

FOREST AND NATURE CONSERVATION ACT
OF BHUTAN, 1995

An Act to provide for the protection and sustainable use of forests, wildlife and related natural resources of Bhutan for the benefit of present and future generations.

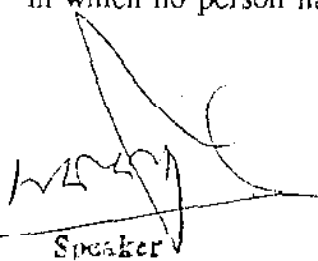
CHAPTER 1

PRELIMINARY

1. This Act shall be called the Forest and Nature Conservation Act of Bhutan, 1995. This Act repeals and replaces the Bhutan Forest Act of 1969. Any rules issued under that Act shall continue to be valid to the extent that they are not inconsistent with this Act or until they are superseded by rules under this Act. The provision, OM AA HUM, of the Thrimzhung Chhenpo shall apply in respect of any changes which may be made to the provisions of this Act.
2. This Act shall extend to the whole of the Kingdom of Bhutan and shall come into force from 1st of September, 1995.
3. Definitions

In this Act, and in all rules made hereunder:


- a. "Civil Official" means Thrimpon, Dungthrim, Ramjam, Dzongdag, Dungpa or any person specially empowered by the Royal Government of Bhutan to try forest offences under this Act.
- b. "Community Forestry" means any area of Government Reserved Forest designated for management by a local community in accordance with the Rules issued under this Act.
- c. "Critical Watershed" means any area critical for protecting the supply of water for drinking, irrigation, flood control, hydroelectric projects or related purposes, which has been declared to be a "Critical Watershed" by the Royal Government.
- d. "Department" means the Department of Forestry or any other department of the Royal Government that may in the future take over its responsibilities.
- e. "Forest" means any land and water body, whether or not under vegetative cover, in which no person has acquired a permanent and transferable right of use and



Speaker
National Assembly of Bhutan

occupancy, whether such land is located inside or outside the forest boundary pillars, and includes land registered in a person's name as Tsamdrog (grazing land) or Sokshing (woodlot for collection of leaf litter).

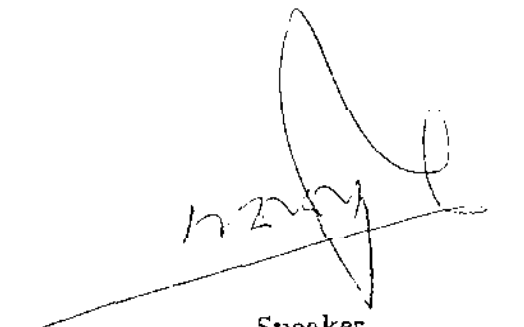
- f. **"Forest Officer"** means any person appointed by the Royal Government to carry out any of the provisions of this Act.
- g. **"Forest Produce"** includes the following, whether or not found in the Forests:
 - (i) trees and parts or product of trees including timber, firewood, charcoal, bark, wood-oil, resin, latex or natural varnish, katha/kutch, etc;
 - (ii) wild plants and parts or products of wild plants including flowers, seeds, bulbs, roots, fruits, leaves, grasses, creepers, reeds, orchids, bamboo, cane, fungi, moss, medicinal plants, herbs, leaf mould, or other vegetative growth, whether alive or dead;
 - (iii) wild animals, including fish, and parts or products of wild animals including skin, hides, feathers, fur, horn/antlers, tusks, bones, bile, musk, honey, wax, lac; and
 - (iv) boulders, stone, sand, gravel, rocks, peat, surface soil.
- h. **"Government Reserved Forest"** means Government Reserved Forest in accordance with Sections 8 and 9.
- i. **"Head of the Department"** means the head of the Forest Department appointed by the Government.
- j. **"Livestock"** means any domestic or domesticated animals and birds.
- k. **"Management Plan"** means a plan prepared in accordance with Section 5 and Section 21.
- l. **"Ministry"** means the Ministry of Agriculture or any other Ministry that may become responsible for forestry.
- m. **"Person"** means any individual, corporation, civil or religious association, monastery, agency or department of the Royal Government, or any other entity recognized under law.
- n. **"Protected Area"** means a national park, conservation area, wildlife sanctuary, wildlife reserve, nature reserve, strict nature reserve, research forest, critical watershed or other area declared as a Protected Area under Section 21.



