

## Schedule of Constitution + AGI

The Schedules of the Indian Constitution are added as an appendix to the Constitution by the Constitutional framers. The schedules of Indian Constitution are the list which categorise and tabulate the bureaucratic activities and policies of the Indian Government.

- The schedules are not included in the Constitution, rather they are maintained as a separate documentation. It should be noted that, though the Schedules of the Indian Constitution are not in the Constitution, they are part of the Constitution. Originally there were only eight schedules in the Indian Constitution at the time of enactment in November 1949.
- Later the ninth schedule was added by the first Constitutional Amendment Act, 1951. In 1985, the 52<sup>nd</sup> Constitutional Amendment Act included the tenth schedule which deals with the anti defection law.
- After seven years, in 1992, two consecutive Constitutional Amendments Acts were passed i.e. 73rd and 74th, under which the 11th and 12th schedules were added to the Indian Constitution respectively.

### Attorney General - Appointment And Term

- The Attorney General is appointed by the president.
- He/she must be a person who is qualified to be appointed a judge of the Supreme Court.
- In other words, he/she must be a citizen of India and must have been a judge of some high court for five years or an advocate of some high court for ten years, or an eminent jurist, in the opinion of the president.
- The term of office of the Attorney General is not fixed by the Constitution.
- Further, the Constitution does not contain the procedure and grounds for his/her removal.
- Thus, he/she holds office during the pleasure of the president which means that he may be removed by the president at any time.
- He/she may also quit his office by submitting his resignation to the president.
- The remuneration of the Attorney General is not fixed by the Constitution and receives such remuneration as the President may determine.

### **Duties And Functions**

- To **advise the Government of India** upon such legal matters, which are referred by the President.
- To perform such other duties of a legal character that are assigned to him/her by the president.
- To **discharge the functions conferred by the Constitution** or any other law.

**Apart from these, the president has assigned the following duties to the Attorney General:**

- To appear on behalf of the Government of India in all cases in the Supreme Court in which the Government of India is concerned.
- To represent the Government of India in any reference made by the president to the Supreme Court under Article 143 of the Constitution.
- To appear (when required by the Government of India) in any high court in any case in which the Government of India is concerned.

## Rights Of Attorney General

- **In the performance of his official duties, the Attorney General has the right of audience in all courts in the territory of India.**
- Also, he/she has the right to speak and to take part in the proceedings of both the Houses of Parliament or their joint sitting and any committee of the Parliament of which he/she may be named a member, but without a right to vote.
- **He/she enjoys all the privileges and immunities that are available to a Member of Parliament.**

## Limitations Placed On The Attorney General

- He/she **should not advise or hold a brief against the Government of India.**
- He/she **should not advise or hold a brief in cases in which he is called upon to advise or appear for the Government of India.**
- He/she **should not defend accused persons in criminal prosecutions without the permission of the Government of India.**
- He/she **should not accept an appointment as a director in any company or corporation without the permission of the Government of India.**
- He/she should not advise any ministry or department of Government of India or any statutory organization or any public sector undertaking unless the proposal or a reference in this regard is received through the Ministry of Law and Justice, Department of Legal Affairs.
- However, the Attorney General is **not a full-time counsel for the Government and does not fall in the category of government servants.**
- Further, he/she is **not debarred from private legal practice.**
- The Attorney General is **not a member of the Central cabinet.** There is a separate law minister in the Central cabinet to look after legal matters at the government level.
- The Delhi High Court has ruled that the office of the Attorney General of India (AGI) does not come under the ambit of the Right to Information (RTI) Act as it is not a public authority.

## List Of Attorney Generals In India

Attorney General	Term
M. C. Setalvad	28 January 1950 – 1 March 1963
C.K. Daftari	2 March 1963 – 30 October 1968
Niren de	1 November 1968 – 31 March 1977
S.V. Gupte	1 April 1977 – 8 August 1979
L.N. Sinha	9 August 1979 – 8 August 1983
K. Parasaran	9 August 1983 – 8 December 1989
Soli Sorabjee	9 December 1989 – 2 December 1990
J. Ramaswamy	3 December 1990 – November 23, 1992
Milon K. Banerji	21 November 1992 – 8 July 1996
Ashok Desai	9 July 1996 – 6 April 1998
Soli Sorabjee	7 April 1998 – 4 June 2004
Milon K. Banerjee	5 June 2004 – 7 June 2009
Goolam Essaji Vahanvati	8 June 2009 – 11 June 2014
Mukul Rohatgi	12 June 2014 – 30 June 2017
K.K. Venugopal	30 June 2017 – (incumbent)

## Solicitor General Of India

- In addition to the Attorney General, there are other law officers of the Government of India.
- They are the solicitor general of India and the additional solicitor general of India who assists the Attorney General in the fulfillment of his/her official responsibilities.
- **Article 76 does not mention the solicitor general and additional solicitor general.**

Article 76	Attorney-General of India
Article 88	Rights of Attorney-General as respects the Houses of Parliament and its Committee
Article 105	Powers, privileges, and immunities of Attorney-General