

ELECTORAL ROLL PREPARATION AND VOTER REGISTRATION GUIDELINES OF THE KINGDOM OF BHUTAN

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ELECTION COMMISSION OF BHUTAN

ELECTORAL ROLL PREPARATION AND VOTER REGISTRATION GUIDELINES OF THE KINGDOM OF BHUTAN

In keeping with the provisions enshrined in the Constitution of the Kingdom of Bhutan, for preparation, revision and updating of Electoral Rolls for the purpose of conducting free and fair Parliamentary and Local Government elections in Bhutan, the Election Commission of Bhutan hereby adopts and promulgates the Electoral Roll Preparation and Voter Registration Guidelines of the Kingdom of Bhutan.

Short Title, Extent, Application and Commencement

1. These Guidelines shall be called the Electoral Roll Preparation and Voter Registration Guidelines of the Kingdom of Bhutan;
2. These Rules shall extend to the whole of the Kingdom of Bhutan;
3. These Guidelines shall apply to Election Officers, Registration Officers, Voters and any other person vested with the responsibility of preparation, revision and updating of Electoral Rolls for elections to Parliament and Local Governments; and
4. These Guidelines shall come into force with effect from....

Definition

5. In these Guidelines unless the context otherwise requires:
 - (a) “Civil Registry” means a register containing a variety of information such as name, address, age, citizenship identity number and other data on all citizens maintained by the Department of Civil Registration and Census;
 - (b) “Commission” means the Election Commission of Bhutan;
 - (c) “Election Act” means the Election Act of the Kingdom of Bhutan, 2008;

- (d) “Electoral Roll” means a list of all people who are registered to vote in Parliamentary and Local Government elections in Bhutan;
- (e) “Electoral Register” means the comprehensive voter information database from which Electoral Rolls for constituencies is generated;
- (f) “Qualifying Date” means the time specified in the Election Act for preparation of Electoral Roll for any election;
- (g) “Registration Officer” means the Registration Officer or Assistant Registration Officers appointed in the Dzongkhag by the Commission to carry out the responsibilities of preparing Electoral Rolls and voter registration in the respective constituencies;
- (h) “Voter Photo Identity Card (VPIC)” means a card used for ascertaining the identity of a voter at a polling station;
- (i) The words importing the masculine gender shall include feminine gender; and
- (j) The words importing the singular number shall include the plural number and vice versa, unless the context otherwise requires.

Constitutional and Legal Framework

6. The Election Commission is vested with the responsibility for the preparation, maintenance and periodical updating of Electoral Rolls for elections to Parliament and Local Governments under the Constitution of the Kingdom of Bhutan.
7. There shall be one general Electoral Roll for every Parliamentary constituency.
8. No person shall claim to be included in any special Electoral Roll for any constituency, or be ineligible for inclusion in the general Electoral Roll for a constituency, on grounds of religion, gender, language, politics, region or other status.

Criteria for preparation of Electoral Roll

9. The preparation of Electoral Roll for Parliamentary elections shall be guided by the following criteria:
 - (a) Completeness
 - i. The Electoral Roll shall include all eligible voters.
 - ii. No eligible voter shall be prevented from voting merely because of errors in the registration process.
 - (b) Current
 - i. The Electoral Roll shall be updated till one month before the day of poll.
 - ii. The Electoral Roll shall take into consideration the demographic and geographic mobility of the voters.
 - (c) Accuracy
 - i. The Electoral Roll shall record the correct and accurate information of voters.
 - ii. The Electoral Roll shall facilitate voters at the polling station to find their names in the registers and be identified accordingly to exercise their voting rights.
 - (d) Inclusiveness
 - i. The Electoral Roll shall be inclusive and not be biased against the registration of any person or identifiable groups.
 - ii. The Electoral Roll shall not exclude eligible voters on the grounds that they belong to a socially, economically and culturally marginalised section of the society.

Administrative Authority for the Preparation of the Electoral Rolls

10. Election Commission

- (a) The Election Commission shall be responsible for superintendence, direction and control of preparation of the Electoral Rolls for Parliamentary and Local Government elections in Bhutan.

