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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of

International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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A CASE NOTE ON ALL INDIA JUDGES ASSOCIATION VS. UNION OF INDIA (2025): A MANDATE FOR JUDICIAL DIGNITY, MERITOCRACY, AND INSTITUTIONAL REFORM

AUTHORED BY - NATASHA TIWARI

ABSTRACT

The judgment in *All India Judges Association v. Union of India (2025)* represents a landmark constitutional intervention aimed at securing the structural and financial independence of India's district judiciary, which the Supreme Court termed the "backbone" of the justice system. A central mandate was the retrospective implementation of the Second National Judicial Pay Commission (SNJPC) recommendations from January 1, 2016, effectively correcting the eight-year delay behind Central Government emoluments and ensuring judicial officers can serve with "financial dignity" and integrity. To ensure uniform implementation, the Court directed the constitution of two-judge monitoring committees in every High Court.

The ruling instituted profound structural reforms in recruitment and promotion. It restored the mandatory three-year practice period for entry into the Civil Judge (Junior Division) cadre, prioritizing professional maturity and courtroom awareness. Simultaneously, it accelerated merit-based progression by restoring the Limited Departmental Competitive Examination (LDCE) quota for the Higher Judicial Service to 25% and reducing the minimum total service eligibility to seven years. Furthermore, it mandated proper Suitability Tests for promotions within the 65% Regular Promote quota.

Finally, the Court addressed administrative efficiency by directing the immediate regularization of ad-hoc Court Managers into a permanent, uniform Class-II Gazetted cadre. A notable policy choice was the decision to grant these managers retrospective continuity for terminal benefits while explicitly denying arrears of salary, balancing retrospective equity with the pragmatic necessity of ensuring swift institutional reform across the federal system. This comprehensive verdict uses Article 235 as a basis for continuous judicial supervision, establishing quantifiable standards and accountability for the governance of the subordinate judiciary.

KEYWORDS

1. Judicial Independence
2. SNJPC (Second National Judicial Pay Commission)
3. Three-Year Practice Rule
4. LDCE Quota (Limited Departmental Competitive Examination)
5. Court Managers Regularization

I. Introduction: The Constitutional Imperative of Judicial Independence

The judgment delivered by the Supreme Court of India in *All India Judges Association v. Union of India*, specifically the order dated May 16/20, 2025 (often referred to as the Sixth AIJA case), represents a profound intervention in the structure, administration, and service conditions of the district judiciary. This litigation, which traces its durability back to a solicitation first filed by the All-India Judges Association (AIJA) in 1989, is predicated on the foundational principle that the strength of the judicial system rests upon the economic and structural independence of its officers at the grassroots level.

The prolonged legal history, spanning over three decades and involving seminal directions in 1992, 2002, and subsequent orders, reveals that judicial independence is not merely a passive constitutional right but requires continuous, active assertion by the Apex Court. The necessity of this 2025 ruling arose from years of executive reluctance across various States and the Union to uniformly implement prior directions and recommendations concerning pay, allowances, and career progression.

A. Defining the Constitutional Stake: District Judiciary as the Backbone

The Court forcefully reiterated that the district judiciary is the "backbone of the judicial system". Its independence is indispensable for the maintenance of the Rule of Law and is recognized as an integral component of the Basic Structure of the Constitution. The Bench emphasized that judicial officers must be able to lead their lives with a "sense of financial dignity," asserting that the conditions of service, both while serving and post-retirement, must offer security and dignity sufficient to attract high-caliber talent to the service.

The decades-long delay (with service condition revisions often lagging eight years behind those of central government employees) caused grave concern for the Court. This pattern proved that the Court must step in to compel executive compliance with

constitutional duties, transforming Article 235 (which grants the High Court control over the subordinate judiciary) from an internal administrative power into a powerful tool for enforcing fundamental rights to non-exploitation and parity in public service (Articles 14 and 16). By linking pay parity to the timelines established by the Fifth, Sixth, and Seventh Central Pay Commissions, the Supreme Court established an objective, non-negotiable benchmark, effectively insulating the judiciary's compensation structure from annual budgetary or political manipulation by the State Executive.

