ALL INDIA JUDICIAL SERVICES: AN ALTERNATIVE ROAD TO JUDICIAL ADMINISTRATION

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ABSTRACT

The creation of the All India Judicial Service has always been mooted throughout the history of reform of judicial administration but was not brought into implementation. Though the service was inducted into the constitution under 42nd amendment it was never given form owing to the lack of consensus between various stakeholders. Though various commissions recommended its induction AIJS failed to secure the support of the states and the High courts. This article attempts to analyze the historical growth of idea on AIJS through walking the lane of minds of the mooters. Like the two sides of the coin the intellectual minds were divided into two groups advocating for and against the AIJS. This article attempts to map through the positive and negative implication that the AIJS poses and attempt to strike a middle road by deciding whether AIJS is a solution or problem to the already existing problems in the same lane.

1. INTRODUCTION

"It is the spirit and not the form of law that keeps justice alive"

\- ***Earl Warren***

The thought of All India Judicial Service (AIJS) is not a new term that sprang out of context into the sphere of court and justice. AIJS has been echoed through the history of evolution of the justice system since its first inception, out of the mention of first Law Commission. The voice for the recommendation for its very inception was equally batted with the strong arguments against its implementation. This has been shelved and deshelved every time the reformation of justice system is under consideration. AIJS mean creation of single cadre of unified service throughout the nation to reorganize the justice systems and to cater the need of various shortcomings. A centralized method for hiring judges at the level of extra district judges and district judges in every state is called AIJS. Like the Union Public Service Commission (UPSC) paradigm, AIJS seeks to centralize the hiring of judges. AIJS though found its way into the constitution of India through 42nd Constitutional Amendment during emergency still it has no consensus had been attained between the states and its high courts. Since it involves the centralization of power it secured the support in the union but fails to do so in the avenue of the states, due to threat of loss of federalism. The diversity of cultures and languages has become a major obstacle to the advancement of the legal system and its unification into a single, strong institution. This paper attempt to trace and analyze both the positive and negative arguments surrounding the All India Judicial Service and attempts to struck a possible solution for the resolution of various issues around AIJS and the judicial administration, thereby advocating AIJS as a possible solution for the reformation of the Indian Judicial System.

2. HISTORICAL BACKGROUND

2.1. EVOLUTION

The AIJS made its first arrival into the discussion after the 14th report of the first Law commission in 1958. The idea became so popular that it was reiterated in the 77th and 116th report of the law commission. The idea of AIJS was disposed off in the 1960 Law Minister's Conference and it also could not cater the bi-partisan support in the 1961 Chief Justices

Conference, where many States and High Courts strongly opposed it[1]. During emergency in 1976 the constitution was amended by way of the 42nd constitution amendment through which art 312 was amended to include AIJS who shall not be lower than the grade of district judge. The 8th law commission recommended AIJS as a means to address the issue of mounting of arrears in the trial courts in 1977. In 1986 the 11th Law commission for the first time submitted a detailed report on the adopting AIJS to attract better talents into the judicial service. It also recommended the strata of appointments into AIJS that direct recruiting was to account for 40% of its strength, followed by the promotion of lower-level judges at 40% and bar promotion at 20%. A National Judicial Service Commission was proposed to oversee the examination, promotions, and service regulations. A major impetus to the creation of AIJS was given by Supreme Court in 1991 in *All India Judges' Assn. (1) v. Union of India* (1992)[2] where the court directed that AIJS should be set up. It held "We are of the view that the Law Commission's recommendation [in its 116th report] should not have been dropped lightly. There is considerable force and merit in the view expressed by the Law Commission. An All-India Judicial Service essentially for manning the higher services in the subordinate judiciary is very much necessary. The reasons advanced by the Law Commission for recommending the setting up of an All India Judicial Service appeal to us.[3]" but this position of supreme court is diluted in 1993 in *All India Judges' Assn. (2) v. Union of India, (1993)*[4] where it held that the formation of AIJ is merely a recommendatory and it is up to the government to take the initiative. In 1997 Shetty Commission submitted a report laying down the road map for the creation of the AIJS. In 1999 the 1st National Judicial Pay Commission leaned in favour of the creation of AIJS and provided the recommendations for the efficient functioning of the service addressing the concerns levied by the different parties. In 2002 Report of the National Commission to Review the Working of the Constitution invited the public opinion for the creation of AIJS which leaned not in its favour. Even in 2018 the parliamentary committee recommended the department of justice to look into the option of creating AIJS to address the issue of piling backlog of cases. In 2023 constitutional day celebration the held in supreme court, the president of India called for AIJS, saying that it will help to make judiciary diverse and can include

