2026 INSC 586

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION DIARY NO(S). 32519/2026
(ARISING OUT OF IA NO.167846/2026 - APPLICATION FOR CLARIFICATION/DIRECTION)
IN
WRIT PETITION (CIVIL) No.1113/2025

KARANARTHAM VIRAMAH FOUNDATION **...APPLICANT(S)/ PETITIONER(S)**

VERSUS

UNION OF INDIA & ORS. **...RESPONDENT(S)**

O R D E R

1. By the present Miscellaneous Application, the applicant/petitioner seeks recall of the Order dated 09.03.2026 passed by this Court in Writ Petition (Civil) No.1113 of 2025 by which this Court declined the reliefs prayed for and affirmed the Order dated 15.09.2025 in Writ Petition (Civil) Nos.783 and 779 of 2025 accepting the Report of the Special Investigation Team[1] in respect of the affairs of respondent Nos.5 and 6.

2. The case put forth by the applicant is that material has since emerged in inquiries, investigations or prosecutions in Brazil, the United Arab Emirates, Uganda, Peru, Malaysia and Venezuela bearing upon the international acquisition and transfer of animals by respondent Nos.5 and 6 which warrants a fresh investigation by the Indian agencies or by foreign or global agencies. Reliance is also placed on an agenda document SC79 Document 6.3.4 of the Secretariat of the Convention on International Trade

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Reason:

[1] For short, 'SIT'

in Endangered Species of Wild Fauna and Flora[2] and the decision of the CITES Standing Committee thereon at its 79th Meeting, which, taken with the foregoing foreign material, are said to require registration of cases by the appropriate law enforcement agencies against respondent Nos.5 and 6 and their associated Trust - Khodiyar Animal Welfare Trust and assisting foreign or global agencies in investigation, prosecution, etc.

3. In substance, the following reliefs have been prayed in this Miscellaneous Application:

i. Directions to the Central Government through the Central Bureau of Investigation[3], the Directorate of Revenue Intelligence[4], the Wildlife Crime Control Bureau[5], the Customs Department and the Enforcement Directorate[6], to investigate and coordinate with the foreign proceedings aforesaid and to seize, repatriate or otherwise dispose of any specimen traded in contravention of the Convention and to examine employees of respondent Nos.5 and 6 for leads, evidence or information;

ii. Directions for the issuance of letters rogatory to the said jurisdictions, for INTERPOL notices, and for engagement with the CITES Secretariat, the INTERPOL Wildlife Crime Working Group, the International Consortium on Combating Wildlife Crime, the Wildlife Justice Commission and the Environmental Investigation Agency;

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[2] For short, 'CITES'
[3] For short, 'CBI'
[4] For short, 'DRI'
[5] For short, 'WCCB'
[6] For short, 'ED'

iii. An independent inquiry into the functioning of the Wildlife Division of the Ministry of Environment, Forest, and Climate Change, the CITES Management Authority of India[7] and the Central Zoo Authority; and

iv. Seizure of the specimens held at the Jamnagar facility and its takeover by the Government of India.

4. We have heard the learned senior counsel on behalf of the applicant/petitioner and the learned counsel for respondent Nos.5 and 6 and have perused the material, including the SIT Report. Upon consideration, we are of the clear opinion that none of the directions prayed for can be granted. We, however, propose to issue certain directions to the CITES Management Authority of India to strengthen the regime of compliance with the Convention so as to forestall avoidable controversy.

5. The SIT was constituted by this Court with members of standing and distinction which was presided over by a former Judge of this Court and comprised a former Chief Justice of a High Court, a former Commissioner of Police and a serving senior officer of the Customs Department familiar with cross-border trade. The terms of reference were of the widest amplitude, covering every facet of the affairs of respondent Nos.5 and 6 from inception. The SIT was assisted by CBI, ED, DRI, WCCB, Income Tax Department, Customs Department, Central Zoo Authority, CITES Management Authority of India, Wildlife Division of the Ministry of Environment, Forest and Climate Change, Department of Animal Husbandry and Dairying, Animal Quarantine and Certification Service, Forest Department of the State of Gujarat, District Administration of Jamnagar and Gujarat State Police.

