

SC gives split verdict on pleas challenging environmental release of GM Mustard

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Synopsis

The Supreme Court issued a split verdict on the Centre's 2022 decisions regarding the environmental release of mustard hybrid DMH-11. Justices Nagarathna and Karol heard pleas challenging the GEAC's recommendations and subsequent approvals. They differed on the issue, with Justice Nagarathna calling the decisions invalid due to procedural issues, and Justice Karol supporting field trials conducted with strict safeguards.



The [Supreme Court](#) on Tuesday gave a [split verdict](#) on the validity of the Centre's 2022 decisions on the [environmental release](#) of mustard hybrid DMH-11 for seed production and testing. A bench of Justices B V Nagarathna and Sanjay Karol heard pleas challenging the October 18, 2022, decision of the GEAC -- the country's regulator for genetically modified organisms -- recommending environment release and the subsequent decision on October 25, approving the environmental release of transgenic mustard hybrid DMH-11.

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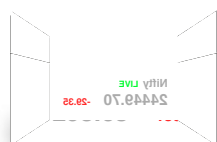
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After hearing the pleas, the bench gave a divergent opinion.

The bench directed the issue to be placed before the Chief Justice of India D Y Chandrachud for adjudication by the appropriate bench.



However, both the judges were unanimous in directing the Centre to formulate a national policy on Genetically Modified (GM) crops.

The bench directed that the environment ministry will undertake a consultation process with all the stakeholders and experts, preferably in four months before formulating a national policy on GM crops.

On the environmental release of GM crops, Justice Nagarathna said the October 18 and 25, 2022, decisions of the Genetic Engineering Appraisal Committee (GEAC) were vitiated as there was no member from the health department in the meeting and altogether eight members were absent.

Justice Karol on the other hand said the GEAC decisions do not suffer from any manifest arbitrariness and are not vitiated.

He said [field trials](#) of the environmental release of [GM Mustard](#) must be conducted with strict safeguards.

The top court passed the verdict on separate pleas by activist Aruna Rodrigues and NGO 'Gene Campaign' seeking a moratorium on the release of any genetically modified organisms (GMOs) into the environment pending a comprehensive, transparent and rigorous biosafety protocol in public domain conducted by independent expert bodies.

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