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## Topics Covered

- Judiciary cannot tie President, Governor to timelines, says SC
- Fourteen questions and court's responses
- Guru Teg Bahadur and Gatka
- India's fisheries and aquaculture, its promising course
- Indian-born cheetah Mukhi gives birth to five cubs
- Why are stone quarries expanding in Kerala?

# Judiciary cannot tie President, Governor to timelines, says SC

'Deemed consent' usurps functions of President and Governor, and is 'antithetical' to the Constitution and the doctrine of separation of powers, says court; however, it opines against sitting on State Bills through 'prolonged and evasive inaction'

**Krishnadas Rajagopal**  
NEW DELHI

A five-judge Bench of the Supreme Court on Thursday answered the 16th Presidential Reference the country has witnessed by opining that the judiciary cannot fetter Governors and the President to "one-size-fits-all" timetables to dispose of State Bills or usurp their functions by assuming "deemed consent" of the proposed laws at the expiry of a court-ordered time frame.

"Such a usurpation of the gubernatorial function of the Governor, and similarly of the President's functions, is antithetical not only to the spirit of the Constitution, but also specifically, the doctrine of separation of powers – which

## Supreme Court's advisory opinion

Breaking down the court's response to **14 questions raised by the President** asking if a constitutional court can impose timelines for Governors and the President to give assent to Bills passed by legislatures

### Governor's discretion under Article 200

- May assent to the Bill
- May withhold assent, but must communicate reasons to the State legislature
- May refer the Bill to the President for consideration under Article 201

### Judicial limits

- SC cannot impose timelines for assent or create a concept of 'deemed assent' under Article 142

### President's role under Article 201

- When a Bill is referred, the President need not seek SC's advisory opinion under Article 143 every time

### Governor's accountability

- Governors cannot indefinitely sit on a Bill; if they do, limited judicial review applies
- Courts can direct Governors to decide within a reasonable time frame, but not dictate the outcome



is a part of the basic structure of the Constitution," a Bench of Chief Justice of India B.R. Gavai, Chief Justice-designate Surya Kant, and Justices Vikram Nath, P.S. Narasimha and A.S.

Chandurkar underscored in their answer.

### 'Evasive inaction'

However, the court clarified that the President and Governors cannot resort to

"prolonged and evasive inaction" by sitting endlessly on State Bills awaiting their approval.

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## SC counters States' 'appeal in disguise' argument

**Krishnadas Rajagopal**  
NEW DELHI

The Supreme Court on Thursday countered the objection of States ruled by non-BJP parties that the Presidential Reference was an "appeal in disguise". It said an advisory opinion "can overrule, if necessary". It was a veiled "appeal" against fixing of timelines for Governors and the President to decide on Bills, Tamil Nadu argued.

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## Judiciary cannot tie President, Governor to timelines, says SC

A five-judge Bench of the Supreme Court said on Thursday that **courts cannot force Governors or the President to follow a fixed timeline** to approve or reject State laws. Courts also **cannot assume that a Bill is automatically approved** just because a time limit (set by the court) has ended.

The judges said this would amount to **taking over the powers** of the Governor or President, which goes **against the Constitution** and the **separation of powers** between different branches of government.

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### No unlimited delay either

At the same time, the court also said that **Governors and the President cannot delay Bills forever**. They cannot keep Bills pending for months or years without taking any action.

This Presidential Reference (a set of questions sent by the President to the Supreme Court under Article 143) came just a month after the Court's two-judge Bench fixed a **three-month time limit** for Governors and the President to act on State Bills in the Tamil Nadu case.

### Reply to States' objection

*Tamil Nadu and Kerala argued that this Reference was just a way to "appeal" against the earlier judgment. But the Supreme Court said it is free to answer general legal questions when the President asks for clarification.*

### Why this Presidential Reference is special?

The 14 questions asked by the President were about **how Governors, State legislatures, and the President interact** in day-to-day functioning.

The Court said it has a duty to **clarify constitutional issues** when asked by the President.

### What a Governor can actually do

Under Article 200, a Governor has **three choices** when a State Bill is sent to him:

1. Give assent (approve it).
2. Send the Bill to the President for approval.
3. Return the Bill to the State legislature with comments (if it is not a Money Bill).

A Governor **cannot simply sit on a Bill** without sending it back to the Assembly with reasons.

The Court said allowing a Governor to withhold a Bill without explanation would **hurt federalism** and reduce the powers of State legislatures.

