

GM Mustard: Call to Improve Our Inadequate Regulatory Framework



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Lead Essay

GM Mustard: Call to Improve Our Inadequate Regulatory Framework

Commercialisation of genetically modified food crops has been a contentious issue in India. The supporters of this technology consider its advent inevitable for achieving food security while its detractors believe this to be a false claim. The Genetic Engineering Appraisal Committee (GEAC), India's regulator for genetically modified organism, recently approved commercial production of genetically modified (GM) mustard. As a final approval from the Union Minister of Environment, Forest and Climate Change is all that is left to make mustard the first commercial GM food crop in India, the debate in this regard has intensified.

Arguments in Support and Against GM Mustard

The new GM mustard variety DMH 11 was being developed by Dr. Deepak Pental, former head of Delhi University's Centre for Genetic Manipulation of Crop Plants, since almost 14 years.ⁱ The National Dairy Development Board (the largest producer and supplier of Dhara brand oil in India) and Department of Biotechnology under the Union government have entirely funded this project spearheaded by an Indian from a public university. Citing GM mustard as a 'swadeshi' crop a strong case is being made to support its introduction. Since there is no motive for profiteering by a private company - as was the case with Monsanto and Bt cotton - this transgenic variety of mustard is seen as a boon. As India currently imports more than 50 percent of edible oil it is predicted that GM mustard will result in a success similar to that of Bt cotton where a higher crop yield resulted in India being an exporter of cotton from a net importer.

This argument has been heavily contested by anti-GM groups. They point out that DMH-11 is not the last resort to hike mustard production. Between 1986 and 1994 India boosted edible-oil production through policies that favoured farmers thus initiating the 'yellow revolution.' It has also been argued that India has never faced low productivity of the mustard crop and deficit from edible oil imports cannot be set off by commercialisation of GM mustard without any attempt at raising the import tariff.ⁱⁱ Devinder Sharma, a distinguished food and trade policy analyst, asserts that a rise in import bill for edible oil has occurred due to a flawed import-export policy rather than a shortfall in domestic production of mustard. He also refutes that GM mustard will increase the productivity by 20-25 percent as 'there is no known gene (or a cluster of genes) that can increase productivity.'ⁱⁱⁱ Further, Bt cotton is the only other GM crop that is commercially produced in India and even its success has been found to be 'overemphasised'^{iv} - it has been a success in irrigated areas and failed in rain-fed areas which comprise of two-thirds of cotton growing areas and moreover pests have already developed resistance to Bt protein. Interestingly, more than \$15 billion was spent on agricultural subsidies in 2011 in the United States of America, almost 70 percent of which go to farmers of two GM crops - corn and cotton, leaving us questioning the need for such subsidies if GM technology produces infallible benefits.^v If policymakers in India intended to cite the USA as a flourishing example of commercialisation of GM crops, the same would not be enough.

Need for an Independent Regulator

In this current debate on the desirability of consuming a transgenic variety of mustard, the stakes are high as the fate of GM mustard holds key to what extent agriculture in India can be revolutionised through biotechnology. It would be unwise to blindly accept GM food crops under the pretext of improving food security given our past experiences with Bt cotton. Only 20 of the almost 200 countries in the world use GM crops and/or food of which US accounts for two-thirds. Only recently a majority of European nations voted against introduction GM crops. However, considerable time and money have been invested by government and researchers in developing biotechnology, their efforts cannot be ignored without due process.

The Supreme Court is hearing a petition filed by environmentalist Aruna Rodrigues which seeks a moratorium on the release of any genetically modified organisms (GMOs) into the environment pending a comprehensive, transparent and rigorous bio safety review conducted by agencies of independent expert bodies and the results of which are to be made public.^{vi} During the course of hearing the Centre gave an assurance to the Court that it would not commercially release mustard without the Court's approval. If prior experience is any evidence the judiciary may be condemned for interfering in policy matters - in this case introduction of GM food crops in agriculture - and the impending start of rabi season could be used to expedite the approval of GM mustard by the MoEFCC.

It has been pointed out that the Ministry of Environment and Forests and climate Change (MoEFCC) and its regulators continue to work in an opaque and secretive manner despite previous Supreme Court and Central Information Commission orders to ensure transparency.^{vii} While the previous UPA government gave state governments the power to veto transgenic-crop field trials there has been a change of course. It has been reported that the present government has been in an aggressive pursuit of introducing GM

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crops on a large scale - 21 new varieties of GM crops such as rice, wheat, maize and cotton have been approved for field trials by the present government. As many States are ruled by the BJP led central government, getting approval for field trials of GM crops is no longer a roadblock.^{viii} Considering that the GMO approval system is heavily politicized in India^{ix}, an independent regulator and allowing for scrutiny of the entire procedure by the public will ensure a fair decision is taken by the government.