Speaker
National Assembly of Bhutan

- o. "Rules" includes rules, regulations, orders, notifications, Government circulars.
- p. "Shifting Cultivation" means tseree and pangzhing.
- q. "Social Forestry" means planting of trees and/or other forest crops on private registered lands, within the 25 acre land ceiling, such as kamzhing, tseree and pangzhing lands and registered under the social forestry rules.
- r. "Taking" includes collecting, felling, hunting, shooting, fishing, killing, capturing, trapping or otherwise taking possession.
- s. "Timber" means trees, whether standing or fallen, whether converted or not, and includes logs, branches, stumps, roots, firewood, lops and tops.
- t. "Wild Animals " means all mammals, avians, reptiles, amphibians, fishes and invertebrates.

All words referring to the masculine gender (such as "he" or "his") shall be deemed to also refer to the feminine gender; and all words referring to the singular shall be deemed to also refer to the plural.



Speaker
National Assembly of Bhutan

CHAPTER II

FOREST MANAGEMENT

4. Management of Forest and Regulation of Forest Produce

The Department is given responsibility for sustainably managing Government Reserved Forests, and for regulating the production, protection, transport and trade of timber, other forest produce and wildlife, whether or not located in Government Reserved Forest, and as provided by rules for community or private forests or where responsibility for regulating a particular type of minor forest produce has been given to another agency or department of the Royal Government.

5. Management Plans

- (a) The head of the Department shall prepare plans for the management of the forests, wildlife and related natural resources of Bhutan. In the case of areas under private or community management, plans as required by rules under this Act shall be prepared by the person or entity responsible for management. All such management plans shall be issued subject to the approval of the Head of the Ministry.
- (b) Each management plan shall describe the area and its resources, their uses and their role in the biological diversity of Bhutan; state the management regime required for the protection and sustainable utilization of the resources, including logging and reforestation requirements and designation of protected areas; and assess the environmental and socio-economic impact of the proposed management regime.

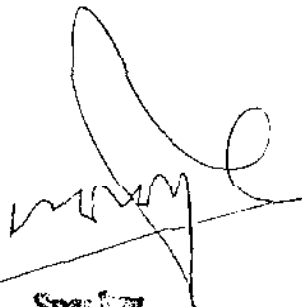
6. Permits under this Act

- (a) No permit or licence shall be issued under this Act except in accordance with the applicable management plan.
- (b) No permit shall be issued under section 13, unless there is in effect a management plan for the area from which timber is to be taken;
- (c) Any permit or licence required under this Act shall be in writing, and may be issued by the head of the Department or his authorised representatives, except as provided by rules for community forests or where another agency or department of the Royal Government has been authorised by law to issue a specific licence or permit.

- (d) A fee may be charged for issuance of any permit or licence under this Act.
- (e) Any permit or licence required under this Act shall specify the location, nature and extent of the activity authorised, the period of time during which the permit or licence is valid, and any conditions, including conditions required by the applicable management plan, that must be complied with.

7. Licensing of Processing Plants

No primary processing plant for forest produce may be licensed under any Act or other authority unless the head of the Department is satisfied that there is an adequate and sustainable supply of forest produce in accordance with applicable management plans.



Speaker
National Assembly of Bhutan

CHAPTER III

GOVERNMENT RESERVED FORESTS

8. Government Reserved Forests

- (a) All Forests are declared to be Government Reserved Forests.
- (b) A community forest established under Section 17 shall cease to be Government Reserved Forest, but if it shall cease to be a community forest, it shall automatically revert as Government Reserved Forest.
- (c) The National Assembly or His Majesty the King may direct that all or part of land declared as Government Reserved Forest shall cease to be a Government Reserved Forest.