[1] Shivam Kaushik and Anushri Singh , All India Judicial service . Problems and Prospects, 2018, (September 27, 2025 11:44) https://nujslawreview.org/wp-content/uploads/2019/06/11.4-Shivam-kaushik-ALL-INDIA-JUDICIAL-SERVICES-PROBLEMS-AND-PROSPECTS.pdf
[2] All India Judges' Assn. (1) v. Union of India, (1992) 1 SCC 119 : AIR 1992 SC 165
[3] All India Judges' Assn. (1) v. Union of India, (1992) 1 SCC 119 : AIR 1992 SC 165,
[4] All India Judges' Assn. (2) v. Union of India, (1993) 4 SCC 288.

brilliant youngsters into the judiciary[5].

2.2. COMMISSIONS AND COMMITTIES

2.2.1. 1ST LAW COMMISION

The first law commission recommended the creation of AIJS in its 14 th report that it is necessary in the interest of the efficiency of the subordinate judiciary. There were strong reactions both in favor of and against the induction of AIJS when it was discussed at the Law Ministers' Conference in 1960. As a result, the project was shelved. Although it seems that the Chief Justices Conferences in 1961, 1963, and 1965 supported the AIJS, there was disagreement when the opinions of the State Governments and the High Courts were sought. The proposal for the induction of AIJS was rejected by over half of the States and High Courts.

2.2.2. 8th LAW COMMISSION

This law commission while examining and reporting on the piling of arrears in trial courts recommended AIJS as a solution to the aforesaid problem but dealt with it in detail.

2.2.3. 11th LAW COMMISSION

This report dealt with the arising widespread objections on AIJS . the report found 3 major areas of objections and dealt with in detail. The 3 objections were

(a) Inadequate knowledge of regional language would corrode judicial efficiency both with regard to understanding and appreciating parole evidence pronouncing judgments;

(b) Promotional avenues of the members of the State judiciary would be severely curtailed causing heart burning to those who have already entered the service and manning of the State judicial service would be adversely affected; and

(c) Erosion of control of the High Court over subordinate judiciary would impair independence of the judiciary[6].

[5] https://indianexpress.com/article/explained/explained-law/all-india-juicial-service-judiciary-exam-proposal-9049890/

[6] Law commission of India, 116th report on formation of All India Judicial Services (1986) (September 27, 2025 11:44),

The report found these objections does not have any substantial grounding.

(1) It held that a member of the AIJS would be required to learn an additional language apart from his mother tongue related to state cadre where he is being posted

(2) Commission is of view that according to the rules in force in various States about 50% (if not, more) vacancies of District Judges are reserved to be filled by promotion from the lower cadres and because the AIJS will be allocated only against the vacancies which will be filled by direct recruitment, the promotional prospects of judicial officers (below district judge level) will not be affected.

(3) The members of AIJS would become members of the State Judicial Service for all practical purposes with the difference that while at present it (High Court) recommends various things such as promotion or disciplinary action to the Governor, it would be recommending the same to the National Judicial Service Commission which, in turn, would make necessary recommendation to the President of India but the President of India will act in the same manner as at present it is done by the Governor having regard to the almost binding character of the recommendation of the High Court[7].

2.2.4. NATIONAL JUDICIAL PAY COMMISSION

The first National Judicial Pay Commission headed by Justice K. Jagannatha Shetty, supported the recommendation of the law commission. It fully supported the reasons explained by the Law commission supporting the AIJS. This report mentions of the fact that when the Government of India had solicited the opinions of State Governments and High Courts in this regard, seven State Governments have opposed the proposal, while eight State Governments have agreed with it and another eight have given it conditional approval.. Regarding the High Courts, it is said that three have rejected the plan, five have not expressed a view, four have given their conditional support, and four have favored it. The pay commission after analyzing gave the following recommendations.

https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080885.pdf

[7] Law commission of India, 116th report on formation of All India Judicial Services (1986) (September 27, 2025 11:44), https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080885.pdf

(1) The AIJS should be constituted only in the cadre of District Judges as mentioned by the article 312

(2) The selection of candidates for direct recruitment should be by the National Judicial Commission / UPSC and the promotion to be dealt by the respective High Courts.

(3) Service Judges should also be given opportunity to compete for recruitment of AIJS, by amending Article 233(2) of the Constitution

(4) 25% of the posts of District Judges in every State should be allocated for direct recruitment.

