

# PRASHANT BHUSHAN

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**CHAMBER**

301, NEW LAWYERS CHAMBER  
SUPREME COURT OF INDIA  
NEW DELHI

12.05.2019

To,

Dr. Harsh Vardhan  
Ministry of Environment & Forest and Climate Change  
Paryavaran Bhavan  
Lodhi Road  
New Delhi-110003

Sub: Illegal sale and cultivation of Bt. Brinjal in Haryana in contravention of the "Indefinite Moratorium" on commercial release of Bt. Brinjal imposed by the Ministry of Environment & Forest and Climate Change

Sir,

1. I draw your attention to the above matters with a deep and continuing disquiet at the failure of the regulatory bodies under the Ministry of Environment & Forests in implementing the National Laws of the country on Biosafety and Biodiversity when it comes to Genetically Modified Organisms (GMOs).

2. In the fourteen years since the filing of a PIL (Aruna Rodrigues v Union of India) for a moratorium on GMOs in 2005, there has been a disregard for the most basic norms governing the regulation of GMOs in India. Consider that:

- (i) In 2002, Bt.Cotton was given commercial approval as a *de jure* regulatory response in order to legalise largescale illegal planting in Gujarat, which the GEAC would not or could not control;
- (ii) In 2009, Petitioner, Aruna Rodrigues informed the Genetic Engineering Appraisal Committee (GEAC) of largescale illegal planting of Ht.Cotton —also in Gujarat— recorded in the Minutes of the GEAC's 95<sup>th</sup> Meeting in 2009. In the ensuing ten years, nothing has been done to stop Ht.Cotton. It continues to flourish spreading to other States on commercial scale with tacit regulatory approval; &
- (iii) There is a pending application in the above mentioned petition detailing gross illegalities and their consequences with regard to illegal HT Soy and the import of viable GMO seeds of several crops. Further, the import of processed