

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO. 1825
TO BE ANSWERED ON- 22.12.2022

Supreme Court order on failure in tackling Biopiracy

1825 SHRI ANEEL PRASAD HEGDE:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether Government is aware of 22.11.2022 Supreme Court Order restoring PIL of Environment Support Group vs National Biodiversity Authority before the Karnataka High Court exposing regulatory failure in tackling Biopiracy and also challenging constitutional validity of Section 40 of Biodiversity Act 2002, if so, whether Government will clarify steps taken to plug loop holes in Biodiversity Act 2002; and
- (b) whether NBA will seek vacation of Supreme Court stay of 11.10.2013 Karnataka High Court order that rejected plea for quashing criminal prosecution of executives of Monsanto et al on grounds of biopiracy in promoting Bt. Brinjal?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) Hon'ble Supreme Court, in the matter of Environment Support Group vs National Biodiversity Authority preferred through S.L.P. No. 7951 of 2014 dated 22.11.2022, has restored the PIL back to its original number requesting Karnataka High Court to consider and decide writ petition itself on merits.

(b) In regard to Karnataka High Court order dated 11.10.2013, the Hon'ble Supreme Court had given the stay upon hearing the S.L.P. No. 539 & 629 of 2014 preferred by University of Agricultural Sciences & others. NBA has filed a detailed counter in S.L.P. No. 539 & 629 of 2014. Subsequently, both the SLPs were converted into Criminal Appeal Nos. 1720 & 1721 of 2015 and are *sub-judice*.
