

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



**Guidelines for collection/harvesting of *Ophiocordyceps sinensis* for 2014 season**

**March 2014**

## **1. Permits & use of permit fees**

- 1.1 The collection permits to the eligible households will be issued by the concerned *Gups* upon verification by the concerned forest officers before issuing to the collector.
- 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 20% increment once in every two years.
- 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 Tshogchungs*.
- 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 hand over to the Chief Forestry Officer of Wildlife Conservation Division for deposit into the National Human-Wildlife Conflict Endowment Fund.
- 1.7 The permit books shall be printed and issued by the Social Forestry & Extension Division of DoPFS 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.
- 2.5 Each ID 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 ID 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.
- 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 qualifies as per the eligibility criteria 2.1.1.

### **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 Royalty shall be subject to 20% increment once in every two years.
- 3.3 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 Tshogchungs* 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 collectors shall produce the life insurance certificate upon which only the collection permit will be issued.
- 10.4 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 existing and revised clauses of the Forest & Nature Conservation Rules that shall be approved by the Ministry of Agriculture and Forests.
- 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 84 of the Forest & Nature Conservation Rules 2006, which states the

##### **Penalties for unlisted offences**

(1) Any person guilty of an offense under the Act or these Rules where no specific penalty for such offense is stated in the Act or the Rules shall be subject to a fine, minimum of which shall be Nu.5000/- and may extend up to Nu. 20,000/-, or imprisonment for not more than three months or both;

(2) The officer citing or compounding such violations shall immediately report the situation to the Department. The Department shall immediately review such report, to ensure that the alleged activities constitute an offense and that the penalty amount is appropriate. Until he receives a directive from the Department, such officer shall hold any sums collected in compounding such offense in a separate fund or account, and shall not take any percentage pursuant to applicable Rules.

11.4 If any unauthorized individual commits an offence shall be dealt with Section 14 (c) of Forest and Nature Conservation Act 1995 will states that:

- Taking timber or other forest produce without a proper permit, unless allowed by rules under this act, or using, selling, or otherwise transferring timber or other forest produce in violation of the conditions stated in the permit, is an offence punishable with imprisonment which may extend to 3 months, or a fine equal to fair market value of the forest produce taken, or both; in addition, anything illegally taken, or the proceeds from the a thereof, shall be confiscated.

11.5 Continuous violation of rules will result in the suspension by the Royal Government of harvesting/collection rights and imposition of section 38 of Forest and Nature Conservation Act 1995 will states that:

- Anyone who commits a second offence under this Act is punishable with imprisonment which may extend to three years or a fine which may extend to 100 percent of the fair market value of anything illegally taken or damaged, or both, in addition to any punishment otherwise prescribed. Any person who commits a third subsequent offence under this Act is punishable with imprisonment of up to six months or a fine which may extend to 200 percent of the fair market value of anything illegally taken or damaged, or both, in addition to any punishment otherwise prescribed.

## **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 TDs/Parks on *Ophiocordyceps sinensis* management before or during the issuance of collection permits.

12.3 The concerned Chief Forestry Officers shall keep budget provisions for conducting the awareness campaigns.