

Current Edge: Daily Brief

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QUOTES OF THE DAY

"Information is a negotiator's greatest weapon." – **VICTOR KIAM**

WHAT THE OTHERS SAY

"Instead of raising the walls of the ghetto, Israel must do the opposite. It must sign a hostage deal, stop the war, say yes to regional partnership, listen to the world and accept its willingness to be a guarantor for the 'day after' in Gaza." – **HAARETZ, ISRAEL**

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Explained: Issues in SC hearings on timeline for the President and Governors to assent to Bills

Whether the Supreme Court can set a timeline for the President and state Governors to give their assent to legislative Bills has become a contested federalism issue. What have the states and the Centre argued?

IE Explained; By Apurva Vishwanath;
Syllabus: Pre/Mains – Polity [Link](#)

Why in News?

SC reserved opinion on Presidential reference (Art. 143) regarding whether timelines can be fixed for President/Governors to assent to Bills.

Nature of Reference

- **Art. 143:** President may seek SC opinion on questions of law/public importance.
- **SC not bound to answer;** past refusals exist.
- **States' view:** Reference = disguised appeal/review of April ruling; undermines stare decisis.
- **Centre's view:** Advisory jurisdiction distinct; can clarify constitutional doubts despite past rulings.

Governor's Powers

- **States:** Bound by aid & advice (**Art. 163**); primacy of elected govt; Governors ≠ Viceroy.
- **Centre:** Not mere "postman"; discretionary powers exist; Constituent Assembly rejected removal of discretion.

- **Example:** 2004 Punjab River Water Termination Act → struck down in 2016.

Governor’s Veto / Withholding Assent

- **SC April ruling:** No “pocket veto”; must act.
- **Centre:** Withholding = Bill lapses; echoes colonial GOI Act, 1935 “absolute veto.”
- **States:** Colonial veto powers intentionally omitted; Governors must act.
- **Data:** 1970–present → ~17,000 Bills, only ~20 withheld; 90% assented within 1 month.

- **Political resolution preferable** over judicial diktat.
- **States:** “As soon as possible” implies immediacy; timelines in April ruling = trigger for judicial review, not automatic assent.

States & Fundamental Rights

- **Centre:** Art. 32 remedies for individuals, not states; Governors ≠ Union agents.
- **States:** Right to move SC essential; Governors = Union-State link; denial weakens federal balance.
- Even NDA ally Andhra Pradesh supported states’ writ rights.

THE PRESIDENT'S 14 QUESTIONS	
<p>1 What are the constitutional options before a gov when a Bill is presented to him under Art 200?</p> <p>2 Is gov bound by the aid and advice tendered by the council of ministers while exercising all the options available with him when a Bill is presented before him?</p> <p>3 Is the constitutional discretion by the gov under Art 200 justiciable?</p> <p>4 Is Art 361 an absolute bar to judicial review in relation to actions of a gov under Art 200?</p> <p>5 In the absence of a constitutionally prescribed time limit, and the manner of exercise of powers by the gov, can timeline be imposed and the manner of exercise be prescribed through judicial orders for the purpose of exercise of all powers under Art 200 by the gov?</p> <p>6 Is exercise of constitutional discretion by President under Art 201 justiciable?</p> <p>7 In the absence of a constitutionally prescribed timeline and the manner of exercise of powers by the Prez, can timelines be imposed and manner of exercise prescribed through judicial orders for the exercise of discretion by Prez under Art 201?</p> <p>8 In the light of the constitutional scheme governing powers of Prez, is Prez required to seek advice of SC by way of a reference under Art 143 and</p>	<p>take SC's opinion when the gov reserves a Bill for President's assent or otherwise?</p> <p>9 Are decisions of the gov and Prez under Articles 200 and 201, respectively, justiciable at a stage anterior into the law coming into force? Is it permissible for courts to undertake judicial adjudication over contents of a Bill, in any manner, before it becomes law?</p> <p>10 Can the exercise of constitutional powers and orders of/by Prez/gov be substituted in any manner under Art 142?</p> <p>11 Is the law made by the state legislature a law in force without the assent of the gov?</p> <p>12 In view of Art 145(3) is it not mandatory for any bench of SC to first decide whether the question involved in the proceedings before it is of such nature which involves substantial questions of law as to the interpretation of Constitution and to refer to it to a bench of minimum five judges?</p> <p>13 Do the powers of SC under Art 142 limited to matters of procedural law or Art 142 extend to issuing directions/passing orders contrary to or inconsistent with the existing substantive or procedural provisions of the Constitution or law in force?</p> <p>14 Does Constitution bar any other jurisdiction of SC to resolve disputes between Union gov and state govts except by way of a suit under Art 131?</p>

