THE INDIAN LEGAL SERVICE RULES, 1957

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules:-

1. SHORT TITLE AND COMMENCEMENT:

1) These Rules be called the Indian Legal Service Rules, 1957.
2) They shall come into force on the 1st day of October, 1957.

2. DEFINITIONS:

In these rules,-

a) 'Commission' means the Union Public Service Commission;
b) 'Department' means the Department of Legal Affairs or the Legislative Department in the Ministry of Law;
c) 'duty post' means any post in the Ministry of Law whether permanent or temporary of a category specified in the First Schedule;
d) 'grade' means a grade of the Service;
e) 'qualified legal practitioner' means-

i) in relation to appointment to a duty post in Grade II by direct recruitment, an Advocate or a pleader who has practiced as such for at least thirteen years, or an attorney of the High Court of Bombay or Calcutta who has practiced as such attorney and an advocate for a total period of at least eleven years;
ii) in relation to appointment to a duty post in Grade III by direct recruitment, an advocate or a pleader who has practiced as such for at least ten years, or an attorney of the High Court of Bombay or Calcutta who has practiced as such for at least eight years or has practiced as such attorney and an advocate for a total period of at least eight years;
iii) in relation to appointment to a duty post in Grade IV by direct recruitment, an advocate or a pleader who has practiced as such for at least seven years, or an attorney of the High Court of Bombay or Calcutta who has practiced as such for at least five years or has practiced as such attorney and an advocate for a total period of at least five years;
f) 'Schedule' means a Schedule to these rules; and
g) 'Service' means the Indian Legal Service constituted under rule 3.
3. **CONSTITUTION OF INDIAN LEGAL SERVICE:**

1) There shall be constituted a Service to be known as the Indian Legal Service.

2) There shall be four grades in the service and each grade shall consist of the duty posts specified in the First Schedule.

4. **MEMBERS OF THE SERVICE:**

1) The following persons shall be members of the Service with effect from the date indicated against them:-

   a) Persons appointed to the Service at the commencement of these rules under rule 5, from the date of such commencement;
   
   b) Persons appointed to the Service after such commencement but before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date they were so appointed;
   
   c) Persons other than those referred to in clauses (a) and (b) holding duty posts at the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date of such commencement; and
   
   d) Persons appointed to duty posts after the commencement of the Central Legal Service (Second Amendment) Rules, 1963 from the date they are so appointed.

2) A Member of the Service holding any duty post in any grade immediately before the commencement of the Central Legal Service (Second Amendment) Rules, 1963 shall, on such commencement be deemed to be a member of the Service in that grade.

3) A person appointed to any duty post in any grade after the commencement of the Central Legal Service (Second amendment) Rules, 1963 shall be a member of the Service in that grade.

4) Any person who, before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, was a member of the Service in any grade and was appointed to any duty post in a higher grade for any period before such commencement shall be deemed to have been appointed to that higher grade for such period.
5. **INITIAL APPOINTMENT TO THE SERVICE:**

1) The Central Government may at the commencement of these rules appoint to the Service any person-

   a) who at the commencement of these rules is holding any post specified in part A of the Second Schedule; or

   b) any person who, while holding any such post or any post specified in part B of the Second Schedule, was temporary appointed to any other civil post under the Central Government and has been continuously holding that or any other post under the Central Government until the commencement of these rules.

2) Every person appointed to the service under Sub-rule (1) shall be appointed to one of the grades.

6. **Filling up duty posts.-**

   (1) A duty post in Grade I or Grade II, barring the duty post of Grade II of the Service cadre of Legal Advisers and Grade II of the Service cadre of Government Advocates, shall be filled by promotion of a member of the Service in the next lower grade failing which by direct recruitment. The duty post of Grade II of the Service cadre of Legal Advisers (Additional Legal Adviser) shall be filled 90% by promotion failing which by deputation and 10% by direct recruitment. The duty post of Grade II of the Service cadre of Government Advocates (Additional Government Advocate) shall be filled 33.33% by promotion failing which by deputation and 66.67% by direct recruitment.

   (2) A duty post in Grade III of the Service shall be filled alternatively by direct recruitment and by promotion of a member of the Service in Grade IV.