B. Overview of the 2025 Mandate: Addressing Deficiencies Holistically

The 2025 judgment provides a holistic institutional reform package designed to address long-standing enterprises affecting the inferior bar. The mandate covers critical facets of judicial service:

Financial Restitution: Directing the implementation of the Second National Judicial Pay Commission (SNJPC) recommendations.

Qualitative Entry: Restoring the mandatory three-year legal practice requirement for entry into judicial service.

Career Progression: Re-calibrating promotion quotas (LDCE) and reducing eligibility periods to ensure accelerated mobility for meritorious officers.

Administrative Modernization: Creating a uniform, regularized cadre for Court Managers to enhance efficiency.

The order is not merely a set of directions but a comprehensive constitutional precedent, a model for governance, and a policy declaration rolled into one, aimed at assuring the future of the Indian judiciary through increased transparency, efficiency, and merit.

II. Financial Dignity: Implementation of the Second National Judicial Pay Commission (SNJPC) Recommendations

A central pillar of the 2025 judgment is the acceptance and mandatory implementation of the recommendations made by the Second National Judicial Pay Commission (SNJPC), constituted under the chairmanship of Justice (Retd.) P. Venkatarama Reddi in 2017.

A. Historical Context and Mandatory Retrospective Effect

The need for a separate Judicial Pay Commission, independent of the Executive, was

first recognized in the 1993 AIJA judgment, securing the system of checks and balances. The First National Judicial Pay Commission (FNJPC), headed by Justice K. Jagannatha Shetty, had its recommendations accepted in 2002 with retrospective effect from 01.01.1996, the date benefits were granted under the 5th Central Pay Commission (CPC).

Following this precedent, the 2025 ruling directed the Central and State Governments to implement the revised pay, pension, and other perquisites recommended by the SNJPC retrospectively from **January 1, 2016**. This date aligns the judicial officers' benefits with the implementation schedule of the 7th CPC for Central Government employees, correcting the significant time lag that had plagued the judiciary for eight years. The judgment strongly reinforced the constitutional obligation of the State to ensure fair remuneration and working conditions for judicial officers to maintain integrity and efficiency.

B. Revised Pay Structure and Targeted Relief

The Court approved the SNJPC recommendations covering the revised pay structure, pension, family pension, and allowances. This financial security is critical for preserving public confidence in the judicial system.

A notable specific modification concerned the remuneration of Special Judicial Magistrates (Second Class)/Special Metropolitan Magistrates, who typically deal with petty criminal cases. Recognizing their essential role, the Court accepted the recommendation but modified the minimum remuneration, directing that these officers shall receive **Rs. 45,000 per month** (an upward modification from the suggested Rs. 30,000) in addition to a conveyance allowance of Rs. 5,000 per month. This revised pay is effective from April 1, 2019, and is subject to further revision every five years.

C. Detailed Analysis of Approved Allowances and Amenities

The Court carefully considered objections filed by State Governments regarding various allowances proposed by the SNJPC but ultimately approved a comprehensive set of entitlements, noting that many either align with or are revisions of those recommended by previous Central Pay Commissions.

Key allowances approved include:

- House Building Advance;
- Children Education Allowance;
- City Compensatory Allowance;
- Concurrent Charges Allowance;

- Conveyance/Transport Allowance;
- Dearness Allowance;
- Earned Leave Encashment.

The Court's decision regarding Higher Qualification Allowance (HQA) was particularly progressive. While approving advance increments for acquiring higher qualifications, the Court explicitly clarified that these benefits must also be made available to officers who acquired their degrees through **distance learning programmes**. This institutional endorsement of distance learning acknowledges the logistical constraints faced by serving officers, providing a powerful means of promoting continuous professional development and fostering legal education without geographical barriers.

