



དཔལ་ལྷན་འབྲུག་གཞུང་། ལོ་ནམ་དང་འགལ་ཚལ་ལྷན་ཁག། འགལ་ཚལ་དང་གིང་ལ་འཇམས་ཉྱེན་ལས་ཁུངས།

Royal Government of Bhutan
Ministry of Agriculture and Forests
Department of Forests and Park Services
Thimphu



SFED/NWFP/01/2017-2018/ 416

28 May, 2018

To
The Chief Forestry Officer(s)
JDNP/WCNP/BWS and Paro/Wangdue/Bumthang Forest Divisions

Sub: Guidelines for collection/harvesting of *Ophiocordyceps sinensis* for 2018 season

Dear all,

This is to inform all the concerned Parks/Territorial Divisions that there has been slight changes in the "Guidelines for collection/harvesting of *Ophiocordyceps sinensis* for 2018 season" on the offences and penalties which are now in line with the FNCRR 2017.

Therefore, the Department would like to remind all the concerned field offices to conduct the awareness program in collaboration with the Geog Administration on the harvesting guidelines with emphasis on sustainable collection and also on waste management.

This is for strict compliance and implementation in the field.



Director
Department of Forests & Park Services

Cc:

1. The Director General, DAMC for your kind information.

**Royal Government of Bhutan
Ministry of Agriculture & Forests
Department of Forests & Park Services**



**Guidelines for collection/harvesting of *Ophiocordyceps
sinensis* for 2018 season**

May 2018

1. Permits & use of permit fees

- 1.1 The collection permits to the eligible households will be issued by the concerned *Gups* and the concerned *Tshogpa's* shall verify on the collection permit.
- 1.2 The *Gup* shall collect a permit fee of Nu. 510 from each collector or ID bearer per permit.
- 1.3 The permit fee shall be subject to change with the revised Forest and Nature Conservation Rules, 2017.
- 1.4 Of the Nu. 510, the *Gup* or *Geog* administration shall hand over Nu. 360 from each issued permit to the concerned forest officer.
- 1.5 The *Gup* shall deposit the remaining Nu. 150 of each issued permit into their respective *geog* Current Deposit (CD) account and the amount shall be used to bear expenses for any *geog*-related activities endorsed by the *Geog Tshogchung*s.
- 1.6 Of the Nu.360, the concerned forest officer shall deposit Nu. 10 as permit fee and Nu.200 as Government revenue and Nu.150 shall be handed over to the Chief Forestry Officer of Wildlife Conservation Division (NCD) for deposit into the National Human-Wildlife Conflict Endowment Fund. The CFO of NCD shall acknowledge the receipt of the fund to the concerned *gewogs* through the concerned Parks/TD offices.
- 1.7 The permit books shall be printed and issued by the Social Forestry & Extension Division of DoFPS to the concerned Chief Forestry Officers who shall then issue to the concerned *Gups* through the concerned forest officers.
- 1.8 In a booklet containing 100 permits, a sum of Nu. 1,000 should be handed over by the concerned *Gups* or *Geog* Administration to the concerned forest officer.

2. Eligibility for collection of *Ophiocordyceps sinensis*

- 2.1 The households belonging to the following categories shall be eligible for collection:
 - 2.1.1 Residents of the high altitude villages who have their *thram* registered in the *Geog* Administrations concerned.
- 2.2 Maximum of three household members shall be eligible for collection of *Ophiocordyceps sinensis*. The collection will not be allowed to civil servants and children below 12 years of age.
- 2.3 Collection of *Ophiocordyceps sinensis* shall be allowed only within the respective *geog* boundary or administrative jurisdiction.
- 2.4 Each eligible household shall be issued with three (3) numbers of identity (ID) cards by the concerned park/territorial division offices. The expenses should be borne by the respective households and shall be strictly implemented from 2018 season onwards.
- 2.5 Each collection card shall bear the unique household number assigned to each household by the Department of Census, Ministry of Home and Cultural Affairs, and shall be jointly signed by the concerned Chief Forestry Officers of Parks/Territorial Divisions and *Gups*.
- 2.6 All eligible collectors shall carry the collection card and produce upon request by any forestry personnel during the collection season, transit, and sale of *Ophiocordyceps sinensis* failing which shall be considered as a serious offence.
- 2.7 The *Gup* of the concerned *geogs* should ensure that the collection permits are issued only to the collection ID holders within their jurisdiction.