[7] For short, 'CMA India'

6. The process adopted by the SIT was thorough. It held several meetings, conducted site inspections, afforded opportunity to all concerned to submit information and documents, examined the foreign donor zoos and entities, called for and considered the responses of the CITES Management Authorities of, *inter alia*, the United Arab Emirates, Venezuela, Democratic Republic of the Congo, etc. and obtained information from all concerned, namely, the CBI, ED, DRI, Commissioner of Customs at Jamnagar, WCCB and District Police. Notice was issued to the complainants, journalists and environmentalists who had published or raised allegations, including those whose reportage the applicant/petitioner now relies upon and each one who appeared before the SIT was heard.

7. Upon perusal of the SIT Report, we have found that the allegation in the present Miscellaneous Application pertains to the very same period and of transfers of animals from the foreign jurisdictions and, thus, which has already been examined by the SIT. Therefore, the question now is whether the same can be reopened and respondent Nos.5 and 6 can be made liable in civil law or criminal law or such directions as prayed for can be issued to any domestic law enforcement agency in that regard directing them to cooperate, collaborate or assist a foreign country's or global law enforcement agency.

8. The premise of this Miscellaneous Application is that material has since been unearthed in various foreign jurisdictions mentioned above which warrants fresh investigation. In support, the applicant/petitioner places reliance on a document issued by the Secretariat of the CITES being agenda document SC79 Document 6.3.4 and the decision taken by the CITES Standing Committee in its 79th Meeting.

9. We propose to examine the allegations of transfer of animals to respondent Nos. 5 and 6 country-wise. We record at the outset a feature common to each: every instance of impugned transfer is anterior to September 2025. We also record, once and for all, the consequence that follows in each sub-paragraph below. In view of the SIT Report accepted by this Court by Order dated 15.09.2025 and affirmed by Order dated 09.03.2026, respondent Nos. 5 and 6 cannot be investigated, inquired into, much less prosecuted, in respect of the transfers therein examined, no direction can be issued to any domestic authority in respect of the specimens so transferred, and the matter cannot be reopened at the instance of any body, global or otherwise. This consequence applies to each of sub-paragraphs (i) to (v) that follow, and is referred to in each, for brevity, as "the bar of finality".

(i) Reference is first made to inquiries and investigations concerning Kangaroo Animals Trading & Smart Co. LLC, the Capital Zoo, and one Mr. Khaled Aldhaheri, said to have received animals from Syria, Iraq, Iran and Indonesia, and to be the subject of inquiry, investigation, arrest and seizure by the UAE Federal Police. Paragraph 148 of the SIT Report specifically deals with the transfers from the said Kangaroo group and Capital Zoo to respondent Nos. 5 and 6 in the context of these very allegations. The SIT considered the responses of the UAE CITES Management Authority and engaged directly with the management of the Kangaroo group and the Capital Zoo, examined them, and scrutinised the underlying documentation. All such transfers were found to be zoo-to-zoo transfer and compliant with applicable laws. The SIT did not find merit in the allegations of round-tripping of animals

or money or of any concealed consideration. All UAE-origin permits were found to be mapped to the QR-coded central CITES verification system. That the UAE authorities are now investigating Mr. Aldhaheri for conduct on UAE soil is a matter between him and the sovereign authorities of that State; it does not displace the findings of the SIT. Therefore, the bar of finality on this subject squarely applies.

(ii) Reference is next made to transfers to respondent Nos. 5 and 6 from Venezuela, in particular from the entity known as Criadero San Antonio Abad. Reliance is placed on reportage by Armando.info. The SIT, at paragraph 115 of its Report, has already considered the Armando.info reportage that questioned the export of over 1,800 animals from Venezuela to respondent Nos. 5 and 6. It examined the underlying records, including the CITES export permits issued by the Ministry of Ecosocialism of Venezuela and the corresponding Indian import documentation, and found that each consignment was non-commercial and zoo-to-zoo. The "invoices" relied upon by complainants were scrutinised and found to be standard CIF customs documents reflecting transport, insurance and handling, and not price of the animals, etc. Paragraph 149 records independent verification by competent authorities. Therefore, the bar of finality on this subject squarely applies.

