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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2021/5215

Dated: 27th October 2021

NOTIFICATION

Local Government Elections, 2021:

Third Local Government Elections, under the Constitution of the Kingdom of Bhutan

The Election Commission of Bhutan, in pursuance of Section 197 of the Election Act of the Kingdom of Bhutan 2008, herein calls the Third Local Government elections under the Constitution of the Kingdom of Bhutan for the elections to the Gewog *Tshogdes* of 205 Gewogs, 16 Dzongkhag *Thromde* Ngotshabs and Dzongkhag *Thromde Tshogde* of Samdrup Jongkhar Dzongkhag.

The Election Schedule and the details concerning *Demkhongs*, Selection Procedure for the 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 of dates and times for the Local Government Elections, 2021 shall be as follows:

Date and Time	Electoral Activities
27 th October 2021 (Wednesday)	- Issuance of Notification calling for elections for 205 Gewog <i>Tshogdes</i> and Samdrup Jongkhar <i>Thromde Tshogde</i> and 16 Dzongkhag <i>Thromde Ngotshabs</i>
3 rd November 2021 (Wednesday)	- Commencement of the selection procedure (<i>Dhamngoi Zomdu</i>) for <i>Gup</i> and <i>Mangmi</i> for 205 Gewogs and <i>Thrompon</i> for Samdrup Jongkhar Dzongkhag <i>Thromde</i> - Commencement of the signature process by aspiring candidates for the post of Gewog <i>Tshogde Tshogpa</i> , <i>Thromde Tshogpa</i> , and <i>Thromde Ngotshab</i> - Initiate filing of nomination to Returning Officer

Post Box No.: 2008, Democracy House, Kawajangsa, Thimphu: Bhutan
334851, 334852 (PABX), 334762 (EA to CEC), Fax: 334763
Website: www.ecb.bt E-mail: cec@ecb.bt

20 th November 2021 (Saturday)	- End of Dhamngoi Zomdu
22 nd November 2021 (Monday)	- Last date for filing of nominations by candidates - Freezing of the Electoral Roll (Section 125 of the Election Act of the Kingdom of Bhutan, 2008 authorizes a temporary embargo on entries in the Electoral Roll for a period of thirty days before the date of the poll). - Finalization of Electoral Roll and Postal voter list
23 rd November 2021 (Tuesday)	- Scrutiny of the nomination of candidates
25 th November 2021 (Thursday)	- Last date for withdrawal of candidature - Commencement of the Election Campaign
26 th November 2021 (Friday)	- Returning Officer to initiate sending Postal Ballot to the registered Postal Voters - Public Debate for Samdrup Jongkhar <i>Thrompon</i> candidates
11th December 2021 (Saturday)	- Commencement of operation of the Paper Ballot Facilitation Booth (PFBF) & Mobile Voting Booth (MVB)
15 th December 2021 (Wednesday)	- End of operation of the Paper Ballot Facilitation Booth (PFBF) & Mobile Voting Booth (MVB)
20 th December 2021 (Monday)	- End of the election campaign
21 st December 2021 (Tuesday)	- Last day/time for receiving of postal ballots
22nd December 2021 (Wednesday)	- Poll Day and Counting of Results
23 rd December 2021 (Thursday)	- Declaration of results & submission of the results to His Majesty the Druk Gyalpo - Start of Election Petition Period
5 th January 2022 (Wednesday)	- End of Election Petition Period
6 th January 2022 (Thursday)	- Issuance of the Certificate of Election

C. Polling Hours

1. The polling hours shall be from 8:00 am to 4:00 pm.

D. Demkhong

1. The Local Government *Demkhongs* and the names to be used shall be as written in the Final Delimitation Order issued for the Gewog *Tshogde Tshogpa Demkhongs* vide DC/CHAIR/2011/1520 dated 27th February 2011 and the Revised Atlas of the Local Government *Demkhongs*, 2016.
2. The Samdrup Jongkhar Dzongkhag *Thromde*, declared as such by decision of Parliament, shall form the *Demkhong* for the election of the *Thrompon*.

