

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

**LOK SABHA
UNSTARRED QUESTION NO. 5691
TO BE ANSWERED ON FRIDAY, THE 04TH APRIL, 2025**

Proposal for Indian Judicial Service

5691. Shri N K Premachandran:

Will the Minister of **Law and Justice** be pleased to state:

- (a) whether the Government proposes to establish Indian Judicial Service, if so, the action taken thereon and if not, the reasons therefor;
- (b) whether the Law Commission recommended for formulation of Indian Judicial Service, if so, the details thereof and the difficulty being faced into implementation;
- (c) whether it has come to the notice of the Government that there are complaints regarding the selection and appointment of judges and judicial officers in judiciary, if so, the action taken to resolve the issue; and
- (d) whether the Government proposes to ensure for an independent, transparent judicial system, if so, the action taken to strengthen our judicial system?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY
OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS**

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): Article 312 of the Constitution provides for the establishment of an All India Judicial Service (AIJS), which shall not include any post inferior to that of a District Judge. The issue of creation of All India Judicial Service was considered and recommended by the First National Judicial Pay Commission (FNJPC), known as Justice Shetty Commission. The creation of All India Judicial Service was recommended by Law Commission of India in its 14th

report (1958). Subsequently, the Law Commission reiterated the recommendation in its 77th report (1978) and its 116th report (1986).

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that the issue needs further deliberation and consideration. The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and among the High Courts on the constitution of an All India Judicial Service.

The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges/ judicial officers at all levels was also included in the agenda for the Chief Justices' Conference, which was held on 03rd and 04th April, 2015, wherein it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously. The proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was also included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of High Courts held on 05th April, 2015. However, no progress was made in the matter.

The proposal of setting up of an All India Judicial Service was again discussed on points of eligibility, age, selection criteria, qualification, reservations etc. in a meeting chaired by then Minister of Law and Justice on 16th January, 2017 in the presence of Minister of State for Law and Justice, Attorney General for India, Solicitor General of India, Secretaries of Department of Justice, Department of Legal Affairs and Legislative Department. Setting up

AIJS was also deliberated in a meeting of the Parliamentary Consultative Committee in March, 2017 and the Parliamentary Committee on the Welfare of SCs/STs on 22.02.2021.

It was proposed to include the issue of All India Judicial Service in the agenda for Joint Conference of Chief Ministers and Chief Justices of High Courts held on 30th April, 2022. However, the same could not be included in the agenda of the conference. In view of the existing divergence of opinion amongst the major stakeholders, at present, there is no consensus on the proposal for setting up an All India Judicial Service.

The complaints/representations received, if any, regarding the selection and appointment of judicial officers are forwarded to the Chief Justice of India or to the Chief Justice of the concerned High Court, as the case may be.
