

## **GMOs in Supreme Court: A colossal waste of judiciary's time!**

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*The current GMO cases pending in the Supreme Court is nothing more than an issue of governance and administration and has nothing to do with public safety.*

In a country where courts are clogged with pending cases that would take another decade or more just to clear the backlog, there is a bunch of urban NGOs wallowing in urban luxuries filing public interest litigations---ostensibly to save the public from the dangers of hapless GM crops. It is unconscionable that some of these NGOs waste so much of court's time on GMO non-issues just to keep themselves in the news, and show their paymasters that they are doing something to rid India of GMOs. This is nothing but a travesty of scientific truths and a public farce.

The current GMO cases pending in India's Supreme Court only shows the frustration of the activist groups who have not succeeded much in stopping this technology deployment in the country. It is literally, much hullabaloo about nothing. This has only increased the resolve of the authorities to press ahead with the implementation of the GMO technology. Just recently, the Indian Council of Agricultural Research (ICAR) strongly recommended the use of herbicide tolerant GM crops, and simply dismissed the concerns of the activists stating: there is no scientific basis to be worried about the so-called "super weeds". Well done, ICAR! If one sticks to facts of science and the empirical evidence, then there is no case for opposing GM crops.

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Now, President the Scientific Bodies of the country would come forward and submit their briefs, there is no doubt the honorable court will dismiss all these frivolous cases. Unfortunately, it is the inaction of the scientific bodies of the country and the lack of a strong and honest government that has left civil society with no other option but to approach the courts, be it the case of GMOs or many other life and death issues of the citizenry.

Let us examine the points of one of the farcical cases in which it is charged that releasing GMOs threaten the country side and the environment; leads to the contamination of food chain, and affect biodiversity in an irreversible manner; that inadequate tests are conducted before permitting commercialization of GMOs; the concept of "substantial equivalence" and "generally regarded as safe (GRAS)" have been used erroneously to determine the safety of GM foods; that the "transfection" event used to generate GMOs cause unpredictable changes in gene expression, and are different from those produced by conventional breeding; that they want GEAC to be restrained from allowing the importation of any commodity or product until it is labeled GM free; they accuse GEAC of filibustering with irrelevant technical data, and the rant goes on... You get the drift.

One wonders who really is bamboozling the courts with all that unadulterated scientific nonsense!

Now, these petitioners quote scientific experts like Prof. Seralini whose recent research interpretation of the MON 810 data was completely rejected by a new scientific panel of the European Food Safety Authority (EFSA). Prof. Seralini is paid piper giving out interpretations according to his paymaster, the Greenpeace. It is amazing that the petitioners don't seem to have even the high school knowledge of how cotton-seed oil is made, and what it contains. The world over, it has been established that extracted oils are completely free of proteins and nucleic acids, and completely inert. The world-renowned scientist who the petitioners consider independent and stands to gain nothing in offering his expert opinion is Dr Arpad Pusztai who was fired for his inept scientific findings of the effect of GM potatoes on rats. UK's Royal Society's panel completely repudiated his findings and he stands aggrieved today that his long scientific career was brought to an abrupt halt. He has an axe to grind against the scientific establishment, and the industry for his stymied career and disrepute. Prof. Dave Schubert has no standing in the field of crop biotechnology at all, and whose ranting is not paid any attention by any respectable group of scientists in the world. Likewise, many scientists quoted in support of their case like Kiran Shakkari, Abdul Qayoom, Gurian Sherman, Paul Foster, Jeremy Smith, Irina Ermakova and many more are well-known GMO baiters, and are on the list of who's who in the anti-GMO circles. Kiran Shakkari and Abdul Qayoom hardly qualify as scientists who are paid employees of one of the petitioners in the case. They have never published anything credible in the mainstream peer reviewed journals.