### When courts can intervene

The Supreme Court cannot examine **why** a Governor made a decision.

But if the Governor shows **very long, unexplained, and indefinite inaction**, the court can order him to act **within a reasonable time**.

However, the Governor **cannot be personally called to court**, because Article 361 gives him **complete immunity** from court proceedings.

The Court also clarified that **courts cannot review the contents or merits of State Bills**.

## Fourteen questions and court's responses

The Presidential Reference came after the April 8 judgment of the Supreme Court that granted deemed assent to 10 Tamil Nadu Bills.

Krishnamohan Ramesh  
NEW DELHI

**W**hile it is not appropriate for the judiciary to impose timelines on the President and Governors, in glaring circumstances of indefinite inaction, the court can intervene, the Supreme Court said in its advisory to the Presidential Reference. Here are the 14 questions posed by the President and the court's responses:

**What are the constitutional options before a Governor when a Bill is presented to him under Article 200 of the Constitution?**

To assent, reserve the Bill for the consideration of the President, or withhold assent and return the Bill to the legislature with comments if the Bill is not a Money Bill.

**Is the Governor bound by the aid and advice tendered by the Council of Ministers under Article 200?**

The Governor enjoys discretion and is not bound by the aid and advice of the Council of Ministers.

**Is the exercise of constitutional discretion by the Governor under Article 200 justiciable?**

The discharge of the Governor's function under Article 200, is not justiciable. However, in glaring circumstances of indefinite inaction, the court has a limited power to issue a mandamus to the Governor to decide within a reasonable time period.

**Is Article 361 an absolute bar to judicial review in relation to the actions of a Governor under Article 200?**

Article 361 is an absolute bar on judicial review in relation to personally subjecting the Governor to judicial proceedings.

**Can timelines be imposed under Article 200?**

It is not appropriate as the Constitution is silent.

**Is exercise of constitutional discretion by the President under Article 201 justiciable?**

For the same reasons as held with respect to the Governor, the President's assent too is not justiciable.

**Can the President be bound to timelines while exercising power under Article 201?**

For the same reasons as indicated in the context of the Governor, the President, too, cannot be bound by judicially prescribed timelines.

**Is the President required to seek advice of the Supreme Court whenever a Governor reserves a Bill for assent?**

The President is not required to seek SC's advice. Subjective satisfaction of the President is sufficient.

**Are decisions of the Governor and President under Article 200 and Article 201 justiciable at a stage anterior to the law coming into force?**

The decisions of the Governor and President under Articles 200 and 201 are not justiciable at a stage anterior to the law coming into force.

**Can the exercise of constitutional powers and the orders of the President/Governor be substituted in any manner under Article 142?**

The exercise of constitutional powers and the orders of the President/Governor cannot be substituted in any manner under Article 142 nor does it allow for the concept of 'deemed assent' of Bills.

**Is a law made by the State legislature a law in force without the assent of the Governor granted under Article 200 of the Constitution?**

There is no question of a law made by a State legislature coming into force without assent of the Governor under Article 200.

**In view of the proviso to Article 142(a), is it mandatory for any Bench of the court to first decide whether a case involves substantial questions of law and has to be referred to a Bench of minimum five judges?**

Returns unanswered. Free leave to this reference.

**Do the powers of the Supreme Court under Article 142 of the Constitution limited to matters of procedural law?**

Not possible to answer in a definitive manner. Scope of Article 142 answered as a part of earlier question.

**Does the Constitution bar the Supreme Court from resolving Centre-State disputes except by way of a writ under Article 137?**

Irrelevant to the functional nature of the reference. Hence, returned unanswered.

## Guru Teg Bahadur

A religious procession is a public march held by the Sikh community to mark an important event. It usually includes:

- Devotees walking together
- Singing hymns (kirtan)
- Gatka performances
- Display of Sikh symbols and flags (Nishan Sahib)
- Sometimes a palki carrying the
- Guru Granth Sahib (holy scripture)

**Tribute to Guru**



**Traditional ritual:** Sikhs perform gorkha, a form of martial art, during a religious procession marking 350 years of the martyrdom of Guru Tegh Bahadur in Jammu on Thursday, 17th.



## Gatka

**Gatka** is a **traditional Sikh martial art** that includes:

- It is a style of stick fighting where wooden sticks (Soti) are used to simulate swords. Shields (called farri) are also used to block attacks.
- Gatka is **rooted in the Sikh philosophy of Miri-Piri**, which balances temporal and spiritual power

**Miri-Piri** is a core Sikh principle that means **balancing spiritual life and worldly responsibility**.

- **Piri** = Spiritual authority — devotion, moral values, inner strength, meditation on God.
- **Miri** = Temporal authority — worldly duties, justice, defence, leadership, social responsibility.