Way Forward

The BJP in its election manifesto (2014) declared that - Genetically Modified (GM) foods will not be allowed without full scientific evaluation on its long-term effects on soil, production and biological impact on consumers. It is time that the BJP led Central government acted on this promise. It is clear that Prime Minister Modi is a supporter of GM crops and the promise that the biotechnology industry holds for boosting farm yields, farmer's earnings and exports will most likely be capitalized on by his government.

If GM mustard is approved for commercial production it will be the first such food crop in India thereby forming a gateway for many more transgenic varieties of food crops to be introduced. We need to be wary of the larger risks associated with GM mustard pertaining to the adverse impact on the health of humans and animals and biodiversity. Whether introduction of GM mustard is pivotal to increasing productivity of edible oil – as the present government wants us to believe - is in want of a more careful assessment. For an impartial assessment of this alteration of our food chain it is necessary that the primary data from the field trials are shared and there is no ambiguity in the procedure for approval of GM mustard.

For sensitive decision making on introduction of GM mustard and other such food crops in the future is not usurped by populist goals it is imperative that the regulatory mechanism for approval of GMOs is given a statutory backing it currently lacks. Under the present framework primarily two bodies- GEAC and the Review Committee on Genetic Manipulation (RCGM) – approve and regulate GMOs. The inadequacy of this framework was pointed out by the Standing Committee in its 37th report (2012) on 'Cultivation of Genetically Modified Food Crops – Prospects and Effects.' Some of the short comings discovered by the Committee were^x -

- i. Mandatory consultation with State governments is not required under the present scheme of regulation
- ii. GEAC and RCGM suffer from poor organisational set up and lack oversight regarding their decisions
- iii. GEAC has not complied with international treaties
- iv. Lack of an overarching legislation on bio safety to ensure that biotechnology is introduced without compromising the safety of biodiversity, human and livestock health, and environmental protection

For some time now policymakers have been contemplating the statutory creation of biotechnology regulatory authority. Past legislative efforts for the same did not translate into passing of a law. It has become urgent for the legislature to revisit the exercise of drafting a bill to regulate the biotechnology and assuage looming concerns around bio safety. Improving on the previous drafts the present government needs to initiate a tripartite dialogue among the biologists/biotechnologists, the so called anti-GM groups and the farmers. Through such a discussion the proposed law designating an appropriate regulatory mechanism would be a robust legislation, unmarred by implementation failures, exploring the potential of agriculture to be revolutionized by technology while prioritising bio safety.

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ⁱⁱ 'GM Mustard: India Gearing up for being the Biggest Dustbin for Risky, Harmful Tech', The Business Standard, May 16, 2017 Available at: http://www.business-standard.com/article/economy-policy/gm-mustard-india-gearing-up-to-be-biggest-dustbin-for-risky-harmful-tech-117051600321_1.html Accessed on 20.05.2017

ⁱⁱⁱ Devinder Sharma, 'Why Does India Need GM Mustard at all?', January 20, 2016 Available at: <http://devinder-sharma.blogspot.in/2016/01/why-does-india-need-gm-mustard-at-all.html> Accessed on 22.05.2017

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^v Shaheen Contractor, 'GM Crops: No Panacea', The Economic and Political Weekly (Volume No. 47), December 15, 2012

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Available at: <https://geneticliteracyproject.org/2016/09/26/indias-gmo-cotton-miracle-food-crops-remain-blocked-heres/>

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^x 'Are Genetically Modified Crops Safe Enough?', The PRS Blog, October 15, 2012 Available at:

<http://www.prsindia.org/theprsblog/?tag=geac> Accessed on 21.05.2017

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Headline

From Kulbhushan Jadhav to Kashmir ‘Human Shield’, It’s Time to Realise International Law Matters

(Siddharth Varadrajan, *The Wire*, 21 May, 2017)

Jadhav and Dar may lie at two ends of the political spectrum but the fact is that the Indian government has never taken international law and its institutions and obligations very seriously. If anything, the Indian state – and the commentariat at large – have traditionally been suspicious of international law, regarding it as some sort of a trap. Beyond the temporary reprieve it granted to Jadhav, the ICJ’s decision to accept India’s request for provisional measures in the case is significant because it has finally opened the door to a national debate on the place of international law and international humanitarian law in Indian policymaking.

