

## Attorney General of India UPSC Notes

The Attorney General of India functions as the primary legal advisor to the government of India and represents government of India in legal matters before the Indian Supreme Court. The role and duties of the Attorney General, along with its scope, are concisely outlined in Article 76 of Part V of the Indian Constitution. Article 76 of Part V in the Indian Constitution highlights the role of the Attorney General of India.

### UPSC Notes for Attorney General of India

In this article we have covered appointment, term, duties, functions and rights of Attorney General of India for UPSC Prelims and Mains GS 2 paper, and prepared UPSC Notes for Attorney General of India. Also we have attached the UPSC Notes for Attorney General of India PDF so that you can download and save it for future reference.

### Appointment of Attorney General of India

Here we have discussed about the Attorney General of India:

- Attorney General of India is appointed by President.
- For the appointment the person shall be eligible and qualified to be judge of Supreme Court.
- He must have been judge of high court for at least 5 years or advocate of some high court for 10 years.

### Term of Attorney General of India

Read out this section for understanding about the term of Attorney General of India:

- Term of office for Attorney General **is not** fixed by the constitution.
- He holds office during pleasure of [the president](#).
- No process for removal has been mentioned in the constitution.
- He can resign by submitting his resignation to the president of India.
- Generally the Attorney General resigns when the Council resigns as he is appointed on its advice.

### Attorney General of India Salary

The Attorney General of India is the principal legal advisor to the Government of India and enjoys a high salary and other perks. Here is a breakdown of their salary and allowances:

- **Basic Pay:** The basic pay of the Attorney General of India is ₹2,25,000 per month.
- **Retainer Fees:** The Attorney General is also paid a retainer fee of ₹50,000 per month.
- **Sumptuary Allowance:** The Attorney General is also entitled to a sumptuary allowance of ₹4,000 per month.
- **Other Allowances:** The Attorney General is also entitled to other allowances, such as house rent allowance, travel allowance, and medical allowance.

The **Attorney General of India is a highly paid and privileged position**. The salary and allowances are very generous, and the Attorney General also enjoys a number of other perks. However, the **Attorney General also bears a heavy responsibility**. He is the government's chief legal advisor and represent the government in court. They play a vital role in the protection of the rule of law and the advancement of justice in India.

### **Attorney General of India Duties**

The Attorney General of India has a number of duties which includes:

- **Giving legal advice to the Government of India:** The Attorney General is the government's chief legal advisor and is responsible for giving legal advice on all matters of law. They are consulted by the government on a wide range of issues, including constitutional law, international law, and human rights law.
- **Performing other duties as may be assigned by the President:** The Attorney General also performs other duties as may be assigned to them by the President. These duties may vary depending on the needs of the government.
- **Supervising the work of the Department of Legal Affairs:** The Attorney General is responsible for supervising the work of the Department of Legal Affairs, which is the government's law department. The Department of Legal Affairs is responsible for providing legal advice to the government and for representing the government in court.

President has assigned the AG following duties:

- **Prosecuting cases on behalf of the Government of India:** The Attorney General is responsible for prosecuting cases on behalf of the government in the Supreme Court and other courts in India. They also represent the government in criminal cases.
- **Appearing on behalf of the Government of India in Supreme court:** The Attorney General is the government's chief advocate in court and appears on behalf of the government in all cases in the Supreme Court and other courts in India.
- **Appearing on behalf of the Government of India in High court:** Attorney General of India appears on behalf of government of India in High Court for all cases where Government of India is to be concerned.

### **Rights of Attorney General of India**

While serving as Attorney General, the rights granted are -

1. Right of audience in all courts of India.
2. He also has right to speak and to take part in proceedings of both houses i.e. Rajya Sabha and Lok Sabha, in their joint sitting and any committee for which he has been named.
3. He enjoys immunities enjoyed by the member of parliament, but not the right to vote.
4. Attorney General does not fall in category of government servant and is not debarred from private legal practice.

Read below regarding the limitations of the Attorney General of India.

### **Limitations of the Attorney General of India**

Along with the rights granted to the attorney general of India, there are certain limitations to his role, discussed below:

1. He should not advise any party against government of India.

2. He should not defend accused of criminal activities, without permission from government of India.
3. He should not be appointed to director of any company, without permission of government of India.

### Articles related to Attorney General of India

In this section we have mentioned about the articles in the constitution which deals with the Attorney General of India

Article	Subject
76	Attorney General of India
88	Rights of Attorney General of India
105	Powers and privileges of Attorney General of India

### Attorney General of India UPSC PYQs

Here, in addition to Attorney General UPSC Notes we have curated Attorney General UPSC PYQs both for prelims and mains GS2 paper.

### UPSC Attorney General of India Prelims PYQs

**Q1.** With reference to India, consider the following statements:

1. Government law officers and legal firms are recognized as advocates, but corporate lawyers and patent attorneys are excluded from recognition as advocates.
2. Bar Councils have the power to lay down the rules relating to legal education and recognition of law colleges. (UPSC Prelims 2022)

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Q2.** Consider the following statements:

1. Attorney General of India and Solicitor General of India are the only officers of the Government who are allowed to participate in the meetings of the Parliament of India.
2. According to the Constitution of India, the Attorney General of India submits his resignation when the Government which appointed him resigns. (UPSC Prelims 2022)

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Q3.** Consider the following statements:

Attorney General of India can

1. take part in the proceedings of the Lok Sabha
2. be a member of a committee of the Lok Sabha
3. speak in the Lok Sabha
4. vote in the Lok Sabha

Which of the statements given above is/are correct? (UPSC 2022)

- (a) 1 only  
(b) 2 and 4  
(c) 1, 2 and 3  
(d) 1 and 3 only

### **UPSC Attorney General of India Mains PYQs**

**Q1.** The Attorney-General is the chief legal adviser and lawyer of the Government of India.” Discuss. (2019)

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