Gatka is not just for self-defence — it is also **performed during religious processions** as a display of faith, courage, and Sikh martial heritage.



## Guru Teg Bahadur

The procession is held to mark **350 years since the martyrdom of Guru Tegh Bahadur**.

He was the **9th Sikh Guru**, known for:

- Defending religious freedom
- Standing up against Mughal emperor Aurangzeb's forced conversions

**His martyrdom (1675):** Aurangzeb ordered his execution in Delhi when he refused to convert to Islam.

His sacrifice is remembered as:

- A symbol of **human rights**
- The defence of **freedom of belief**
- Moral courage



## India's fisheries and aquaculture, its promising course

Fisheries and aquaculture are growing very fast in India.

They give people jobs, provide nutritious food, and help in exports.

**India has increased fish production through better technology, government support, and modern farming methods.**

But the **sector still faces big problems like overfishing, polluted water, damaged habitats, and climate change.**

**Small fishers often lack money, technology, and good markets. Poor storage and weak traceability also harm food quality and export potential.**



## India's fisheries and aquaculture, its promising course

**F**isheries and aquaculture are among India's fastest-growing food-producing sectors, playing a vital role in livelihoods, nutrition, and trade. Over the decades, India has witnessed remarkable growth in aquatic food production that is driven by technological innovation, institutional support and proactive policy measures. Yet, the sector faces critical challenges. Overfishing, habitat degradation, water pollution and climate change are straining aquatic ecosystems. Small-scale fishers and farmers often lack access to finance, technology and markets, while poor traceability and inadequate post-harvest measures limit tapping of the best export and domestic market potential and compromise food security.

On World Fisheries Day 2025 (November 21), the Food and Agriculture Organization of the United Nations (FAO) calls for a renewed commitment to India's Blue Revolution and supports the Government of India's theme this year, which is "India's Blue Transformation: Strengthening Value Addition in Seafood Exports".

**India's growth in fisheries and aquaculture**  
According to the FAO State of World Fisheries and Aquaculture (SOFIA) 2024, global capture fisheries produced 92.3 million tonnes in 2022, while aquaculture reached a record 130.9 million tonnes, valued at \$313 billion. India contributed 10.23 million tonnes of aquatic animals, making it the world's second-largest aquaculture producer.

India's aquatic food production, encompassing capture fisheries and aquaculture, has risen from 2.44 million tonnes in the 1980s to 17.54 million tonnes in 2022-23. Aquaculture has emerged as one of the key driver of this growth, reflecting sectoral modernisation through advanced technologies, infrastructure and institutional support.

Agencies such as the Indian Council of Agricultural Research (ICAR) fisheries institutes, Marine Products Export Development Authority, and National Fisheries Development Board have promoted innovation and best practices, while the Coastal Aquaculture Authority has regulated coastal aquaculture activities to ensure



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environmental compliance. The private sector has expanded investments from hatcheries to exports, reinforcing value chain efficiency.

The past decade has ushered in a new phase of transformation, beginning with India's Blue Revolution initiative and advancing under the Pradhan Mantri Matsya Sampada Yojana (PMMSY). These programmes have driven production growth, particularly in inland and brackish water aquaculture, while improving safety, regulation, and resilience in fisheries.

Key reforms include vessel transponders for fisher safety, digital and credit inclusion through the Kisan Credit Card, and the establishment of Matsya Seva Kendras for integrated support. The Climate-Resilient Coastal Fishermen Villages Programme and the draft National Fisheries Policy 2020 are positive developments.

### The FAO's support across India

The FAO has been a long-standing partner in India's fisheries and aquaculture journey, supporting the country's transition toward sustainability and resilience. The FAO's decades of collaboration with India have shaped policy, strengthened institutions, and advanced innovation in the sector.

The FAO's collaboration with India began with the Bay of Bengal Programme (BOBP), one of FAO's earliest regional small-scale fisheries initiatives. The FAO, through BOBP, has supported the Government of India in improving small-scale fishing technologies, strengthening sea safety, and enhancing post-harvest management.

