

Overly deferential: On Supreme Court judgment on demonetization

While **upholding** demonetisation, SC failed to **hold** government **accountable**

It is an **oft-repeated** judicial view that courts must **defer to** the elected government's judgment in matters of economic and social policy. Their **interventions** are usually limited to **instances** where **executive** decisions are **palpably arbitrary** or **patently illegal**. **In this backdrop**, it is no surprise that **four of the five judges** on a **Constitution Bench** of the Supreme Court **deferred** to the government's **wisdom** in **dramatically** announcing the move on November 8, 2016 to **demonetise** all ₹500 and ₹1,000 notes that were then **in circulation**. The **scope** of judicial intervention **was** only to **examine** the decision-making process, but the majority has given its **uncritical endorsement** to the process, **terming** it to be free of **flaws**. It has upheld the government's power to demonetise notes without quantitative restrictions and accepted the claim that there was adequate consultation between the Union government, which **initiated** the proposal, and the Reserve Bank of India (RBI). What might seem **distressing** about the majority **verdict** is that it has **made light of** the **enormous suffering** of the people that demonetisation **entailed**. While there are observations that recognise the possibility of **hardship** and that demonetisation may have ultimately been a failure, these are limited by **context** to say neither individual suffering nor errors of judgment can be **cited** to **invalidate** the action.

The majority has **brushed aside substantial** arguments based on **proportionality**, **holding** that demonetisation survives every test for proportionality: there was a **legitimate** purpose (**unearthing** fake currency and **hoarded** wealth and **combating terror funding**), there was a **nexus** between the action and the objectives, and the court did not have the expertise to suggest a less **intrusive** way of achieving these objectives. However, it does not properly **address** the question on whether the **adverse** consequences could have been limited. It is **unfortunate** that the court had nothing **critical** to say about the government failing to **anticipate** the **ruinous** effect of **extinguishing** the value of 86% of available currency on the economy and the **immense miseries** it **heaped** on the population. Justice B.V. Nagarathna's **dissent**, holding the process to be **flawed** and the RBI's approach to be without application of mind, **is** a **consolation** for those who want the courts to **hold those in power to account**. In a larger sense, of course, a judicial **rap** on policy questions **matters** little. But it might give governments **cause** for pause before implementing decisions with **far-reaching** consequences for the people.

[Practice Exercise]

- Red/blue coloring of words in the sentence indicates subject verb relationship; where 'red' denotes 'subject' and 'blue' denotes 'verb'.

Vocabulary

1. **Overly** (adverb) – excessively, too much
अत्यधिक
2. **Deferential** (adjective) – Showing deference; respectful. सम्मानपूर्ण
3. **Demonetization** (noun) – an act of cancelling the legal tender status of a currency unit in circulation. विमुद्रीकरण
4. **Uphold** (verb) – support, endorse, sustain, defend, back बरकरार रखना
5. **Hold accountable** (phrase) – to consider someone responsible for something किसी को जवाबदेह ठहराना
6. **Oft-repeated** (adjective) – repeated often or frequently बार-बार दोहराया जाने वाला
7. **Defer to** (verb) – accept someone's opinion or decision. स्वीकार करना/मानना
8. **Intervention** (noun) – involvement, intercession, interceding, interposing हस्तक्षेप
9. **Instance** (noun) – a particular case घटना
10. **Executive** (adjective) – The executive branch of the government, including the president, the cabinet, and several departments, manages the duties of government and its laws.
11. **Palpably** (adverb) – noticeably or clearly. स्पष्ट रूप से
12. **Arbitrary** (adjective) – illogical, uninformed, capricious, Indiscriminate मनमाना
13. **Patently** (adverb) – clearly; without doubt. साफ़ तौर पर
14. **In this backdrop** (phrase) – in the context of के संदर्भ में
15. **Constitution bench** (noun) – Constitution bench is the name given to the benches of the Supreme Court of India which consist of at least five judges of the court which sit to decide any case “involving a substantial question of law as to the interpretation” of the Constitution of India
16. **Wisdom** (noun) – ability to apply knowledge or experience or understanding or common sense and insight बुद्धिमानी
17. **Dramatically** (adverb) – greatly नाटकीय रूप से
18. **Demontise** (verb) – to officially stop using particular notes or coins, or a particular currency: (मुद्रा का) चलन बंद करना
19. **In circulation** (phrase) – Available to the public; in general use. चलन में
20. **Scope** (noun) – the range of the subject matter that something deals with; extent, limit, area दायरा

