

Attorney General of India

Description

Attorney General of India

The Constitution (Article 76) provides for the office of 'Attorney General of India'. He is the highest law officer of the country.

Attorney General of India Appointment and Tenure

Attorney General of India – Appointed by the President. It has to have the qualifications which are required for the appointment of a Judge of the Supreme Court. In other words, he must be a citizen of India, with five years' experience as a judge of a High Court or 10 years of practising experience in a High Court or, in the opinion of the President, a person qualified to pursue judicial cases.

Appointment and tenure of Attorney General

1. The Attorney General is appointed by the President, a person having the qualification of a judge of the Supreme Court can be appointed to the post of Attorney General.
2. He must be the citizen of India
3. He should have 5 years of experience of working as a Judge of a High Court or 10 years of experience of advocacy in a High Court or according to the President he is a person qualified for judicial matters.
4. The tenure of the Attorney General is not fixed by the Constitution
5. Apart from this, no basic system has been given to the Constitution to remove it .
6. He can be removed by the President at any time.
7. He can resign anytime by tendering his resignation to the President

Salary of Attorney General

The salary and allowances of the Attorney General have not been fixed in the Constitution, he gets the remuneration fixed by the President.

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Acts and Powers of the Attorney General

The main functions of the Attorney General are:

1. Perform such other duties legally as are assigned to them by the President .
2. Advise the Government of India on such legal matters as may be assigned to it by the President.

3. To perform the functions provided by the Constitution or any other law .

The President entrusts the Attorney General with the following functions .

1. The President represents the Government of India in the Supreme Court under Article 143 of the Constitution.
2. Appearance on behalf of the Government of India in the Supreme Court on matters related to the Government of India .
3. Right to be heard in High Court in any matter related to the government .

Rights and obligations of Attorney General of India

1. The Attorney General has the right to be heard in any court in any region of India
 2. Apart from this, it is the right to speak or take part in the proceedings of both houses of Parliament without voting rights in the joint sitting of both houses.
 3. Like an MP, he gets all the perks and privileges
 4. The Constitution has also set its boundaries to avoid any conflict under its duties.
 5. He cannot defend a person in any criminal case without the permission of the Government of India .
 6. He cannot advise or analyse anything against the Government of India
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3. He cannot comment on the matter in which he has to appear on behalf of the Government of India .
 4. One cannot assume the post of director of a company without the permission of the Government of India.

Other facts related to the Attorney General

Apart from the Attorney General, there are other legal officers of the Government of India. It consists of one Solicitor General of India and 4 Additional Solicitors General for India. These people help the Attorney General to fulfill his responsibility.

Keep in mind that the office of the Attorney General is a constitutional post mentioned in Article 76. On the other hand, talking about the Solicitor General of India and Additional Solicitors General for India, it has not been discussed in the Constitution.

¼ It is said to be kept in the category of executive, but the Attorney General is not a member of the Union Cabinet. There is a separate Law Minister in the Union Cabinet to look after legal matters at the government level . Whereas, the Attorney General of the United States also has executive authority.

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1. Govt. Jobs

Tags

1. Acts and Powers of the Attorney General
2. Appointment and tenure of Attorney General
3. Attorney General of India
4. Attorney General of India Appointment and Tenure
5. Rights and obligations of Attorney General of India
6. Salary of Attorney General

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