(5) The age limit should be between 35 years to 45 years of age

(6) The procedure for selection shall be by written examination followed by viva voce

(7) The prescribed training will be provided only after the appointment and seniority will be a all Indian seniority based on the ranking list. The inter-se seniority between direct recruits and promotes shall be determined according to the date of allotment and date of promotion.

(8) Regarding the issue of court language, the recording of the deposition should be in (1) Regional Language (to be recorded by the Court Officer); and (2) English (by the Presiding Officer).

2.2.5. NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION.

The commission listed out factor that should be considered while examining the idea of AIJS,

- Whether the creation of AIJS would lead to further erosion of the powers of the States which is already in a detrimental position. Is it advisable to lower them more by taking away the selection power from the High Courts and by vesting it in a Central body?

- Would it be advisable to entrust the direct recruits of the young age group of 25 to 30 with such vast powers and would they be able to take upon such task?

- A member of AIJS would be qualified for being considered for appointment to the High Court even before he may have reached the age of 40. Desirability of such possibility should also have to be valued. After eliciting the responses from the public and careful consideration the view of this commission leaned not in the favor of the AIJS.

3. CONTRADICTIVE APPROACHES

3.1. AIJS AND FEDERALISM

The introduction of AIJS attempts to shift the federal power of appointing the district judges. The 42nd amendment that introduced the AIJS in the constitution also shift the entry of "administration of justice , constitution and organization of courts except supreme court and high court from state list to concurrent list. Prior to this amendment only the state governments could enact law on that subject matter. Though India has single integrated judiciary it has federal system of judicial administration, the responsibility of appointment and paying the salary of the district and subordinate judges vests within the ambit of the state. The constitution allows the state to appoint the judges who are best appropriate to try the disputes that are unique to their socio-economic background. In a diverse country like India decentralization of the selection of judiciary is essential since these district and subordinate judges are the first point of contact with the people. A person outsider to the state may not understand the customs and practices of the state and may not be accustomed to the socio-economic practices in the state leading to the loss of legitimacy of the judiciary. Thus, the federal system of judicial appoints strengthen the judiciary. 42nd amendment which inducted AIJS in the constitution by itself is not deliberated and discussed in the parliament as most of the opposition members were imprisoned during the emergency. Thus, the induction of AIJS creates a apprehension that it affects the federalism of judicial administration and in turn results in decreasing the efficiency of the judiciary in the eyes of the public.

3.2. AIJS AND THE PROBLEM OF VACCANCIES

One of the important views which is argued in the favour of AIJS is that it will help in filling the vacancies in the district and subordinate courts in India. In 2013 the parliamentary standing committee on law and justice is also of the same opinion. But the state wise vacancies breakup inferred from the supreme court report paint a different picture. In the current scenario high courts are responsible for the recruitment of judges to the district and subordinate courts. The

report clearly suggests that it is only certain high courts which account for majority of the vacancies and not all the high courts equally. Thus, the vacancies are not uniform throughout all the states. It is only some high courts that lacks in recruiting. So even though AIJS would be created it would cater to the recruitment of only small number of seats. Hence it was argued that instead of proposing AIJS it will be more effective to investigate the reasons for the vacancies in the particular states that are lagging behind. Even lack of adequate facilities such as lack of court rooms may also be the reason of non-recruitment. Thus, instead of AIJS addressing the root cause behind the non-recruitment would be the best solution as AIJS could only cater to the vacancies in district court and not below it according to art 312.

3.3. AIJS AND INCLUSION OF MARGINALISED COMMUNITIES.

In 2018, many prominent leaders advocated of AIJS when the Supreme Court suffered from severe backlash from the communities of sc and st as the ape court diluted the SC/ST Act 1989 through its judgment. It was promised that the creation of AIJS would create a equal platform for the inclusion of members representing all marginalized communities which would in turn lead to the judiciary which is sensitive to understand the problems faced by them and which would cater to the rights of such communities. Earlier National commission for Scheduled castes also recommended for the creation of AIJS in its report on reservations in judiciary. In reality than the higher judiciary the state government which are responsible for the district and subordinate courts have provided for reservations in their recruitments. Many states have reserved seats for the class of persons who are not even provided any form of reservation protection in central government recruitments. One community which is recognized as backward class may not be classified as same by the central government. Thu it is argued that the centralization of recruitment in reality will hinders the inclusion of marginalized persons as the state governments are better appropriate to understand the marginalized communities in their localities. And it is the reorganization of higher judiciary is needed to include more marginalized communities.

