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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2023-2024/54

Date: January 11, 2024

## NOTIFICATION

### Bye-Elections in the Local Government.

The Election Commission of Bhutan (ECB), in pursuance of Sections 577 and 579 of the Election Act of the Kingdom of Bhutan, 2008, hereby calls bye-elections in the following Demkhongs for the positions mentioned below.

1. Gup of Samar Gewog under Haa Dzongkhag, due to voluntary resignation of the incumbent;
2. Mangmi of Tang Gewog under Bumthang Dzongkhag, due to death of the incumbent;
3. Tshogpa of Banjar Chiwog, Tsamang Gewog under Monggar Dzongkhag, due to death of the incumbent;
4. Tshogpa of Baedrog Chiwog, Kazhi Gewog under Wangdue Phodrang Dzongkhag, due to removal of the incumbent from the office; and
5. Tshogpa of Tshangkha Chiwog, Tangsibji Gewog under Trongsa Dzongkhag, due to voluntary resignation of the incumbent.

The Election Schedule and the details concerning Demkhongs, Nomination of Candidates, Electoral Rolls, EVMs, Polling Stations, Polling Officials, Security, and other arrangements are hereby being notified as follows:

#### (A) Election Schedule

1. The election schedule shall be as follows:

Date	Remarks
11/01/2024	-Issuance of Notification
19/01/2024	-Commencement of <i>Dhamngoi Zomdu</i> to select nominees for the post of Gup and Mangmi -Signature process by eligible candidates for the post of Tshogpa
22/01/2024	-Last date for filing of nominations of candidates
23/01/2024	-Scrutiny of nomination

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	-Withdrawal of candidature -Returning Officer to initiate sending postal ballots to registered postal voters - Commencement of election campaign
04/02/2024	-End of election campaign
06/02/2024	-Last day for receiving postal ballots till 12 noon
<b>06/02/2024</b>	<b>-Poll Day and Counting of Postal Ballots</b>
07/02/2024	-Declaration of Results & submission of the Results to the Druk Gyalpo
12/02/2024	-Issuance of Certificate of Election
20/02/2024	-End of election petition period

**(B) Selection/Signature process by the Candidates**

2. A registered voter who fulfills the criteria laid down under Section 178 of the Election Act of the Kingdom of Bhutan, 2008 is eligible to be nominated as a candidate for election.
3. A Dhamngoi Zomdu shall be held in each Chiwog of the concerned Gewog by the Dzongkhag Election Authority for the purpose of selecting not more than one nominee from every Chiwog of the concerned Gewog for the post of Gup and Mangmi.
4. The EVM and authorized E-Roll must be used in the Dhamngoi Zomdu.
5. 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.
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 **1<sup>st</sup> January 1999** but not before **1<sup>st</sup> January 1959**.

**(C) Filling of Nomination Papers**

8. The nomination paper must be complete, signed and countersigned as required and include the following prescribed forms:
  - 8.1. Nomination form;
  - 8.2. Notice of Nomination for Gup, Mangmi and Tshogpa.
  - 8.3. Original Functional Literacy Test (FLT) Certificate;

- 8.4. Asset Declaration;
  - 8.5. Tax Clearance Certificate for Election;
  - 8.6. Audit Clearance Certificate for Election;
  - 8.7. Security Clearance Certificate for Election;
  - 8.8. CID copy of the candidate;
  - 8.9. Marriage Certificate & CID copy of the spouse, if married;
  - 8.10. Relieving order issued by Head of the Ministry/Department/Agency (if relevant);
  - 8.11. A declaration form of 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
  - 8.12. Affidavit including non-criminal conviction record and 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.
9. The Dhamngoi Zomdu conducting team shall check the documents prescribed under Section C of this notification prior to the commencement of the Dhamngoi Zomdu. The aspiring candidates failing to produce any of the documents shall not be permitted to stand as nominee in the selection procedure.

**(D) Electoral Roll**

10. The qualifying date for the Electoral Roll shall be **1<sup>st</sup> January 2024**. All those who are not younger than eighteen years of age as on **1<sup>st</sup> January 2024** or who are born on or before **1<sup>st</sup> January 2006** shall be deemed to meet the minimum age requirement to be a voter.
11. The Final Electoral Roll for the election shall be published and provided to the Returning Officer on **16<sup>th</sup> January 2024**.

**(E) Electronic Voting Machines**

12. The Electronic Voting Machine (EVM) shall be used for polling at the polling station.
13. Indelible ink shall be used during the elections and the indelible ink must be applied on the **Right Thumb**.

**(F) Election Campaign**

14. No Minister, Member of Parliament, official or member of a political party or elected person shall campaign directly or indirectly for any candidate.
15. 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.
16. 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 the Poll Day.
17. 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.
18. 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.
19. A smaller group meeting shall not be conducted before **7 a.m.** and after **6 p.m.**
20. 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.
21. 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.
22. A candidate during the election shall carry out all election campaign activities only upon obtaining permit/approval from the Returning Officer.
23. A candidate and all concerned shall neither serve meals and refreshments nor pay money, offer gifts and reward to the general public or voters for attendance of election campaigns or produce, wear and distribute T-shirts and caps for campaigning.

**(G) Prohibition on Election Campaign 48 hours before poll**

24. Election campaigns must stop 48 hours before the hour fixed for commencement of poll.

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

25. 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/-.

26. 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.

**(I) Election Officials**

27. The Dzongdag of the concerned Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab/Dungpa as the Deputy Chief Election Coordinator, and the Gewog Administrative Officer as the Gewog Election Coordinator.

28. The Dzongkhag Electoral Officer of the concerned Dzongkhag shall be appointed as the Returning Officer for conduct of the election.

29. The appointment of Presiding Officers and Polling Officers for the elections shall be as per the appointment orders issued by the Returning Officer.

30. The Presiding Officers shall serve as the Counting Supervisors and a Polling Officer as the Counting Assistant at the concerned polling stations as authorized in the appointment orders issued by the concerned Returning Officer.

31. 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.

**(J) Election Code of Conduct**

32. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e., from **11<sup>th</sup> January to 6<sup>th</sup> February 2024**.

33. 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.

**(K) Remaining Above Politics and Apolitical**

34. 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.
35. Religious personalities shall neither vote nor participate directly or indirectly in the election.

**(L) Civil Society Organizations (CSOs)**

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

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

37. The Poll Day on **6<sup>th</sup> February 2024** shall be declared a Public Holiday in the concerned Demkhong.
38. 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 at the polling station. The polling hours shall be from **8 am to 5 pm**.
39. The Election Commission of Bhutan shall accept either the original valid Citizenship Identity Card (CID) or original Voter Photo Identity Card (VPIC), for the purpose of identification of the voter on the Poll Day.

**(N) No Candidate 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 for 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 bye-election and all matters relating to it.

**Issued on the 30<sup>th</sup> Day of the 11<sup>th</sup> Month of the Water Female Rabbit Year  
corresponding to 11<sup>th</sup> January 2024.**

**Chief Election Commissioner of Bhutan**