Furthermore, the 2025 judgment addressed the working environment of judicial officers by accepting two components of house rent related allowances introduced for the first time by the SNJPC: the **Furniture and Air Conditioner Allowance** and a separate **Maintenance Allowance**. The Court observed that these additions are integral to the proper performance of judicial duties and must be accepted. This recognition of physical infrastructure and work environment as direct determinants of a judge's efficiency and institutional dignity moves the focus beyond pure compensation toward holistic welfare, addressing the "Work Methods and Work Environment" aspect detailed in the SNJPC Report (Part IV).

Regarding Leave Travel Concession (LTC) and Home Travel Concession (HTC), the Court implemented relaxations proposed by the SNJPC, permitting judicial officers to avail LTC upon completion of **two years of service** (and completion of probation), discarding the previous mandatory five-year service requirement. The restriction on availing LTC in the final year of service was also dispensed with. These revisions aim to provide necessary rest and recuperation earlier in an officer's career.

D. Mechanisms for Accountability and Monitoring

To overcome the historic problem of uneven implementation and executive delays, the Supreme Court mandated clear mechanisms for accountability. A need for uniformity in service conditions across the country was stressed.

The Court directed the immediate constitution of a **two-judge committee in each High Court** to oversee the implementation of the orders pertaining to pay, pension, and retirement benefits. This structure places the responsibility for compliance directly under the administrative control of the High Courts via Article 235, ensuring that the

standards mandated by the Apex Court are adhered to strictly and uniformly across the federal structure.

III. Reforming Entry and Merit: The Three-Year Practice Rule and Recruitment Quality

The quality of the judiciary is fundamentally dependent on the quality of candidates inducted. The 2025 ruling significantly altered entry requirements for the Civil Judge (Junior Division) cadre, focusing on securing professional maturity.

A. Restoration of Mandatory Three-Year Practice

Historically, the Supreme Court, in the 1993 AIJA case, had recommended a mandatory three-year practice period for lawyers seeking judicial service. However, this requirement was subsequently relaxed in the 2002 judgment, allowing fresh law graduates to appear directly in state judicial service examinations. This relaxation led to variability in judicial temperament and capacity across states.

The 2025 judgment reversed this policy drift. The Apex Court reasserted the condition that a candidate must have at least **three years of practice as an advocate** to be eligible for judicial service (Civil Judge, Junior Division). This condition was made mandatory and binding across all states. The rationale behind this restoration prioritizes practical legal maturity over theoretical readiness. The Court emphasized that courtroom experience is indispensable, ensuring that new judges are prepared to tackle real-world cases and possess the necessary "professional maturity and courtroom awareness" from the moment they assume judicial authority. This institutional choice ensures quality control at the entry level, reducing the need for extensive foundational training and allowing officers to contribute effectively immediately.

B. Clarifications on Exemption and Inter-State Mobility

Following the main judgment dated May 20, 2025, the Court addressed practical issues concerning the mobility of officers appointed during the period of the relaxed rule.

A significant clarification was issued regarding sitting judicial officers appointed prior to May 20, 2025. These officers are exempted from the mandatory three-year bar practice requirement if they seek to apply for judicial services in other States. This exemption is subject to the proviso that they must have completed **three years of service** in their current State. By doing so, the Supreme Court equated three years of actual judicial experience with the mandatory three years of bar practice for purposes

of inter-state application, recognizing the value of service experience while safeguarding the mobility rights of existing officers.

IV. Structural Promotion Policies and Accelerated Career Progression

The judgment undertook a major restructuring of promotion mechanisms, particularly within the Higher Judicial Service (HJS), to combat career stagnation and institutionalize meritocracy throughout the judicial hierarchy.

A. Recalibration of the Higher Judicial Service (HJS) Quotas

Recruitment to the District Judge cadre (HJS) is sourced from three streams: Regular Promotes (RP), Limited Departmental Competitive Examination (LDCE), and Direct Recruits (DR). The Court reviewed the prevailing quotas, noting that in the Fifth AIJA case, the LDCE quota had been reduced to 10% because a large number of posts in that category remained unfilled.

In the Sixth AIJA (2025), the Court determined that restoring the LDCE quota would provide a necessary incentive for meritorious officers.

