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ELECTION COMMISSION OF BHUTAN

(Ensuring Free, Fair & Democratic Elections & Referendums)



ECB/NOTIF-01/2024-2025/603

Date: July 31, 2024

## NOTIFICATION

### Bye-Election 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-election in the following Demkhong for the positions mentioned below:

1. Tshogpa of Tading \_ Tenpaling Chiwog under Tading Gewog, Samtse Dzongkhag, due to removal of the incumbent from the office.

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

#### (A) Election Schedule

1. The election schedule shall be as follows:

Date	Remarks
31/07/2024	-Issuance of Notification
02/08/2024	-Signature process by eligible candidates for the post of Tshogpa
04/08/2024	-Last date for filing of nominations of candidates
05/08/2024	-Scrutiny of nomination - Commencement of election campaign -Returning Officer to start sending postal ballots to registered postal voters
13/08/2024	-End of election campaign
15/08/2024	-Last day for receiving of postal ballots till 12 noon
<b>15/08/2024</b>	<b>-Poll Day and Counting of Postal Ballots</b>
16/08/2024	-Declaration of Results & submission of the Results to the Druk Gyalpo
20/08/2024	-Issuance of Certificate of Election
25/08/2024	-End of election petition period

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**(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. 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 candidates 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 **4<sup>th</sup> August 1999** but not before **4<sup>th</sup> August 1959**.

**(C) Filling of Nomination Papers**

6. The nomination paper must be complete, signed and countersigned as required and include the following prescribed forms:
  - 6.1. Nomination form;
  - 6.2. Notice of Nomination for Tshogpa;
  - 6.3. Original Functional Literacy Test (FLT) Certificate;
  - 6.4. Asset Declaration;
  - 6.5. Tax Clearance Certificate for Election;
  - 6.6. Audit Clearance Certificate for Election;
  - 6.7. Security Clearance Certificate for Election;
  - 6.8. Marriage Certificate, if married;
  - 6.9. CID copy of the candidate;
  - 6.10. CID copy of the spouse, if married;
  - 6.11. Relieving order issued by Head of the Ministry/Department/Agency (if relevant);
  - 6.12. 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
  - 6.13. 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.

**(D) Electoral Roll**

7. The qualifying date for the Electoral Roll shall be **1<sup>st</sup> July 2024**. All those who are not younger than eighteen years of age as on **1<sup>st</sup> July 2024** or who are born on or before **1<sup>st</sup> July 2006** 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 **6<sup>th</sup> August 2024**.

**(E) Electronic Voting Machines**

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

**(F) Election Campaign**

11. No Minister, Member of Parliament, official or member of a political party or elected person shall campaign directly or indirectly for any candidate.
12. 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.
13. 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.
14. 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.
15. A civil servant shall be permitted to attend electoral events like common forums organized by the ECB. However, no civil servant shall campaign directly or indirectly, or participate in the electoral forums organized by the candidates or give grounds to reasonably construe support, opposition or dislike of any candidate contesting the elections.

16. 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.
17. The smaller group meetings shall not be conducted before **7 a.m. and after 6 p.m.**
18. 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.
19. 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.
20. A candidate, during the election, shall carry out all election campaign activities only upon obtaining permit/approval from the Returning Officer.
21. 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**

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

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

23. 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/-.
24. 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**

25. The Dzongdag of the concerned Dzongkhag shall be appointed as the Chief Election Coordinator, Dzongrab/Dungpa/Executive Secretary as the Deputy Chief Election Coordinator, and the Gewog Administrative Officer as the Gewog Election Coordinator.
26. The Dzongkhag Electoral Officer of the concerned Dzongkhag shall be appointed as the Returning Officer for conduct of the bye-election.

27. The appointment of Presiding Officer and Polling Officers for the elections shall be as per the appointment orders issued by the Returning Officer.
28. The Presiding Officer shall serve as the Counting Supervisor and a Polling Officer as the Counting Assistant at the concerned polling station as authorized in the appointment order issued by the concerned Returning Officer.
29. 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**

30. The Election Code of Conduct shall continue to be in force until the completion of the Election Period i.e., from **31<sup>st</sup> July 2024 to 15<sup>th</sup> August 2024**.
31. 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.

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

32. 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.
33. Religious personalities shall neither vote nor participate directly or indirectly in the election.

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

34. 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**

35. The Poll Day on **15<sup>th</sup> August 2024** shall be declared a Public Holiday in the concerned Demkhong.
36. 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.

37. The polling hours shall be from **8 am to 5 pm**. However, those voters already in the queue at **5 pm** shall be allowed to vote with issuance of tokens to those in the queue with the last voter present at that time in the queue being given token No. 1.
38. 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**

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 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 26<sup>th</sup> Day of the 6<sup>th</sup> Month of the Wood Male Dragon Year corresponding to 31<sup>st</sup> July 2024.**

**Chief Election Commissioner of Bhutan**