E. Selection Process of the Gewog Tshogde Candidates

1. The *Gup, Mangmi* and a minimum of five and maximum of eight Gewog *Tshogpas* elected through direct election shall constitute the Gewog *Tshogde*.
2. A registered voter who fulfils 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 to the post of *Gup, Mangmi* or Gewog *Tshogde*.
3. The selection process of the Gewog *Tshogde* candidates shall be as follows:

Gup/Mangmi

1. Every *chiwog* is entitled to nominate one candidate each to contest the election for *Gup/Mangmi* of the respective Gewog.
2. A Dzongkhag Election Authority shall hold a *Dhamngoi Zomdu* in every *chiwog* for the purpose of selecting a candidate to contest in the elections to the post of *Gup/Mangmi*.
3. In the absence of any registered voter interested in contesting the elections, a statement to that effect shall be submitted to the Dzongkhag Election Authority by the designated team convening the *Dhamngoi Zomdu*.

Gewog Tshogpa

1. A registered voter aspiring to contest the Gewog *Tshogpa* elections shall produce signatures of at least 5 per cent of the registered voters from the

respective *chiwog* supporting his/her nomination to the post of Gewog *Tshogpa* provided no voter has supported more than one nominee.

2. In the case of small *chiwogs* with few households with a small (less) voter population, the above requirement will be reviewed and decided by the Election Commission on a case-by-case basis.
3. Aspiring candidates, contesting for the post of Gewog *Tshogpa*, while seeking the support of 5 per cent of the registered voters of his/her *Demkhong* via signature drive, shall wear face masks, use hand gloves and maintain social/physical distancing while engaging with the voters.

F. Selection Process of the Dzongkhag *Thromde* Candidates of Samdrup Jongkhar Dzongkhag

1. The *Thrompon* and a minimum of six and a maximum of eight *Thromde Tshogpas* elected through direct election shall constitute the Dzongkhag *Thromde Tshogde*.
2. The selection process of the *Thromde Tshogde* candidates shall be as follows:

Thrompon

1. Every *Thromde Tshogpa Demkhong* is entitled to nominate one candidate each to contest the elections for *Thrompon* in the Samdrup Jongkhar Dzongkhag *Thromde*.
2. The Dzongkhag Election Authority shall hold a *Dhamngoi Zomdu* in every *Thromde Tshogpa Demkhong* for the purpose of selecting a candidate to contest in the elections to the post of *Thrompon*.
3. In the absence of any registered voter interested in contesting the elections, a statement to that effect shall be submitted to the Dzongkhag Election Authority by the designated team convening the *Dhamngoi Zomdu*.

Thromde Tshogpa

1. A registered voter aspiring to contest the *Thromde Tshogpa* elections shall produce signatures of at least 5 per cent of the registered voters from the respective *Tshogpa Demkhong* supporting his/her nomination to the post of *Thromde Tshogpa* provided no voter has supported more than one nominee.

2. In the case of small *Tshogpa Demkhong* with few households and a small (less) voter population, the above requirement will be reviewed and decided by the Election Commission of Bhutan on a case-by-case basis.
3. Aspiring candidates, contesting for the post of *Thromde Tshogpa*, while seeking the support of 5 per cent of the registered voters of his/her *Demkhong* via signature drive, shall wear face masks, use hand gloves and maintain social/physical distancing while engaging with the voters.

G. Scrutiny of Candidates Nomination Papers

1. The scrutiny of nomination shall be done by the respective Returning Officer on the day immediately following the last date for filing of nomination, in accordance with the Electoral Laws, Rules and Regulations while keeping the Election Commission informed on the candidatures and scrutiny.
2. The nomination papers to be submitted by the candidates contesting for the Local Government Elections, 2021 are as follows:
 - a) Nomination forms and the Notice of Nomination;
 - b) Affidavit from Court;
 - c) Asset Declaration;
 - d) Security Clearance Certificate for election (online);
 - e) Audit Clearance Certificate for election (online);
 - f) Tax Clearance Certificate for election;
 - g) Certificate of Functional Literacy and Possession of required skills (FLT);
 - h) Marriage certificate and copy of CID, (if applicable);
 - i) Relieving order issued by Head of Ministry/Department/Agency (if applicable);
 - j) Letter of Attestation (*Thrompon* candidates only);
 - k) A declaration by the candidate in the prescribed form declaring that he/she is not a member of a Political Party, or has resigned from his/her membership at least a year ago in the manner specified in Section 206 (d) of the Election Act of the Kingdom of Bhutan, 2008 and
 - l) Undertaking by candidates on Office of Profit.
3. For the purpose of ascertaining the age eligibility of a candidate which as per the electoral laws must be a minimum of 25 years and a maximum of 65 years, a candidate for this election must be born on or before **22nd November 1996** but not before **22nd November 1956**.