11. Dzongkhag Electoral Officer

- (a) The Election Commission shall designate an officer of the government as a Dzongkhag Electoral Officer for every Dzongkhag.
- (b) The Dzongkhag Electoral Officer shall assist the Commission in the preparation, revision and updating of Electoral Rolls for all Parliamentary constituencies in the Dzongkhag and carry out such other functions as may be entrusted to him by the Election Commission.
- (c) The Dzongkhag Electoral Officer shall assist the Election Commission in the division of Electoral Roll of a Parliamentary constituency into Electoral Rolls for Gewogs, Chiwogs and constituencies for Thromdes for the purpose of elections to Dzongkhag Tshogdues, Gewog Tshogdes and Thromde Tshogdes.
- (d) The Dzongkhag Electoral Officer may, with the approval of the Election Commission, employ assistants as he deems fit for the preparation and revision of the Electoral Rolls under his jurisdiction.
- (e) The Dzongkhag Electoral Officer shall give the final approval on the decisions of the Registration Officer in cases relating to registration of voters.

12. Registration Officers and Assistant Registration Officers

- (a) The Election Commission may designate one or more persons as Registration Officers and Assistant Registration Officers to prepare Electoral Roll for every Parliamentary constituency under the supervision and control of the Dzongkhag Electoral Officer.
- (b) The duties of a Registration Officer shall be to:
 - i. Prepare and revise the Electoral Rolls of the constituencies in his jurisdiction;
 - ii. Draw up a plan of action for completion of the revision according to the programme fixed by the Commission giving a detailed time-table as to the completion for each stage of the revision;
 - iii. Select or identify Enumerators, Inspectors and Supervisors;
 - iv. Publish Electoral Roll by making a copy thereof available for display and inspection;
 - v. Give necessary publicity for registration, objection and revision well in advance for incorporation in the Electoral Roll;
 - vi. Issue notice of hearing in case of claims and objections;
 - vii. Enquire into claims and objections;
 - viii. Pass orders for inclusion and exclusion from the Electoral Roll;
 - ix. Publish Electoral Roll of the constituencies in his jurisdiction after incorporating the decisions and correcting clerical errors, printing errors and other inaccuracies; and
 - x. Report to the Election Commission in all matters relating to preparation of Electoral Roll.

Qualifications for Registration in the Electoral Roll

13. A person to be eligible for registration as a voter must:
- (a) Be a Bhutanese citizen as evidenced by a citizenship identity card;
 - (b) Be eighteen years of age or older on the qualifying date as specified by the Election Commission;
 - (c) Be registered in the civil registry of that constituency and having his *Mitsi* or *Gung* in that place for not less than one year, prior to the qualifying date; and
 - (d) Not be otherwise disqualified from voting under any law in force in Bhutan.

Disqualifications for registration in an Electoral Roll

14. A person to be eligible for registration as a voter must not be:
- (a) Of unsound mind and stands so declared by a competent court;
 - (b) Disqualified for the time being under any law in force in Bhutan; and
 - (c) Registered in the Electoral Roll of another constituency.
15. A person disqualified from registration based on the aforementioned disqualifications shall have his name struck off from the draft Electoral Roll.

Provided that the name of the person struck off from the Electoral Roll shall forthwith be reinstated in that roll if such disqualification is removed under a law authorizing its removal.

Registration Process

16. Collection and compilation of voter information from the Civil Registry

- (a) The Civil Registry shall be the basis for the preparation of draft Electoral Roll for the purpose of elections.
- (b) The information collected from the Civil Registry shall be the name, sex, address, citizenship identity card number and date of birth of all the eligible voters.

17. Applications for Voter Registration

- (a) Every eligible voter shall submit an application in the prescribed [Electoral Roll Form No. 1](#) along with a copy of their citizenship identity card to the Registration Officer of the constituency for registering their name in the Electoral Roll for the constituency.
- (b) The Registration Officer shall verify each application against the information from the civil registry under section 16(b) and enter the applicant's name in the Electoral Roll of the constituency with approval of the Dzongkhag Electoral Officer.

18. Issuance of Voter Photo Identity Card (VPIC)

- (a) A VPIC shall be issued to a person enrolled in the Electoral Roll by the Registration Officer of the constituency as prescribed by the Election Commission.
- (b) The VPIC shall be sufficient evidence to allow a person to vote at an election for that constituency.
- (c) The issuance of VPIC shall be closed thirty days before the polling day.