9. Compensation and Alternative Land Rights

The Royal Government may declare any private registered land to be Government Reserved Forest, in accordance with sections 6.8 and 6.9 of the Land Act of 1979, where it considers such action necessary to protect public health and safety, to prevent land slides on highways, to maintain critical watersheds, to conserve wild animals and plants, to preserve scenic areas and for related purposes. In all such cases of a declaration, the Royal Government shall provide monetary compensation or alternative land rights.

10. Prohibited Acts in Government Reserved Forests


- (a) Except pursuant to a permit or rules issued by the Ministry, the following acts are prohibited in Government Reserved Forests;
 - (i) clearing or breaking up of any land for cultivation or any other purpose;
 - (ii) setting of fire, except controlled campfires, or leaving any fire including a campfire burning in such manner as to destroy, damage or endanger trees, any forest produce or wildlife;
 - (iii) felling, girdling, lopping, tapping, uprooting, or injuring any tree and removing any timber or other forest produce (including stones, boulders, and sand) or quarrying;
 - (iv) blocking, storing or diverting any river, stream, irrigation channel, waterfall, underground water source or any other water source or water course;

- (v) disposing of garbage or other waste material, and polluting any water source or water course;
 - (vi) burning lime or charcoal, conducting any manufacturing process or using dynamite;
 - (vii) hunting, fishing, taking, removing, destroying, poisoning or injuring any wildlife, or setting traps or snares;
 - (viii) habitation, either permanent or temporary;
 - (ix) constructing or placing any permanent or temporary structure, fence, marker or other device;
 - (x) destroying, damaging, defacing or otherwise interfering with any structure, fence, marker, dam or anything else constructed, placed or planted by the Department;
- (h) Any violation of this section is an offence punishable with imprisonment which may extend to 5 years, or a fine which may extend to an amount prescribed in the Rules issued from time to time, or both, in addition to
- (i) confiscation of anything illegally taken or the proceeds from the sale thereof, or
 - (ii) payment of compensation at fair market value for anything illegally taken, damaged or destroyed, and
 - (iii) confiscation of any equipment, vehicle, and tools used to committing the offence.

II. Other Activities Requiring Permits

- (a) The Ministry may issue rules to regulate, or prohibit without a permit, any of the following activities in Government Reserved Forests:
- (i) entry in designated areas;
 - (ii) camping;
 - (iii) hiking or using a vehicle;
 - (iv) taking any photograph, video, or sound recording;

7


Speaker
National Assembly of Bhutan

(v) conducting any scientific research.

(b) Any violation of this section is an offence punishable with a fine which may extend either to an amount prescribed in the Rules issued from time to time or to twice the cost of the relevant permit, whichever is higher.

12. Taking Forest Produce from Government Reserved Forest for own Domestic use

(a) In addition to the collection of leaf mould, fodder and improvement of sokshing as provided in the Sections Ka 3.5 and 8.5 of the Land Act, the Ministry may make rules to allow taking of forest produce without a permit.

(b) An authorised Forest Officer may issue a permit in accordance with rules issued by the Ministry for a person to take forest produce, from nearby areas of Government Reserved Forests if all of the following conditions are satisfied:

(i) the taking will not increase the danger of landslides, soil erosion or other environmental damage;

(ii) anything taken is for a person's own domestic use in rural areas;

(iii) the taking is not restricted by other sections of this Act or any other law or rule; and

(iv) the prescribed royalties have been collected.

13. Taking Forest Produce from Government Reserved Forests for Purposes other than Domestic Use

(a) An authorised Forest Officer may issue a permit to take forest produce from a Government Reserved Forest for purposes other than the applicant's domestic use, in accordance with rules issued by the Ministry and the applicable management plan and subject to payment of amounts prescribed by the Ministry.

(b) Failure to comply with any condition of a permit under this section, or with any provision of the management plan applicable to the area, is an offence punishable with a fine equal to the cost of fully complying, in addition to any other penalties which may be applicable under Section 14 (c) for timber or other forest produce taken without a proper permit.




