# Polity & Governance · GS - II

**“The Attorney-General is the chief legal adviser and lawyer of the Government of India.” Discuss.**

| EXAM YEAR | PAPER | SUBJECT |
|---|---|---|
| 2019 | GS - II | Polity & Governance |

| MARKS | WORD LIMIT |
|---|---|
| 15 | ~250 words |

## Answer Hint

**Article 76; Attorney-General of India; constitutional appointment; legal advice; representation before courts; parliamentary participation; independence; limitations; accountability**

## Model Answer

### Introduction

Article 76 of the Constitution provides for the Attorney-General of India, the country's highest law officer. The office ensures that the Union government receives authoritative legal advice and representation in important legal matters.

### Constitutional Position and Functions

- **Appointment:** The President appoints a person qualified to be a judge of the Supreme Court.
- **Legal advice:** The Attorney-General advises the Union government on legal matters referred by the President and performs other legal duties assigned by the Constitution or law.
- **Court representation:** The Attorney-General represents the Government of India in cases where the Union is a party or where the government requires legal representation.
- **Constitutional interpretation:** The office assists the government in understanding constitutional provisions and assessing the legality of proposed actions.
- **Parliamentary participation:** Under Article 88, the Attorney-General may speak and participate in proceedings of either House, joint sittings and parliamentary committees of which they are named a member, but cannot vote.

- **Rights of audience:** The Attorney-General has a right of audience in all courts in the territory of India.

**Limitations and Concerns**

The Attorney-General is not a member of the political executive in the ordinary sense but is appointed by the President on the advice of the Union government. The office must balance the government's legal interests with professional integrity and respect for constitutional principles.

The Attorney-General is also not a substitute for independent judicial scrutiny or the constitutional role of the judiciary.

**Conclusion**

The Attorney-General is the chief legal adviser and principal law officer of the Union government. The effectiveness of the office depends on legal competence, professional independence and a commitment to constitutional governance.

BECOME IAS
AI POWERED UPSC PREP