21. **Examine** (verb) – inspect, survey, scrutinize, look at, look into जांच करना
22. **Uncritical** (adjective) – not in accordance with the principles of critical analysis. सिद्धांतों के प्रतिकूल
23. **Endorsement** (noun) – support, backing, affirmation समर्थन
24. **Term** (verb) – describe, call, label, designate बताना/ कहना
25. **Flaw** (noun) – fault, defect, blemish, imperfection, shortcoming खामियां, दोष
26. **Initiate** (verb) – start, begin, launch, inaugurate, commence शुरू करना
27. **Distressing** (adjective) – upsetting, worrying, stressful, difficult चिंताजनक
28. **Verdict** (noun) – Decision, adjudication, decree, judgement फैसला
29. **Make light of** (phrase) –treat as unimportant; reduce हल्का करना
30. **Enormous** (adjective) – huge, vast, extensive , immeasurable, limitless भारी
31. **Suffering** (noun) – Pain, anguish, distress, agony, torment, affliction कष्ट
32. **Entail** (verb) – involve (something) as a necessary or inevitable part or consequence. शामिल है
33. **Hardship** (noun) – adversity, trouble, misery, distress, misfortune संकट/कठिनाई
34. **Context** (noun) – perspective, circumstance, condition, setting, milieu संदर्भ
35. **Cite** (verb) –refer to, make reference to, mention, allude to हवाला देना
36. **Invalidate** (verb) – Cancel, overturn, annul, nullify, quash, overthrow अमान्य करना
37. **Brush aside** (phrasal verb) – disregard, ignore, dismiss, pass over, put aside नज़रअंदाज़/ खारिज करना
38. **Substantial** (adjective) – considerable, significant, large, ample पर्याप्त
39. **Proportionality** (noun) – the principle that an action, a punishment, etc. should not be more severe than is necessary
40. **Hold** (verb) – rule, to decide legally निर्णय करना/मानना
41. **Legitimate** (adjective) –legal, lawful, valid, rightful, legitimize वैध, उचित
42. **Unearth** (verb) – uncover, discover, find, reveal, excavate पता लगाना
43. **Hoard** (verb) –accumulate (money); hide or store away, put aside जमा करना
44. **Combat** (verb) – Fight, counter, battle सामना करना

45. **Terror funding** (noun) – the act of providing financial support to terrorists or terrorist organisations to enable them to carry out terrorist acts or to benefit any terrorist.
46. **Nexus** (noun) – connection, link, tie, interconnection सांठगांठ / गठजोड़
47. **Intrusive** (adjective) – being involved in a situation where you are not wanted or do not belong: दखलंदाजी
48. **Address** (verb) – tackle, see to, deal with, confront, grapple with सुलझाना, निपटाना
49. **Adverse** (adjective) – detrimental, negative, disadvantageous, unfavorable, harmful प्रतिकूल
50. **Unfortunate** (adjective) – having or marked by bad fortune; unlucky. दुर्भाग्य
51. **Critical** (adjective) – involving making fair, careful judgements about the good and bad qualities of somebody/something
52. **Anticipate** (verb) – expect, foresee, predict, think likely, forecast पूर्वानुमान करना
53. **Ruinous** (adjective) – harmful, damaging, destructive, costly हानिकारक
54. **Extinguish** (verb) – put an end to; destroy. समाप्त करना
55. **Immense** (adjective) – huge, vast, massive, enormous भारी / बड़ा
56. **Misery** (noun) – a cause or source of great distress; difficulty, problem, adversity संकट
57. **Heap on** (verb) – to put a lot of something on someone (i.e. problems, misery) का ढेर लगाना
58. **Dissent** (noun) – difference of opinion, argument, dispute, demur असहमति
59. **Flawed** (adjective) – Faulty, defective, damaged, blemished, imperfect, inconsistent त्रुटिपूर्ण
60. **Consolation** (noun) – comfort, succor, relief तसल्ली
61. **Hold someone to account** (phrase) – believe that someone is responsible for something. किसी को जवाबदेह ठहराना
62. **Rap** (noun) – a harsh criticism; reprimand फटकार
63. **Cause** (noun) – reason, source, basis कारण
64. **Far-reaching** (adjective) – extensive, comprehensive, sweeping, broad, wide-ranging दूरगामी

Practice Exercise

Direction (Q1 – Q3): Select the best express synonym of the given words [Editorial page]