Read More: <https://thewire.in/137742/icj-india-kulbhushan-jadhav-human-shield-kashmir/>.

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Economy

How India Eats: The class structure of food consumption in India

(*Livemint*, May 16, 2017)

We all know that ours is a very unequal society. The gulf between the rich and the poor in terms of wealth and incomes is enormous. Inequality is also very wide in consumption of luxury goods. But is consumption of food too very unequal? After all, there's a limit to how much a person can eat.

Read More: <http://www.livemint.com/Opinion/cQbHitMzcHDAEnQVHLPtHP/How-India-Eats-The-class-structure-of-food-consumption-in-I.html>

Date Accessed: 22.05.2017

Labour laws have to be calibrated away from job protection towards job creation

(*Rituparna Chakraborty, Financial Express*, May 18, 2017)

Two stakeholders figure prominently in every conversation over employment in India—industry and the youth. We have a million youth entering the workforce every month, and that is how it is going to be for the next two decades. Hence, every policy decision needs to consider the impact on employers and the youth. It is imperative to think of every agent of transformation that enables the youth in finding jobs of dignity, and not just any job. Over the last decade-and-a-half, organised temporary staffing in India has made its case by providing millions of youth a path to a better life. It has reduced unemployment as well as underemployment and has crafted a distinct space for itself as the country's employment liquidity provider. It has enabled job-market outsiders like retired professionals, married women, college drop-outs in accessing the organised workforce.

Read More: <http://www.financialexpress.com/opinion/labour-laws-have-to-be-calibrated-away-from-job-protection-towards-job-creation/673825/>

Date Accessed: 22.05.2017

From war protestors to labour activism: India's first IT workers union is being formed in Tamil Nadu

(*Vinita Govindarajan, The Scroll.in*, May 22, 2017)

In 2008, as Tamil Nadu erupted in angry protests against the killings of Sri Lankan Tamils during that country's civil war, a group of young software professionals in Chennai's Tidel Park banded together to form a human chain. "Stop the War, Save Tamils" was their demand – a slogan that featured on posters, T-shirts and Orkut posts.

Read More: <https://scroll.in/article/838147/from-war-protestors-to-labour-activism-indias-first-it-workers-union-is-being-formed-in-tamil-nadu>

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Missing the coastal growth opportunity

(*Rohan Shridhar, Live Mint*, May 22, 2017)

India has a significantly large coastline measuring close to 7,517km, covering large swathes of territory across nine states and four union territories. The total population of all the coastal districts in India is around 171 million, which makes up 14.2% of India's population. Contrasting this with China, where the coastal population stood at 590 million in 2010, roughly half the population of the country, India's coastal regions have witnessed tepid growth in terms of size and economy.

Burdensome laws, accompanied by the onerous rules and regulations they impose, restrict economic activity in the entire country. The coastal regions suffer from the additional liability of having to comply with far-fetched coast protection norms originating under the Environment (Protection) Act (EPA).

Read More: <http://www.livemint.com/Opinion/z1S62cSOHlyTLw3DljD6oI/Missing-the-coastal-growth-opportunity.html>

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Time to ask bankers tough questions

(*Live Mint*, May 22, 2017)

YES Bank revealed in its annual report, released earlier this month, that its estimate of bad loans was far lower than what an audit by the Reserve Bank of India had estimated. The gap was a huge Rs 4,176 crore. Analysts say that two other private sector banks—

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Axis Bank and ICICI Bank—admitted in conference calls that they too have accounted for fewer bad loans than the central bank auditors believe they should.

It is useful to remember that it was the banking regulator that forced lenders to recognize the mess in the books. The banks themselves would have preferred to keep the sunlight out.

Read More: <http://www.livemint.com/Opinion/VmyawBnOpVEF0NLWRXaiZM/Time-to-ask-bankers-tough-questions.html>

Date Accessed: 22.05.2017

Child labour: State can't afford to be complacent

(Laxmi Ajai Prasanna, *The Times of India*, May 19, 2017)

The state wants to rest on the laurels of having eliminated child labour over the years, despite a spurt in the number of working children during 2001-2014. Officials are however blaming it on the increase in migrant workforce in the state.