For those who may not be aware of the kind of circus the anti-GM lobby is playing around the world, there is not a day when they don't find an utterance or an opinion against GM crops in some remote publication, and broadcast it through their networks, and the Indian anti-GM lobby picks them up and bandies it as the ultimate scientific truth. Almost all anti-GM scare stories have been completely discredited by mainstream scientific establishments, competent regulatory authorities, and numerous scientific panels, committees, and thousands of peer reviewed publications that have clearly established the safety and superiority of GM crops which is why their acreage is growing by leaps and bounds around the world. The only GM crop commercialized in India, Bt cotton's acreage even beat that of China which started commercialization years before. These petitioners are really disingenuous in presenting only one side of the story. They have never bothered to read more than 4,000 scientific papers about the safety of GM crops from around the world and opinions of the scientific bodies like the US National Science Academy, the UK's Royal Society, Canadian Royal Society, Brazilian Science Academy, New Zealand Scientific Authority, Australian Academy of Sciences, and not to speak of India's own National Academy of Sciences. Suppressing information that is not supportive of their beliefs is wanton mischief, and a deliberate attempt to mislead the courts.

The entire case of petitioners running to some one hundred pages is full of innuendos, scientifically baseless charges, quoting discredited scientific information and scientists to deliberately mislead the court. Their level of understanding of modern biotechnology is best exemplified in their use of the term "transfection" to mean "transformation". This may sound like nit picking of a scientific jargon, but it underscores how scientific ignoramuses keep harping on biosafety and environmental impacts of GMOs about which they know next to nothing. You can now figure out how little even their attorney understands. The entire petition reeks of terse prose of unreadable English and Indian legalese. The petitioners have wantonly suppressed or ignored the thousands of peer reviewed scientific publications about the safety of GM crops to humans, animals, and the environment, and most certainly ignored the views and opinions of prestigious scientific bodies from around the world. If a smart lawyer for the respondents were to be equipped with all the pertinent scientific data and information that is freely available, this case could have been dismissed out of hand. There is sufficient and credible information to blow away the entire case into smithereens. It is amazing that such a case has been festering in the court for so long. Unfortunately, there is not much evidence that the respondent lawyer was given all the information needed to blow away this baseless case. With respect to GEAC permitting importation of processed food items, and food derivatives like oil and fats from GM crops, it is a perfectly scientific decision as all of them are inert and none of them contain a shred of nucleic acids (genes) and are incapable of reproduction. It is scientifically ridiculous to suggest they endanger public health, as there is no evidence for it.

It is time to educate the judiciary and the bar about the latest developments in the fast developing world of modern science and technologies as they will be arbitrating more and more on such cases in the emerging world of modern technologies. I wonder if someone can file a case against people who wantonly mislead courts in India, and perjure themselves.

What is playing around the world in the global debate on GMOs is what is now being described as "contested knowledge"- where the mainstream science is being challenged by some maverick scientists who bear some kind of grudge or animosity against the establishment around the world. There is such a group of biosafety experts of GMOs in India as well, created by the "GMO-Free India" campaign. Almost all of them are retired scientists and seem to be clueless about modern biotechnology, for such a thing did not even exist when they were "active" in science. Modern biotechnology is such a happening field of science that even for practitioners, on a daily basis, if they miss reading a new issue of a journal they would find it difficult to catch up after that. It is really sad that the anti-GM lobbies in India made up of urban NGOs keep propagating the common urban myths about biotechnology, and prevent ushering scientific and technological development, which is the crying need of agriculture in India.

The scientific community and the scientific bodies of India must come out of their shell and bust all these myths about modern biotechnology, and assist the authorities in bringing about technological revolution in India's development. They must intervene for a good cause. Ignorance and lack of understanding or lack of proper and credible information never stopped the anti-GM lobby from getting involved to become a public nuisance, but somehow Indian scientists and the scientific establishment shy away from doing what is right for the nation. The Indian scientific establishment must become active and reach out to the media and the public to create awareness and educate them.