19. Issuance of Notification for Disqualification of Voter

- (a) The Registration Officer shall refuse an application for voter registration, if he is of the opinion that the:

- (i) Name is fictitious;
 - (ii) Name is not specified in the Citizenship Identity Card; and
 - (iii) Person is not eligible to be included in the Electoral Roll under the Constitution or the Election Act.
- (b) The Registration Officer shall notify the person excluded from registration in writing, stating the reasons for such disqualification within ten days of submission of the application for registration.

20. Publication of Draft Electoral Roll

- (a) The Registration Officer after preparing the draft Electoral Roll shall make it available for public inspection during office hours at his office or any other public place as designated and for a period specified by the Election Commission.
- (b) The Registration Officer shall supply free of cost a copy of the draft Electoral Roll to each political party and candidate contesting the elections.
- (c) The Registration Officer shall publish the Electoral Roll on the website of the Election Commission.
- (d) The publication for public inspection shall consist of:
 - (i) Electoral Roll of the constituency; and
 - (ii) Notice inviting claims and objections within 15 days of publication of Electoral Roll and specifying the date for the hearing.

21. Claims and Objections

- (a) The Registration Officer shall send a notice inviting claims and objections on the publicised draft Electoral Roll.

- (b) The Registration Officer shall receive the claims and objections in a prescribed [Electoral Roll Form No. 2](#) within 15 days from the date of publication of the draft Electoral Roll.
- (c) The Registration Officer with the approval of the Dzongkhag Electoral Officer shall hear and dispose the claims and objections after considering verbal or written objections or holding an enquiry or summary enquiry, within a period specified by the Election Commission.
- (d) The Registration Officer shall submit a monthly report to the Election Commission on decisions passed with reasons thereof, clearly stating date of filing claims and objections and justification of claims submitted by the claimant.
- (e) No entry will be made on the Electoral Roll on the basis of a claim or application received after the final publication of the Electoral Roll for the election.

22. Other Objections

- (a) Any Bhutanese citizen may file an objection against another, disputing the right of that person to be on the Voters' List for that constituency.
- (b) The Registration Officer shall formally notify the person against whom the objection has been filed and convene a hearing.
- (c) The person objected to or his representative and the objector must attend the hearing.

23. Final Publication of Electoral Roll

- (a) The Registration Officer shall after the expiry of the period of claims and objections publish the Electoral Roll in the:
 - (i) Areas designated by the Election Commission;
 - (ii) Office of the Registration Officer; and
 - (iii) Election Commission's website.
- (b) The Electoral Roll upon which inclusions and deletions has been made shall come into force immediately upon its final publication and a copy thereof supplied free of cost to each political party and candidate contesting the elections.

Use of Media in Preparation of Electoral Rolls

- 24. The Election Commission may in preparing the Electoral Rolls use the media for:
 - (a) Dissemination of information;
 - (b) Issuing notice for voter registration;
 - (c) Raising awareness among the voters on the place and date of registration; and
 - (d) Notifying the dates and places for submitting claims and objections.
- 25. The following medium shall be used for the purposes of section 24:
 - (a) National Television networks;
 - (b) National newspapers or a paper which has a wider circulation in the constituency; and
 - (c) National radio.

Voter Photo Identity Card

26. The VPIC shall contain details such as a Voter Photo Identity Card number, the Citizenship Identity Card number, name, sex, address, date of birth, name and number of the polling station, photograph of the voter along with any other details which the Election Commission may specify.
27. The voter identity number in the VPIC shall be consistent with the code structure adopted for the delimited constituencies.
28. The VPIC of a voter shall remain valid unless there are any changes required due to a change in the constituency or any other details contained in the card upon which a fresh one will be issued.
29. A voter shall, upon loss, defacement or damage of a VPIC, submit an application to the Registration Officer for issue of a duplicate at least 15 days before the polling day, clearly stating the circumstances and in the case of a loss, accompanied by a certificate from the Royal Bhutan Police.
30. The voter will be issued a duplicate copy of the voter's original VPIC with the word 'DUPLICATE' clearly marked and printed on it after verification of the facts under section 26.
31. A fee equal to the cost of the card shall be charged for the issuance of a duplicate card.
32. The Election Commission shall cancel a VPIC if such a person becomes disqualified to be enrolled in the Electoral Roll.
33. A person shall be guilty of an offence punishable under the laws of the Kingdom, if found:
 - (a) In possession of more than one VPIC;
 - (b) Obtaining VPIC based on false statement during application;
 - (c) Tampering or attempting to tamper with a VPIC;

- (d) Selling or attempting to sell any VPIC;
- (e) Buying or attempting to buy any VPIC; or
- (f) Refusing to submit VPIC after its cancellation.