Table 1: Evolution of Recruitment Quotas for District Judges (HJS)

Source	Prior Ratio (Fifth AIJA - Pre-2025)	2025 Ratio (Sixth AIJA)	Impact/Rationale (2025)
Regular Promotes (RP)	65%	65%	Continuous career path via merit-cum-seniority.
Limited Departmental Competitive Exam (LDCE)	10%	25% (Restored)	Accelerated promotion path; greater incentive for meritorious officers; addresses stagnation.
Direct Recruits (DR)	25%	10% (Adjusted)	Maintains infusion of experienced advocates; adjusts balance with increased LDCE reliance.

The LDCE quota for promotion to the District Judge cadre was **restored to 25%**. The quota for Direct Recruits (DRs) was impliedly adjusted to 10%, maintaining the RP quota at 65%.

Crucially, the Court introduced a mechanism reflecting operational realism. Recognizing that strict adherence to quotas that result in vacant posts could harm judicial capacity, the judgment stipulated that if sufficient candidates are not selected through the 25% LDCE, the unfilled posts must **revert to the regular promotion quota** (merit-cum-seniority) and be filled in the same year. This flexibility ensures that the imperative of maintaining operational strength and filling vacancies takes precedence over rigid quota fulfillment.

B. Enhancing LDCE as an Incentive for Merit

The decision to increase the LDCE quota is a policy move aimed at accelerating career progression, addressing the "perceived discontentment" and "heartburn" among judicial officers caused by slow growth. To maximize participation and ensure the scheme's effectiveness, the Court directed all High Courts and State Governments to amend service rules to significantly reduce the minimum qualifying service required to appear in the LDCE for HJS:

Minimum service of **3 years** as Civil Judge (Senior Division).

Minimum **7 years** total service as a Judicial Officer (including Civil Judge (Junior Division) and Civil Judge (Senior Division) combined).

This reduction widens the pool of eligible, meritorious candidates who can accelerate their careers, reinforcing the systemic emphasis on meritocracy.

C. Merit-Based Progression in Lower Rungs

The principle of merit-based acceleration was extended downwards in the judicial hierarchy. The Court directed the adoption of the LDCE mechanism for promotion from Civil Judge (Junior Division) to Civil Judge (Senior Division) as well. High Courts and state governments must reserve **10% of posts** in the Civil Judge (Senior Division) cadre for promotion through this LDCE mechanism. This dual-tiered LDCE system ensures that merit and competition are rewarded early, stabilizing the quality of judicial officers at every inflection point of their careers.

D. Requirement for Formal Suitability Tests in Regular Promotion

The ruling also addressed concerns regarding the quality of promotions under the traditional 65% Regular Promote (RP) quota. The Court mandated that promotions

under the merit-cum-seniority system must not be automatic based purely on seniority but must be formalized through proper **Suitability Tests**.

These suitability evaluations must be comprehensive, reviewing legal knowledge, the quality of judgment writing, Annual Confidential Reports (ACRs), and overall performance, adhering to defined, impartial, and transparent standards established by the respective High Courts. This measure ensures that the largest promotion stream remains firmly guided by merit, preventing it from devolving into a simple seniority-based exercise.

Table 2: Key Service Reforms Mandated by AIJA 2025

Service Component	Direction/Mandate	Old Requirement (Pre-2025)	Constitutional Rationale
Entry (CJ-JD)	Mandatory 3 Years Practice	Relaxation allowing fresh law graduates (post-2002)	Ensures professional maturity and courtroom awareness.
LDCE Quota (HJS)	Restored to 25%	Reduced to 10% (Fifth AIJA)	Promotes meritocracy and accelerated career progression.
LDCE Eligibility (HJS)	3 years as CJ(SD) & 7 years total service	Varying/Higher minimum service requirements.	Widens the pool for accelerated promotion.
SNJPC Implementation	Mandatory w.e.f. 01.01.2016	Awaiting final decision (8 years delay)	Ensures financial dignity and parity with Central Pay Commissions.