1. Their interventions are usually limited to instances where executive decisions are palpably arbitrary or patently illegal.
 - A. Animosity
 - B. Hackneyed
 - C. Clearly
 - D. Reportedly

2. The scope of judicial intervention was only to examine the decision-making process, but the majority has given its uncritical endorsement to the process, terming it to be free of flaws.
 - A. Cognizant
 - B. Indiscriminating
 - C. Insidious
 - D. Cursory

3. While there are observations that recognise the possibility of hardship and that demonetisation may have ultimately been a failure, these are limited by context to say neither individual suffering nor errors of judgment can be cited to invalidate the action.
 - A. Infamous
 - B. Inept
 - C. Vapid
 - D. Trouble

4. **Idioms & Phrase**
 Andy's going through a rough patch at the moment - his wife wants a divorce.
 - A. To pay attention to a situation carefully so that you can deal with any changes or problems
 - B. You must not do it because it would cause serious problems for you
 - C. To experience a lot of problems in a period of your life
 - D. To make an unsatisfactory situation as pleasant as possible

5. **Direction: Two statements are given below, which are jumbled in any random order. These statements will form a coherent and meaningful paragraph, when arranged in the correct sequence. Arrange the sentences in the right order and answer the questions that follow.**
 - (i) economy and 'one of America's indispensable partners'.(A)/ focus in the U.S. on strengthening economic ties with Asia's third-largest (B)/ treasury Secretary Janet Yellen's visit to India last week highlights the renewed (C)/
 - (ii) trade and strategic challenges makes (D)/ democracies to deepen their engagement in a way that is mutually beneficial. (E)/ The current global environment with its macroeconomic, (F)/ it all the more compelling for the world's two largest (G)/
 - A. ABC, EFDG
 - B. DGFE, BAC
 - C. BAC, FDEG
 - D. FDGE, CBA
 - E. None of the above

Direction (Q6 – Q9): Read the given sentences to find out whether there is any grammatical error in them

6. The thief escaped (A)/ from the prison two (B)/ days after he were (C)/ arrested by the police. (D)/ No Error. (E)
7. They managed to (A)/ retrieve all the (B)/ deleted e-mails with the (C)/ helping of a new software. (D)/ No Error. (E)
8. She was not a (A)/ good singer but she (B)/ danced better than (C)/ any of us. (D)/No Error. (E)
9. Only the problem was that (A)/ she had submitted (B)/ a photocopy of the document(C)/ instead of the original (D)/ No Error. (E)
10. **Find out the misspelt word**
 - A. Turbulence
 - B. Assassination
 - C. Beleaguered
 - D. Repercussion

Direction: Read the passage given below and answer the following questions.

(The Hindu Editorial: Time to ease norms – Nov 24, 2022)

While the case decline may not be a true reflection of the actual level of infection in the population, given the low level of testing across the country, the test positivity rate and the number of hospitalisations due to moderate to severe COVID-19 disease are at a low level — a far cry from the peak of the second wave in 2021. **(1)**/ As the third winter begins in India after the COVID-19 pandemic began in January 2020, fresh daily infections of the novel coronavirus — there was a small spike in July and August — have been dipping since the third wave peaked in late January 2022. **(2)**/ Daily new cases nationally dropped below the 1,000-mark after November first week, and below 500 in the last four days.**(3)**/ COVID-19 deaths too have been very low, with many States not reporting any for days together; Kerala has been reporting some backlog deaths on certain days but nil fresh deaths on many days. **(4)**/ Nationally, the case fatality rate was 1.19% as of November 22. The situation in India is _____(a)_____ different from what it is like in a few other countries where the daily infections are witnessing a sharp spike. Even the extremely high transmissible Omicron sub-lineages and recombinant lineages have only caused a small spike in fresh cases but no _____(b)_____ increase in hospitalisations or deaths in India.

Given the very low number of cases **(A)**/ and hospitalisations, the situation in **(B)**/ India is not longer **(C)**/ cause for concern. **(D)**/ Even with most businesses and educational institutions back to functioning as in the pre-pandemic days and large gatherings being seen even in poorly ventilated places with almost no voluntary mask wearing, there has been no spike in cases since the peak of the third wave. This makes a strong case to ease any mandatory COVID-appropriate behaviour, masks included. A week ago, India made mask wearing optional for air passengers _____(c)_____ because of the improved ground situation. It is only in hospitals and health-care settings that mask wearing should remain mandatory. The low level of infection notwithstanding, it is advisable that the **vulnerable(A)** population including the **elderly(B)** and those with **comorbidities(C)** at least wear a mask to **reduce(D)** the risk of infection. Long COVID is real and poses a risk even to otherwise healthy people. The virus is evolving, and the **emerging** variants of concern will, by default, be even more

highly transmissible. Their ____ (d) ____ cannot be predicted as transmission happens prior to disease onset and so the selection pressure is for higher transmission and not disease severity.

