All India Judicial Service

What is the issue?

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- The proposal to create an All-India Judicial Service (AIJS) is a long debated one.
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- It has again come to the fore with a fresh move to implement it. However opposition is also getting stronger.
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What is the proposal?

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- The idea was first mooted by the Law Commission in the 1950s to have an AIJS.
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- Under this the district judges will be recruited centrally through an all-India examination.
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- They will then be allocated to each State along the lines of the AIS.
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- This is expected to ensure a transparent and efficient method of recruitment to attract the best talent in India’s legal profession.
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What are the human resource problems in judiciary?

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- The **standard of legal education** across the country except for a few law schools is not improved or updated for a long time.
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- **Unremunerative pay** - Despite effort by the Supreme Court to ensure

uniformity in pay scales across States in the All India Judges' Association case, it is still very low.
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- Also, judiciary have fewer avenues for growth, promotion and limited avenues for career advancement.
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- There is low district judge representation in the High Courts, as less than a third of seats in the High Courts are filled by judges from the district cadre. The rest are appointed directly from the Bar.
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Can AIJS address these?

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- The idea of an AIJS is opposed mainly because it seems to lack basic understanding of the above problems with judiciary.
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- A national exam is said to be disadvantageous to the less privileged candidates from being able to enter the judicial services.
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- Taking into account local laws, practices and customs which vary widely across States and even training judges in this line would be a problem.
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- The decentralised approach of the High Court and a centralised one of the AIS seem to have same low efficacy in filling up the vacancy.
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What is to be done?

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- A combination of delays, cost, uncertainty, inefficiency and corruption are among the problems of judiciary.
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- These problems are less to be solved by centralising the manner of recruitment of judges.
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- Focussing attention on implementing more direct solutions to address these problems would be wise.
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Source: The Hindu

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