**National Press Release – to be released across India**

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**Swarna Bharat Party asks the Modi Government to implement a genuine privacy law**

Mr Sanjay Sonawani, senior leader of Swarna Bharat Party asked the Modi Government to bring forward a genuine privacy bill for India that incorporates all aspects of life and liberty including the right to eat whatever people choose (such as beef), and private matters such as gay sex decriminalised; and to protect citizens from government intrusions.

Swarna Bharat Party is India’s only liberal party. We fight for citizens’ liberty – being the only Indian party to do so. It is amazing that basic issues such as the right to life and liberty (from which privacy derives) are still being debated in India, 70 years after independence. Clearly, India is not even remotely free.

Mr Sonawani noted that rights exist only for *one* purpose: to protect citizens against governments. They are *not* intended to regulate the behaviour and actions of private citizens. The government should not conflate privacy law with actions of private companies. Its focus should be on limiting the coercive powers of government, and limiting government encroachment. Government programs such as Aadhaar (which SBP supports, subject to very significant limitations on its use) need to be tightly restrained and regulated.

Mr Sonawani noted that the Supreme Court has merely reiterated what it has always acknowledged – that the right po Privacy is an assumed right under Article 21 of the Constitution. In 25 out of 27 cases, the Supreme Court has already acknowledged that privacy is a fundamental right.

The Supreme Court has chosen not to define privacy in its recent judgement. It is now up to the Modi Government to define this and make relevant laws. It is being widely assumed that section 377 of the IPC (regarding criminalisation of gay sex) and laws limiting beef consumption will now come to an end. However, SBP cautions the country from assuming too much. This is going to depend on whether the government will define privacy in its true sense or restrict liberty and private property rights on false pretexts – as it has always done.

The BJP government has been anti-privacy all along. In its recent affidavit it said that citizens do not have the Constitutional right to privacy. The UPA government's Right to Privacy Bill in 2011 had many shortcomings. SBP is greatly concerned that the BJP government wants to dilute privacy rights, citing concerns regarding security, morale and defamation.

Mr Sonawani said that the battle for liberty and privacy has only begun. It is far from over. Unless laws are made in the true spirit of liberty, private property and privacy, a challenge will need to be launched constitutional grounds against a range of laws such as on food choices and gay sex. SBP’s manifesto lays out a roadmap for liberty in a country that today ranks close to the bottom of the world on almost all indicators of liberty. Mr Sonawani asked the people of India to fight for their liberty.

**Notes for Editors**

SBP is India’s only liberal party, committed to defending liberty and promoting prosperity.

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