Read More: <http://timesofindia.indiatimes.com/city/thiruvananthapuram/child-labour-state-cant-afford-to-be-complacent/articleshow/58748133.cms>

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Governance & Development

SOCIAL AND ECONOMIC EXCLUSION

Jaipur's Meat Sellers Living in Fear After Intimidation, Licence Crackdown

(Shruti Jain, *The Wire*, 20 May 2017)

In the last three weeks, the Jaipur Municipal Corporation (JMC) has sealed approximately 100 meat shops in the city. The closures are apparently because these shops had not renewed their licences – but the owners have alleged that the JMC has not issued any licence renewals since 2016. After spending decades working in the meat business, the owners are confused by the sudden crackdown. “The licences for the year 2016-17 were not issued because a proposal for licence fee increment was under consideration,” Kamlesh Meena, a senior veterinary officer at the JMC, told *The Wire*. Meat shop licences issued by the JMC are valid only for one year. “The renewal process takes almost the whole year. We start applying from April and get the renewal in February, just two months before its expiration. The licence should be renewed for at least five years,” said Abdul Rauf Qureshi, president of the New Jaipur Meat Merchants’ Association.

Read More: <https://thewire.in/137877/jaipur-meat-sellers-crackdown/>.

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EDUCATION

ITIs to be remodelled into formal schools: HRD ministry

(*Livemint*, May 21, 2017)

The Industrial Training Institutes (ITIs), which offer skill education, will soon be developed into formal schools such as those affiliated to the Central Board of Secondary Education (CBSE) and the Indian Certificate for Secondary Education (ICSE) board. The idea is to enable the ITI graduates to pursue regular courses in other schools and colleges.

Read More: <http://www.livemint.com/Education/mfuknqXOHZJD2xy3fGCeIM/ITIs-to-be-remodelled-into-formal-schools-HRD-ministry.html>

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HEALTH

Maternal healthcare expenses push 46.6% mothers in India into poverty: Study

(Devanik Saha, *Hindustan Times*, May 22, 2017)

Maternal healthcare expenses push 46.6% mothers in India into poverty – with the illiterate being especially susceptible – according to this December 2016 study by researchers from Jawaharlal Nehru University and Indian Institute of Technology, Roorkee. The expenses include childbirth, antenatal care and postnatal care expenses.

Read More: <http://www.hindustantimes.com/india-news/maternal-healthcare-expenses-push-46-6-mothers-in-india-into-poverty-study/story-tIM8Fio6iUn3yKRDzB1AOM.html>

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Pharma effluents promoting drug resistance?

(Rohit P.S., *The Hindu*, May 21, 2017)

The pharma industry in Hyderabad is polluting the environment with antimicrobials which in turn may contribute to a rise in drug-resistant infections, a new study published in the journal *Infection* alleges.

Claiming that Indian authorities have not done enough, the study also calls upon European regulators to ensure enforcement of regulations during the manufacturing process.

The crisis of drug resistance is exemplified by the spread of drug-resistant tuberculosis in India and growing concerns of the World Health Organization that the disease could spread to the international community.

Read More: <http://www.thehindu.com/todays-paper/tp-opinion/pharma-effluents-promoting-drug-resistance/article18517592.ece>

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Governance & Development

ENVIRONMENT

Centre to strengthen regulatory mechanism to curb pollution

(*Times of India*, May 22, 2017)

Government would strengthen regulatory mechanisms to control pollutants to ensure that land and sea-based pollution are effectively controlled and the ecosystems were monitored. Fishermen too have promised to ensure that fishing vessels do not contribute to marine pollution.

Read More: <http://timesofindia.indiatimes.com/city/kochi/centre-to-strengthen-regulatory-mechanism-to-curb-pollution/articleshow/58782289.cms>

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An opportunity being drained away

(Prakash Nellyat, *The Hindu*, May 22, 2017)

Each year a specific aspect of water is highlighted while observing International World Water Day (March 22); this year's theme was "wastewater", which is defined as any water that has been adversely affected in quality by anthropogenic influences and as a result of domestic, industrial, commercial and agricultural activities.

India, with 17% of the world's population, 4% of water resources and 2.4% of land area, extracts water significantly for various developmental purposes. Hence, the water flow or storage capacity of water bodies has declined substantially, adversely affecting their waste assimilation/sink functions.

Past experience shows that significant progress has not been achieved despite legislative and policy measures being introduced with huge budgets to solve water pollution issues. Water pollution is not a major topic of political debate as yet.