H. Electoral Roll

1. The qualifying date for the electoral roll for the Third Local Government Elections, 2021 shall be 1st October 2021. Therefore, all those who are not younger than eighteen years of age as of **1st October 2021** or born on or **before 1st October 2003** shall be deemed to meet the minimum age requirement to be a voter.
2. A voter whose *Mitsi* is confirmed to be registered in the constituency as of **30th September 2020** shall be considered to meet the *Mitsi* durational requirement to vote in that constituency and/or be nominated as a candidate for the Third Local Government Elections, 2021.
3. The draft electoral roll for the Local Government Elections, 2021, shall be issued on 10th November 2021 for public inspection for claims and objections. This draft electoral roll, along with any supplementary list issued by the Election Commission shall be used for the *Dhamngoi Zomdu* process.
4. No changes shall be made to the electoral roll of the Local Government *Demkhongs* after 22nd November 2021 i.e., thirty days before the date of poll.
5. The final electoral rolls shall be published and provided to the Returning Officers and candidates contesting the elections on 22nd November 2021.

I. Election Campaign

3. A candidate shall have 26 days for campaigning, which must stop 48 hours before the start of the poll, i.e. 20th December 2021.
4. A candidate shall campaign strictly as per the campaign schedule approved by the concerned Returning Officer and a copy endorsed to the National Observer.
5. The campaign schedule shall be intimated to the voters through mass media and displayed on the election advertising boards. In so doing, it must be ensured that no coercion or deterrence is exercised to compel or prevent attendance at such events.
6. No travels, public gatherings or official tours shall be undertaken by any Member of Parliament or Party officials during the election period.

7. All those under the laws not eligible to campaign for or against a candidate shall ensure that they do not engage directly or indirectly in the election campaigns.
8. No candidate shall use the title, designation, rank, *Kabney/Rachu*, *Pata/Geyntag*, or any other sign, insignia or symbol of an office held earlier, on person, car or any personal effects as may be used during the campaign period by the candidate, representatives or supporters.
9. A civil servant, except in the capacity of an election official mandated to fulfil a required electoral function, should not attend campaign meetings.
10. All banks or financial institutions shall report to the ECB of any abnormal transaction of money, including in the account of a candidate contesting the Local Government Elections, 2021 in the 205 Gewogs and Dzongkhag *Thromde* of Samdrup Jongkhar *Thromde* to the Election Commission.
11. Any unauthorized person carrying out election campaign activities must be reported to an election officer or election security personnel on duty to be prosecuted for violation of Electoral Laws.
12. A candidate shall be liable for all acts of commission and omission of their election representatives which may include any interference in the conduct of lawful electoral works and/or disturbing peace and order, undermining free and fair election.
13. A candidate during the Local Government Elections, 2021 shall carry out all election campaign activities only upon obtaining a permit from the Returning Officer.
14. A candidate and all concerned shall neither serve meals and refreshments nor pay money, give gifts and reward the general public or voters for attendance of election campaigns or produce, wear and distribute t-shirts and caps for campaigning.

Election Campaign Finance

1. A candidate for the Local Government Elections, 2021 and Dzongkhag *Thromde* of Samdrup Jongkhar cannot exceed his/her election campaign expenses beyond the ceiling fixed by the Election Commission i.e., a total of Nu.75,000.

Election Campaign Returns

1. A candidate must submit accounts of the campaign to the National Observers for his/her scrutiny and must file his/her returns of election expenses to the concerned Dzongkhag Electoral Officer or directly to the Public Election Fund Division within thirty days of declaration of the election result.
2. A National Observer shall serve as the Expenditure Observer.