Centre's/State's Arguments in Governor's or President's Veto Powers - Summary		
Issue	State's Argument	Centre's Argument
Nature of Reference (Art. 143)	Reference = disguised appeal/review of April ruling; violates stare decisis	Advisory jurisdiction distinct; SC can clarify constitutional doubts even after rulings
Governor's Powers (Art. 163)	Bound by aid & advice; primacy of elected gov; Governors ≠ Viceroys	Not mere “postman”; discretionary powers exist; Assembly rejected removal of discretion
Veto / Withholding Assent	Governors cannot sit indefinitely; colonial veto powers omitted	Withholding = Bill lapses; echoes colonial GOI Act 1935 absolute veto
Timelines for Assent (Art. 200)	Bound by aid & advice; primacy of elected gov; Governors ≠ Viceroys	Not mere “postman”; discretionary powers exist; Assembly rejected removal of discretion
States & Fundamental Rights (Art. 32)	States must have right to move SC; Governors =	Art. 32 remedies only for individuals;

Timelines for Assent

- **Centre:** SC cannot fix timelines; Constituent Assembly deleted 6-week limit; “as soon as possible” = flexible; judicial timelines = “judicial amendment.”

	Union-State link	Governors not Union agents
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Test Your Knowledge 01

Q1. Consider the following pairs of cases and their relevance to Governor’s powers:

- 1) Shamsher Singh v. State of Punjab (1974) – Limited scope of Governor’s discretionary powers.
- 2) B.K. Pavitra case (2019) – Reaffirmed Governor’s wide discretion in reserving Bills.
- 3) State of Tamil Nadu v. Governor of Tamil Nadu (2025) – Held that “pocket veto” by Governor is unconstitutional.

Which of the above pairs is/are correctly matched?

- (a) 1 and 2 only
- (b) 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

Hint: Pavitra (2019) had confusion; later called per incuriam.

Q2. Consider the following statements regarding Article 143 (Presidential Reference):

- 1) The Supreme Court is constitutionally bound to provide its opinion when the President refers a question of law or fact.
- 2) In the past, the Supreme Court has declined to answer Presidential References.
- 3) The opinion given by the Supreme Court under Article 143 is binding on the President.

Which of the statements given above is/are correct?

- (a) 2 only
- (b) 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

Hint: Opinion is advisory, not binding; SC may refuse.

ETHICS WEEKLY	
NEWS	ETHICAL ISSUES
<p>Charlie Kirk shot dead in US News: Conservative activist Charlie Kirk was fatally shot on September 10, 2025, at Utah Valley University, sparking widespread controversy over political violence, free speech suppression, and organized retaliation campaigns against his critics.</p> 	<ul style="list-style-type: none"> • Political Assassination Ethics: Using violence to silence political opponents undermines democratic discourse and rule of law • Free Speech Suppression: Mass employment terminations (33+ people) for expressing political opinions violates First Amendment principles • State-Sanctioned Retaliation: Pentagon and State Department tracking critics to punish speech through employment and immigration threats • Coordinated Harassment Campaigns: Systematic doxxing and organized vigilante justice campaigns targeting Kirk's critics with death threats • Justice System Politicization: Death penalty pursuit influenced by political pressure rather than legal merit before trial completion
<p>Gaza Crisis News: Israel launched a major ground offensive in Gaza City on September 15, 2025, after ordering 350,000 residents to evacuate, with total war casualties reaching 66,700 people (83% civilians) and a UN commission concluding Israel committed genocide.</p>	<ul style="list-style-type: none"> • Genocide Allegations: UN commission officially concluded Israel committed genocide against Palestinians in Gaza with systematic intent to destroy the population • Disproportionate Civilian Casualties: Israeli military data shows 83% of Gaza war deaths are civilians, creating one of highest civilian casualty rates in modern warfare



- **Starvation as Warfare:** 422 Palestinians died from malnutrition including 130 children, indicating deliberate use of starvation as weapon of war
- **Targeting Protected Persons:** Systematic killing of 217 journalists, 224 humanitarian workers, and attacks on hospitals violates international humanitarian law
- **Forced Mass Displacement:** Evacuation orders affecting 350,000 people in Gaza City constitute forced displacement and ethnic cleansing under international law

NEWS IN SHORT

Manki-Munda Self-Governance

Why in News?

Sept 9, 2025: Ho adivasis in West Singhbhum, Jharkhand, protested against DC's alleged interference in Manki-Munda self-governance.



Traditional System

- **Munda:** hereditary village head; settles socio-political disputes.
- **Manki:** head of 8–15 villages (pir); hears unresolved cases.
- **Decentralised, internal;** no tax/revenue role originally.
- **Hereditary succession;** posts also include assistants.