Fill in the blanks with the most appropriate combinations of words

11. The situation in India is ____ (a) ____ different from what it is like in a few other countries where the daily infections are witnessing a sharp spike

Fill the most appropriate option in (a)

- (i) Allegedly
- (ii) Underlying
- (iii) Vastly
- (iv) Keenly

A. Only (i) B. Only (ii) C. Only (iii) D. Both (ii) and (iv) E. None of the above

12. Even the extremely high transmissible Omicron sub-lineages and recombinant lineages have only caused a small spike in fresh cases but no ____ (b) ____ increase in hospitalisations or deaths in India.

Fill the most appropriate option in (b)

- (i) Merit
- (ii) Concomitant
- (iii) Ecosystem
- (iv) Eminent

A. Only (i) B. Only (ii) C. Only (iv) D. Both (ii) and (iv) E. None of the above

13. A week ago, India made mask wearing optional for air passengers ____ (c) ____ because of the improved ground situation.

Fill the most appropriate option in (c)

- (i) Invariably
- (ii) Precisely
- (iii) Conspicuously
- (iv) Emergence

A. Only (i) B. Only (ii) C. Only (iii) D. Both (i) and (ii) E. None of the above

14. Their ____ (d) ____ cannot be predicted as transmission happens prior to disease onset and so the selection pressure is for higher transmission and not disease severity

Fill the most appropriate option in (d)

- (i) Powerless
- (ii) Composition
- (iii) Lethality
- (iv) Diatribe

A. Only (i) B. Only (iv) C. Only (iii) D. Both (iii) and (ii) E. None of the above

15. The following sentence may or may not contain an error in one of its parts. Identify the part containing the error. If the sentence is correct, select 'No error' as your answers.

Given the very low number of cases (A)/ and hospitalisations, the situation in (B)/ India is not longer (C)/ cause for concern.(D)

- A. (A)
- B. (B)
- C. (C)
- D. (D)
- E. No Error

16. Rearrange the sentence to form a meaningful sentence.

While the case decline may not be a true reflection of the actual level of infection in the population, given the low level of testing across the country, the test positivity rate and the number of hospitalisations due to moderate to severe COVID-19 disease are at a low level — a far cry from the peak of the second wave in 2021. (1)/ As the third winter begins in India after the COVID-19 pandemic began in January 2020, fresh daily infections of the novel coronavirus — there was a small spike in July and August — have been dipping since the third wave peaked in late January 2022. (2)/ Daily new cases nationally dropped below the 1,000-mark after November first week, and below 500 in the last four days.(3)/ COVID-19 deaths too have been very low, with many States not reporting any for days together; Kerala has been reporting some backlog deaths on certain days but nil fresh deaths on many days. (4)/

- A. 2341
- B. 1234
- C. 2314
- D. 2143
- E. 4321

17. Given below is a word, followed by three sentence that consist of that word. Identify the sentence (S) that best express (es) the meaning of the word. Choose option 5 'None of the above' if the word is not suitable in any of the sentence

EMERGING

- (i) He used to present himself as fairly **emerging** and posed as a reasonable man.
- (ii) We gather and distribute information about new and **emerging** disease threats around the world.
- (iii) US government and business must become partners in breaking into these **emerging** markets.

- A. Only (i)
- B. Only (ii)
- C. Only (iii)
- D. (i), (ii)
- E. (ii), (iii)

18. In the following question, a sentence is given with four words marked as (A), (B), (C), and (D). These words may or may not be placed in the correct order. Four options with different

arrangements of these have been provided. Mark the option with the correct arrangement as the answer. If no rearrangement is required, mark option (5) as your answer.

The low level of infection notwithstanding, it is advisable that the **vulnerable(A)** population including the **elderly(B)** and those with **comorbidities(C)** at least wear a mask to **reduce(D)** the risk of infection.

