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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2019/2097

Dated: 28th of August 2019

NOTIFICATION

Bye-Elections for the Post of *Gup* and *Gewog Tshogde Tshogpa* in Local Government 2019

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-Elections for the post of:

- *Gup* in Boomdeling *Gewog* under Trashi Yangtse Dzongkhag and *Gewog Tshogde Tshogpa* in Pemachhoeling *Chiwog* of Tareything *Gewog* under Sarpang Dzongkhag where vacancies occurred due to the removal of incumbents;
- *Gewog Tshogde Tshogpa* in Betsamang *Chiwog* of Boomdeling *Gewog* under Trashi Yangtse Dzongkhag; and Jomphu *Chiwog* of Soe *Gewog* under Thimphu Dzongkhag where vacancies resulted upon the prolonged ill health of incumbents; and
- *Gewog Tshogde Tshogpa* in Dorithasa_Kowkha_Yangtse *Chiwog* of Gakiling *Gewog* under Haa Dzongkhag where the vacancy occurred due to the resignation of 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
28 th of August 2019	- Issuance of Notification - Commencement of <i>Zomdu</i> for selection for post of <i>Gup</i> & Signature process by Eligible candidates for the post of <i>Tshogpas</i>
5 th of September 2019	- Last Date for filing of Nominations of Candidates
6 th of September 2019	- Scrutiny of Nomination of Candidates & Commencement of the Election Campaign - Last date of receipt of Application by Returning

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	Officer in case voter wants to change Postal Address or be removed from Postal Voter List to vote at the Polling Station in person.
8 th of September 2019	- Last date for withdrawal of Candidature - Returning Officer to commence sending Postal Ballot to registered Postal Voters
23 rd of September 2019	- End of Election Campaign
24 th of September 2019	- Last day for receiving Postal Ballots
25 th of September 2019	Poll Day and Counting of Results
26 th of September 2019	- Declaration of Results & Submission of the Results to the Druk Gyalpo - Start of Election Petition Period
30 th of September 2019	- Issuance of the Certificate of Election
9 th of October 2019	- End of Election Petition Period for all except Jomphu <i>Chiwog</i> where the Election Petition will end on 15 th of October 2019 due to Local Holidays.

(B) Selection/ Signature Process of/by 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. 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, 2016.
 - 3.1. A *zomdu* shall be held in each *Chiwog* of concerned *Gewog* 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*.
 - 3.2. The **EVM and Authorized E-Roll** must be used in the *Chiwog Zomdu*.
 - 3.3. In the absence of any Registered Voter interested to contest, the meeting shall submit to the Dzongkhag Election Authority a statement (**Nomination Form No. 6B**) to that effect.
4. A Registered Voter aspiring to contest *Gewog Tshogde Tshogpa* Election 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.

5. 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 **5th of September 1994** but not before **5th of September 1954**

(C) Electoral Roll

6. The Electoral Roll used for the **Third Parliamentary Election 2018** 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*.
7. The qualifying date for the Electoral Roll shall be the of **1st of July 2019**. All those who are not younger than **eighteen years of age as on 1st of July 2019 or born on or before 1st of July 2001** shall be deemed to meet the minimum age requirement to be a voter.
8. The Final Electoral Roll for the Election shall be published and provided to the Returning Officer on **29th of August 2019** and to the Candidates on **5th of September 2019**.

(D) Election Campaign

9. A Candidate shall have up to 18 days for campaigning, which must stop 48 hours before the start of Poll.
10. 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**.

11. The other elected Local Government officials i.e. *Thrompon, Gup, Mangmi, Tshogpa* and Dzongkhag *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

12. 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/-.
13. A Candidate must submit accounts of campaign to the National Observers/ Returning Officer 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.

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

14. The Returning Officer, in consultation with the concerned 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, 2018.

(G) Postal Ballots

15. The Postal Voter List (Conventional Postal Voters) shall be based on Postal Voters Registration for the *Third Parliamentary Elections 2018*.

(H) Voter Photo Identity Card (VPIC)

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

(I) Electronic Voting Machines

17. The Electronic Voting Machine (EVM) shall be used for polling in all the Polling Station.
18. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the **Right Index Finger**.

(J) Election Officials

19. The Dzongdag of concerned Dzongkhag shall be appointed as the Chief Election Coordinator, concerned Dzongrab/Dungpa as the Deputy Chief Election Coordinator and the concerned Gewog Administrative Officer as an Assistant Chief Election Coordinator.
20. The Election Commission shall appoint the Dzongkhag Electoral Officer of concerned Dzongkhag as the Returning Officer for conduct of the Bye-Election.
21. The appointment of Presiding Officers and Polling Officers for the Elections shall be as per the Appointment Orders issued by the Returning Officer two days before the day of Poll, unless otherwise authorized.
22. 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.
23. The Election Officials shall not be posted to the Chiwog where his/her Gung or Mitsi is registered.

(K) Election Code of Conduct

24. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from **28th of August 2019 to 25th of September 2019**

25. 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.

(L) Poll Day & Polling Hours

26. **The Poll Day, 25th of September 2019**, shall be declared a Public Holiday in 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 in polling station. The polling hours shall be from **9am to 5pm**.

(M) No or Only One Candidate

27. 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.
28. 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 28th Day of the Sixth Month of the Female Earth Pig Year corresponding to 28th of August 2019.



Chief Election Commissioner of Bhutan