

[श्री रमेश पोखरियाल 'निशंक']

देते कि कहां तो उस point पर पिछड़े क्षेत्र का जो प्रतिशत था, वह 2016 में केवल 48 प्रतिशत के करीब था और आज हमने ऐसी व्यवस्था की है कि उसे 51 प्रतिशत से भी ज्यादा बढ़ा दिया है।...**(व्यवधान)**...

श्री रेवती रमन सिंह: उपसभाध्यक्ष महोदय, मैं माननीय मंत्री जी से कहना चाहता हूँ कि जो JNU का character था, उसको खत्म करने की पूरी कोशिश की जा रही है। आप ही की पार्टी के मार्गदर्शक नेता, डा. मुरली मनोहर जोशी जी ने सरकार से आग्रह किया था कि वहां के vice-chancellor को तत्काल बर्खास्त कर दिया जाए। क्या आप उस पर कोई कार्यवाही करेंगे या नहीं?

श्री रमेश पोखरियाल 'निशंक': महोदय, मुझे कई बार आश्चर्य होता है कि JNU के किस character की बात होती है? क्या character था JNU का? JNU की स्थापना के समय जो उसका character था, आज भी उसका वही character है और कल भी रहेगा क्योंकि JNU अनुसंधान के लिए बनाया गया था। JNU में ग्रामीण क्षेत्र का व्यक्ति आकर अनुसंधान करे – वह उसका दायित्व था और वह अपने दायित्व को निभा रहा है। JNU में जो उन आकांक्षाओं और अपेक्षाओं पर तुल्यता करना चाहते हैं, उनके खिलाफ यदि कड़ी कार्यवाही होती है तो जरूर होनी चाहिए - इससे गवर्नमेंट भी नहीं हिचकेगी और वहां का प्रशासन भी नहीं हिचकेगा।

THE VICE-CHAIRMAN (SHRIMATI KAHKASHAN PERWEEN): Question No. 277. Questioner is absent. Any supplementaries?

*277. [The questioner was absent.]

All India Judicial Services Exams

*277. SHRI TIRUCHI SIVA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry propose to conduct an All India Judicial Services Exams for appointment of Judges to the district level judiciary;

(b) if so, the language in which the exams will be conducted and the details regarding the manner in which the exams will be conducted; and

(c) the details of the laws that would be formulated to set up an All India Authority to conduct such exams?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) In Government's view, a properly framed All India Judicial Service is important to strengthen the overall justice delivery system, especially at the district and subordinate court level. This will give an opportunity for induction of suitably qualified fresh legal talent selected through a proper all-India merit selection system, who would be put to intensive training for developing professional skills. This would also address the issue of social inclusion by enabling suitable representation to marginalized and deprived sections of society and also reflect the diversity of Indian legal talent.

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. Besides attracting some of the best talent in the country, it may also facilitate inclusion of competent persons from marginalized sections and women in the judiciary. 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 All India Judicial Service. While some State Governments and High Courts favoured the proposal, some were not in favour of creation of All India Judicial Service while some others wanted changes in the proposal formulated by the Central Government.

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 level 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 included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of the High Courts held on 05th April, 2015. However, no progress was made on the subject.

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 Minister of Law and Justice on 16th January, 2017 in the presence of Minister of State for Law and Justice, Attorney General of India, Solicitor General of India, Secretaries of Department of Justice, Legal affairs and Legislative Department. In view of the existing divergence of opinion amongst the stakeholders the Government is engaged in a consultative process with the stakeholders to arrive at a common ground.

SHRI BHUPENDER YADAV: Madam, first of all, I welcome the statement given by the hon. Minister that in Government's view, a properly framed All India Judicial Service is important to strengthen the overall justice delivery system, especially at the district and subordinate court level. Now, my supplementary question is this. There is power to this House, under Article 312, to make any service as All India Service. Is there any proposal pending before the Government to bring this type of resolution in this House?

श्री जयराम रमेश: भूपेन्द्र जी, यह तो आप जानते हैं। इसका जवाब तो आप जानते ही हैं।

SHRI RAVI SHANKAR PRASAD: Madam Vice-Chairman, our Government is keen to have an All India Judicial Service wherein we would have proper talent including giving representation to the marginalized community, by having a good talent pool, for their induction into the district level appointments in the country. We can have the I.A.S., we can have the I.P.S., we can have the I.F.S., then, why not an All India Judicial Service, being conducted by a proper body like U.P.S.C. with the merit selection process so that India's Judicial Service also attracts the best talent and proper representation also. But, the hon. Member, Bhupenderji, is right. There is a procedure that this House has to have that resolution. This is a work in progress. We are having stakeholder consultations. Many States are on board, many are not. Many High Courts are on board, many are not but our initiative is going on and when I would come to this House, surely, I would be enlightened by the opinion of all the hon. Members so that we make it as a robust All India Judicial Service.

SHRI P. BHATTACHARYA: Madam, I have a question about the language in which the exam would be conducted. I would like to know, how many languages would be utilized for the examination purpose? Is it all the 29 languages?

SHRI RAVI SHANKAR PRASAD: Madam, this is a question of entire selection process. As U.P.S.C. does for I.A.S., I.P.S. and others, this would be done, but there are issues. One thing I would like to address in this House that whenever we talk of All India Judicial Service, a question is raised कि असम के लोग तमिलनाडु में कैसे जाएंगे? I.A.S. people from Tamil Nadu get posted in Assam or not? Shri R.C.P. Singh has been I.A.S. officer, he went to U.P. or not? Kerala people come to my State of Bihar or not? They pick up language. But even my thinking and the Government's thinking is that we would have four categories in the entire country for All India Judicial Service so that North, South, East, West people can come in those clusters. So the language would not be a problem. I would urge hon. Member that this is a great reform initiative of Government of India and all of us should work together to make it a success.

SHRI RIPUN BORA: Madam, I have tried three times. I did not get a chance. That is why I was under the impression that this time also, I would not get a chance. That is why I am not prepared.

My question to the hon. Minister is this. In his reply about the All India Judicial Service, he has stated that a series of meetings were held with Chief Justices of the High Courts and Chief Ministers of India. But, at the end, he said that consensus is yet to arrive. So, my question to the hon. Minister is this. Would he take initiative to expedite it and get a consensus so that we can get an All India Judicial Service?

SHRI RAVI SHANKAR PRASAD: Madam, we are making effort. It is a commitment of the Government of India. Taking the benefit of the floor of this great House, Rajya Sabha, I would appeal to all the stakeholders including all the High Courts of India that this is a great reform initiative. Even if we have traditional, conventional opposition, please overcome it and join in this great reform initiative.

THE VICE-CHAIRMAN (SHRIMATI KAHKASHAN PERWEEN): Question No. 278.

Monitoring of social networking sites

*278. SHRI HARNATH SINGH YADAV: Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that the country has been witnessing usage of mobile phones and internet for committing crimes which are against the interest of the country;