Revision of the Electoral Roll

- 34. A voter may submit an application for correction of name and address in the Electoral Roll along with additional information affixed for verification of correct details to the Registration Officer.
- 35. A voter may during the revision period seek to:
 - (a) Add names to the Electoral Roll;
 - (b) Delete names in the Electoral Roll;
 - (c) Correct his name and address on the Electoral Roll; and
 - (d) File an objection against another voter, disputing the right of that person to be on the Electoral Roll.
- 36. The revision of the Electoral Roll shall close thirty days before the polling date of a Parliamentary or Local Government elections.

Inclusion

- 37. An eligible voter who does not find his name included in the published Electoral Roll may apply to the Registration Officer for the inclusion of his name in that roll by submitting an application in the prescribed [Electoral Roll Form No. 3](#).
- 38. The Registration Officer shall, after scrutinizing the application and, if satisfied that the applicant is entitled to be registered in the Electoral Roll, direct his name to be included in the roll.

39. The reasons for inclusion in the Electoral Roll shall mainly include:
- (a) Transfer from an Electoral Roll of another constituency;
 - (b) Wrongful entry of details;
 - (c) Omission through administrative errors; and
 - (d) Removal of legal disenfranchisement.
40. The application for inclusion of names must be accompanied with:
- (a) A copy of the citizenship identity card;
 - (b) Other evidences of identification, clearly showing voter's name, address and signature; and
 - (c) Any other relevant evidence.
41. An application stating the grounds of disenfranchisement and the removal of such conditions must be submitted to the Registration Officer supported by relevant documentary evidence, in the case of persons who have been legally disenfranchised.
42. The following procedures will be required for inclusion of name, in the case of transfer from an Electoral Roll of another constituency:
- (a) A certificate verifying change in constituency from the Dzongkhag Civil Registration and Census Office or the Department of Civil Registration and Census as evidence;
 - (b) The voter shall surrender the voter photo identity card issued to him at the constituency at which he was previously registered; and
 - (c) The Registration Officer of the constituency shall inform the other Registration Officer of the constituency from where the name of the voter is being transferred to strike off the name from the Electoral Roll.

Exclusion

43. The Registration Officer shall, with the approval of the Dzongkhag Electoral Officer, have the authority to delete names from the Electoral Roll.
44. The voter's name shall be deleted from the Electoral Roll if he:
 - (a) Is registered in the Electoral Roll of more than one constituency or in the same Electoral Roll more than once;
 - (b) Ceases to be registered in the constituency for more than a year, as evidenced by the Civil Registry database;
 - (c) Has expired; and
 - (d) Is not entitled to be registered in the Electoral Roll for reasons stated otherwise under the Constitution or the Election Act.
45. The Registration Officer shall upon deletion of a voter's name from the Electoral Roll, on the ground of the voter being enrolled in another constituency, will immediately inform the Registration Officer of the other constituency that the name of the voter has been deleted from his constituency.
46. The Registration Officer while deleting names shall:
 - (a) Serve a notice to the person whose name is being deleted from the Electoral Roll with reasons thereof, with the exception of deletion on the ground of death of a voter; and
 - (b) Post a copy of all the deletions in the office of the Registration Officer with a notice inviting objections.
47. An objection to the deletion shall be made clearly stating the objection along with justification within a period of 15 days, excluding public holidays, from the date of such posting.
48. The Registration Officer, in consultation with the Dzongkhag Electoral Officer, shall make proper inquiry and verify the objection after the

expiry of the period of notice and thereafter pass appropriate orders for deletion or cancellation of the deletion.

49. The Registration Officer shall report to the Election Commission the names of the voters deleted from the Voters' List.

Contents and Uses of the Electoral Register

50. The Registration Officer for the constituency shall maintain an Electoral Roll for the constituency which will include the list of:

- (a) Eligible voters of the constituency;
- (b) Names of persons who have expired to be struck off from the Electoral Roll;
- (c) Persons who have ceased to be included in the civil registry of the constituency;
- (d) Persons who are otherwise not entitled to be registered in that Electoral Roll;
- (e) New citizens added into the Electoral Roll of that constituency; and
- (f) New voters who have attained the age of 18.

