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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/CEC/NOTIF-01/2018/1193

Dated: 13<sup>th</sup> of December 2018

## NOTIFICATION

### **Bye-Election for the Post of *Gewog Tshogde Tshogpa* in Wangkha Chiwog of Bjugchhog *Gewog* under Chhukha 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 Wangkha Chiwog of Bjugchhog *Gewog* under Chhukha Dzongkhag for the vacancy resulted upon the resignation of 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:

<b>Date and Time</b>	<b>Remarks</b>
14 <sup>th</sup> of December 2018	- Issuance of Notification - Commencement of Signature process by Eligible candidates for the post of <i>Gewog Tshogpa</i>
19 <sup>th</sup> of December 2018	- Last Date for filing of Nominations of Candidates
20 <sup>th</sup> of December 2018	- Scrutiny of Nomination of Candidates & Commencement of the Election Campaign - Last date of receipt of Application by Returning Officer in case voter wants to change Postal Address or be removed from Postal Voter List to voter at the Polling Station in person. - Last date for withdrawal of Candidature

22 <sup>nd</sup> of December 2018	- Returning Officer to commence sending Postal Ballot to registered Postal Voters
30 <sup>th</sup> of December 2018	- End of Election Campaign (9.00 AM)
31 <sup>st</sup> of December 2018	- Last day/ time for receiving Postal Ballots
1 <sup>st</sup> January 2019	<b>Poll Day and Counting of Results (8:00 am to 4:00 pm)</b>
2 <sup>nd</sup> of January 2019	- Declaration of Results & Submission of the Results to the Druk Gyalpo - Start of Election Petition Period
7 <sup>th</sup> of January 2019	- Issuance of the Certificate of Election
17 <sup>th</sup> of January 2019	- End of Election Petition Period (4:00pm)

**(B) Selection Process of the Candidates**

2. 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.
3. A Registered Voter aspiring to contest *Gewog Tshogde Tshogpa* Election in Wangkha *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.
4. 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 19<sup>th</sup> of December 1993 but not before 19<sup>th</sup> of December 1953.

**(C) Electoral Roll**

5. The Electoral Roll used for the National Council Election 2018 shall be used as the base with further revision as per the qualifying date which shall be the 1<sup>st</sup> of October 2018. All those who are not younger than eighteen years of age as on 1<sup>st</sup> of October 2018 or born on or before 1<sup>st</sup> of October 2000 shall be deemed to meet the minimum age requirement to be a voter.
6. The Final Electoral Roll for the Election shall be published and provided to the Returning Officer by 14<sup>th</sup> of December 2018 and to the Candidates if requested, by 19<sup>th</sup> of December 2018.

**(D) Election Campaign**

7. A Candidate shall have up to **10 days** for campaigning, which must stop **48 hours** before the start of Poll.
8. 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.
9. 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.

**(E) Election Campaign Finance & Election Campaign Returns**

10. 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/-.
11. All Candidates 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. Those who fail to lodge accounts of election expenses within the time and manner required under Section 179 (d) of the Election Act will result in being barred from participation in future elections.

**(F) Common Forum for Public Address by All Candidates**

12. The Returning Officer, in consultation with the respective Election Coordinator and Security Coordinator shall arrange a Common Forum in **Wangkha 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, 2018*.

**(G) Postal Ballots**

13. The Postal Voter List shall be based on Postal Voters Registration for the **3<sup>rd</sup> Parliamentary Election: National Assembly 2018**.

**(H) Voter Photo Identity Card (VPIC)**

14. 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.

**(I) Electronic Voting Machines & Indelible Ink**

15. The Electronic Voting Machine (EVM) shall be used for polling in the Polling Station.
16. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the **Left Thumb**.

**(J) Election Officials**

17. The Dzongdag of Chhukha Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab as the Deputy Chief Election Coordinator and the *Gewog* Administrative Officer of Bjagchhog *Gewog* as the Assistant Chief Election Coordinator.
18. The Election Commission shall appoint the Dzongkhag Electoral Officer of Chhukha Dzongkhag as the Returning Officer for conduct of the *Bye-Election*.
19. 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 28<sup>th</sup> of December 2018 i.e. two days before the day of Poll, unless otherwise authorised.
20. 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.
21. The Election Officials shall not be posted to the *Chiwog* where his/her *Gung* or *Mitsi* is registered.

**(K) Election Code of Conduct**

22. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from **14<sup>th</sup> of December 2018 to 2<sup>nd</sup> of January 2019**

23. All Election Officers, Candidates and Voters must comply with the Election Code of Conduct and the provisions of the Electoral Laws, Rules and Regulations, Guidelines & the Appointment Orders.

**(L) Poll Day & Polling Hours**

24. **The Poll Day, 1<sup>st</sup> of January 2019**, shall be declared a Public Holiday in Wangkha *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 in polling station. The polling hours shall be from 8 am to 4 pm.

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

25. 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.
26. 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 Wangkha *Chiwog* of Bjagchhog *Gewog* under Chhukha Dzongkhag and all matters relating to it.

**Issued on the 7<sup>th</sup> Day of the Eleventh Month of the Earth Male Dog Year corresponding to 14<sup>th</sup> of December 2018.**

**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 Speaker, National Assembly, Parliament of Bhutan, Thimphu, Bhutan.
4. Hon'ble Chairperson, National Council, Parliament of Bhutan, Thimphu, Bhutan.
5. Hon'ble Opposition Leader, National Assembly, Parliament of Bhutan, Thimphu, Bhutan.
6. Hon'ble Secretary to His Majesty the King of Bhutan, His Majesty's Secretariat, Tashichhoedzong, Thimphu.
7. Hon'ble Secretary to His Majesty, Secretariat of Druk Gyal Zhipa, Thimphu.
8. Hon'ble Acting Chief Justice, Royal Court of Justice, High Court of Bhutan, Thimphu.
9. Hon'ble Chairperson, Royal Civil Service Commission, Thimphu, Bhutan
10. Hon'ble Chairperson, Anti-Corruption Commission, Thimphu, Bhutan.
11. Hon'ble Auditor General, Royal Audit Authority, Thimphu, Bhutan.
12. Hon'ble Presidents, Five Registered Political Parties with specific requirement to stop political party activities in the Gewogs and Thromdes.
13. Hon'ble Cabinet Secretary, Royal Government of Bhutan, Tashichhoedzong, Thimphu.
14. All Hon'ble Secretaries to the Royal Government of Bhutan.
15. Hon'ble Chief of Police, Royal Bhutan Police, Thimphu, Bhutan.
16. Hon'ble Election Security Focal Officers, RBP and RBA
17. Dzongdag, Dzongkhag Administration, Chhukha Dzongkhags
18. Drangpon, Royal Court of Justice, Chhukha Dzongkhag
19. Election Security Coordinator, Royal Bhutan Police, Thimphu
20. Dzongkhag Electoral Officers, Chhukha Dzongkhag
21. Gewog Administrative Officer, Bjagchhog Gewog
22. Postal Ballot Focal Officers, Armed Force