

# All India Judicial Services (AIJS)

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**In news-** Government of India is planning to give a fresh push to the establishment of an All India Judicial Service (AIJS) on the lines of the central civil services.

## **Proposed All India Judicial Service (AIJS)-**

- The AIJS is a **reform push to centralise the recruitment of judges at the level of additional district judges and district judges for all states.**
- In the **way that the Union Public Service Commission conducts a central recruitment process** and assigns successful candidates to cadres, judges of the lower judiciary are proposed to be recruited centrally and assigned to states.

## **History of AIJS & Judicial reforms-**

- The idea of a **centralised judicial service was first mooted in the Law Commission's 1958 'Report on Reforms on Judicial Administration'**.
- The idea was to **ensure an efficient subordinate judiciary**, to address structural issues such as varying pay and remuneration across states, to fill vacancies faster, and to ensure standard training across states.
- A statutory or constitutional body such as the **UPSC to conduct a standard, centralised exam to recruit and train judges was discussed.**
- The chief justices' conferences in 1961, 1963 and 1965 favoured creation of an AIJS.
- The **provision of AIJS was included in Article 312 of the Constitution through the 42nd amendment in 1976.**
- **In 2006, the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its**

**15th Report** backed the idea of a pan-Indian judicial service, and also prepared a draft Bill.

### **Judiciary's view on the AIJS-**

- **In All India Judges' Assn. (1) v. Union of India case of 1991**, the Supreme Court directed the Centre to set up an AIJS.
- **In a 1993 review of the judgment**, however, the court left the Centre at liberty to take the initiative on the issue.
- **In 2017, the Supreme Court took suo motu cognizance** of the issue of appointment of district judges, and mooted a "**Central Selection Mechanism**".
- **Senior advocate Arvind Datar**, who was appointed amicus curiae by the court, circulated a concept note to all states in which he recommended **conducting a common examination instead of separate state exams**.
- Based on the merit list, High Courts would then hold interviews and appoint judges.

### **Current process of recruiting judges-**

- **Articles 233 and 234 of the Constitution of India deal with the appointment of district judges**, and place it in the **domain of the states**.
- The **selection process is conducted by the State Public Service Commissions** and the **concerned High Court**, since High Courts exercise jurisdiction over the subordinate judiciary in the state.
- **Panels of High Court judges interview candidates** after the exam and select them for appointment.

All judges of the lower judiciary up to the level of district judge are selected through the **Provincial Civil Services (Judicial) exam** which is commonly referred to as the judicial services exam