

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:4393  
ANSWERED ON:22.04.2010  
ALL INDIA JUDICIAL SERVICE  
Rao Shri Nama Nageswara;Sudhakaran Shri K.

**Will the Minister of LAW AND JUSTICE be pleased to state:**

- (a) whether the Union Government has requested all States and UTs to fill the vacancies of Judicial Officers in District Courts by promoting them from lower courts;
- (b) if so, the details thereof alongwith the number of vacancies of District Judges;
- (c) whether the Government proposes to create All India Judicial Services in the same manner as IAS, IPS and IFS etc.;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW & JUSTICE (DR. M, VEERAPPA MOILY)

(a) & (b): No, Madam. The filling up of vacant posts of District Judges, judges/magistrates in the District and Subordinate Courts is the concern of the respective High Courts and the State Governments. As such, the information on the number of vacancies of District Judges is not maintained in the Department of Justice.

(c) to (e): The recommendations of the Law Commission of India in its 1st, 8th and 11th reports, the directions of the Supreme Court of India in its judgment of 13.11.1991 in W.P. No, 1022 of 1989 - in the matter of All India Judges Association and others Vs. Union of India & ors., and the guidelines recommended by the First National Judicial Pay Commission, on the matter of setting up of All India Judicial Service, has been under consideration of the Government.

Formation of an All India Judicial Service was discussed in the Conference of Ministers and Chief Justices held on 16th August, 2009 where it was, inter-alia, decided 'The State Governments, in principle, concurred with the proposal of formation of All-India Judicial Service, However, before giving effect to the formation of All-India Judicial Service, a comprehensive deliberation be held.'

Later in the 'National Consultation for strengthening the judiciary towards reducing pendency and delays' held on 24th - 25th October, 2009 at Vigyan Bhavan, New Delhi, it was, inter-alia, resolved 'Commend for consideration the establishment of a All India Judicial Service through an open competitive examination ensuring the best possible selection'.

Since the All India Judicial Service would be common to the Union and the States and requires consent of the State Governments and High Courts, their views/comments were sought. So far only 7 State Governments /UTs and 14 High Courts have sent their views.