



No Midway Changes in Recruitment Criteria

[Source: IE](#)

Recently, the [Supreme Court](#) in the **Tej Prakash Pathak vs Rajasthan High Court Case, 2013** ruled that **recruitment rules** for government jobs cannot be changed mid-process unless explicitly allowed.

- It endorsed the principles laid down in **K Manjusree v. State of Andhra Pradesh Case, 2008** which held that changing recruitment criteria during the **selection process** is **impermissible**.
- The Court clarified that the **K Manjusree case 2008** cannot be ignored for not considering the **State of Haryana vs Subhash Chander Marwaha Case, 1973** ruling.
 - In the **Marwaha case**, the Court ruled that meeting **minimum eligibility marks** doesn't guarantee selection, as the government can **set higher standards for public interest**.
- Recruitment rules must meet **constitutional standards** of equality ([Article 14](#)) and non-discrimination in public employment ([Article 16](#)).

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Donald Trump 47th President of the United States

[Source: PIB](#)

The Prime Minister of India congratulated **Donald Trump** on his re-election as the **47th President of the United States**.

- Reflecting on the positive momentum of the [India-US partnership](#) during President Trump's first term (2017–21), the PM of India recalled their memorable interactions, including the **Howdy Modi event in Houston 2019** and the **Namaste Trump event in Ahmedabad** in 2020.
- Both leaders reiterated the importance of the [India-U.S. Comprehensive Global Strategic Partnership](#), and reaffirmed their commitment to working together to further strengthen bilateral ties across technology, defence, energy, space and several other sectors.

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INDIA-US PARTNERSHIP

Economic Relations

- US became India's biggest trading partner in 2022-23 followed by China and UAE
- The bilateral trade has increased by 7.65% in 2022-23 (compared to 2021-22)

Defence Cooperation

- India-US Defence Acceleration Ecosystem (INDUS-X), 2023: Start-ups and tech companies to collaborate on the co-development and co-production of advanced technologies
- Fighter Jet Deal, 2023: GE's F414 engine technology and manufacturing will be transferred for India's Tejas Mk2 jet, enhancing its indigenous capabilities
- Defence Technology and Trade Initiative (DTTI), 2012: To facilitate collaboration in defence manufacturing, research and development, and technology transfer
- New Framework for India-US Defence Relations, 2005: Updated for 10 years in 2015

India intends to procure armed MQ-9B SeaGuardian UAVs

Science & Technology

- Initiative on Critical and Emerging Technologies (ICET), 2022: Cooperation on CETs in areas including AI, quantum computing, semiconductors and wireless telecommunications
- Critical Minerals Partnership: Recently, India joined the US-led Minerals Security Partnership (MSP) to boost global critical energy and minerals supply chains
- Collaboration in Space: NASA to train ISRO astronauts, aiming for a joint International Space Station (ISS) mission in 2024
 - Artemis Accord: A US-led alliance seeking to facilitate international collaboration in planetary exploration and research; signed by India
 - NASA-ISRO Synthetic Aperture Radar (NISAR): For understanding changes in Earth's ecosystems and other environmental changes

Civil Nuclear Deal

- Civil Nuclear Cooperation: Bilateral civil nuclear cooperation agreement signed in October 2008

Energy & Climate Change

- Joint Clean Energy Research and Development Centre (JCERDC), 2010: To promote clean energy innovations by teams of scientists from India and the United States
- Clean Energy Agenda 2030 Partnership: Launched at the Leaders climate summit 2021
- Global Biofuel Alliance (India, Brazil and US), 2023: Aimed at facilitating cooperation and intensifying the use of sustainable biofuels, including in the transportation sector

Security

- Counter-Terrorism Cooperation Initiative, 2010: To expand collaboration on counter-terrorism, information sharing and capacity building

Four Foundational Agreements:

General Security of Military Information Agreement (GSOMIA), 2002: Allows militaries to share intelligence gathered by them

- ◆ Industrial Security Annex, 2019 is a part of GSOMIA

Logistics Exchange Memorandum of Agreement (LEMOA), 2016: Both countries gain access to designated military facilities for refuelling and replenishment.

