

GS-2 - Judiciary

2. while upholding demonetisation, supreme court of India didn't make the government accountable. Do you agree with this view? Comment

Demonetisation is the process of stripping the value of currency units of status of legal tender for any kind of transaction

Demonetisation in India

2016, ₹ 500 & ₹ 1000 - were demonetised and new demonetisation of ₹ 500 & ₹ 2000 were released

Court's judgment on demonetisation

1. judiciary looked through → examined only the decision making process
2. Majority verdict → upheld, governments decision and free of flaw
3. No consultation between the government (Initiator of process) and Reserve bank of India, was also upheld.

4. Also upheld government decision on demonetisation without quantitative restriction

Critics of verdict

1. The effects of the demonetisation on public - has been made light
2. Court didn't question the government failure on 86% decline in value of currency and immense miseries on public.
3. While observation on effects of demonetisation is there, but neither individual were affected nor the verdict invalidated the action.

4. Majority verdict brushed away substantiated argument of proportionality. Court upheld demonetisation pass Test of proportionality.
(process was legal → ^{Counter fake currency}
→ hoarded wealth })
→ Drug trafficking).

Judiciary's verdict missed on these above factors/criteria, and hence it can be said that, it failed to keep government accountable