall appoint a **National Observer** for observing the election.

Returning Officers

26. The Election Commission shall appoint the **Dzongkhag Electoral Officer** of Sarpang Dzongkhag as the Returning Officer for the conduct of the *Bye-Election* in the respective Dzongkhags.

Presiding and Polling Officers

27. The appointment of Presiding and Polling Officers for the Elections shall be as per the Appointment Orders issued by the Returning Officer on or before 6th of September 2015 i.e. three days before the day of Poll, unless otherwise authorised.

Counting Supervisors & Counting Assistants

28. 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

29. 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

30. 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.

31. 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.
32. All Election Officials must remain in their station during the entire election period.
33. The Royal Bhutan Police shall be responsible for security as per the Election Security Rules and Regulations of the Kingdom of Bhutan.
34. 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

35. 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.
36. The Control Rooms shall be set up and function in the manner detailed in the *Manual for Control Rooms*.

(R) Election Code of Conduct

37. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from 14th of August 2015 to 9th of September 2015.

38. 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

39. The Poll Day, Wednesday, 9th of September 2015, shall be declared as 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

40. 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.

41. 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 and all matters relating to it.

Issued on the 30th Day of the Sixth Month of the WOOD FEMALE SHEEP YEAR corresponding to 14th of August 2015.