

GENE CAMPAIGN'S EXPERIENCE WITH THE RTI ACT

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Gene Campaign's experience with the Right To Information Act has been principally with the Ministry of Environment and Forests. This is because we have used this Act to access information on how genetically engineered crops are being regulated, the sort of safety tests being done and the manner in which decisions are taken. So far the Genetic Engineering Approval Committee (GEAC) had consistently refused to answer any questions or provide any data. Now with the use of the RTI, our experience has been that rather than compliance and cooperation, the government's response has been obstructive rather than helpful and the attitude has been to provide as little information as possible.

Information when provided is late and inadequate. Gene campaign has had to approach the Central Information Commission to register its complaints against the Public Authority in the Ministry of environment and forests, which is where the GEAC is located. During our interactions, the response of the Public Authority of the Ministry of Environment and Forests was hostile and high-handed and the Ministry's representatives were ill prepared and more inclined to confront than collaborate.

In response to Gene Campaign's request for information about the data obtained from toxicity and allergenicity tests conducted on genetically engineered crops, the response of the DBT was to deny the data, saying that toxicity and allergenicity data generated on transgenic crops that have yet to get approval for commercial cultivation, are the intellectual property of the applicant and cannot be provided. This is an absurd contention since data that relates to public health and safety cannot be considered confidential and it cannot be withheld from the public. Such data is routinely available from regulatory agencies in other countries where transgenic crops are developed.

When Gene Campaign requested evidence of the rules or laws that state that results of food safety tests are to be kept confidential, no answer was given and no safety data were provided. With the refusal to divulge safety data, the public has no way of finding out whether the crops that GEAC approves are dangerously poisonous, likely to provoke allergies, or safe to eat.

I give below a tabulation showing several instances where the relevant departments of the government have refused to provide the information requested.

Information Sought (Gene Campaign)	Response (GEAC)
<ul style="list-style-type: none">• We wish to inspect all the files, including files notings,	<ul style="list-style-type: none">• Regarding your request for inspecting the files and file

which deal with biosafety testing of Bt Cotton leading to its approval for commercial release. Please intimate date & time when we can come & inspect these files. After inspection we will indicate the documents whose photocopies we want.

- Who has evaluated these tests? Kindly provide copies of evaluation reports of all biosafety parameters.
- Who has evaluated these tests? Kindly provide copies of evaluation reports.
- What are the studies conducted on the effect of the Bt. toxin on soil fertility after harvesting of Bt cotton?
- Kindly provide list of all agencies who have conducted these studies. What are the locations of these studies.
- What are the data obtained from such studies? Kindly provide copies of all data.
- Who has evaluated these tests? Kindly provide copies of evaluation reports.
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noting, we are of the view that the RTI act- 2005 does not include such provision. However, you make like to indicate the provision of the RTI Act under which this request is being made.

- The evaluation report which has been provided doesn't contain biosafety parameters
- No information received on evaluation of studies of Bt toxin on soil microflora
- No information has been provided.
- No information has been provided.
- No information has been provided.
- No information has been provided.
- No information has been provided on the evaluation of studies on food and feed safety tests of Bt cottonseed oil cakes.
- No information has been provided on the evaluation of studies on use of oil derived from Bt cotton.

	<ul style="list-style-type: none">• No information has been provided.
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The right to information Act is one of the strongest indications of India's growing strength and reputation as a democratic country. The RTI Act was developed in a consultative manner during which compromises were made by all sides so as to agree on a legislation that would help to make governance more transparent and accountable. This spirit does not seem to have been accepted by the officials in the government departments which Gene Campaign has dealt with. This is unfortunate. Even more unfortunate is the fact that the bureaucracy is now doing everything within its power to diminish the efficacy of the Act and undo a commendable development that would reduce corruption and improve governance so that the poor who have remained the victims of exploitation since India's independence, can finally get a better deal.

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