

Nine High Courts oppose all-India judicial service

Nine High Courts have opposed a proposal to have an all-India service for the lower judiciary, eight have sought changes in the proposed framework and only two have supported the idea, a Law and Justice Ministry document says.

The document, sent to all members of the parliamentary consultative committee on law and justice, also says that most of the 24 High Courts wanted control over the subordinate judiciary.

The Narendra Modi government had given a fresh push to the long-pending proposal to set up the new service to have a separate cadre for the lower judiciary in the country. The idea was first mooted in the 1960s.

The document says the High Courts of Andhra Pradesh, Bombay, Delhi, Gujarat, Karnataka, Madhya Pradesh, Patna and Punjab and Haryana “have not favoured the idea of an All-India Judicial Service”.

It said only the High Courts of Sikkim and Tripura have concurred with the proposal.

The Allahabad, Chhattisgarh, Himachal Pradesh, Kerala, Manipur, Meghalaya, Orissa and Uttarakhand High Courts have suggested changes in the age at the induction level, qualifications, training and quota of vacancies to filled through the proposed service.

Administrative control

“Most of the High Courts want the administrative control over the subordinate judiciary to remain with the respective High Courts,” the document said.

Seeking to overcome the divergence of views, the government had recently suggested to the Supreme Court various options, including a NEET-like examination, to recruit judges to the lower judiciary. There were vacancies of 4,452 judges in subordinate courts in the country.

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