- 2.8 The concerned household shall inform the concerned *Gups* about losses or damages to the card, and the *Gup* shall inform in writing to the concerned Park/Division for replacement for necessary replacement which shall be done only after payment of Nu. 200 per replaced card by the household.
- 2.9 The representative of a disabled person (including old age) shall be allowed to collect *Ophiocordyceps sinensis* on his/her behalf only if the representative pays a sum of Nu.15000 to Nu.20000 in advance to the collection permit holder.

3. Royalty

- 3.1 The concerned forest officer shall collect a sum of Nu. 8,400 (Eight thousand four hundred) from the legitimate buyers as royalty for every (1) kg of *Ophiocordyceps sinensis* bought at the auction site.
- 3.2 The concerned forest officer shall deposit the royalty into the designated RGR account after the auction and report to the Chief Forestry Officer in detail about the amount collected and quantity sold at the auction site.

4. Certificate of Origin

- 4.1 The concerned forest officer shall issue Certificate of Origin (CO) to each legitimate collector after collection in collaboration with *Geog* administration at a convenient location.
- 4.2 The time frame within which the CO would be issued will be discussed between the *Geog* administration and concerned forest offices.
- 4.3 Every collector shall produce the CO upon request by any forestry personnel during the sale/auction and transit of *Ophiocordyceps sinensis* failing which the goods shall be seized and fines imposed on the defaulters.
- 4.4 The concerned forest officer shall submit a detailed report to the Chief Forestry Officer about the quantity collected and the no. of collectors by site/location/geog at the end of the collection season.

5. Collection period

- 5.1 Collection of *Ophiocordyceps sinensis* shall be strictly restricted to one month period, excluding the no. of days of journey to and from the collection site.
- 5.2 Depending on local situations, the area DFO/PM in consultation with the *Gups* may fix the start date for *Ophiocordyceps sinensis* collection for each season.
- 5.3 The forest officials/patrolling teams shall identify the camp at designated areas. All the collectors shall declare the quantity/number of *Ophiocordyceps sinensis* collected everyday in the evening at the camp site to the forest officials/patrolling teams.

6. Method of collection

- 6.1. The hand picking (current method) of *Ophiocordyceps sinensis* has been found to be the best practice as per the field observation and hence shall be implemented.



- 6.2. The soil shall be replaced after the collection of *Ophiocordyceps sinensis* and collectors shall ensure that there is minimum damage to the surrounding area.
- 6.3. Collection of other medicinal plants shall be strictly prohibited unless an NWFP group specific to medicinal plant collection has been formed and approved by the competent authorities.

7. Garbage management

- 7.1. The concerned forest officers/patrolling team shall visit and inspect the collection areas and along the trails to ensure that all garbage are collected by the collectors and properly disposed in the designated areas by forest forester officers/patrolling team.
- 7.2. Before issuing the CO, the concerned forest officers shall organize at least two days of cleanup campaign to ensure that the garbage is disposed properly.
- 7.3. During the issuance of permits, the concerned *Gups* shall appoint at least 4 *tshogpas* per geog to monitor proper garbage collection and disposal by the collectors. The *Gup* shall submit the name list of *tshogpas* to the concerned forest officer who shall verify whether the *tshogpas* are ensuring proper garbage collection and disposal.
- 7.4. The nominated *tshogpas* & forestry personnel shall ensure that all non-degradable items carried by the collectors are declared, list maintained and signed by both forestry officials and collectors at the time of entry to the collection areas.
- 7.5. Upon return, at the time of exit all individuals should declare the non-degradable wastes brought back for disposal which shall be cross checked by the forestry officials with the list maintained at the time of entry.