51. The Registration Officer of the respective constituency shall use the Electoral Register to verify eligible voters during voter registration.

52. Information of voters in the Electoral Roll shall be used only for electoral purposes and such other purposes as may be provided in the Election Act.

Appeal

53. The authority for appeal lies with the Election Commission.
54. A voter who feels he has been wrongly excluded or his objection wrongly rejected can appeal to the Election Commission against any

order of the Registration Officer passed in relation to the registration in the Electoral Roll.

55. The appellant shall submit an appeal duly signed and clearly stating the order or submit the order on which the appeal is being carried out within 15 days of the passing of such order.
56. The Election Commission shall decide the matter within ten days of the receipt of the appeal.

Penalty

57. Any person or organization found guilty of violation of these Guidelines shall be dealt with in accordance to the Election Act.

Power of the Commission to Issue Instructions and Directions

58. The Commission may issue instructions and directions:
 - (a) For the clarification of any of the provisions of these Guidelines;
 - (b) For the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
 - (c) In relation to any matter with respect to preparation of Electoral Roll, for which these Guidelines make insufficient provision, and clarification is necessary in the opinion of the Commission.

Interpretation and Amendment

59. The Election Commission shall be the competent authority to interpret the provisions of these Guidelines.
60. The Election Commission shall have the power to amend the existing Guidelines by way of addition, variation or repeal, provided that no such amendment shall be made in contravention to the provisions of the Election Act.

Done under our hands and seal of the Election Commission of the Kingdom of Bhutan (ECB) on this...Day of the ...Month of the Year... corresponding to the...Day of the... Month of the ...Year in the Bhutanese calendar.

Election Commissioner

Election Commissioner

Chief Election Commissioner

༡/- མི་ཁྲུངས་རོ་སྤྲོད་ལག་ཁྲུར་ཡང་ཟེར་མི་འདི་ འདུ་སྲིད་དང་སྲོལ་འཛིན་ལྷན་ཁག་གིས་གནང་མི་ ད་ལྟོ་
མི་སེར་རང་སོའི་ལག་པར་ཡོད་མི་རོ་སྤྲོད་ལག་ཁྲུར་འདི་གི་ཡང་ཡིན།

༢/- མིང་རྩིལ་བུ་ཟེར་མི་འདི་ རང་སོའི་མི་ཁྲུངས་རོ་སྤྲོད་ལག་ཁྲུར་ནང་བཀོད་དེ་ཡོད་མི་མིང་འདི་ཡིན།

༣/- སྐྱེ་ཆོས་ཟེར་མི་འདི་ རང་སོའི་སྐྱེ་བའི་ལྷ་ཆོས་/དབྱིན་ཆོས་འདི་ཡིན།

༤/- ལོ་རྟགས་ཟེར་མི་འདི་ རང་ལུགས་ལོ་འཁོར་བརྩུ་གཉིས་ལས་ རང་སོའི་སྐྱེས་ལོའི་རྣམ་གྲངས་འདི་ཡིན།

༥/- སོ་མོེ་ སོ་ཡིན་པ་ཅིན་སོ་གུ་རྟགས་བཀལ་/མོ་ཡིན་པ་ཅིན་མོ་གུ་རྟགས་བཀལ།

༦/- ཞི་བའི་ཐོ་བཀོད་ཁ་བྱང་ནང་གི་མི་རྩིས་དང་གུང་གི་ཁ་བྱང་ཟེར་མི་འདི་ རང་རང་སོ་སོའི་རྟོག་འོག་མི་རྩིས་
ཐོ་བཀོད་མ་ཡིག་ནང་བཀོད་དེ་ཡོད་པའི་མི་རྩིས་དང་གུང་གི་ཁ་བྱང་འདི་གཉིས་ཡིན།

༧/- ད་ལྟོའི་སྤྲོད་གནས་ཟེར་མི་འདི་ མི་རྩིས་དང་གུང་རྩིས་གཞན་ཁར་ཡིན་ཅུང་ ད་ལྟོ་གཞིས་ཆགས་སྤྲོད་
སའི་ས་སྤོ་འདི་ཡིན།