The FAO's Bay of Bengal Large Marine Ecosystem (BOBLME) project strengthened India's efforts to balance fisheries and conservation, supporting the Ecosystem Approach to Fisheries Management (EAFM), and National Plans of Action to combat illegal, Unreported, and Unregulated (IUU) fishing, a major threat to marine ecosystems and sustainable fisheries, conserve endangered species and sustain small-scale fisheries.

To support India's rapid strides in the field of aquaculture, the FAO is supporting a Global Environment Facility (GEF)-funded project in

Andhra Pradesh on "Transforming Aquaculture to a Sustainable, Reduced Footprint and Climate-Resilient Food System", guided by Guidelines for Sustainable Aquaculture (GSA) and Ecosystem Approach to Aquaculture (EAA) principles. The project aims to support the Department of Fisheries, Government of Andhra Pradesh, in promoting climate-resilient, sustainable aquaculture, benefiting the State and serving as a model for India to take forward the government's Blue Revolution.

As part of the aquatic value chain, strengthening of fishing ports and fishing harbours is also one of the main thrust areas of the Government of India. A Technical Cooperation Programme (TCP) of the FAO intends to assist the Government of India to strengthen the technical capacities of fishing ports to address main environmental, social and economic challenges that affect the aquatic value chain. Two pilot fishing ports, specifically Vanakbara (Union Territory of Dadra and Nagar Haveli and Diu without legislation) and Jakhau in Gujarat, will benefit from this TCP that will provide them with specific strategic and operational tools to identify and formulate investments projects, whose implementation would address main challenges.

### Focus on sustainability

India's fisheries and aquaculture sectors are on a promising trajectory. Yet, sustainability must remain central. Managing fishing efforts through science-based stock assessments, promoting co-managed Monitoring Control and Surveillance (MCS) to curb IUU fishing, following Guidelines for Sustainable Aquaculture and embedding ecosystem-based approaches are key priorities. Strengthening certification, traceability, and digital tools – while ensuring inclusivity for smallholders – will enhance competitiveness in domestic and global markets.

The FAO remains committed to supporting India's journey toward sustainable aquatic food systems, ensuring food and nutritional security, and reducing environmental and climate footprints, guiding India's Blue Revolution toward a resilient and inclusive future.

## India's fisheries and aquaculture, its promising course

On World Fisheries Day 2025, the FAO called for stronger efforts to support India's **Blue Revolution**, with a focus on improving value addition in seafood exports.

### India's growth

- India is **second-largest aquaculture producer** in the world. Fish production has increased from **2.44 million tonnes in the 1980s to 17.54 million tonnes in 2022–23**.
- Institutions like **ICAR** and the **Coastal Aquaculture Authority** have helped with research, regulation, and innovation. The private sector has also invested heavily in exports.
- Government schemes like the **Blue Revolution** and **PM Matsya Sampada Yojana (PMMSY)** have improved inland and coastal aquaculture, fisher safety, digital inclusion, and climate resilience. Important reforms include vessel tracking devices, Kisan Credit Cards, and Matsya Seva Kendras.

### Food and Agriculture Organization of the United Nations:

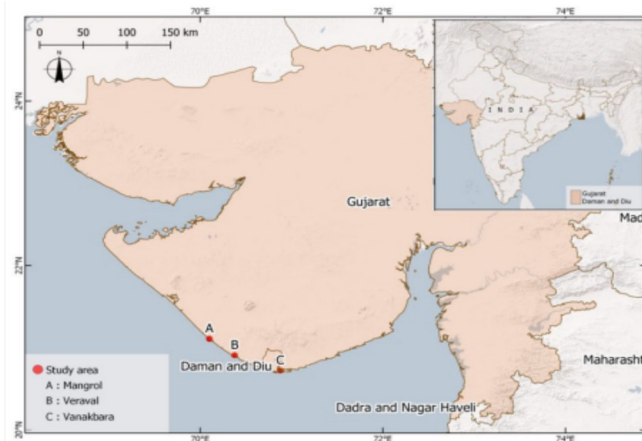
#### FAO's support

The FAO has worked with India for decades. It helped improve small-scale fishing, safety at sea, and post-harvest storage through the **Bay of Bengal Programme (BOBP)**.

It also supported India in managing marine ecosystems, reducing illegal fishing, and protecting endangered species.

The FAO is now supporting a climate-resilient aquaculture project in Andhra Pradesh and helping improve fishing ports like **Vanakbara** and **Jakhau** to strengthen the entire value chain.





### Indian- born Cheetah

For the **first time since Project Cheetah began**, a cheetah born in India has now **given birth** to five cubs in **Kuno National Park (Madhya Pradesh)**.