Speaker
National Assembly of Bhutan

14. Permits under this Chapter

- (a) No permit shall be issued under this chapter to fell and take any timber:
 - (i) within 600 feet uphill or 300 feet downhill of a motorable road except forest roads;
 - (ii) within 100 feet of the bank or edge of any river, stream, water course, or water source, or;
 - (iii) on any place where the slope is greater than 45 degrees unless authorised under an approved management plan or by the head of the Department.
- (b) The Ministry may issue Rules prescribing that certain types of timber must be marked by an authorised forest officer with a valid Department registration mark before such timber can be lawfully taken. In such cases, only timber with the valid Department registration mark identified in a permit may be taken under that permit.
- (c) 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 a permit, is an offence punishable with imprisonment which may extend to 3 months, or a fine equal to the fair market value of the forest produce taken, or both; and in addition, anything illegally taken, or the proceeds from the sale thereof, shall be confiscated.

15. Forestry leases

- (a) The Head of the Ministry or his authorised representative may lease Government Reserved Forest to any person for improvement, protection and sustainable use in accordance with the applicable management plan.
- (b) The conditions of a lease under this section, including permitted and required operations, payment of rent, royalties and other charges, and taking and disposing of the produce, shall be as specified in rules issued by the Ministry and in the lease.


Speaker
National Assembly of Bhutan

CHAPTER IV


SOCIAL FORESTRY AND COMMUNITY FORESTRY

16. Taking Forest Produce from Registered Private Land

- (a) The Ministry may issue Social Forestry Rules to encourage any person to grow or nurture forest crops on his own registered private land, excluding Tsamdrog and Sokshing.
- (b) The Ministry may issue rules allowing any person to take forest produce on his own registered private land, excluding Tsamdrog and Sokshing, with or without a permit or payment of royalty, subject to such conditions as may be prescribed in such rules.
- (c) No forest produce shall be removed from private land without a transit pass, except those excluded from such requirement by rules issued under 16(b).
- (d) An authorised Forest Officer shall issue a transit pass for the removal of timber whenever he is satisfied that it has been taken on private land in accordance with this Act.

17. Community Forests

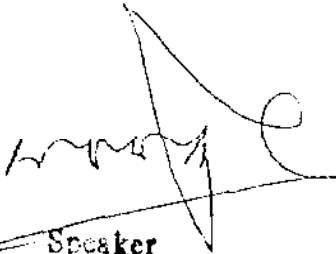
- (a) The Ministry may make rules for the establishment of community forests on Government Reserved Forest.
- (b) The rules for community forests may provide for the transfer of ownership of the forest produce in the community forest to appropriate groups of inhabitants of communities adjoining the forest.
- (c) The group to which community forests have been transferred shall manage them for sustainable use in accordance with the rules for community forests and the approved management plan.
- (d) Permits, royalties and other charges, as well as assistance to community forestry, shall be governed by the rules for community forests.


Speaker
National Assembly of Bhutan

18. Protection of Social Forestry and Community Forestry

Any person who contrary to this Act or rules takes, damages or destroys any forest produce on private registered land, in leased forest or in a community forest established under this Chapter, is guilty of an offence punishable with imprisonment which may extend to 3 months, or a fine which may extend to an amount prescribed in the Rules which may be issued from time to time, or both, in addition to either

- (i) confiscation of anything illegally taken or the proceeds from the sale thereof, or
- (ii) payment of compensation at fair market value for anything illegally taken, damaged or destroyed.



Speaker
National Assembly of Bhutan

CHAPTER V

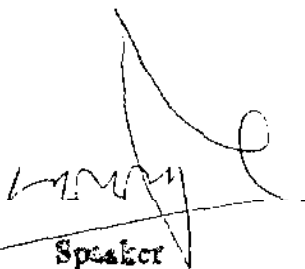
TRANSPORT AND TRADE OF FOREST PRODUCE

19. Transport, Import and Export of Forest Produce

- (a) The Ministry may issue rules regulating the transport, import and export of forest produce, including requirements that permits be obtained.
- (b) Violation of rules issued under this section is an offence punishable with imprisonment which may extend to 3 months or a fine equal to the fair market value of the forest produce illegally transported, imported or exported, or both; and in addition, any such forest produce, or the proceeds from the sale thereof, shall be confiscated.

20. Unclaimed Timber

Any timber found beached, stranded, or sunk, and any other unmarked or unclaimed timber or other forest produce shall become property of the Royal Government if no person can establish a valid right of possession within one month after a notification has been published of its being found.