(iii) Reference is next made to transfers from Brazil, and to an ongoing investigation in Brazil by its Federal Police into the trafficking of Brazilian species, reported in a Mongabay story dated 06.05.2026. The allegation is that a consultant of respondent Nos. 5 and 6, Mr. Tony Silva, was questioned in Brazil and his phone and laptops seized, and that the investigation concerns trafficking of Brazilian species via Togo and other jurisdictions. It is submitted

by the applicant/petitioner that the Indian authorities be directed to engage with the Brazilian Federal Police and obtain data from the seized devices with a view to unearthing what the applicant/petitioner describes as a trafficking network. A further allegation concerns the transfer of Brazilian birds, namely the Spix's and Lear's macaws, from a German entity, ACTPev, owned by Mr. Martin Guth, to respondent Nos. 5 and 6 over objections by Brazil; and chats attributed to Mr. Guth, said to have been leaked to the media, are urged to indicate a trafficking network requiring investigation. On a perusal of the SIT Report, we find that these allegations have been duly considered and rejected. The allegations against Mr. Silva and Mr. Guth are addressed at paragraphs 113 and 151 of the Report. Private communications, screenshots and emails of the kind now relied upon were found by the SIT to be inadmissible for want of any physical evidence in their support. A subsequent seizure of devices, even assumed, does not alter that finding in the absence of any primary material supporting the underlying allegations. As regards transfers from Togo to India, paragraph 4.1.1 of the Report confirms the regulatory compliance of all foreign acquisitions, Togo included. As paragraph 146 of the Report puts it, an irregularity, if any, by a third party in a foreign jurisdiction does not translate into liability for the Indian recipient institution. As to the German imports and the Brazilian objection, the SIT deals with the matter at paragraphs 91, 92 and 113 of its Report. The specimens were transferred under valid CITES export permits issued by the competent German authorities, with corresponding Indian import approvals, for the express purpose of conservation breeding in aid of global reintroduction. At paragraph 4.4.2, the SIT records the progress of the conservation breeding programme

and notes that respondent Nos. 5 and 6 have themselves engaged directly with Brazil on the subject. The bar of finality applies and further no liability can be fastened on respondent Nos. 5 and 6 for any prosecution against Mr. Silva, Mr. Guth or any other person abroad.

(iv) Reference is next made to transfers or investigations in Peru, Malaysia, Uganda, Iraq and Mexico. The Peruvian case, drawn from a social media post of 28.01.2025, concerns the intervention of the Peruvian authorities against one Mr. Ting Yu and "The Ark" zoo. The Malaysian case rests on the prosecution before the Sepang Sessions Court of two directors of a trading company. The Ugandan case rests on a TRAFFIC Wildlife Trafficking Assessment of April 2018. The Iraqi and Mexican cases are likewise founded on media reports, with reference to Mr. Karak and Mr. Ibrahim respectively. We have perused the annexures. In substance, the applicant/petitioner has relied on media reports proceeding on the *a priori* assumption that all trafficked animals arrive at respondent Nos. 5 and 6. That very species of speculative reasoning was considered and rejected by the SIT, particularly at paragraphs 129, 141, 142 and 151 of its Report. Therefore, the bar of finality on this subject squarely applies.