3.4 AIJS ATTRACTS BETTER TALENTS INTO THE JUDICIARY.

This was the original justification provided by the law commissions for the recommendation of AIJS. The law commission put forth two reasons for this, firstly the graduates were choosing the All India Services over the judicial services because it was believed that the latter had more prestige and that they could enter these services immediately after graduation, unlike the

judicial services which required practical experience. Secondly the process of recruitment of judges is tainted by parochialism and nepotism there by affecting the quality. But one can find that in spite of having centralized mechanism through UPSC , the all India services still suffer from higher vacancy rate as same as the judiciary. Entrusting the direct recruits of the young age group between 25 and 30 with such vast powers is another issue of concern, whether they could deliberate upon it is a serious issue. If the recommendations of first National judicial pay commission is to be followed, that the person belonging to age group of 35 to 45 is to be inducted into AIJS, then there arises another difficulty. Persons belonging to the age group of 35 to 45 mean that they are all practicing lawyers. If a practicing lawyer does not make good in his profession when he reaches the said age group, it means that he is not good. In other words, a practicing lawyer who has made good by the above-mentioned age in the profession then he would not like to join the AIJS and face the prospect of being posted to some other State and subject to transfer from time to time. Thus, the said positive outcome cannot be a promised outcome.

3.5. AIJS, LOCAL CULTURE AND LANGUAGE

According to the Code of Civil Procedure, 1908 and Code of Criminal Procedure, 1973 the proceedings of civil and criminal courts are to be conducted in a language which is prescribed by the State Government[8]. Most of the state government have prescribed their local language as their lingua franca. Only high courts were released from this requirement and can conduct the proceedings in English. The law commission pointed out the existence of IAS and IPS which rejects the language opposition and still functions efficiently. But they are different from AIJS. IA and IPS are typically management posts assisted by the local lower bureaucracy who are responsible for the direct interaction with the people. They require local language skills only to supervise them. The nature judicial service is different where the judges directly deal with litigants, lawyers, accused and witnesses which warrants for the proficiency in local language both orally and in written. Because the cost of judicial error due to misunderstanding would be of great damage depriving the people their right and proper justice. If the local qualified persons inducted by the state machinery in the existing arrangement can perform better, it is not in the bet mindset to dip the quality of judiciary by adopting AIJS as counter arguments holds. And various state governments such as Arunachal Pradesh, Meghalaya, and

[8] Criminal Procedure Code 1973, s 272; Code of Civil Procedure 1908, s 137(2).

Chhattisgarh opposed the creation of AIJS on the cultural ground which were unique to these localities.

4. APPROACHES THAT FIND IN FAVOUR

4.1 AIJS AND THE LINGUA PROBLEM

When a judicial common to a whole nation was set up it is possible that a elected candidate can find it difficult in a posting in a different state. It is also true that complete understanding of oral evidence and the document submitted propounded in the local language is necessary. Before to the reorganization of the states, composite states like Bombay comprised 3 regions having different regional languages. The difficulty at such situation were dealt by obliging the member of subordinate judiciary to pick one more language in addition to his mother tongue. This arrangement worked well and no complaint was raised regarding the inefficiency. Every IFS officer posted in a different country is mandated to gain proficiency in the regional language of the country he is to be deputed. The training for the same is provided in the academy. The IAS and IPS works on the same lines. There is always an advocate to engage on behalf of the suit parties. And with the advent of new mechanism translation of document were no difficult task. Even in the existing system, every state may have different dialects spoken by the member of the same local language. But that consideration never posed as a difficulty to the existing judges therefore we could strongly conclude that the language cannot be a barrier to the implementation of AIJS.

4.2. LACK OF SIMILAR GROUNDS

The constitution empowers the High courts in the matter of appointment, posting and the promotion of district judges under art 233 and 235. Pursuant to these powers the court drafted many rules governing the aforesaid matters. But the problem lies with fact that there is no uniformity in rules and the selection process followed in the different states. This uniformity can be brought about only by way of common examination and by setting up common standards for the judges across the country.

There are no uniform scales of pay prescribed but there exists framework for the minimum pay scales without affecting the extra benefits construed in favour of the subordinate judges in some states. To guarantee the proper administration of justice, a well-designed remuneration plan is

necessary for the recruitment, retention, and motivation of judges.