Read More: <http://www.thehindu.com/opinion/op-ed/an-opportunity-being-drained-away/article18520093.ece>

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AGRICULTURE

Transforming agriculture with e-technology

(*The HansIndia*, May 20, 2017)

Agricultural practices and advancements differ globally—since plants have their own differences and the location plays a role on their development as well. But through the exchange of knowledge from different agriculturally-involved individuals from all over the world, improvement of techniques can be experienced as well. It has made an impact on how information is shared, and being able to use this information for the advancement of the agricultural sector gives a great positive impact that is beneficial for everyone. IT has become a bridge for people from all over the world.

Read More: <http://www.thehansindia.com/posts/index/Civil-Services/2017-05-20/Transforming-agriculture-with-e-technology/301217>

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From plate to plough: An unfulfilled farm manifesto

(Ashok Gulati & Siraj Hussain, *The Indian Express*, May 22, 2017)

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On the completion of three years, we find that while a number of steps have been taken to realise these promises, several others have fallen by the wayside. There is hardly any talk now of ensuring 50 per cent profit to farmers; instead, we are grappling with the new promise of doubling farmers' incomes in five years. The reforms in the food management sector have been almost forgotten. There has been hardly any initiative to try DBT for food subsidy on a large-scale despite the recommendation of the high-level committee under Shanta Kumar.

Read More: <http://indianexpress.com/article/opinion/columns/from-plate-to-plough-an-unfulfilled-farm-manifesto-modi-govt-three-years-nda-flagship-4667169/>

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INDIA AND THE WORLD

EAST AND SOUTHEAST ASIA

China's New Silk Road and the Arctic

(Nengye Liul, The Diplomat, 15 May 2017)

The first Belt and Road Forum for International Cooperation closed in Beijing on May 15. The forum attracted 29 heads of state and government and delivered a series of cooperation agreements. This forum is seen by the Chinese government as a concrete move to revive the ancient Silk Road. The signature foreign policy initiative of Chinese President Xi Jinping, the Belt and Road, is of unprecedented geographical and financial scope.

Against this background, China has been showing strong interest in the resource-rich Arctic. Xi visited Finland before his state visit to the United States in April and stopped by Alaska on the way back to China. Earlier, on March 29, Chinese Vice Premier Wang Yang attended the opening ceremony of the fourth International Arctic Forum in Arkhangelsk, Russia and gave a speech which further elaborates China's Arctic policy objectives. The question, therefore, is whether the Belt and Road Initiative, arguably the largest overseas investment drive ever launched by a single country, will help China achieve its Arctic policy goals.

Read More: <http://thediplomat.com/2017/05/chinas-new-silk-road-and-the-arctic/>.

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Opinions/ Books

OPINIONS

Looking China in the eye

(Shyam Saran, *Indian Express*, 22 May 2017)

The successful conclusion of the Belt and Road Forum (BARF) in Beijing, which India chose to stay away from, has led to a chorus of voices warning that in doing so, India has isolated itself both regionally and globally. With the exception of Bhutan, all the South Asian neighbours of India participated, as did countries India regards as its partners in resisting the Chinese dominance of Asia; these include the US, Japan, Australia and Vietnam. Japan and Vietnam are also countries of South East Asia, which, like India, have territorial disputes with China, but they did not consider those disputes reason enough to stay away. It may also be argued that India itself has not let its territorial disputes with China stand in the way of cooperating with it on matters of mutual interest such as the Asian Infrastructure Investment Bank (AIIB) or the BRICS Development Bank (DB).

Read More: <http://indianexpress.com/article/opinion/columns/one-belt-one-road-looking-china-in-the-eye-4667222/>.

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Learning From Ambedkar

(*Indian Express*, 22 May 2017)

When the Supreme Court delivers its verdict on the contentious triple talaq issue, it would be, perhaps, one of the landmark promulgations in independent India's judicial history. If the SC were to declare triple talaq unconstitutional, it could well open up the path for the institution of a Uniform Civil Code (UCC) — an ideal that has been an important demand of the BJP for a long time. But as the arguments and counter-arguments are meted out in court, it is worth looking back on the years that led to the formulation of the landmark Hindu Code bills. It is pertinent to invoke this incident for two reasons: One, much of our present debate on the UCC and the triple talaq controversy is still under the shadow of that landmark event.

Read More: <http://indianexpress.com/article/opinion/columns/supreme-court-on-triple-talaq-learning-from-b-r-ambedkar-4667223/>.

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