(v) Reference is lastly made to transfers from the Czech Republic and South Africa. The allegation is that acquisitions by respondent Nos. 5 and 6 from these countries, particularly the Czech Republic, are commercial in nature, the exporters being known commercial breeding facilities. The SIT considered, as regards the Czech Republic, a complaint founded on a *Süddeutsche Zeitung* report and podcast, and held at paragraph 114 of its Report that no case for inquiry or investigation was made out against

respondent Nos. 5 and 6. At its summary paragraph 4.6.13, the SIT recorded the principle that where animals are procured by a donor entity in accordance with the law applicable to it and transferred to respondent Nos. 5 and 6 under a valid export permit, no contravention of Indian law or of the Convention can be alleged and that donation by an independent donor who may fund the release of animals from overcrowded, small, congested breeding facilities, zoos or canned or trophy-hunting facility, by acquiring the same in its own jurisdiction as long as permitted by the law applicable to him and thereafter effects a zoo-to-zoo transfer under valid export and import permits and the requisite domestic permissions, is not invalid and is lawful. Proceeding from that principle, the SIT examined the Czech and South African transfers at paragraphs 144 to 146 and 150 of its Report. The structure of donor-funded acquisitions animals purchased lawfully by foreign donors from licensed commercial breeders in their own jurisdiction and donated to respondent Nos. 5 and 6 is lawful at source and no offence of money laundering or round tripping would arise in such cases. We accord particular weight to the principle articulated at paragraph 146, that an irregularity, if any, by a donor or exporting entity within its own domestic jurisdiction does not translate into liability for the Indian recipient institution, once the import is supported by valid export and import permits. The bar of finality applies. Even if it is assumed that prior documentation before engagement with respondent Nos. 5 and 6 is found to have discrepancies, the said respondents would be in a position of a *bona fide* third party who has entered into a transaction without notice of such discrepancies. In no case is there any evidence attributed to showing that the respondent Nos. 5 and 6 have acted

with notice of discrepancies or forgeries etc. and acted not in a *bona fide* manner.

10. We find it necessary to add a word on the larger premise that pervades the application, namely, that an acquisition by a zoo such as respondent Nos. 5 and 6 through commercial means is somehow impermissible. The provision regulating acquisition of animals by a zoo is Section 38I of the Wild Life (Protection) Act, 1972. It provides that no zoo shall acquire, sell or transfer any wild animal without the previous permission of the Central Zoo Authority, and prohibits sale or transfer of any wild or captive animal except from or to a recognised zoo. A recognised zoo, in the scheme of the Act, is necessarily a zoo recognised in and situated in India. For foreign establishments, the requirement of recognition is, in the nature of things, inapplicable, so long as the purpose of the establishment is that of a zoo, rescue centre or breeding centre. We find no other bar in law. Section 38I, coupled with the principle noticed above, leads to the conclusion that, so long as the permission of the Central Zoo Authority is taken and, in the case of imports, the legal process of CITES is followed, the question whether the foreign exporter acts with a commercial intent is largely beside the point. Even a transfer styled commercial, if made for or to a zoo, rescue centre or conservation breeding centre, falls principally to be treated as a zoological transfer and not as a commercial one. So far as India is concerned, even if the purpose code for CITES permit purposes used is 'T' and not 'Z', the same would not act as a bar for the purpose of Section 38I above (except specimen under CITES Appendix 1).

11. We turn to agenda document SC79 Document 6.3.4 of the Secretariat of the Convention and to the decision of the Standing Committee thereon at its 79th Meeting at Samarkand on 23.11.2025. The case-specific concerns examined by the Secretariat in that document, concerning the chimpanzees from the Democratic Republic of the Congo, the cheetahs from Mexico, the snow leopards and macaws from Germany, the chimpanzees, bonobo, gorilla, orangutan and cheetahs re-exported by the United Arab Emirates, the Czech commercial-invoice question, the Togo transit re-exports, and the Cameroon forged permits are, in substance, the very transfers and the very allegations that were before the SIT and were dealt with by it. The transfers from the Democratic Republic of the Congo, the United Arab Emirates and Cameroon stand covered by paragraphs 148 and 151 of the SIT Report and by our findings at paragraph 9(i) above; the German transfers, including those connected with the conservation breeding programme, by paragraphs 91, 92, 113 and 4.4.2 of the Report and by our findings at paragraph 9(iii); the Togo transit re-exports by paragraph 4.1.1 and by paragraph 9(iii); the Czech and analogous donor-zoo transfers by paragraphs 114, 4.6.13 and 144 to 146 of the Report and by paragraph 9(v); and the Mexico cheetahs, insofar as they raise any question of the kind now urged, by the same governing principles at paragraphs 144 to 146 and 4.6.13 of the Report. We may also notice that the Secretariat itself records, at paragraph 61 of SC79 Document 6.3.4, that "*there is no evidence of animals being imported to India without the CITES export permits or re-export certificates and, when required, import permits, or commercial activities linked to the sale of animals or their offspring by either the GZRRC or the RKTEWT*", and that, at the 79th Meeting, the Standing