   (3) A duty post in Grade IV of the Service, barring the duty post in Grade IV of the Service cadre of Legal Advisers, Grade IV of the Service cadre of Government Advocates and Grade IV of the Service cadre of Law Officers in the Law Commission of India, shall be filled by promotion of persons holding any post specified in the Third Schedule and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). A duty post in Grade IV of the Service cadre of Legal Advisers shall be filled by promotion of persons holding any post specified in the Third Schedule under the Service cadre of Legal Advisers and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). A duty post in Grade IV of the Service cadre of Government Advocates shall be filled by promotion of persons holding the post specified in the Third Schedule.
under the ILS cadre of Government Advocates and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). The officers holding the post in the Third Schedule under the Service cadre of Government Advocates will be eligible for promotion if they are eligible for enrollment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules. A duty post in Grade IV of the Service cadre of Law Officers in the Law Commission of India shall be filled 20% by promotion of persons holding post specified in the Third Schedule under the Service cadre of Law Officers, 40% by deputation/absorption; and 40% by direct recruitment.

6-A. FILLING OF DUTY POSTS BY DEPUTATION/ABSORPTION:

The field of selection for deputation/absorption to the various grades shall be as under:

Additional Legal Adviser (PB-4, Rs.37,400-67,000/- plus Grade Pay Rs.8,700/-)

Deputation

Officers of the Central Government:

(a) (i) holding analogous post on regular basis in the parent cadre/department; or
(ii) with five years' service in the grade rendered after appointment on regular basis in posts in the scale of pay of Rs.12,000-16,500/- or equivalent in the parent cadre/department; and
(b) possessing the educational qualifications and experience prescribed for direct recruitment under rule 7.

Additional Government Advocate (Rs.14,300-18,300)

Deputation

Officers of the Central Government;
(a) (i) holding analogous post on regular basis in the parent cadre/department; or
(ii) with five years' service in the grade rendered after appointment thereto on regular basis in posts in PB-3, Rs.15,600-39,100/- plus Grade Pay Rs.7,600/- or equivalent in the parent cadre/department; and
(b) possessing the educational qualifications and experience for direct recruitment prescribed under rule 7 and is eligible for enrolment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules.

Grade IV of the Service cadre of Law Officers of the Law Commission of India [PB-3, Rs.15,600-39,100/- plus Grade Pay Rs.6,600/-]

**Deputation/absorption**

Officers of the Central Government:

(a) (i) holding analogous post on regular basis in the parent cadre/department; or
(ii) with five years' service in the grade rendered after appointment thereto on regular basis in posts in the Pay Band-3 of Rs.15,600-39100/- plus Grade Pay-Rs.5400/- or equivalent in the parent cadre/department; or
(iii) with six years' service in the grade rendered after appointment thereto on regular basis in post Pay Band-2 of Rs.9,300-34,800/- plus Grade Pay-Rs.4800/-or equivalent in the parent cadre/department; and

(b) possessing the educational qualifications and experience prescribed for direct recruitment under rule 7.

The period of deputation shall be three years, which may in special circumstances, be extended to five years as the Central Government may think fit.

7. **APPOINTMENT TO DUTY POST BY DIRECT RECRUITMENT:**

1) A person shall not be eligible for appointment by direct recruitment-

   a) to a duty post in Grade I, unless he holds a Degree in Law of a recognized University or equivalent and unless he has been a member of the Indian Civil Service permanently allotted to the judiciary or of a State Judicial Service for a period of not less than sixteen years or has held a superior post in the legal department of a State for a period of not less than sixteen years or a Central Government servant who has had experience in legal affairs for not less than sixteen years;

   b) to a duty post in Grade II, unless he holds a Degree in Law of a recognized University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than thirteen years or has held a superior post in the legal department of a State for a
period of not less than thirteen years or a Central Government servant who has had experience in legal affairs for not less than thirteen years or is a qualified legal practitioner;
c) to a duty post in Grade III, unless he holds a Degree in Law of a recognized University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than ten years or a Central Government servant who has had experience in legal affairs for not less than ten years or possesses a Master's Degree in Law and has had teaching or research experience in Law for not less than eight years or is a qualified legal practitioner of not less than 35 years.
d) to a duty post in Grade IV, unless he holds a Degree in Law of a recognized University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than seven years or has held a superior post in the legal department of a State for a period of not less than seven years or a Central Government servant who has had experience in legal affairs for not less than seven years or possesses a Master's Degree in Law and has had teaching or research experience in Law for not less than five years or is a qualified legal practitioner of not less than 30 years.