Public Debate of Thrompon Candidates

1. Public debate shall be conducted for the candidates whose nominations for the post of *Thrompon* have been duly accepted by the concerned Returning Officer.
2. The debate shall be conducted as per the Guidelines for the Conduct of Public Debate for the *Thromde* Elections.

Common Forum for Public Address by all Candidates

1. Common Forum shall be conducted for the candidates whose nominations have been duly accepted by the respective Returning Officer.
2. The Returning Officer, in consultation with the respective Election Coordinator and Security Coordinator, shall arrange a Common Forum in each *Chiwog* and *Thromde Tshogpa Demkhong* of Samdrup Jongkhar in order to avoid inconvenience to voters in attending multiple sessions.
3. The Returning Officer shall facilitate the gathering of the electorate at the appropriate venue (open-air such as football ground, futsal ground, stadium, assembly ground/spacious hall such as auditorium, MPH of schools) and time in the *Demkhong* to hear the candidates. However, all individuals attending Common Forum shall ensure full compliance with all COVID-19 health safety protocols.

J. Remaining Above Politics and Apolitical

15. No religious events, involving public gatherings, shall be organized or conducted during the election period.
16. Religious personalities shall neither vote in the elections nor participate directly or indirectly in the elections.

Civil Society Organisations (CSOs)

1. CSOs shall not participate, directly or indirectly, or give grounds to reasonably construe support, opposition or dislike of any candidate contesting the elections.
2. A person who applied for a postal ballot shall not be allowed to vote in person as his/her name will be included in the postal voter's list and marked as "**PB**" in the voters' list sent to the polling station by the respective Returning Officer.

K. Voter Photo Identity Card (VPIC)

1. The Election Commission of Bhutan shall accept the Citizenship Identity Card (CID) or Voter Photo Identity Card (VPIC) for the purpose of identification of the voter on the poll day. Photocopies of identity documents shall not be accepted.

L. Electronic Voting Machine (EVM)

1. The Electronic Voting Machine (EVM) shall be used for polling in all the polling stations of the *Demkhongs*.

M. Indelible Ink

1. Indelible ink shall be used during the Local Government elections and marked from top of the nail to the bottom of the first joint of the **LEFT** index finger.

N. Polling Stations

1. The list of polling stations for Local Government Elections, 2021 shall be as in the final electoral roll.
2. The arrangement of polling stations shall be as outlined in the Strategy for the Conduct of the Local Government Elections, 2021 amid the COVID-19 pandemic issued by the Election Commission of Bhutan.

O. Poll Day

1. The poll day for the Local Government elections shall be on **22nd December 2021**.
2. The poll day shall be declared as a public holiday in 20 Dzongkhags.
3. All voters must come in national dress at the Polling Stations.
4. All employers are required, by law, to grant the required number of days as leave of absence for a reasonable period as is necessary to enable him/her to vote at the elections, subject to the exceptions made in sections 339 and 341. However, due to the COVID-19 pandemic, all voters residing outside the *Demkhongs* are encouraged to register and vote through postal ballots.

P. Election Result Counting, Consolidation and Declaration

1. After the close of polls, the polling stations shall become the Counting Centres where the EVM results shall be counted immediately, as per the set procedure, and relayed to the Returning Officer and the ECB headquarters.
2. Candidates or their representatives can witness and observe all stages of the polling and counting procedures but shall not make public statements on estimates and guesses before the results of the election are officially declared.

Q. Election Officials

Chief Election Coordinators

1. The Dzongdag of the respective Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab of the respective Dzongkhag, Executive Secretary of the Samdrup Jongkhar *Thromde* and Dungpa of respective Dungkhag as the Deputy Chief Election Coordinators and Gewog Administrative Officers as the Gewog Election Coordinators responsible for carrying out the roles, responsibilities and duties as provided in the Electoral Laws and elaborated in the Appointment Orders.

National Observers

1. The Election Commission shall depute officers from the Civil Service as National Observers in the *Demkhongs*, vested with the authority, roles and responsibilities as per the provisions in the Electoral Laws, Rules,

Regulations and in particular the relevant provisions contained in the Guidelines for National and International Observers and the Appointment Order.