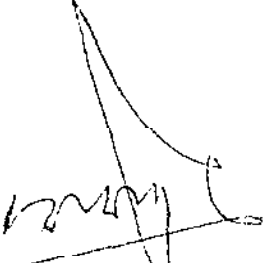
Speaker

National Assembly of Bhutan

CHAPTER VI
PROTECTED AREAS

21. Establishment of Protected Areas.

- (a) The Royal Government may declare any land in the country to be a National Park, Wildlife Sanctuary, Wildlife Reserve, Nature Reserve, Strict Nature Reserve, Protected Forest, Research Forest, Conservation Area, Cultural or Natural Heritage Site, Biosphere Reserve, Critical Watershed or other category of Protected Area for the preservation of areas of natural beauty of national importance, protection of biological diversity, management of wildlife, conservation of soil and water and related purposes. If any private registered land is taken under this section, compensation or alternative land rights shall be provided in accordance with Section 9.
- (b) The head of the Department shall issue a management plan for each Protected Area duly approved by the Head of the Ministry.
- (c) The Ministry may issue rules to regulate or prohibit any activity within a Protected Area. Violation of such rules shall be an offence punishable with imprisonment which may extend to 5 months or a fine which may extend to an amount prescribed in the Rules which may be issued from time to time, or both, in addition to either
- (i) confiscation of anything illegally taken or the proceeds from the sale thereof, or
 - (ii) payment of compensation at fair market value for anything illegally taken, damaged or destroyed.


Speaker
National Assembly of Bhutan

CHAPTER VII

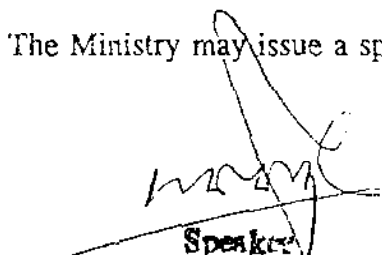
CONSERVATION OF WILDLIFE

22. Taking of Wildlife Restricted

- (a) All wild animals listed in Schedule I and wild plants listed in Schedule I are declared to be totally protected, whether or not in a Government Reserved Forests, and may not be killed, injured, destroyed, captured, collected or otherwise taken except:
- (i) Pursuant to a special permit or rules issued under Section 23, or
 - (ii) *to defend against an attack or imminent threat of attack on human life, in which case the action shall be reported, and animal parts such as skin, tusk, bear bile and other parts as may be deemed by the Government shall be handed over to the Forest Officer of the nearest Forest Office as soon as possible but not later than one month.*
- (b) All wild animals not listed in Schedule I are also protected and may not be killed, injured, destroyed, captured, collected or otherwise taken except:
- (i) *Pursuant to a special permit issued under Section 23, or*
 - (ii) *to defend against an attack or imminent threat of attack on human life or livestock; or*
 - (iii) *to defend against damage to crops and other private property, if the killing, injuring or other form of taking occurs on private registered land; or*
 - (iv) *by accident, if certified by the Forest Officer of the nearest Forest Division; or*
 - (v) *in accordance with any hunting rules which may be issued by the Ministry.*
- (c) The Ministry may amend the Schedules from time to time.

23. Special Permits

The Ministry may issue a special permit for taking any animal or plant for:


Speaker
National Assembly of Bhutan

- (a) scientific or conservation purposes, or
- (b) *purposes of culling or control.*
- (c) The Ministry may issue rules regulating the collection, cultivation, possession, sale, import and export of medicinal plants, including plants listed in Schedule I.

24. Permits for Keeping Wild Animals and Plants

No person may keep or possess any animal listed in schedule I or plant listed in schedule I, or any part or product of such animal or plant, without a permit issued by the Ministry certifying lawful acquisition, and stating that in the Ministry's opinion, acquisition/possession will not be detrimental to the survival of the species.

25. Export of Wildlife

No person may export any animal or plant or any part or product of such animal or plant, without a permit issued by the Ministry certifying lawful acquisition, and stating that in the Ministry's opinion, export will not be detrimental to the survival of the species.

