NEWS FLASH

IMPORT, CARVING AND SALE OF AFRICAN IVORY BANNED

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On May 22, 1992, the Delhi High Court Vacated a stay order obtained by a number of dealers in African Ivory. The Indian government had banned the import of ivory and sale of articles made from imported ivory with effect from April 2, 1992. The dealers had moved a writ petition in the Delhi High Court against the Government of India and had obtained a stay against the ban. There was widespread apprehension that the small stock of African Ivory with these dealers (CITES had banned imports of raw African ivory two years ago) was being used as a cover for carving illegally obtained Indian ivory. Many of these dealers had shown little or no sale of ivory carvings in their periodic returns, yet their business seemed none the worse for it. The sale of Asian elephant ivory and carvings is already banned. In a similar case earlier, traders in furs, skins and other wildlife products had obtained a stay order nearly five years ago, and have been carrying on their trade under protection of the stay. The intervention petition to the Delhi High Court of WWF INDIA has been admitted, and will be heard in July 1992.

Fearing a similar stay in the ivory case, WWF INDIA moved an intervention petition in the Delhi High Court. Mr Ram Panjwani - a senior advocate of the Supreme Court and the Delhi High Court - agreed to take up the WWF INDIA petition for a small fee. He had been a freedom fighter, and had also served as the Advocate General of India for many years. After a doggedly fought battle in court, Mr Panjwani and the government lawyer Mr Lokur defended the case tooth and nail. A two judge bench vacated the stay order with immediate effect. From May 23, 1992, under the ban no imported ivory or articles carved from it can be displayed in commercial establishments, or sold, or transferred. The dealers have been given 30 days to obtain certificates of ownership from wildlife authorities which will enable them to keep those articles currently in their possession as personal property.