- A. A – D
- B. B – A
- C. D – B
- D. A – C
- E. No arrangement

19. In the following question, two statements and five connectors are given. Only one of the connectors from those given can be used to combine the given two statements into one sentence without changing the meaning. Choose that connector as your answer.

- (i) Reading is a good a way to learn new vocabulary words
 - (ii) it can improve your ability to spell words correctly
- A. Unlike
 - B. Though
 - C. Unless
 - D. Furthermore
 - E. None of these

20. Fill the appropriate preposition in the given blanks

All the candidates aspires _____ the post of commissioned officers

- A. Of
- B. In
- C. With
- D. To

Answers

1. C 2.B 3.D 4.C 5. D 6.C 7. D 8.E 9.A 10.D 11. C
 12. B 13.B 14. C 15. C 16. C 17.E 18.E 19.D 20.D **[Practice Exercise]**

Explanations

- Palpably** (adverb) – noticeably or clearly. स्पष्ट रूप से
 - Animosity** (noun)–Resentment; hostility; ill-will दुश्मनी, द्वेष, शत्रुता
 - Hackneyed** (adjective) – Overused; trite; state मामूली, घिसा-पिटा
 - Reportedly** (adverb) – supposedly, seemingly, apparently, allegedly कथित तौर पर
- Uncritical** (adjective) – Indiscriminating, accepting, credulous, unsuspecting गैर-आलोचनात्मक
 - Cognizant** (adjective) – Aware; conscious जानकार, परिचित
 - Insidious** (adjective) – Treacherous; sneaky कपटी
 - Cursory** (adjective) – Hasty; superficial सतही; त्वरित
- Hardship** (noun) – adversity, trouble, misery, distress, misfortune संकट/कठिनाई
 - Infamous** (adjective) – Shamefully wicked, having an extremely bad reputation; disgraceful बदनाम
 - Vapid** (adjective) – Without liveliness; dull; spiritless नीरस
 - Inept** (adjective) – Clumsy; incompetent; gauche. अयोग्य
- Go through the rough patch** (Phrase)– to experience a lot of problems in a period of your life खराब दौर से गुजरना
- FDGE, CBA**
 Treasury Secretary Janet Yellen’s visit to India last week highlights the renewed focus in the U.S. on strengthening economic ties with Asia’s third-largest economy and ‘one of America’s indispensable partners’. The current global environment with its macroeconomic, trade and strategic challenges makes it all the more compelling for the world’s two largest democracies to deepen their engagement in a way that is mutually beneficial.
- (C) 'were' के बदले 'was' का प्रयोग होगा क्योंकि इसका Subject 'he' Third Person Singular Number का Pronoun है।
 - 'was' will be used instead of 'were' because its subject 'he' is a Pronoun of Third Person Singular Number.
- (D) 'helping' के बदले 'help' का प्रयोग होगा क्योंकि 'with + somebody/ something' का प्रयोग होता है; जैसे-
 - I did this work with the help of my friends.
 - She usually comes here with John.
 - 'help' will be used instead of 'helping' because 'with + somebody/ something' is used; like-

- i. I did this work with the help of my friends.
ii. She usually comes here with John.
8. (E) No error.
9. (A) 'only' का स्थान 'problem' के पहले होगा क्योंकि 'only' का प्रयोग सामान्यतः ठीक उस शब्द के पहले होता है जिसकी विशेषता यह बताता है; जैसे-
- i. Only she helped these children.
ii. The only boy I know here is Rohan.
- 'only' shall be preceded by 'problem' because 'only' is generally used immediately before the word to which it refers; like-
 - i. Only she helped these children.
 - ii. The only boy I know here is Rohan.
10. **Repercussion** (adjective) – consequence, result, effect, outcome (unwelcome one) दुष्परिणाम
11. **Vastly** (adverb) – immensely, hugely, greatly, extremely, enormously काफी
- **Allegedly** (adverb) – reportedly, supposedly, reputedly, purportedly कथित तौर पर
 - **Underlying** (adjective) – fundamental, primary, basic, core, principal, main बुनियादी
 - **Keenly** (adverb) – Eagerly, enthusiastically, intensely, devotedly, wholeheartedly उत्सुकता से
12. **Concomitant** (adjective) – associated, related, connected, coexistent सहवर्ती
- **Merit** (noun) – Good point, strong point, capability योग्यता
 - **Ecosystem** (noun) – a complex network or interconnected system. पारिस्थितिकी तंत्र
 - **Eminent** (adjective) – obvious, clear, conspicuous, marked विशिष्ट
13. **Precisely** (adverb) – exactly, accurately, right, just, absolutely ठीक
- **Invariably** (adverb) – always, regularly, in every case हमेशा/ अनिवार्य रूप से
 - **Conspicuously** (adverb) – Noticeably, obviously, clearly, evidently स्पष्ट रूप से
 - **Emergence** (noun) – appearance, arrival, coming उद्भव/उभार
14. **Lethality** (noun) – the capacity to cause death or serious harm or damage. घातकता
- **Powerless** (adjective) – Incapable, weak, feeble, helpless शक्तिहीन
 - **Composition** (noun) – formation, structure, organization, make-up गठन/संरचना
 - **Diatribes** (noun) – Attack, tirade, invective, denunciation, harangue, rant, criticism, discourse आक्षेप, कठोर समालोचना
15. 'not longer' के बदले 'no longer' का प्रयोग होगा क्योंकि 'fewer, longer, sooner, less' कुछ ऐसे Comparatives हैं जिनके पहले केवल 'No' का प्रयोग होता है, न कि 'Not' का।