26. Import of Wildlife

The Ministry may issue rules to prohibit, regulate or require permits for the import of any animals or plants.

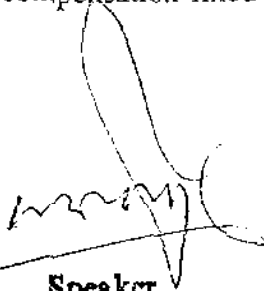
27. Fishing Rules

Fishing in any stream, river, lake or other watercourse shall be governed by the Bhutan Fishing Rules, and any other rules relating to fishing that may hereafter be issued.

28. Offences

Violation of sections 22, 24, 25 and 26 is an offence punishable with imprisonment which may extend to 5 years or a fine which may extend to an amount prescribed in the Rules which may be issued from time to time, or both, in addition to either

- (i) confiscation of anything illegally taken or the proceeds from the sale thereof, or
- (ii) payment of compensation at fair market value or according to the schedules of compensation fixed by the Ministry from time to time.



Speaker
National Assembly of Bhutan

CHAPTER VIII

SOIL AND WATER CONSERVATION MATTERS

29. Private Lands

- a) The Ministry may make rules to control breaking or clearing of land in private registered lands including tserree to protect soil, water, and wildlife resources.
- b) The Ministry may make rules regarding conversion of tserree lands to other forms of land use as per Ka 3.10 of the Land Act and set a timeframe after which, tserree cultivation may be prohibited.

30. Grazing

- a) The Ministry may issue rules regulating grazing in Government Reserved Forests, subject to such conditions as may be prescribed.
- b) Where the head of the department determines that land located in Government Reserved Forests is suffering from soil erosion or other environmental degradation, he may, after consulting with the appropriate local authority, order that grazing on such land be stopped for a specified time or be permitted only under specified conditions.
- c) Cattle trespassing in a Reserved Forest which has been lawfully closed to grazing shall be deemed to be doing damage to plantations, regeneration and catchment areas and may be seized and a suitable fine as prescribed by the Ministry will be levied.

31. Fire Protection

- a) In order to protect the country's forests, every village head shall organize fire watchers and teams to put out forest fires and every person, to the maximum extent possible, shall help put out any forest fire and identify those who have caused the forest fire. If the culprit is apprehended he will be punishable under Section 10(b) of this Act. If the culprit is not apprehended the relevant village community will be required to re-plant and maintain the area under the supervision of the Department, as per the rules framed by the Ministry.
- b) The Ministry may issue rules governing the use of fire in Government Reserved Forests, including requiring permits for all fires (except controlled campfires) in Government Reserved Forests and requiring that permits be obtained for setting of fires near Government Reserved Forests in areas and in seasons where fire is particularly dangerous. Violation of such rules shall be punishable as an offence under Section 10 (b).

CHAPTER IX

ENFORCEMENT AND PENALTIES

32. Enforcement Powers of Forest Officers

- (a) An authorised Forest Officer may require any person to:
- (i) answer any questions and provide any information relating to this Act;
 - (ii) produce for inspection any licence, permit or other document required to be kept by him under this Act;
 - (iii) produce for inspection any forest produce in his possession or control.
- (b) An authorised Forest Officer shall exercise the powers of a Police Officer under the Police Act, 1980 to :
- (i) search and seize any vehicle, tools, livestock, weapon, or thing which he believes was used to commit an offence under this Act, or any forest produce which he believes was taken in violation of this Act, and shall give a receipt for anything seized;
 - (ii) enter and search any land, building, premises or structure in which he believes that evidence of the commission of an offence is to be found;
 - (iii) stop, detain, search and arrest any person whom he suspects of having committed an offence under this Act.
- (c) Any Forest Officer arresting any person or seizing anything shall inform the head of the Department and take or send the accused before the officer-in-charge of the nearest police station, according to the law.

33. Power to Compound Offences

- (a) Any Forest Officer of the rank of Range Officer or above may accept from any person who admits committing an offence under this Act a sum of money by way of fine not to exceed the maximum fine prescribed under this Act, in addition to either
- (i) confiscation of anything illegally taken or the proceeds thereof, or
 - (ii) payment of compensation at fair market value for anything illegally taken, damaged or destroyed.