V. Determining Inter-Se Seniority and Rejecting Internal Quotas

The Supreme Court, acting through a Constitution Bench, also clarified long-standing disputes regarding the determination of seniority within the Higher Judicial Service (HJS), a critical aspect for career progression.

A. Seniority Principles in the HJS

The Court held that the **continuous length of service** ought to be the primary criterion for determining *inter se* seniority in the HJS. This criterion applies across the three

entry streams (RP, LDCE, and DR), ensuring a unified system within the cadre. To maintain fairness, this principle is applied subject to the condition that all appointees in a single recruitment year are placed against their respective annual roster points, regardless of the actual date of appointment.

B. Upholding Cadre Integrity: Rejection of Sub-Quotas

A significant aspect of the judgment was the explicit rejection of demands by the AIJA to create quotas for fixation in the Selection Grade and Super Time Scale *within* the unified cadre of District Judges based on the officer's prior service in the lower judiciary.

The Bench categorically held that creating such internal sub-quotas would lead to "iniquities" and would necessitate "sacrificing merit". Furthermore, it observed that establishing separate seniority lists for the three different entry sources would result in unacceptable inequalities, creating an "artificial classification" of members within an existing, integrated cadre.

The constitutional significance of this rejection lies in the defense of cadre homogeneity. Once officers from the three streams enter the HJS, they constitute a single service. Their subsequent career growth must be dictated by merit and continuous performance within the unified HJS, rather than by historical route of entry. This ruling protects the structural integrity of the District Judge post, ensuring that the meritocratic incentives provided by the LDCE and DR streams are not nullified by a seniority structure that rewards only prior service history.

VI. Administrative Efficiency: Regularization of Court Managers

Recognizing that structural reforms must be matched by administrative support, the 2025 judgment tackled the long-pending issue of regularizing Court Managers. This cadre, often comprising professionally trained MBAs, was established to relieve judges of administrative burdens, enhance court management efficiency, and monitor case disposal. Despite the post being recommended by the Thirteenth Finance Commission in 2010 and funds allocated for remuneration, the status of these personnel remained ad-hoc or contractual in most states.

A. Mandate for a Uniform, Regularized Cadre

The judgment, prompted by applications from individual Court Managers and their Welfare Association, crafted an enforceable blueprint to address their hitherto fragmented status. The Court directed that the services of any person already working as a Court Manager in any district should be regularized by the State Government.

Status and Pay: The ruling mandates that Court Managers must be regularized into a uniform national service framework, attaining at least **Class-II (Group-'B' Gazetted) status** with commensurate pay and allowances. The Court emphasized that their assistance is necessary for a proper administrative set up in a court.

Implementation Blueprint and Accountability: To standardize the framework, the Court adopted the Gauhati High Court's 2018 Rules as a reference template. All High Courts are directed to draft or amend rules concerning recruitment, pay, duties, promotion, and disciplinary matters within a period of three months. State Governments must approve these rules within a further three months. To prevent delays, the respective **Registrar Generals of the High Courts and the Chief Secretaries of the State Governments** were made **personally responsible** for adhering to these timelines.

B. Regularization, Retrospective Continuity, and the Denial of Arrears

Existing Court Managers (whether contractual or *ad hoc*) must undergo a suitability test for absorption. Those found suitable are to be absorbed with **retrospective continuity in service** for all purposes, including crucial terminal benefits. This ensures that their years of *ad hoc* service are counted toward pension, gratuity, and overall career tenure.

However, the Court included a specific and notable proviso: while regularization entitles them to continuity and terminal benefits, the officers "**would not be entitled for the arrears, if any, on account of difference between salary for the period from the date on which they are working till the date of their actual regularization**".

C. Jurisprudential Tension: Pragmatism vs. Constitutional Purity

The explicit denial of salary arrears presents a significant tension within service jurisprudence. While the Supreme Court secured the institutional future and dignity of the Court Managers by granting them permanent, gazetted status and continuity, the simultaneous denial of past financial entitlements, particularly the differential salary for work already performed, stands in contrast with recent service law precedents.