Returning Officer

1. The Election Commission shall appoint officers as Returning Officers in the *Demkhongs*, vested with full authority, roles and responsibilities as per the provisions in the Electoral Laws, Rules, Regulations and Handbook for Returning Officers and the Appointment Order.

Presiding and Polling Officers

1. Returning Officers shall appoint the presiding and polling officers from the list of officials working in the same Dzongkhag, provided by the Dzongkhag Election Office.
2. Presiding and polling officers shall be vested with the authority, roles and responsibilities as per the provisions in the Electoral Laws, Rules, Regulations and Handbook for presiding and polling officers.

Counting, Supervisors and Counting Assistants

1. The Returning Officers shall authorize the presiding officer and polling officer III in a polling station to function as the counting supervisor and the counting assistant to count the results after the close of the poll.
2. Counting supervisors and counting assistants shall be vested with the authority, roles and responsibilities as per the provisions in the Electoral Laws, Rules, Regulations and Handbook for counting supervisors and counting assistants.

Media Arbitrator

1. The Media Arbitrator appointed for the Local Government elections shall be vested with the authority and be responsible for fulfilling the roles and responsibilities as provided in the Electoral Laws, Rules, Regulations and the Appointment Order.

Assignment of Duty Stations

1. National Observers, Returning Officers, Presiding Officers, Polling Officers, Counting Supervisors and Counting Assistants shall ensure that he/she is not being placed in the Dzongkhag where his/her *Gung* or *Mitsi* is registered unless authorized otherwise.

R. Law and Order & Deployment of Forces

1. The Royal Bhutan Police shall be responsible for deploying security personnel at every polling station as per the Election security Rules and Regulations of the Kingdom of Bhutan.
3. Security personnel shall ensure that he/she is not being placed in the Dzongkhag where his/her *Gung* or *Mitsi* is registered unless authorized otherwise.
4. The Election security focal officers shall work in close coordination and cooperation with the election officials as a team towards conducting the elections smoothly.
5. *Desuups* shall be mobilized as per requirements to supplement and complement the efforts of the RBP and to enforce the COVID-19 health safety protocols.
6. The Dzongdags and the Gewog Administration Officers in the Gewog shall serve as the focal points for all administrative matters in the Dzongkhags and Gewogs respectively for the election period.
7. The Dzongdags and the Gewog Administrative Officers shall be responsible in ensuring that their respective jurisdictions are conducive and congenial for the conduct of free and fair Local Government Elections, 2021.

S. Election Dispute Settlement System

1. The Central Election Dispute Settlement Body (CEDSB) and the Dzongkhag Election Dispute Settlement Body (DED SB) shall be appointed for the Local Government elections for adjudication of election disputes in accordance with the Electoral Law, the Election Dispute Settlement Rules and Regulations and the Election Dispute Settlement Manual.
2. Election Disputes may be filed with a Returning Officer, National Observer, Chief Election Coordinator, or the Chief Election Commissioner but must contain all details as in the Election Complaint Form.

T. Election Control Rooms

1. For the purpose of monitoring, supervision and direction of the conduct of elections, election control rooms shall be set up in the office of the Returning Officers at the *Demkhong* level and at the Election Commission headquarters for the national level.

U. Demkhong with No Candidate or only one Candidate

1. If there is no candidate after the last date for filing of nomination of candidates notified herein, the elections will be postponed till further notice.
2. The *Demkhong* with only one candidate after the last date of filing of nomination of candidates announced herein will be conducted as 'Uncontested Election' in accordance with Sections 575 and 576 of the Election Act of the Kingdom of Bhutan, 2008.

V. Election Code of Conduct

1. The Election Code of Conduct shall come into force from the date of the notification calling for elections issued by the ECB and shall continue to be in force until the completion of the election period i.e. 27th October 2021 to 5th January 2022.
2. All election officers, political parties, candidates and voters must comply with the Election Code of Conduct and the provisions of the Electoral Laws, Rules and Regulations and Guidelines.

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 Third Local Government Elections, 2021 and all matters relating to it.

Issued on the 22nd day of the 9th month of the Iron Female Ox Year corresponding to 27th October 2021.

Chief Election Commissioner of Bhutan