Committee declined to adopt the originally proposed restriction on the issuance of import permits for Appendix I species. To the extent, therefore, that the applicant/petitioner relies upon SC79 Document 6.3.4 and the decision of the Standing Committee thereon to seek inquiry, investigation or prosecution of respondent Nos. 5 and 6 in respect of any of the transfers there discussed, the bar of finality recorded at paragraph 9 above operates with equal force, and we make no direction for any such inquiry, investigation or prosecution.

12. It is, however, necessary to draw a clear distinction. While SC79 Document 6.3.4 raises no question of culpability of the kind urged by the applicant/petitioner, it does contain observations of a forward-looking and systemic character, addressed to the strengthening of due diligence by the CITES Management Authority of India, to the closer scrutiny of source and purpose codes, to the breeding-in-captivity test under Resolution Conf. 10.16 (Rev. CoP19), and to the organisational adequacy of the Management Authority and the Wildlife Crime Control Bureau. These observations are not directed against respondent Nos. 5 and 6; they are directed to the Indian regulatory architecture itself, and they are concerned with the future. They call for action by the Union of India and the regulators concerned, in respect of which we propose to issue separate directions at paragraph 20 below.

13. The applicant/petitioner's allegations regarding husbandry, mortality, overcrowding, climatic conditions, forged rescue documentation, improper record-keeping, money laundering and shell entities are all dealt with at Sections 4.2 and 4.3 of the SIT Report and at paragraphs 143 and 155 to 163.

The SIT examined husbandry and veterinary infrastructure with expert assistance and during three days of on-site inspection.

14. In fact, the applicant/petitioner originally approached this Court with a similar request on different set of material and, by our Order dated 09.03.2026, we held that the subject-matter of the petition was substantially the same as that which had been examined by the SIT and accepted by this Court's Order dated 15.09.2025. We had also held, in the said Order, that once an import has been effected under valid permission, the same cannot subsequently be treated as prohibited *qua* the importer merely because objections are raised thereafter, and that the principle enunciated by this Court in ***East India Commercial Co. Ltd. v. The Collector of Customs***[8] squarely applies. More importantly, we had observed that disturbing the settled environment, custody and air of living animals, including rescued animals, after lawful import, may itself result in cruelty. The said observations form part of the operative reasoning of our earlier Order.

15. Thus, what we have seen is that all transfers upto September 2025 have been considered and concluded by the SIT and their report has been accepted by a detailed, speaking and reasoned Order dated 15.09.2025 passed by this Court. Thereafter by an Order dated 09.03.2026, this Court for reasons stated therein refused to revisit or reopen the case and in fact affirmed the Order dated 15.09.2025. Thus, an order of this Court accepting the Report of a Court-constituted SIT, affirmed by a later order declining to revisit it, carries a finality not lightly to be disturbed. The maxim *nemo debet bis vexari pro una*

[8] AIR 1962 SC 1893

et eadem causa i.e., no one ought to be twice vexed for one and the same cause, is a principle of long standing in the common law and one which this Court has consistently respected. Where the entire field has, by deliberate institutional design, been remitted to a high-powered body, examined, reported upon, and brought to closure by judicial order, that closure is meant to hold. The Constitutional jurisdiction of this Court, wide as it is, does not exist to be the engine of perpetual re-agitation. This is a principle embodied in the doctrine of *res judicata*/constructive *res judicata* and the right against double jeopardy enshrined in Article 20(2) of the Constitution of India. It follows that if a particular allegation or transfer fell within the remit of the SIT and was in fact dealt with by it, the Orders of this Court dated 15.09.2025 and 09.03.2026 attach to it; no investigation, inquiry or prosecution against respondent Nos. 5 and 6 can be directed in respect thereof, and the matter cannot be reopened at the instance of the applicant/petitioner or any other body, domestic or international. We have, therefore, referred to this consequence, in the discussion above, as the bar of finality.