Note 1- The upper age limit for direct recruitment under clauses (a) to (d) of sub-rule (1) shall be as follows:-

<table>
<thead>
<tr>
<th>Grade</th>
<th>Age Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade I</td>
<td>Preferably below 50 years</td>
</tr>
<tr>
<td>Grade II</td>
<td>Preferably below 50 years</td>
</tr>
<tr>
<td>Grade III</td>
<td>50 years</td>
</tr>
<tr>
<td>Grade IV</td>
<td>40 years</td>
</tr>
</tbody>
</table>

Note 2- The upper limit in respect of all the above posts is relaxable for Government servants up to five years in accordance with the instructions and order issued by the Central Govt.

Note 3- The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than in the Andaman and Nicobar Islands and Lakshadweep).

1A). In making appointment by direct recruitment to a duty post in Grade I, Grade II, Grade III or Grade IV, preference shall be given:-

i) to a person (not being a member of a State Judicial Service or a legal practitioner) with experience in legal advice work if such post is in the Legal Adviser Service cadre in the Department of Legal Affairs, research work if such post is in the Law Officer Service cadre in the
Department of Legal Affairs and experience of litigation work if such post is in the Government Advocate Service cadre of the Department of Legal Affairs. Further, in making appointment by direct recruitment to any duty post in the Government Advocate Service cadre in the Department of Legal Affairs, the candidate should be eligible for enrollment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules.

ii) to a person with experience in legislative drafting, if such post is in the Legislative Department.

2. Every direct recruitment to a duty post shall be in consultation with the Commission unless such consultation is not necessary under the general regulations in force in that behalf.

3. For the purposes of sub-rule (1):-

   a) in computing the period during which a person has held any office in the State Judicial Service or in the Legal department of a State or under the Central Government, there shall be included any period during which he has held any of the other aforesaid offices or any period during which he has been a legal practitioner;

   b) in computing the period during which a person has been a qualified legal practitioner, there shall be included any period during which he has hold any office in the State Judicial Service or has held a superior post in the legal department of a State or has been a Central Government servant having experience in legal affairs.

8. PROMOTIONS:-

1) A person shall not be eligible for promotion:-

   i) to a duty post in Grade I, unless he has held a duty post in Grade II for the period of not less than two years, or unless he has held duty post Grade II and Grade III for a total period of not less than six years;

   ii) to a duty post in Grade-II, unless he has held a duty post in Grade III for a total period of not less than three years;

   iii) to a duty post in Grade III, unless he has held a duty post in Grade IV for a total period of not less than three years;

   iv) to a duty post in Grade IV, unless he has held one or more posts specified in the Third Schedule and possesses six years' regular service in post of Superintendent (Legal) (PB-2 Rs.9300-34,800/-).
plus Grade Pay of Rs.4800/-) failing which eight years’ combined regular service in the posts of Assistant (Legal) (PB-2 Rs.9300-34,800/- plus Grade Pay of Rs.4600/-) and Superintendent (Legal) (PB-2 Rs.9300-34,800/- plus Grade Pay of Rs.4800/-) out of which three years’ regular service shall be in the post of Superintendent (Legal);

or

possesses seven years’ regular service in the posts of Junior Central Government Advocate/Librarian Grade-I (PB-2 Rs.9300-34,800/- plus Grade Pay of Rs.4600/-):

Provided that for promotion to a duty post in Grade-IV in the Government Advocate Service Cadre in the Department of Legal Affairs, the person shall be eligible for enrolment as an advocate in the Supreme Court under the Supreme Court Rules, 1966, as amended from time to time, and for registration as an Advocate-on-Record of that Court under the said rules.

Note: 1: In the case of officers who are holding any of the posts mentioned in the Third Schedule on regular basis on the date of commencement of the Indian Legal Service (Amendment) Rules, 1987, the eligibility service for promotion to posts in Grade IV shall be three years’ regular service in the feeder grade.

