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1. Union Cabinet Approves BioE3 Policy to Boost Biotech Manufacturing

Why in News?

The Union Cabinet has approved the BioE3 (Biotechnology for Economy, Environment, and Employment) Policy, aimed at advancing biotechnology-based manufacturing in India. This initiative, led by the Department of Biotechnology, seeks to drive a technology revolution similar to the IT boom of the 1990s.

BioE3- Policy for Fostering High Performance Biomanufacturing



Cabinet approves 'BioE3 (Biotechnology for Economy, Environment and Employment) Policy for Fostering High Performance Biomanufacturing'

Focus Areas of the BioE3 Policy

The BioE3 Policy will concentrate on several strategic sectors:

- High-value bio-based chemicals, biopolymers, and enzymes
- Smart proteins and functional foods
- Precision biotherapeutics
- Climate-resilient agriculture
- Carbon capture and its utilization
- Futuristic marine and space research

Six Vertical Sectors Under BioE3 Policy

The policy is structured around six thematic verticals:

1. Bio-based chemicals and enzymes
2. Functional foods and smart proteins
3. Precision biotherapeutics
4. Climate-resilient agriculture

5. Carbon capture and its utilization
6. Marine and space research

Merger of Science Ministry Schemes into Vigyan Dhara

In addition to the BioE3 Policy, the Cabinet has merged three Science Ministry schemes into a single program called Vigyan Dhara. This initiative will allocate ₹10,579 crore until 2025-26 for the development of science and technology, including institutional and human capacity building, research and development, and innovation.

Support for Education and Research

Vigyan Dhara will offer internships for students in the 11th and 12th grades and fellowships for graduate and post-graduate research. The scheme aims to promote research in areas such as basic science and sustainable energy.

Relevance: GS Prelims; Governance

Source: The Hindu

2. Why is sanction for prosecution needed? When is a Governor required to act on his own? What do judicial decisions say?

Introduction

The issue of granting sanction to prosecute a public servant has once again come to the fore, following Karnataka Governor Thawar Chand Gehlot's approval to open an investigation against Chief Minister Siddaramaiah and to prosecute him in connection with alleged irregularities in the allotment of compensatory plots to his wife whose land had been lost to the acquisition process by the Mysore Urban Development Authority. The issue has raised legal and constitutional questions, resulting in the Karnataka High Court asking a trial court to postpone its consideration of private complaints against him.



Karnataka Governor sanctions prosecution of CM Siddaramaiah in MUDA scam

Why is sanction required to prosecute a public servant?

Sanction for prosecuting a public servant has been a mandatory feature of anti-corruption law. This is intended to protect public servants from vexatious and malicious prosecution for actions and decisions made in the course of discharging their official duties. Section 197 of the Code of Criminal Procedure Code (CrPC) said no court could take cognisance of a case against a public servant unless an authority competent to remove that person grants sanction. Section 197 spoke of anyone who 'is or was' a public servant.

Section 6 of the Prevention of Corruption Act, 1947, has a similar provision. However, the sanction requirement was limited to the period when the public servant was in office, and, no sanction was necessary if the person no more held that office. Under both the CrPC and the Prevention of Corruption Act (PCA), the State and Central governments had the authority to sanction prosecution of their respective employees. The provision was preserved in Section 19 of the PCA, 1988.

What are the latest provisions on granting sanction?

Section 218 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), the procedure code that has replaced the CrPC, retains the sanction provisions. When the PCA was amended in 2018, a new provision was introduced under which the government's approval is required, even to begin an investigation. While under Section 17A, the appropriate authority's approval is necessary to begin an investigation, the provision for sanction under Section 19 is a pre-requisite for any court to take cognisance of a charge sheet or complaint of corruption. Another feature of the 2018 amendment is that it applies to those who are and were public servants.

What is the Governor's role in a case against a CM?

Provisions relating to sanction in the CrPC generally spoke of the State government and the Central government as the authority to grant sanctions for those employed by their respective governments. However, both the 1947 and 1988 versions of the PCA have a clause stating that in the case of "any other person", the sanction would be granted by the authority competent to remove the public servant in office. As the power the Governor is vested with the power to dismiss a CM, the Governor is seen as the authority to consider granting sanction for prosecuting a CM. Questions have often arisen as to whether the Governor exercises his discretion while considering sanction, or he is bound to act on the aid and advice of the Council of Ministers.

In the case of A. R. Antulay, the Supreme Court held that the Governor should act in his discretion: "... We have no doubt in our mind that when there is to be a prosecution of the Chief Minister, the Governor would, while determining whether sanction for such prosecution should be granted or not under s. 6 of the Prevention of Corruption Act, as a matter of propriety, necessarily act in his discretion and not on the advice of the Council of Ministers."

What have courts said on the issue?

In a Madhya Pradesh case concerning corruption charges against two Ministers, the Council of Ministers held there was no material against them even though the Lok Ayukta's report confirmed the charges. The Governor went against the Ministry's decision and granted sanctions because there was sufficient material against them. In *Madhya Pradesh Special Police Establishment vs. State of MP and others* (2004), the Supreme Court found the Council's decision "irrational" and upheld the Governor's action. It said: "... on those rare occasions where on facts, the bias becomes apparent and/or the decision of Council of Ministers is shown to be irrational and based on non-consideration of relevant factors, the Governor would be right, ... to act in his own discretion and grant sanction".