16. We are constrained to record a further concern. The material now placed before us consists of newspaper articles, blog posts, social-media posts on X, Facebook and Instagram, podcast transcripts, screenshots of WhatsApp and Telegram chats, generic emails, and second-hand reproductions of the same. The settled position is that the existence of digital communications, even authenticated digital communications, must be corroborated by tangible physical evidence before a criminal investigation can be set in motion against any person, much less a person who has already undergone an extensive legal scrutiny. To permit otherwise would be to allow allegation by inference, which

is no allegation at all in the eyes of the law. This consideration applies with particular force in the present case where the SIT, having examined the very digital material now sought to be re-agitated, found at paragraph 151 of its Report that allegations anchored in unauthenticated private communications, chat extracts, screenshots and digital fragments attributed to named individuals cannot be regarded as probative. The principle is in any event settled. In ***Common Cause v. Union of India***[9], this Court held that it must be on guard while ordering investigation against any important Constitutional functionary, officer or any person in the absence of cogent and legally cognizable material; that where the material on the basis of which investigation is sought is itself irrelevant to constitute evidence and not admissible in evidence, it would not be safe even to initiate investigation; that there has to be some relevant and admissible evidence and some cogent reason which is *prima facie* reliable; and that if these requirements were not insisted upon, the process of law could be abused against all and sundry to achieve ulterior goals.

17. We now turn to the prayer that current and former employees, consultants and contractors of respondent Nos. 5 and 6 be examined, with a direction immunising them from civil and contractual action arising out of their deposition. The prayer cannot be granted. In substance, it invites this Court to set aside, by judicial fiat, the confidentiality and non-disclosure obligations subsisting between the said respondents and persons standing towards them in a relationship of trust, and to insulate those persons from

[9] (2017) 11 SCC 731

the legal consequences of breaching that trust. We decline to lend our process to such a course. The mere circumstance that an employee or consultant has demitted office, or harbours a grievance, does not loosen those obligations; if anything, the law looks upon a disgruntled former insider with particular caution, for the value of his information often varies inversely with his loyalty. The legal position bears statement, so that those potentially concerned are left in no doubt as to where they stand. Disclosure in breach of confidentiality may, at the threshold, expose the person concerned to civil action for damages and injunctive relief. The exposure does not rest there. An employee, consultant or agent entrusted with confidential information of his employer or principal stands, in law, in a fiduciary position; a dishonest disclosure of that information attracts Section 316 of the Bharatiya Nyaya Sanhita, 2023[10], punishable, in the case of a clerk or servant, with imprisonment up to seven years and fine, and, in the case of an agent, with imprisonment for life, or up to ten years, and fine. The offence is cognisable and non-bailable in its aggravated forms. Where the disclosure is procured by deception, or made with intent to cause wrongful loss to the respondents, Section 318 of the Sanhita on cheating is independently attracted, with punishment extending up to seven years and fine. Solicitation, inducement or facilitation of such disclosure by any third party may, equally, attract the law of abetment and, in an appropriate case, of criminal conspiracy. Far from immunising a course of conduct that would invite these consequences, this Court declines to take any step that would invite it.