The situation worsens in the ambit of the promotion of judges; in some state there are no rules governing the promotion of the judges and the promotion is governed by the reports and resolutions of the committees. This leads to the uncertainty and deteriorates the morale of the judiciary. The Supreme Court in *Indravadan H. Shah* v. *State of Gujarat*[9]struck down Rules 6(4) (i) & (iii) (a) of the Gujarat Judicial Service Recruitment (Amendment Rules), 1979, which provided an age restriction regarding the appointment of Assistant Judge by promotion, as being archaic, unreasonable and irrational[10]. Every High Court appraisal committee develops its own standards and rules for promotion during the course of its existence, and there is no standard set of norms or guidelines for the promotion.

The most preliminary difference is the different method of recruitment followed in different states. Some states follow a two-tier process and some states follow a three tier process, this difference can result in different results. Of all the states only 12 have specified the syllabus in their rules for the mains stage of selection. These wide variations lead to selection of candidates with different competence and varied intelligence. Thus, the best system, which picks the best candidates, should be devised and implemented uniformly throughout the country.

4.3. NEGATION OF CONTROL OF HIGH COURT

Another ground of objection raised against AIJS was its attempt to dilute the power of high court over the subordinate courts. The suggestion of creation of separate body called National Judicial Service Commission or already existing UPSC and conferring them with the power regarding the recruitment creates a misnomer that the High courts would be absolutely absolved from their power. The members of AIJS will be allocated to the states, there they will be subjected to the article 235 except in the matters of initial recruitment. In the matters of discipline, suspension, the control of the High court continues to be unimpaired. While at present the High Court recommends various things such as promotion or disciplinary action to the Governor, it would be recommending the same to the National Judicial Service Commission which, in turn, would make necessary recommendation to the President of India but the President of India will act in the same manner as at present it is done by the Governor

[9] Indravadan H. Shah v. State of Gujarat, 1986 Supp SCC 254: AIR 1986 SC 1035.
[10] Shivam Kaushik and Anushri Singh, All India Judicial service. Problems and Prospects, 2018, (September 27, 2025 11:44) https://nujslawreview.org/wp-content/uploads/2019/06/11.4-Shivam-kaushik-ALL-INDIA-JUDICIAL-SERVICES-PROBLEMS-AND-PROSPECTS.pdf

having regard to the almost binding character of the recommendation of the High Court.

Senior Advocate Arvind Datar has charged that High Courts create ambiguity and irregularities by conducting the Higher Judicial Services Examination on an ad-hoc basis rather than regularly like UPSC. This procrastination led to the shortage of judicial officers. There has been a exorbitant ignorance of the judgement of the apex court, which had chastised the High Courts and held that all the vacancies in that year should be filled in strict adherence to the time schedule prescribed in *Malik Mazhar Sultan* v. *U.P. Public Service Commission*[11] and should never be carried forward. However, the blame cannot be casted altogether on the High Court as they are working under crushing backlogs, with insufficient manpower. Thus this responsibility must be entrusted with a separate body. Separating the power of appointment from the High Court does not *ipso facto* affect the independence of the judiciary, as the control under Article 235 continues to remain intact.

5.ANALYSIS AND SUGGESTIONS.

As the two sides of the same coin every initiate inherently carries within itself both the positive and negative aspects. But if the negative aspects were only weighted no positive growth can be attained in the changing times. While weighing both positive and negative aspects of AIJS the scale leans a little in favour of the positive outcomes of the AIJS. But it doesn't mean that all the negative concerns advocated must be disposed off altogether. The positive approach must be tethered and carefully reformed to address the concern and negate the negatives that can stem out. This chapter deals with the possible effective ways to implement the AIJS to address the shortcomings in the present scenario.

5.1 EXPERIENCE AND THE ELIGIBILITY CRITERION

Article 233(2) mandates that only a person who has been an advocate or a pleader for not less than seven years shall be eligible to be appointed as a District Judge[12]. P.B. Gajendragadkar, J., has outlined the drawbacks of the "age barrier," arguing that the majority of the lawyers who appear for such an examination after seven or ten years of practice would be the unsuccessful ones. The reasoning for the opinion is that a successful attorney will not tolerate the possibility of getting transferred from time to time. This requirement negates the goal of attracting more

[11] Malik Mazhar Sultan v. U.P. Public Service Commission, (2010) 15 SCC 184.
[12] India Consti. Art. 233(2).

efficient candidates. This pre-requisite of practice at the Bar has been one of the important factors in keeping away meritorious lawyers[13]. Hence this requirement should be done away

5.2. APPOINTING AUTHORITY

There have been suggestions to entrust this task to bodies like UPSC or a separate creation of body called National Judicial Service Commission, but the most apt system would be to utilize already existing system through a separate exam conducted by UPSC similar to the role of state PSC in selection of civil judges currently. UPSC is experienced well in conduct of the toughest exam of the nation for years. Establishing a Judicial Service Commission with judges from the higher judiciary as its members would support the accusation of an unaccountable parallel government by judges, which is undoubtedly a abhorrent idea in a democracy. The higher judiciary can protect the subordinate courts by taking suo moto cognizance if executive interference can be found in the said process there by upholding the independence of the judiciary.