On payment of such money, the offender, if in custody, shall be discharged and given a receipt, and the seized property, if any, may be confiscated or released.

(b) No one except a court of law may impose the punishment of imprisonment.

34. Obstruction of Justice

Any person who resists, assaults, obstructs or falsely accuses a Forest Officer of wrongdoing; makes knowingly false or incorrect statement to a Forest Officer; or refuses to give the Forest Officer any information or produce for inspection any forest produce or any permit or licence as required under this Act, is punishable in accordance with the laws relating to the powers of civil officials.

35. Liability of Forest Officers

(a) No Forest Officer shall be liable for anything done by him in good faith for purposes of enforcing this Act or otherwise acting in the course of duty.

(b) Any Forest Officer who wrongfully and without good cause seizes any property or arrests any person is punishable in accordance with laws issued by the Royal Government.

36. Penalties

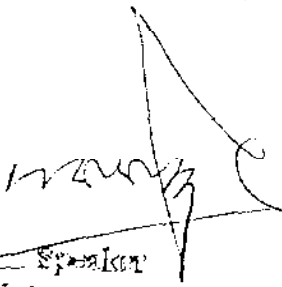
(a) Any person who commits an offence which is punishable under more than one section of this Act, or which is punishable under this Act and also under other laws, shall be liable for whichever punishment is greater.

(b) Any person who violates any prohibition of this Act, or any rules or permit issued under this Act, where no specific penalty is provided, is guilty of an offence punishable with a fine which may extend to an amount prescribed in the Rules which may be issued from time to time.

(c) The amounts of any fines under this Act may be revised periodically by the Royal Government.

37. Abetment of Forest Offence

Any person who assists, facilitates, or instigates any other person in committing a forest offence shall be deemed to have committed a forest offence under this Act and shall be liable for punishment as provided in the relevant sections of the Act, as if the abettor has committed the said offence.


Speaker
National Assembly of Eritrea

38. Subsequent Offences

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 or subsequent offence under this Act is punishable with imprisonment of up to six years 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.

39. Confiscation

Where any person is convicted of an offence under this Act or any rules hereunder, a court of law shall order the confiscation of any forest produce that was the subject of the offence, or any proceeds from the sale of such forest produce, and may order the confiscation of any vehicle, tools, livestock, weapon or thing which were used to commit an offence under this Act.

40. Cancellation or Suspension of Permits


Where the holder of a permit or licence under this Act is charged with an offence under this Act or any rules made hereunder, the permit or licence may be suspended until a final determination of the charge. If the holder is convicted, the permit shall be cancelled.

41. Exclusion from Forest Activities

Where any person has repeatedly failed to comply with this Act or otherwise to meet his obligation as the holder of a licence or permit, as a contractor for Forestry related activities, as a purchaser of forest produce or otherwise in respect of forests and forest produce, or where he has been convicted of an offence involving forest produce of a value exceeding Nu.50,000, the head of the Department may debar such person for a specified time from holding a licence or permit under the Act or otherwise acting in respect of forests or forest produce.

42. Eviction for Illegal Settlement

A court of law may order any person who has settled illegally in a Government Reserved Forest to vacate or be evicted, and may order any crop grown or any building erected without authority to be confiscated and destroyed or sold and the proceeds to be remitted to the Royal Government.


Speaker
National Assembly of Bhutan

43. Penalty for Counterfeiting or Defacing Registration Marks and for Altering Boundary Marks

Whoever :

- (a) counterfeits, alters, defaces or obliterates any registration mark placed on a tree or on timber by or under the authority of a Forest Officer; or
- (b) alters, moves, destroys or defaces any forest boundary pillar or other boundary mark placed by or under the authority of a Forest Officer;
- (c) is involved in the forgery of documents and impersonation of any staff of the Forest Office

is punishable with imprisonment which may extend to three months or a fine which may extend to an amount prescribed in the Rules which may be issued from time to time, or both, in addition to payment of compensation for the cost of replacement of any boundary pillar or other boundary mark altered, moved, destroyed or defaced.