Communication Compatibility and Security Agreement (COMCASA), 2018: A legal framework for the transfer of highly sensitive communication security equipment from the US to India

Basic Exchange and Cooperation Agreement for Geospatial Intelligence (BECA), 2020: Allow both countries to share geospatial and satellite data with each other

In 2015, both countries issued Delhi Declaration of Friendship and adopted a Joint Strategic Vision for Asia-Pacific and the Indian Ocean Region

Popular Visa Among Indians include H-1B, L. Indian citizens set to become largest foreign student community in the US (20% growth in 2022)



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Prior Sanction to Prosecute Public Servants Under PMLA

Source: IE

Why in News?

The [Supreme Court \(SC\) of India](#) recently upheld a decision by the **Telangana High Court**, mandating that public servants must receive **prior government sanction** before being prosecuted under the [Prevention of Money Laundering Act \(PMLA\), 2002](#).

- This decision clarifies that Section 197(1) of the [Code of Criminal Procedure, 1973](#) (now replaced by the [Bharatiya Nagarik Suraksha Sanhita, 2023](#)), which mandates prior government sanction to prosecute public servants, also applies to PMLA cases.

What is Section 197(1) of CrPC?

- It mandates **prior government sanction before prosecuting public servants**, judges, or magistrates for actions performed in their official duties.
 - This aims to prevent malicious prosecutions and protect decision-making in good faith. The sanction must come from the Central Government for Union-affiliated individuals and from the State Government for those in State affairs.
- **Exceptions:** Specific crimes, particularly those involving **gender-based violence and sexual offences** under the [Indian Penal Code, 1860 \(BNS, 2023\)](#) do not require prior sanction for prosecution of public servants.

How Does the PMLA Interact with the CrPC?

- **Section 65 of PMLA:** Provides for CrPC provisions to apply to PMLA cases unless they conflict with the PMLA itself.
- **Section 71 of PMLA:** Asserts that PMLA provisions have overriding authority over other laws in cases of inconsistency.
- **Supreme Court's Ruling:** The appellant [Enforcement Directorate \(ED\)](#) had argued that Section 71 of the PMLA, which gives the PMLA overriding authority over other laws, should exclude the prior sanction requirement. However, the SC rejected this claim.
 - The SC held that Section 197(1) of the CrPC is **not inconsistent with the PMLA**, thus requiring its application in cases involving public servants under the PMLA.
 - It further clarified that **Section 71 cannot nullify Section 197(1)**, as doing so would render Section 65 of the PMLA redundant.
- **Implications of SC Ruling:** This sets a benchmark for applying the CrPC to PMLA cases, **clarifying the limits of the PMLA's overriding authority under Section 71**.
 - The judgement limits the ED's ability to prosecute public servants under PMLA without government consent, highlighting the **need for due process**.
 - The SC ruling balances the government's efforts to combat **money laundering** with the rights of public servants to fair legal procedures.

Note: In the *CBI v. Dr. R.R. Kishore Case, 2023*, the SC ruled that [Section 6A](#) of the [Delhi Special Police Establishment \(DSPE\) Act, 1946](#), requiring prior government sanction for arresting officers of **joint secretary rank and above**, was unconstitutional.

- The SC held that such a law is **void ab initio** under [Article 13\(2\) of the Constitution](#) and rendering Section 6A invalid from its inception in 2003.

Constitutional Protection for Civil Servants

- **Part XIV of the Constitution:** Deals with services under the Union and the States.
- **Article 309:** Empowers [Parliament](#) and State legislatures to regulate the recruitment and conditions of service for civil servants.
- **Doctrine of Pleasure:** Article 310 states civil servants hold office at the pleasure of the President or Governor, but this power is not absolute.
- **Article 311: It lays down two major safeguards for civil servants.**
 - Dismissal or removal can only be done by the appointing authority or a higher rank.
 - Dismissal or reduction in rank requires an inquiry with a reasonable opportunity to defend.

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