5.3. STAGES OF EXAMINATION

The exam can be conducted in three stage similar to other all India services and should be concerned with the legal knowledge and aptitude. The language paper should be negated in the initial stages as the trainees will be required to clear the language proficiency paper after their training in the Judicial academy. The process must also test the judgement writing skills of the candidate. The exam could be conducted in any language according to the capability of UPSC. Candidates should be able to write the test in whatever language they choose.

5.4 RECRUITMENT AND PROMOTION

The recruitment can be done on the two fold basis namely by direct recruitment and promotion of judges. To ensure merit, sitting judges of lower courts should be permitted to appear for AIJS examination and accordingly, necessary changes should be made in the Constitution.

The judges recruited by AIJS should first be kept on probation for an emblematic period of one year, extendable to two years, during which they will be posted as Civil Judge (senior

[13] Shivam Kaushik and Anushri Singh , All India Judicial service . Problems and Prospects, 2018, (September 27, 2025 11:44) https://nujslawreview.org/wp-content/uploads/2019/06/11.4-Shivam-kaushik-ALL-INDIA-JUDICIAL-SERVICES-PROBLEMS-AND-PROSPECTS.pdf

judge)/Judicial Magistrate (first class). Thereafter, they will be posted as Assistant District Judge/Assistant Sessions Judge, giving them adequate time and experience to prepare for the leadership role of the Principal District Judge[14]

5.5. TRAINING

A training system on the same grounds of IAS should be formulated. Wherein under tier-I (National Training) candidates all over the country will be trained initially at a single academy under a special induction program. In contrast to the current system, which at most lasts seven days and lacks a specially created program for new recruits, the training term at the National Academy should ideally last twenty-four to thirty weeks. The focus should be laid on teaching how the judiciary is intended to be like versus the reality and pragmatism should lie in its core. Cadre distribution would take place after this training, in accordance with the IAS's cadre allocation policy.

After the conclusion of tier-I, the trainees would move to the State Judicial Academy (tier-II) where the training would ideally span for one year or more. The objective would be to make trainees conversant with the judicial system and the language of the State. During this whole period or for a specific period, each one of them would be posted as a law clerk to one Principle District Judge, placing him under the direct supervision of experienced judges. Also, this scheme

would extend a helping hand to the overworked lower courts, where the trainee judge would share the workload of the supervising officer as a law clerk. At the end of the training period of tier-II, there would be a language proficiency exam. The trainees would be given three attempts to clear the examination during the probation period. In case of failure in the examination, he will be terminated from the service[15].

6. CONCLUSION

The main aim of the judiciary is to administer justice to the people. But it must also ensure that

[14] Shivam Kaushik and Anushri Singh , All India Judicial service . Problems and Prospects, 2018, (September 27, 2025 11:44) https://nujslawreview.org/wp-content/uploads/2019/06/11.4-Shivam-kaushik-ALL-INDIA-JUDICIAL-SERVICES-PROBLEMS-AND-PROSPECTS.pdf

[15] Shivam Kaushik and Anushri Singh , All India Judicial service . Problems and Prospects, 2018, (September 27, 2025 11:44) https://nujslawreview.org/wp-content/uploads/2019/06/11.4-Shivam-kaushik-ALL-INDIA-JUDICIAL-SERVICES-PROBLEMS-AND-PROSPECTS.pdf

the justice is done and proper efficient justice reaches the victim. The faith of the populace in justice dispensation is a *sine qua non* for maintaining law and order in the society. The judicial administration need to be evolved and match the requirements of the growing times. The AIJS creation can lead new path as a solution to the problems currently faced by the judicial administration such as piling of cases, judicial vacancies, efficient judges, nepotism in selection and so on. Thus levying the barricades to the implementation AIJS on menial grounds which can be set right can be detrimental to the judicial administration and can make it stagnant for years to come. By analyzing the approaches mentioned above and suggestion for the efficient functioning of AIJS can pave a better path for AIJS as a supplementary road of judicial administration

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