Colonial Transformation

- **East India Company:** taxation post-Plassey (1757), Buxar (1764), Permanent Settlement (1793).
- **Ho, Kol revolts** (1821–22, 1831–32) against land seizure.
- **Compromise:** British recognised system under Wilkinson's Rules (1833, 31 rules).
- **Kolhan Government Estate** (1837) created; Mundas/Mankis became intermediaries.
- **Impact:** influx of outsiders (dikkus) → 1,579 (1867) → 15,755 (1897); private property concept; raiyats, pattas introduced.

Post-Independence Continuity

- **Kolhan Government Estate dissolved 1947,** but Wilkinson's Rules continue.
- **Courts upheld customs** (till 2000); Mora Ho vs State of Bihar: rules = customs, not law, but allowed continuation.
- **Jharkhand govt 2021:** Nyaya Panch recognised for revenue, law & order, land disputes.

Present Conflict

- **Complaints:** Mundas blocking OBC/SC livelihoods, absenteeism, delay in documents.
- **DC's 9-point directive:** transparency, based on Hukuknama 1837; misinterpreted as removal.
- **Administration view:** no interference, only clarification.
- **Vacant posts:** 1,850 sanctioned; ~200 vacant; 50 filled via Gram Sabhas.

Larger Issues

- **Tribal autonomy vs state oversight:** fear of erosion of self-rule.
- **Hereditary leadership:** uneducated leaders struggle in modern bureaucracy.
- **Youth voices:** demand reforms, merit-based selection.
- **Non-tribal raiyats:** sometimes bypass system → resentment.
- **DC's role today:** limited but crucial in succession, land disputes, interpretation.

Significance

- **Cultural survival:** symbol of Ho identity, resistance to outsiders.
- **Legal anomaly:** pre-colonial/colonial rules still valid; partial exemptions from civil laws.
- **Federal/tribal governance debate:** autonomy, integration, reform.

Govt employees can opt for UPS till September 30

Why in News?

Govt employees have time till Sept 30, 2025 to opt for **Unified Pension Scheme (UPS)**; uptake remains very low.



What is UPS?

- **Announced:** Cabinet, Aug 2024; effective Apr 1, 2025.
- **Coverage:** Central govt employees under NPS (post-Jan 1, 2004 entrants).
- **Nature:** Optional (not mandatory like NPS).
- **Assured pension:** 50% of average basic pay (last 12 months) with 25 yrs service.
- **Family pension:** 60% of pension to spouse on death.
- **Minimum guarantee:** ₹10,000/month after 10 yrs service.
- **Corpus:** Govt contribution 8.5% of basic + DA.
- **Lump sum:** 1/10th of last basic + DA for each completed 6 months.
- **Ineligible:** Dismissed employees.

UPS vs NPS vs OPS

- **OPS:** No contribution; 50% of last drawn pay + DA; fully govt funded.
- **NPS:** Employee 10% + Govt 14%; market-linked, no assured payout, corpus-based.
- **UPS:** Employee 10% + Govt 10% + Govt 8.5% corpus; assured payout (50% avg basic of last yr).
- **Flexibility:** UPS subscribers can revert to NPS once (before superannuation/VRS).

Why Slow Uptake?

- **Low trust:** Employees still demand OPS restoration.
- **Perception:** UPS ≠ OPS (lower benefits, contribution burden).
- **Awareness gap:** Ongoing govt outreach (Sep 9 meeting with ministries).
- **Short window:** Initial deadline June 30, extended to Sept 30.
- **Data:** Only 40,000 opted out of 23.94 lakh NPS employees (as of Sep 15).

	Old pension scheme (OPS)	New pension scheme (NPS)	Unified Pension Scheme (UPS)
Pension received	50% of last basic & DA	up to 60% commutation + 40% to invest in Pension annuity plans	50% of the average basic pay drawn over the last 12 months
No. of Years to serve for full pension	Minimum 20 years	NA	Minimum 25 years
Minimum Pension	Rs. 9000	NA	Rs. 10000
No. of Years to serve for minimum pension	Minimum 10 years	NA	Minimum 10 years
Family Pension	60% of last Pension	NA	60% of last Pension
Employee's contribution	No contribution	10% of (Basic + DA)	10% of (Basic + DA)
Employer's contribution	Full responsibility	14% of (Basic + DA)	18.5% of (Basic + DA)
GPF facility	Yes	No	No
Commutation allowed	Full amount of GPF	up to 60% of the amount	The employee can withdraw up to 60% of the individual pension corpus
Gratuity	Yes	Yes	Yes
Inflation indexation	DR revised 2 times a year, based on AICPIN-IW	No	DR revised 2 times a year, based on AICPIN-IW
Lump sum amount on Retirement	100% of Employee's contribution	No	1/10 th of monthly emoluments (pay + DA) for every completed six months of service
VRS	50% of last basic & DA (minimum 20 years of service)	NA	Pension at the age of 60
For employees of	Central govt. employees, State govt. employees	Both government and private sector employees	Central govt. employees, State govt. employees