8. Sale of *Ophiocordyceps sinensis*

- 8.1. All *Ophiocordyceps sinensis* collected shall be compulsorily sold through auction which will be conducted by the respective *Geog* Administration for which the time and venue shall be fixed by the competent authorities (DAMC/ *Geog* Administration).
- 8.2. Sale of *Ophiocordyceps sinensis* outside of the designated auction period and site shall be considered as an offence if the Royalty and service charge to the respective geog is not paid.
- 8.3. The collectors shall declare and report to the concerned forest officer about any quantities of unsold *Ophiocordyceps sinensis*. They shall be allowed to trade only after the auction is ended, on payment of Royalty and service charge to the respective *geogs*.

9. Monitoring and patrolling

- 9.1. The concerned forest officers/patrolling teams authorized by competent authority shall carry out monitoring of collection/harvesting of *Ophiocordyceps sinensis*.
- 9.2. The concerned forest officer and *Gups* must form monitoring teams comprising of forestry personnel and members of the local community during and after *Ophiocordyceps sinensis* collection/harvesting season.



- 9.3. The concerned forest officer shall constitute a team to monitor illegal collection one month before and one month after the collection period.
- 9.4. The concerned *Gups* shall adequately educate the collectors to inform the forestry personnel about any evidences and instances of intrusion and illegal collection of any forestry produce by foreign nationals across the international borders.
- 9.5. The concerned *Gups* shall provide necessary support in terms of manpower and other direly needed logistics to the forestry personnel while driving away the intruders from the international borders.

10. Boundary conflicts, safety of collectors & forest patrolling team

- 10.1 Should any conflicts arise from the ambiguous boundaries between the *geogs*, the concerned *Gup(s)* shall resolve through *Geog Tshogchung*s and *Dzongkhag Tshogdhey*
- 10.2 The concerned *Gups* shall be responsible for the safety of the collectors and therefore adequate instructions and precautionary advises shall be given to the collectors by the *Gups*.
- 10.3 The forest officers/patrolling team are required to produce the health certificate to ensure that they are fit for high altitude.

11. Offences and penalties

- 11.1 Violation of any of the rules specified in the sections 1 to 10 shall be considered as an offence and shall be dealt as per the Forest & Nature Conservation Act (1995) and Forest & Nature Conservation Rules (FNCRR) 2017
- 11.2 Violation of any of the rules shall also result in: a) confiscation of anything illegally taken or proceeds from the sale thereof, and or b) payment of compensation at fair market value or according to the schedules of compensation fixed by the Ministry from time to time c) debarment from collection for 5 years.
- 11.3 Violation of the eligibility criteria by the concerned *Gups* will be dealt with Section 420 of the FNCRR 2017, which states the
Penalties for unlisted offences : Any person guilty of an offence under the Act or this Rule where no specific penalty for such offence is stated in the Act or the Rule shall be subject to a fine based on the order issued by the Department and compensation based on fair market value or/and seizure of the forests produce involved.
- 11.4 Any individuals found collecting the *Cordyceps* before the harvesting season and without permits shall be dealt as per the provisions of the FNCRR 2017, Section 420- 'Penalty for unlisted offence', the penalty shall be:
 - i) realization of fine of Nu.15,000 for breach of Act and Rules and
 - ii) fine of Nu. 200 per piece of *Cordyceps* and
 - iii) compensation at fair market value of the forest produce involved.



11.5 The following procedure shall apply to compounding and settlement of subsequent forest offence under section 401 of the FNCRR 2017;

- 1) If the offence is committed for second time, in addition to the fine and compensation as per this Rules, the offender shall be levied an additional fine of 50% on the imposed fine;
- 2) If the offence is committed for third time, in addition to the fine and compensation of this Rules, the offender shall be levied an additional fine of 100% on the imposed fine.
- 3) If the offence is committed for more than three times, in addition to the fine and compensation of this Rules, the offender shall be levied an additional fine of 200% on the imposed fine which shall be realized through Court.

12. Public awareness and education of the rules

12.1 The DoFPS, DAMC and the Information and Communication Services of the Ministry shall announce through public media and Sanam Rigpa any drastic changes in the *Ophiocordyceps sinensis* rules & regulation.

12.2 An awareness campaign shall be organized by the concerned Gewog administration in collaboration with the concerned TDs/Parks on *Ophiocordyceps sinensis* management before or during the issuance of collection permits.

12.3 The concerned Gewog administration shall keep budget provisions for conducting the awareness campaigns.

