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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2023/1870

Dated: 20th June, 2023

NOTIFICATION

Bye-Elections in the Local Government

The Election Commission of Bhutan, 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 in Nahi Gewog under Wangdue Phodrang Dzongkhag due to resignation of the incumbent;
2. Mangmi in Bidung Gewog under Trashigang Dzongkhag due to resignation of the incumbent;
3. Gewog Tshogde Tshogpa under Baychu_Tshedpgang Chiwog under Gasa Dzongkhag;
4. Gewog Tshogde Tshogpa of Tongling Chiwog of Radhi Gewog under Trashigang Dzongkhag due to prolonged ill health of the incumbent; and
5. Gewog Tshogde Tshogpa of Hoongrelkha_Jangsarbu Chiwog of Hoongrel Gewog under Paro Dzongkhag due to removal of the incumbent.

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

1. The Schedule shall be as follows:

| Date | Remarks |
|--------------|---|
| 20-June-2023 | - Issuance of Notification |
| 23-June-2023 | - 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 |
| 29-June-2023 | - Last date for filing of nominations of candidates |



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| | |
|---------------|--|
| 30-June-2023 | - Scrutiny of nomination of candidates & commencement of the election campaign |
| <hr/> | |
| 2-July-2023 | - Last date for withdrawal of candidature - Returning Officer to initiate sending postal ballot to registered postal voters |
| <hr/> | |
| 15-July-2023 | - End of election campaign |
| <hr/> | |
| 16-July-2023 | - Last day for receiving Postal Ballots |
| <hr/> | |
| 17-July-2023 | - Poll Day and Counting of Results |
| <hr/> | |
| 18-July-2023 | - Declaration of Results & Submission of the Result to the Druk Gyalpo |
| <hr/> | |
| 24-July-2023 | - Issuance of the Certificate of Election |
| <hr/> | |
| 2-August-2023 | - End of election Petition Period |
| <hr/> | |

(B) Selection/Signature process by 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 *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*.



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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 **29th June, 1998** but not before **29th June, 1958**.

(C) Filing of Nomination papers

8. The nomination papers 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 and Mangmi;
 - 8.3. Asset Declaration;
 - 8.4. Tax Clearance Certificate for Election;
 - 8.5. Audit Clearance Certificate for Election;
 - 8.6. Security Clearance Certificate for Election;
 - 8.7. CID copy of the candidate;
 - 8.8. Marriage Certificate & CID copy of spouse, if married;
 - 8.9. Relieving order issued by Head of the Ministry/ Department/Agency (if relevant)
 - 8.10. A declaration from 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



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8.11. 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.

9. The *Dhamngoi Zomdu* conducting team shall check the documents prescribed under Section (C) 8 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 **1st April, 2023**. All those who are not younger than **eighteen years of age as on 1st April, 2023 or born on or before 1st April, 2005** 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 **30th June, 2023**.

(E) Electronic Voting Machines

12. The Electronic Voting Machine (EVM) shall be used for polling in the polling station.

13. Quality indelible ink shall be used during the elections and care must be taken in applying the indelible ink on the **Right Index Finger**.

(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/Geyntag*, or any other sign, insignia or symbol of an office held earlier, on person, car or any



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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 door-to-door election campaign and smaller meetings shall not be conducted before **6 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 from the Returning Officer.
23. 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

24. 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/-.
25. 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

26. The Dzongdags of the concerned Dzongkhag shall be appointed as the Chief Election Coordinator and the Gewog Administrative Officers as the Gewog Election Coordinator.



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27. The Dzongkhag Electoral Officers of the concerned Dzongkhag shall be appointed as the Returning Officer for conduct of the election.
28. The appointment of Presiding Officers and Polling Officers for the elections shall be as per the appointment orders issued by the Returning Officer.
29. 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.
30. 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

31. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e. from **20th June to 17th July, 2023**.
32. 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

33. 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.
34. Religious personalities shall neither vote in the elections nor participate directly or indirectly in the election.

(K) Civil Society Organizations (CSOs)

35. 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

36. The Poll Day, **17 July, 2023** shall be declared a Public Holiday in the concerned *Demkhong*.



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37. 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 **9 am to 5 pm**.

38. The Election Commission of Bhutan shall accept either the 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

39. 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.

40. 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 2nd Day of the 5th Month of the Water Female Rabbit Year corresponding to 20th June, 2023.

(Dasho Sonam Topgay)
Chief Election Commissioner



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Copy to:

1. Hon'ble Prime Minister, Royal Government of Bhutan, Kingdom of Bhutan
2. Hon'ble Chief Justice, Royal Court of Justice, Supreme Court of Bhutan, Thimphu
3. Hon'ble Speaker, National Assembly, Parliament of Bhutan, Thimphu
4. Hon'ble Chairperson, National Council, Parliament of Bhutan, Thimphu
5. Hon'ble Opposition Leader, National Assembly, Parliament of Bhutan, Thimphu
6. Hon'ble Gyalpoi Zimpon, His Majesty's Secretariat, Tashichhoedzong, Thimphu
7. Hon'ble Secretary to His Majesty the King of Bhutan, His Majesty's Secretariat, Tashichhoedzong, Thimphu
8. Hon'ble Secretary to His Majesty the Druk Gyal Zhipa, Thimphu
9. Hon'ble Chief Justice, Royal Court of Justice, High Court of Bhutan, Thimphu
10. Hon'ble Chief Operation Officer, Royal Bhutan Army, Thimphu
11. Hon'ble Chief of Police, Royal Bhutan Police, Thimphu
12. Hon'ble Commandant, Royal Body Guards, Dechencholing, Thimphu
13. Hon'ble Chairperson, Anti-Corruption Commission, Thimphu
14. Hon'ble Chairperson, Royal Civil Service Commission, Thimphu
15. Hon'ble Auditor General, Royal Audit Authority, Thimphu
16. Hon'ble Cabinet Secretary, Cabinet, Royal Government of Bhutan, Thimphu
17. All Hon'ble Secretaries to the Royal Government of Bhutan
18. Election Security Coordinator, Royal Bhutan Police, Thimphu
19. Drangpon, Royal Court of Justice, concerned Dzongkhag
20. Dzongdag, Dzongkhag Administration, concerned Dzongkhag
21. Dzongkhag Electoral Officer, concerned Dzongkhag