



Swarna Bharat Party

LIBERTY FIRST

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On 30 January 2021, Sh Pankaj Das, President of Swarna Bharat Party (SBP), India's only liberal party, lodged a detailed submission with the Supreme Court Committee on Farm Laws.

The submission, available at <http://swarnabharat.in/farmers>, notes that Sh. Sharad Joshi, the founder of Shetkari Sanghatana, had documented the negative subsidy received by Indian farmers. India's governments have systematically sucked the blood of our farmers since independence.

SBP considers that the 2020 farm laws are a major step forward in liberating India's farmers from bondage to socialist controls that have attacked their basic freedom of occupation and property rights.

However, our party agrees with the agitating farmers that these laws have not adequately considered their concerns during the legislative process. There are significant shortcomings in the way these laws have been made without prior discussion with farmers or even within the Parliament.

Having effectively accepted a freeze of 18 months on the laws, it is best that the Modi Government repeal the farm laws and re-start the process by preparing a White Paper. But even if the Modi Government chooses not to repeal the laws, it should produce a White Paper that provides the rationale for reform including its long-term objectives.

SBP's submission raises significant concerns about the risk that the Supreme Court might inadvertently enter into the policy making space and thereby breach the separation of powers between the Parliament and the Judiciary. We consider that the Court should limit itself to the examination of constitutional and process matters and not engage itself in the merit of the farm policy. The Supreme Court and the Committee on Farm Laws should uphold the primacy of the Parliament in making policy and thus protect the basic structure of the Constitution.

Our party considers that instead of going into details regarding the policy, the Farm Laws Committee can do a great deal of good if it recommends a robust policy process for Indian governments to follow. Such a policy process could include: (a) the necessity of a White Paper for major policy changes, (b) wide consultation with stakeholders, and (c) a policy framework for the design of the underlying policy similar to the 10-point framework used by our party (<https://swarnabharat.in/policyframework>).

Apart from discussing what a good policy process should look like, our party's submission discusses a range of policy issues for consideration in a potential White Paper, as well as policy options to amend these three laws to make them more acceptable to farmers.

Notes for Editors

SBP is India's [only liberal party](#), committed to defending liberty and promoting prosperity.

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