The cheetah is **Mukhi**, a female aged 33 months (almost 3 years).

She was born in India in 2023 to a Namibian cheetah named **Jwala**.

This is a major breakthrough because it shows:

- Indian-born cheetahs are healthy enough to reach adulthood
- They are capable of breeding naturally
- The project may now become **self-sustaining**

### Cheetah

**Current cheetah population (as per the news)**

Total cheetahs in India: 32

- **21 are Indian-born**, including Mukhi's new litter
- **29 are in Kuno National Park**
- **3 have been shifted to Gandhi Sagar Wildlife Sanctuary**





## Stone quarries expanding in Kerala

**Kerala banned river sand mining in 2016** to protect river ecosystems, which led to a rapid rise in **stone quarrying for M-sand** as an alternative.

Scientists found that **72 quarries near protected areas expanded massively—174% in 2016 alone**, with several doubling or tripling in size.

Many quarries lie within **10 km of sensitive zones** like Malabar Wildlife Sanctuary and Silent Valley, posing risks to biodiversity and ecological stability.

# Why are stone quarries expanding in Kerala?

What is M-sand? How has banning river sand mining led to expanding quarries across Kerala?

T.V. Padma

### The story so far:

**A** much-needed ban on river sand mining in Kerala has spurred stone quarrying. Many of these quarries are located near protected areas, according to a new report from scientists in the State.

### Why did Kerala ban river sand mining?

Kerala banned river sand mining in January 2016 to protect its rivers and their ecosystems from the degradation caused by excessive extraction. After the ban, M-sand, an artificial alternative produced by crushing hard rock such as granite into fine particles, quickly became a popular alternative, leading to the rise in stone quarrying. To assess the impact of the mining ban, scientists from the National Institute of Technology (NIT) Calicut analysed the expansion of 72 quarries they'd identified within 10 km of

protected areas. Using GIS and Google Earth Pro, they compared the quarries' average annual expansion three years before the ban to their expansion in 2016, immediately after the ban kicked in.

In a paper in *The Extractive Industries and Society*, the team reported that in 2016 alone, the quarries expanded by 174% in area, with some more than doubling in size. After comparing their data with that from other parts of the world, the researchers concluded that more quarrying may spell trouble for the region's biodiversity.

### Where are the quarries located?

"Unfortunately, a good number of these quarries are near protected areas," George Varghese of NIT Calicut and one of the study's authors said. The team also identified three quarries of particular concern, all within 10 km of the Malabar Wildlife Sanctuary in Kozhikode and Wayanad districts. These quarries grew

232% in size in 2016 alone. Three more quarries, within the buffer zone of the Silent Valley National Park across the Palakkad, Malappuram, and Nilgiris districts, also doubled in size.

### Why is sand-mining a problem?

The team's paper sheds light on the complexity of micro-level sand mining and extractive activities on natural resource trade flows, livelihood welfare conundrums, and socioecological systems, Matovu Baker, a research associate at the National Taiwan Ocean University in Keelung said. Dr. Baker, who studied the effects of river sand mining at Amrita Vishwa Vidyapeetham, said the paper demonstrates "emerging socioecological system trade-offs that are less documented and could lead to blue injustices," a counter-movement focusing on injustices to "small-scale fishing communities in coastal areas".

"The huge demand for M-sand has

drastically increased the quarrying area within a very short period," Aznarul Islam, associate professor at Aliah University in Kolkata, said. Dr. Islam and his colleagues have studied the consequences of riverbed sand mining on the Mayurakshi river in the 50 years spanning 1970 to 2020. While sand mining had a "mild impact" on the shape of the river channel between 1970 and 2010, a phase of accelerated mining phase 2010-2020 "vehemently altered the channel morphology," he said. However, "the strict ban on river sand mining [in Kerala] increased the manufactured sand mining at a rapid pace, which actually reduced the quality of the ecosystem and biota", Dr. Islam said.

### How is demand for sand changing?

India has been recording an ever-increasing demand for river and marine sand, especially at its major urban centres, according to the India Rivers Forum. The scope and severity of consequences vary depending on several on- and off-site mining activities, and interactions between demand and supply, Dr. Baker said. He highlighted the example of Chavara village in Kerala's Kollam district, where the removal of sediments affected the migratory routes of fish. There are several solutions, but they have to be sustainable, per Dr. Baker.

T.V. Padma is a science journalist based in New Delhi.

### THE GIST

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