

ITEM NO.1501
(For Judgment)

COURT NO.11

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 115/2004

GENE CAMPAIGN . & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(HEARD BY:- HON. B.V. NAGARATHNA & HON. SANJAY KAROL, JJ
IA No. 191327/2022 - EXEMPTION FROM FILING O.T.
IA No. 191325/2022 - INTERVENTION APPLICATION
IA No. 168600/2022 - INTERVENTION/IMPLEADMENT)

WITH

W.P. (C) No. 260/2005 (PIL-W)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 122182/2021
IA No. 47/2016 - APPLICATION FOR DIRECTIONS
IA No. 122182/2021 - APPROPRIATE ORDERS/DIRECTIONS)

CONMT.PET. (C) No. 295/2007 in W.P. (C) No. 260/2005 (PIL-W)

CONMT.PET. (C) No. 6/2016 in W.P. (C) No. 260/2005 (PIL-W)
(FOR ADMISSION)

W.P. (C) No. 840/2016 (PIL-W)
(FOR ON IA 1/2016
IA No. 185604/2022 - APPROPRIATE ORDERS/DIRECTIONS)

C.A. No. 4086/2006 (XVII)

Date : 23-07-2024 These matters were called on for pronouncement of judgment today.

For Parties

Mr. V. Shyamohan, AOR
Mr. Priyam Cherian, Adv.
Ms. Anshika Bajpai, Adv.
Mr. Akshat Gogna, Adv.

Mr. Prashant Bhushan, AOR
Mr. Rahul Gupta, Adv.
Ms. Alice Raj, Adv.
Ms. Ria Yadav, Adv.
Ms. Ananya Kumar, Adv.

Mr. Sanjay Parikh, Sr. Adv.
Ms. Aparna Bhat, AOR
Ms. Karishma Maria, Adv.

Mrs. Anil Katiyar, AOR

Applicant-in-person, AOR

contd..

Ms. Sunita Singh Chauhan, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Amit Kumar Chawla, Adv.
Mr. Virendra Mohan, Adv.
Ms. Niharika, Adv.
Ms. Manisha Chawla, Adv.
Mr. Anil Kumar Mishra-i, AOR
Mr. Supantha Sinha, Adv.
Mr. Ankit Dhawan, Adv.
Mr. Aditya Jain -i, Adv.

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Ms. Manisha Chava, Adv.
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Mr. Nitin Chowdhary Pavuluri, Adv.
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Mr. Prashant Pakhare, Adv.
Mr. Shagun Ruhil, Adv.
Mr. Tirupati Gaurav Shahi, Adv.
Ms. Neetu Jain, Adv.

Mr. Amrish Kumar, AOR

Mrs. D. Bharathi Reddy, AOR
Mr. D.Rama Krishna Reddy, Adv.
Mr. Nishant Sharma, Adv.

Mr. Bonny Mehra , AOR
Mr. Dhruv Dwivedi, Adv.
Mr. Kushal Sharma, Adv.

Mr. Ravindra Sadanand Chingale, AOR
Dr. Ravindra Chingale, Adv.
Mr. Ashish Sonawane, Adv.
Ms. Sumbul Ausaf, Adv.

Dr. N. Visakamurthy, AOR

Mr. Pranav Sachdeva, AOR
Mr. Jatin Bhardwaj, Adv.
Mr. Abhay Nair, Adv.

contd..

Hon'ble Mrs. Justice B.V. Nagarathna and Hon'ble Mr. Justice Sanjay Karol pronounced their separate reportable judgments of the Bench comprising Their Lordships.

The Operative portion of the judgment reads as under -

"1. On the following aspects, there is consensus on the Bench:

That Judicial Review of the decision taken by the bodies concerned in the matter of GMOs is permissible.

2. We issue the following directions:

- i. The respondent-Union of India is directed to evolve a National Policy with regard to GM crops in the realm of research, cultivation, trade and commerce in the country. The said National Policy shall be formulated in consultation with all stakeholders, such as, experts in the field of agriculture, biotechnology, State Governments, representatives of the farmers, etc. The National Policy to be formulated shall be given due publicity.
- ii. For the aforesaid purpose, the MoEF&CC shall conduct a national consultation, preferably within the next four months, with the aim of formulating the National Policy on GM crops. The State Governments shall be involved in evolving the National Policy on GM crops.
- iii. Respondent - Union of India must ensure that all credentials and past records of any expert who participates in the decision-making process should be scrupulously verified and conflict of interest, if any, should be declared and suitably mitigated by ensuring representation to wide range of interests. Rules in this regard may be formulated having a statutory force.

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iv. In the matter of importing of GM food and more particularly GM edible oil, the respondent shall comply with the requirements of Section 23 of FSSA, 2006, which deals with packaging and labelling of foods.

3. Having regard to the difference of opinion expressed by us on the decision of the GEAC and MoEF granting conditional approval for environmental release of DMH-11, the Registry shall place the matter before Hon'ble the Chief Justice of India for constituting an appropriate Bench to consider the said aspect afresh.

(NEETU SACHDEVA)
Assistant Registrar-cum-PS

(MALEKAR NAGARAJ)
Court Master (NSH)

(Two signed reportable judgments and one order are placed on the file)