44. Duty to Report Offences


Every person shall furnish to the nearest Forest Office without unnecessary delay, any information he may possess regarding commission of offences under this Act or the occurrence of forest fires.

45. Rewards for Informing on Offences

A reward of up to one-half of the value of the forest produce involved or any fine collected or any proceeds realized from the sale of illegal forest produce seized may be paid to any person or persons for giving first hand information and help leading to the apprehension of the offender/offenders under this Act subject to a maximum amount which may be prescribed in the Rules issued from time to time.

46. Monies Owed to Government

All monies payable to the Royal Government under this Act, if not paid when due or if not covered by the proceeds of sale of anything confiscated, will be recovered through the courts.


Speaker
National Assembly of Bhutan

List of Totally Protected Wild Animals

SCHEDULE - I

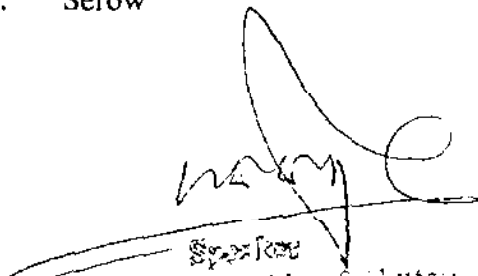
<u>Sl. No.</u>	<u>Common Name</u>	<u>Scientific Name</u>
1.	Asian Elephant	<i>Elephas maximus</i>
2.	Clouded Leopard	<i>Neofelis nebulosa</i>
3.	Golden Langur	<i>Presbytis geei</i>
4.	Musk Deer	<i>Moschus chrysogaster</i>
5.	Pangolin	<i>Manis crassicaudata</i>
6.	Pigmy Hog	<i>Sus sylvanicus</i>
7.	Snow Leopard	<i>Panthera uncia</i>
8.	Takin	<i>Budorcas taxicolor</i>
9.	Tiger	<i>Panthera tigris</i>
10.	Wild Buffalo	<i>Bubalus bubalis</i>
11.	Black-Necked Crane	<i>Grus nigricollis</i>
12.	Monal Pheasant	<i>Lophophorus impejenus</i>
13.	Peacock Pheasant	<i>Polyplectron bicalcaratum</i>
14.	Raven	<i>Corvus corax</i>
15.	Rufous-Necked Hornbill	<i>Aceros nepalensis</i>
16.	Golden Mahseer	<i>Tor tor</i>
17.	Spotted deer	<i>Axis axis</i>
18.	Gaur	<i>Bos gaurus</i>



Speaker

National Assembly of Bhutan

- | | |
|--------------------------|---------------------------------|
| 19. Leopard | <i>Panthera pardus</i> |
| 20. Leopard Cat | <i>Felis bengalensis</i> |
| 21. Himalayan Black Bear | <i>Selenarctos thibetanus</i> |
| 22. Red Panda | <i>Ailurus fulgens</i> |
| 23. Serow | <i>Capricornis sumatraensis</i> |

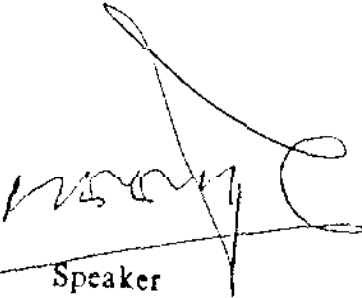


Speaker
National Assembly of Bhutan

List of Totally Protected Plants

SCHEDULE - I

Sl. No.	Local Name	Common Name	Botanical Name
1.	Agar/agaru	Eagle Wood/Indian Aloe Wood	<i>Aquilaria malaccensis</i>
2.	Yartsa-guenboop	Chinese caterpillar	<i>Cordyceps sinensis</i>
3.	Pang-gen metog		<i>Gentiana crassuloides</i>
4.		Snow down lily	<i>Lloydia yunnanensis</i>
5.	Tsher-ngeon	Blue poppy	<i>Meconopsis grandis</i>
6.	Kirang-shing	Yew	<i>Taxus baccata</i>
7.	Bhreeng-gee-ra-dza	Ginseng	<i>Panax pseudo-ginseng</i>


Speaker
National Assembly of Bhutan