Judicial review has established that selective regularization and the denial of full financial benefits, particularly when similar workers are regularized with retrospective monetary benefits, constitute unconstitutional discrimination, violating Articles 14, 16, and 21. Earlier High Court rulings have also explicitly held that a condition denying seniority and arrears upon regularization "can never be imposed". Furthermore, the Supreme Court, in other 2025 rulings, reinforced that the State, as a model employer,

cannot cite "financial stringency" as a talisman to override fairness and constitutional discipline in perpetuating exploitative ad-hocism.

The Court’s policy choice in *AIIA 2025* balances the constitutional ideal with administrative practicality. By denying arrears, the Court achieved a pragmatic compromise, neutralizing potential financial resistance from State Governments that could have indefinitely delayed the crucial institutional reform package needed to professionalize court administration. This secured the *future* institutional status of Court Managers at the expense of their *past* retrospective financial entitlements.

Table 3: Comparative Analysis of Court Managers Regularization and Arrears Denial

Parameter	Direction under AIJA 2025	Resultant Status	Constitutional Tension
Service Status	Regularized; Class-II (Group-'B' Gazetted)	Permanent, formal employment status.	Consistent with Articles 14/16.
Retrospective Benefits	Continuity granted for terminal benefits	Long-term security (pension, gratuity) secured.	Consistent with judicial review of ad-hoc service.
Arrears of Pay	Explicitly Denied for <i>ad hoc</i> period	Loss of differential salary for years of service.	Conflict with "equal pay for equal work" and precedents condemning selective denial of arrears.

VII. Conclusion: Constitutional Impact and Future Trajectory

The judgment in *All India Judges Association v. Union of India 2025* is a landmark ruling that systematically addresses institutional deficiencies in India's subordinate judiciary. It operates as a powerful mechanism for securing the financial and structural independence of judicial officers, recognizing that a just and accountable system is founded upon empowering the judiciary at all levels.

A. The Operationalization of Judicial Independence

The ruling’s greatest contribution is its operationalization of judicial independence under Article 235. By mandating the retrospective implementation of SNJPC recommendations from 01.01.2016, imposing specific deadlines for structural reforms

(like Court Manager regularization) , and establishing High Court monitoring committees , the Supreme Court exerted its continuous supervisory jurisdiction to enforce time-bound, quantifiable standards for state compliance. This mitigation of federal variations in judicial administration is crucial for creating a uniformly strong national judicial system.

The introduction of meritocratic measures—restoring the 3-year practice rule and expanding the dual-tiered LDCE quotas (25% for District Judge and 10% for Civil Judge Senior Division) —ensures quality control and provides strong performance incentives. The policy shift in favor of entry-level experience and accelerated merit progression elevates the long-term competence of the district judiciary.

B. Evaluation of Enforceability and Institutional Tensions

The judgment relies heavily on the accountability mechanism imposed on the highest administrative functionaries (Chief Secretaries and Registrar Generals). The effectiveness of the 2025 ruling will depend entirely on the stringent monitoring by the two-judge High Court committees and the willingness of State Executives to absorb the significant financial implications of the enhanced pay scales and new allowances (such as Furniture and AC Allowance).

The primary jurisprudential tension that remains is the denial of salary arrears for the newly regularized Court Managers. This judicial compromise, enacted to ensure the prompt establishment of a critical administrative cadre, prioritizes systemic necessity (speedy institutional reform) over strict retrospective equity (Articles 14/16). However, this specific proviso is a latent point of instability, likely to spur future litigation seeking to strike down the denial, citing the strong constitutional precedents affirming that the State cannot arbitrarily withhold financial benefits upon regularization.

In conclusion, the Sixth AIJA case stands as a landmark decision that systematically strengthens the institutional integrity of the district judiciary. By securing their "well-being, dignity, and timely career progression," the Supreme Court has reasserted its role as the protector of judicial autonomy, ensuring the judiciary remains insulated from undue financial and political pressures while continuing its function as the foundation of justice delivery. The ruling marks a significant milestone in India's ongoing effort to institutionalize meritocracy and dignity at the heart of its justice system.

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