

ITEM NO.39

COURT NO.17

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1113/2025

KARANARTHAM VIRAMAH FOUNDATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

FOR ADMISSION

Date : 09-03-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :

Mr. Santosh Paul, Sr. Adv.
Mr. Ankur Yadav, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. This Writ Petition filed under Article-32 of the Constitution of India, seeks direction on the basis of alleged violation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as "CITES") relying on a CITES Secretarial Document bearing SC79 Doc. 6.3.4 (Annexure P-6) in relation to respondent nos. 5 and 6. The prayer made by the petitioner in the instant petition is reproduced herein for ready reference;

"(a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing Respondent Nos. 1

to 4 to place before this Hon'ble Court the entire record pertaining to permissions, recognitions, and import/export licences granted to Respondent Nos. 5 and 6 since 2019, together with all CITES permits relied upon, internal evaluations, minutes of the Central Zoo Authority, and any correspondence exchanged with the CITES Secretariat or foreign Management Authorities in relation thereto;

(b) Constitute an Independent National Wildlife Trade Compliance Monitoring Committee, chaired by a retired Judge of this Hon'ble Court and comprising eminent experts in wildlife biology, international trade regulation, and environmental law, with the mandate to verify the legality and authenticity of all CITES import, export and re export permits connected to Respondent Nos. 5 and 6;

(c) Direct Respondent Nos. 3 and 4 to initiate appropriate proceedings under Sections 38H(6), 381, and 51 of the Wild Life (Protection) Act, 1972, including suspension or cancellation of zoo recognition, if the inquiry reveals contraventions of law or misuse of recognition by Respondent Nos. 5 and 6 or by any other associated entities;

(d) Direct Respondent Nos. 1 and 2 to formulate, publish and notify a comprehensive Standard Operating Procedure (SOP) within a period of three months, laying down the process for due diligence and verification of CITES permits.

(e) Direct that no further imports or acquisitions of live animals listed under Appendix I of the CITES Convention be permitted by any private zoo, trust, or facility, including Respondent Nos. 5 and 6, until such time as the Independent Committee submits its verification report to this Hon'ble Court; and

(f) pass such other orders, writs, or directions as may be deemed fit and proper in the interests of justice, environmental governance, and India's compliance with its international obligations.

2. Subject matter of the petition, in substance, is the same which was the subject matter of consideration in W.P.(C) No. 783 of 2025. Those matters stood examined by the SIT constituted by this Court and the final report of the SIT has been accepted by this Court on 15.09.2025. The same categorically records that no

violation of any domestic or international law was found.

3. It is also to be noted that the CITES Secretarial Document relied upon by the petitioner, does not assist his case. On the contrary, the said document records that CITES Secretariat found no evidence that the animals had been imported without the requisite CITES documentation or import permits and there is no evidence that such imports were for commercial purposes. Thus, the said conclusion is in consonance with the findings recorded by the SIT, and accepted by this Court.

4. We also note that once an import has been effected under the valid permission, the same cannot subsequently be treated as prohibited *qua* the importer merely because the objections were raised thereafter.

5. The principles enunciated in the case of *East India Commercial Co. Ltd. Vs. The Collector of Customs, 1962 AIR 1893* would clearly apply. More importantly, disturbing the settled environment, custody and air of living animals, including rescued animals after lawful import, may itself result in cruelty.

6. Accordingly, the Writ Petition stands dismissed.

7. Pending application(s), if any, shall stand closed.

(NISHA KHULBEY)
COURT MASTER(SH)

(CHETNA BALOONI)
COURT MASTER(NSH)