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu

3. Why is lateral entry policy under scrutiny?

Background

On August 17, the Union Public Service Commission (UPSC) advertised lateral recruitment for 45 posts at the ranks of joint secretary, director, and deputy secretary in different ministries and departments. The move led to an outrage as quota benefits are not applied for such "single post" recruitments. The Leader of the Opposition in the Lok Sabha, Rahul Gandhi, termed the recruitment an "anti-national step" as it was "openly snatching away" the reservation for Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in government jobs. Following the backlash, on August 20, Union Personnel Minister Jitendra Singh wrote to the UPSC Chairperson to cancel the advertisement. Hours later, the UPSC cancelled the advertisement.



What is the reason for lateral hires?

As per the Department of Personnel and Training (DoPT), lateral recruitment is a government initiative to achieve the twin objective of bringing in fresh talent as well as augmenting the availability of human resources at middle management levels for specific assignments keeping in view their specialised knowledge and expertise in their domain area.

Was this the first time such a recruitment was being done?

No. Since 2019, as many as 63 posts have been filled through the lateral route. At least seven officials quit their jobs midway. The positions are open to candidates from the private sector, State government and public sector undertakings, autonomous bodies, statutory organisations, universities, and recognised research institutes. The tenure can range from three years to five years.

In 2021, for three posts of joint secretaries, 27 posts of director, and 13 posts of deputy secretaries, the Commission received a total of 295 applications, 1,247 applications, and 489

applications respectively. The UPSC recommended candidates for 31 posts and the remaining 12 posts became infructuous, the 2021-22 annual report of UPSC noted.

What is the genesis of the policy?

In 2017, the NITI Aayog, in a report titled 'India-Three Year Action Agenda, 2017-18 to 2019-20,' regarding 'Civil Services Reform,' suggested lateral entry inductions.

"Today, rising complexity of the economy has meant that policymaking is a specialised activity. Therefore, it is essential that specialists be inducted into the system through lateral entry. Such entry will also have the beneficial side-effect of bringing competition to the established career bureaucracy," the report stated.

The advisory body said government officers may be encouraged to gain expertise in specific areas and the current system of rapid rotation of officers may be replaced by a system of longer postings according to specialisation.

It added, "Such a system will bring top talent and energy into the government and will lend new dynamism to the ministries." For tax reforms, NITI Ayog recommended that the tax boards be given considerable flexibility to bring outside technical staff laterally to utilise the available information to ensure tax compliance. On February 10, 2021, the PM criticised the work culture of IAS officers, questioning what objectives could be achieved by surrendering the country to "babus."

Under the Congress-led UPA government in 2005, the second Administrative Reforms Commission also recommended lateral entry into government service.

Is there a shortage of All India Services officers?

In December 2021, the DoPT moved a proposal to amend the Indian Administrative Service (Cadre) Rules 1954 to depute IAS, Indian Police Service, and Indian Forest Service (IFoS) officers to the Centre without necessarily taking the State government's nod. The proposal was mooted as the Centre was facing an acute shortage of AIS officers.

According to a 2023-24 parliamentary panel report on the DoPT, only 442 IAS officers were working with the Union government, against the required strength of 1,469.

According to existing norms, States have to depute AIS officers to Central government offices, but it cannot be more than 40% of the total cadre strength. In 2020, the DoPT sent a letter to the States, that it was unable to fill vacancies in various Central ministries. Around 40% or 390 Central Staffing Scheme posts are at the joint secretary level (more than 19 years experience) and 60% or 540 such posts are at the rank of deputy secretary (nine years) or director rank (14 years of service).

Were such appointments made during the term of the previous governments?

Former PM Manmohan Singh was inducted as Economic Adviser in the Ministry of Commerce and Industry in 1971; he served as the Chief Economic Adviser from 1972-1976; then he became the Governor of the Reserve Bank of India and later the Finance Minister.

Retired diplomat Nirupama Menon Rao said on X, "... When we set up the various civil services, post-independence, our first Prime Minister brought in a number of lateral entry officers into the Services. Strength lies in numbers and we had none. The system did work and helped tide over scarcity, and of course, simultaneously, our recruitment through the UPSC examination system began to add up and reinforce the numbers. Today, we need more specialists and 'experts' in the system."

Another retired IAS officer said, "Earlier also lateral entrants were recruited. But these were not many joint secretary/director posts per se which were being filled en masse. If they advertised 45 posts, they should have followed the roster system (of DoPT) to apply reservations."

Reservation in government jobs is implemented via DoPT's 13-point roster policy or quota by rotation. The roster system takes each department as a unit and not the ministries as a whole. For example, if a joint secretary rank post has been advertised in a particular Ministry, the reservation rules will not apply as against the cumulative vacancies in all ministries. Mr. Jitendra Singh said that eligible candidates from reserved categories are considered along with other eligible candidates for lateral entry, "however, reservation is not applicable to such single post appointment."

According to retired IPS officer Yashovardhan Azad: "Efforts to bring experts in the moribund bureaucracy started much earlier. Their contributions are stellar — the green, white, nuclear, space and economic revolutions were all brought in by the likes of M.S. Swaminathan, Verghese Kurien, Homi Bhabha, A.P.J. Abdul Kalam, Manmohan Singh and Montek Singh Ahluwalia. But the entrenched 'babu' mafia never allowed outsiders. In fact, the 'babus' went to the best universities and countries on taxpayers' expense, ostensibly to modernise the system but came back writing papers how to entrench it while tinkering with it here and there. In UPA I and II, lateral entry was tried but it failed."

Relevance: GS Prelims & Mains Paper II; Governance

Source: The Hindu