[10] For short, 'Sanhita'

18. We are in agreement with the submission advanced on behalf of respondent Nos. 5 and 6 that, in view of the acceptance of the SIT Report by this Court on 15.09.2025, and the reaffirmation thereof by order dated 09.03.2026, a settled and vested right has accrued in their favour against any further inquiry, investigation, prosecution or coercive action in respect of acquisitions, transfers, husbandry practices and operational conduct up to September 2025, being matters already examined and concluded under the authority of this Court. The said protection shall inure not only to respondent Nos. 5 and 6 and its associated Trust Khodiyar, but also to their trustees, directors and management as well as that of its sponsoring entities Reliance Foundation and Reliance Industries. If any investigative, regulatory, enforcement or other authority, or any other person, takes or proposes to take any step inconsistent with the finality recorded herein, respondent Nos. 5 and 6 shall be at liberty to apply to this Court for appropriate directions and reliefs. We are also in agreement with the submission that incorrect and misleading reporting contrary to the orders of this Court cannot be permitted. Insofar as any false, misleading or contrary publication is concerned, it shall be open to respondent Nos. 5 and 6 and the persons protected by this Order to avail such civil, criminal or statutory remedies as may be available in law, including by approaching the appropriate intermediary or platform for removal, disabling of access, correction or other remedial action. Any such intermediary or platform shall consider such complaint in accordance with law, while giving due regard to the SIT Report and the Orders of this Court dated 15.09.2025, 09.03.2026 and the present Order.

In view of the aforesaid, the reliefs sought in the present Miscellaneous Application as crystallized by us in paragraph 3 above are rejected.

19. As indicated by us, we are of the view that certain positive and forward looking directions may be necessary as far as CMA India is concerned. For this, it is necessary to briefly set out a background. The international trade in endangered species of wild fauna and flora is globally regulated by CITES. Species listed in Appendix I to the Convention are species threatened with extinction, in respect of which trade is permitted only in exceptional circumstances and requires both an export permit issued by the Management Authority of the country of export and an import permit issued by the Management Authority of the country of import. Species listed in Appendix II are species not necessarily threatened with extinction but in respect of which trade must be controlled to avoid utilisation incompatible with their survival, and require an export permit but not an import permit. The Convention is administered through the Conference of the Parties, the Standing Committee and the Secretariat at Geneva. The CITES Secretariat issued agenda document SC79 Document 6.3.4, which was duly placed before the 79th Meeting of the Standing Committee at Samarkand on 23.11.2025. While we have declined relief against respondent Nos. 5 and 6, we are conscious that the CITES Secretariat at Geneva has, made certain forward-looking recommendations for the strengthening of India's CITES enforcement framework in respect of imports of Appendix I-listed species. To give effect to the said forward-looking recommendations on a strictly prospective basis, without disturbing the closure of the past, we consider it appropriate to issue the following directions.

20. We accordingly direct as follows:

a. The CMA India, shall open and maintain a direct channel of liaison with the CITES Secretariat at Geneva. The said channel shall be used for the purpose of receiving and implementing the Secretariat's guidance on the formulation of a Standard Operating Procedure governing the issuance of import permits in respect of CITES Appendix I-listed live specimens.

b. The said Standard Operating Procedure shall be drafted by the CMA India in consultation with and to the satisfaction of the CITES Secretariat at Geneva.

c. Pending the finalisation of the said Standard Operating Procedure to the satisfaction of the Secretariat at Geneva, the CMA India shall seek, receive and act upon the guidance of the Secretariat in respect of all proposed imports by private entities of Appendix I-listed species into India. This shall not apply to the Government or any Government owned or controlled entity.

d. The Standard Operating Procedure shall be placed before this Court. Upon examination of the same, the Court may consider passing directions, if required or if necessary. CMA India is requested to complete this process within a reasonable period and preferably within 3 months from the date of receipt of this Order, excluding time taken in co-ordinating/corresponding with the CITES Secretariat in this regard.

e. The Registry shall furnish a copy of this Order to the CMA India, through the respondent No.1 – Union of India. The CMA India shall furnish a copy of this Order to the CITES Secretariat at Geneva.

21. List the matter as ***part heard*** for directions after the Standard Operating Procedure is placed on record before this Court.

.....J.
(PRASHANT KUMAR MISHRA)

.....J.
(N.V. ANJARIA)

NEW DELHI;
MAY 27, 2026.