- 'no longer' will be used instead of 'not longer' because 'fewer, longer, sooner, less' are some such comparatives before which only 'No' is used and not 'Not'.

16. (C) 2314

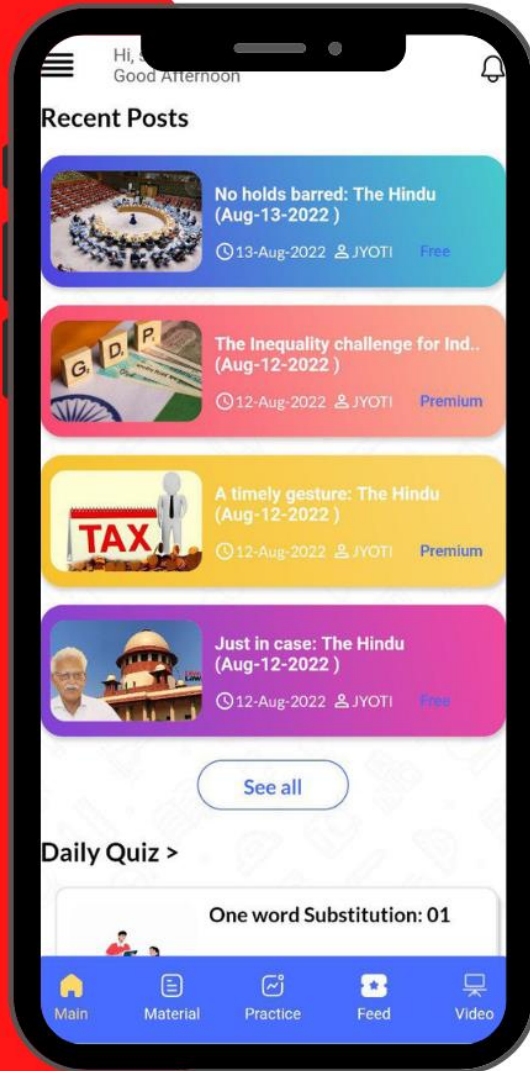
As the third winter begins in India after the COVID-19 pandemic began in January 2020, fresh daily infections of the novel coronavirus — there was a small spike in July and August — have been dipping since the third wave peaked in late January 2022. Daily new cases nationally dropped below the 1,000-mark after November first week, and below 500 in the last four days. While the case decline may not be a true reflection of the actual level of infection in the population, given the low level of testing across the country, the test positivity rate and the number of hospitalisations due to moderate to severe COVID-19 disease are at a low level — a far cry from the peak of the second wave in 2021. COVID-19 deaths too have been very low, with many States not reporting any for days together; Kerala has been reporting some backlog deaths on certain days but nil fresh deaths on many days.

17. Emerging (adjective) – developing, evolving, emergent, उभरती

According to the given options only (ii) AND (iii) are contextually correct.

Because the (i) sentence is not giving any meaning and correct sentences should be like He used to present himself as fairly mild-mannered and posed as a reasonable man.

18. The low level of infection notwithstanding, it is advisable that the vulnerable population including the elderly and those with comorbidities at least wear a mask to reduce the risk of infection
19. Reading is a good a way to learn new vocabulary words furthermore it can improve your ability to spell words correctly.
20. Aspires **to** – to have a strong wish or hope to do or have something कुछ पाने की तीव्र इच्छा या आशा रखना



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