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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2023/4095

Date: October 5, 2023

NOTIFICATION

Re-Election and Bye-Election in Local Government Demkhongs

The Election Commission of Bhutan, in pursuance to Sections 463, 577 and 579 of the Election Act of the Kingdom of Bhutan, 2008, hereby calls Re-Election and Bye-Election respectively in the following Demkhongs for the positions mentioned below:

1. Re-Election for Tshogpa Post in Zangkhar Chiwog under Drameitse Gewog of Monggar Dzongkhag due to the candidates securing the equal number of votes in the Bye-Elections of the Third Local Government Elections conducted with poll day on 28th September 2023; and
2. Tshogpa in Rukoobji Chiwog under Saephu Gewog of Wangdue Phodrang Dzongkhag due to termination of the incumbent.

The specific arrangements for the conduct of Re-Election are as follows:

- i. Nomination papers and procedures of the last poll shall be taken as valid with no further filing of papers by candidates to be required; and
- ii. Only the candidates securing the equal number of votes shall contest the poll as provided below:

Sl. No	Dzongkhag	Gewog	Chiwog	Candidates
1.	Monggar	Drameitse	Zangkhar	Karma Wangchuk Sonam Wangdi

3. The Election Schedule and the details concerning Demkhongs, 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

4. The Schedule shall be as follows:

Date	Remarks
6 th October 2023	-Issuance of Notification
8 th October 2023	-Signature process by eligible candidates for the post of Tshogpa

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11 th October 2023	-Last date for the filing of nominations of candidates
12 th October 2023	-Scrutiny of nomination & commencement of the election campaign -Returning Officer to start sending Postal Ballots to registered postal voters
17 th October 2023	-End of election campaign
18 th October 2023	-Last day for receiving of postal ballots
19th October 2023	Poll Day and Counting of Results
20 th October 2023	-Declaration of Results & submission of the Results to the Druk Gyalpo -Start of election petition period
23 rd October 2023	-Issuance of the Certificate of Election
6 th November 2023	-End of election petition period

(B) Selection/Signature process by the Candidates

5. 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.
6. 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.
7. 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 **11th October 1998** but not before **11th October 1958**.

(C) Filing of Nomination papers

8. The nomination papers must be complete, signed and countersigned as required and include the following prescribed forms:
 9. Nomination form;
 10. Notice of Nomination for Tshogpa;
 11. Asset Declaration;
 12. Tax Clearance Certificate for Election;
 13. Audit Clearance Certificate for Election;
 14. Security Clearance Certificate for Election;
 15. CID copy of the candidate;

16. Marriage Certificate & CID copy of spouse, if married;
17. Relieving order issued by Head of the Ministry/ Department/Agency (if relevant);
18. A declaration form, a candidate declaring that he/she is not a member of a political party, or has resigned 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
19. Affidavit including non-criminal conviction record-cum-clearance from the respective court of law that he/she has not been accused of felony in a pending case, taken cognizance by a court of law.

(D) Electoral Roll

20. The qualifying date for the Electoral Roll shall be **1st October 2023**. All those who are not younger than **eighteen years of age as on 1st October 2023 or born on or before 1st October 2005** shall be deemed to meet the minimum age requirement to be a voter.
21. The Final Electoral Roll for the election shall be published and provided to the Returning Officer on **16th October 2023**.

(E) Electronic Voting Machines

22. The Electronic Voting Machine (EVM) shall be used for polling in the polling station.
23. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the **Left Index Finger**.

(F) Election Campaign

24. No Minister, Member of Parliament, official or member of a political party or elected person shall campaign directly or indirectly for any candidate.
25. No visits 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 spouses under Section 331 of the Election Act of the Kingdom of Bhutan, 2008.
26. The other elected Local Government officials i.e., Thrompon, Gup, Mangmi, Tshogpa, Thromde Tshogpa and Dzongkhag Thromde Ngotshab shall not campaign directly or indirectly for any candidate and shall only participate as a voter on Poll Day.
27. No candidate shall use the title, designation, rank, Kabney/Rachu, Pata/Gyentag, 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.

28. 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 election in the respective Demkhong.
29. A smaller group meeting shall not be conducted before **6 a.m. and after 5 p.m.**
30. 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.
31. 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.
32. A candidate during the election shall carry out all election campaign activities only upon obtaining a permit from the Returning Officer.
33. 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.

(G) Election Campaign Finance & Election Campaign Returns

34. 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. 75,000/-.
35. A candidate must submit accounts of campaign to the 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 punitive action shall be taken as per the electoral laws.

(H) Election Officials

36. The Dzongdag of the concerned Dzongkhag shall be appointed as the Chief Election Coordinator and the Gewog Administrative Officer as the Gewog Election Coordinator.
37. The Dzongkhag Electoral Officer of the concerned Dzongkhag shall be appointed as the Returning Officer for conduct of the election.
38. The appointment of Presiding Officers and Polling Officers for the elections shall be as per the appointment orders issued by the Returning Officer.
39. 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.

40. The Election Officials shall declare/disclose any relationship that could lead to a conflict of interest with his/her duties as an Election Official for the conduct of election.

(I) Election Code of Conduct

41. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from **5th October to 6th November 2023**.

42. 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.

(J) Remaining Above Politics and Apolitical

43. No religious events, involving public gatherings, shall be organized or conducted during the entire election period in the concerned Demkhong in particular by the candidates and their supporters.

44. Religious personalities shall neither vote in the elections nor participate directly or indirectly in the election.

(K) Civil Society Organizations (CSOs)

45. CSOs shall not participate, directly or indirectly, or give grounds to reasonably construe support, opposition or dislike of any candidate contesting the election.

(L) Poll Day & Polling Hours

46. Poll Day on **19 October 2023** shall be declared a Public Holiday in the concerned Demkhongs.

47. All employers are required by law to grant the required number of days as election leave for any registered voter from the Demkhong wishing to go to vote in person at the polling station. The polling hours shall be from **9 am to 5 pm**.

48. The Election Commission of Bhutan shall accept the valid Citizenship Identity Card (CID) or Voter Photo Identity Card (VPIC), in original, for the purpose of identification of the voter on the Poll Day.

(M) No Candidate or Only One Candidate

49. 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.

50. If there is only one candidate after the last date of filing of nomination of Candidates announced herein, an uncontested election, will be conducted in accordance with Sections 575 and 576 of the Election Act of the Kingdom of Bhutan, 2008.

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 Election and all matters relating to it.

Issued on the 21st Day of the 8th Month of the Water Female Rabbit Year corresponding to 5th October 2023.

Chief Election Commissioner