Note: 2: Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.

Note: 3: The eligibility list for promotion to the grade of Assistant Legal Adviser shall be prepared with reference to the date of completion of the prescribed qualifying service by the officers in the respective grade or post."
2) Unless the Central Government otherwise decides, promotion to a duty post in any grade in a Department shall be made from amongst persons holding duty posts, or, as the case may be, posts specified in the Third Schedule, in the Department.

3) Every person promoted to a duty post in any grade under this rule shall be initially appointed to that post in an officiating capacity.

4) Every promotion for a period exceeding three months shall be by selection made on the recommendation of the Departmental Promotion Committee constituted for the purpose in accordance with the general rules in force in that behalf.

5) In computing for the purposes of this rule, the period for which a person has held a duty post in any grade or, as the case may be, a post specified in the Third Schedule,  
   i) any period for which he has held such duty post in any grade, or, as the case may be, a post specified in the Third Schedule, on ad-hoc basis shall be excluded;
   ii) There shall be included-
      a) any period for which he has held a duty post in a higher grade;
      b) any period of his deputation for which he would have held that duty post but for his deputation;
      c) any period for which he has held a post which, in the opinion of the Central Government, corresponds to or is higher than such duty post, or as the case may be, a post specified in the Third Schedule.

9. PROBATION

1) Every person appointed to a duty post, whether by direct recruitment or by promotion shall be on probation for a period of two years.

2) The Central Government may, in the case of any such person extend or reduce the period of probation.

3) At any time during the period of probation and without any reasons, being assigned, a person appointed to a duty post on probation may,-  
   i) if he is appointed thereto by direct recruitment be discharged from service in that post;
   (ii) if he is appointed thereto by promotion, be reverted to the post held by him immediately before such promotion.
4) In computing for the purposes of this rule the period for which person is on probation in a duty post, there may be included the period for which he has officiated in that duty post.

10. **SUBSTANTIVE APPOINTMENTS TO DUTY POSTS:**

Appointments of members of the Service to duty posts in any grade in a substantive capacity shall be made in accordance with the general rules in force in that behalf.

11. **SENIORITY:**

(1) A list of members of the service shall be maintained separately for Legislative Department and each of the three cadres in the Department of Legal Affairs as indicated in the 'First Schedule' to these rules, in the order of their seniority.

(2) The seniority of members of the service in each Department shall be determined in accordance with the general instructions issued by the Central Government in that behalf, from time to time.

12A. **BENEFIT OF ADDED YEARS OF SERVICE FOR SUPERANNUATION PENSION:**

The benefit of addition to qualifying service for the purpose of superannuation pension shall be admissible to the members of the Service, who are appointed to the Service by direct recruitment from open market in terms of rule 30 of the Central Civil Services (Pension) Rules, 1972, as applicable to them from time to time.

13. **OTHER CONDITIONS OF SERVICE:**

The conditions of service of members of the Service in respect of matters for which no provision is made in these rules shall, unless the Central Government otherwise orders be the same as are applicable from time to time to officers of the Central Civil Services, Class I.

14. **AMENDMENT OF FIRST SCHEDULE:**

The Central Government may, by order, amend the First Schedule from time to time by way of addition of any post thereto as duty post or alteration of the strength of duty posts or pay or time-scale of pay and when the First Schedule is so amended, any reference to that Schedule in these rules, shall be construed as a reference to such Schedule as so amended.

14-A. **POWER TO RELAX:**

Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and, in consultation with the Union Public Service commission relax any of the
provisions of these rules with respect to any class or category or persons or any posts.

14-B. **SAVING:**

Nothing in these rules shall affect reservations and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

15. **INTERPRETATION:**

If any question arises relating to the interpretation of these rules, the decision of the Central Government thereon shall be final.
The Central Government has, in exercise of the powers conferred by rule 14 of the principal rules vide its order number 81 dated 27th September, 2007 de-merged the cadre of Government Counsels in the Service in the Department of Legal Affairs and created three different cadres within that department consisting of the following cadres with duty posts as under:-

### Legal Advisers Service cadre in the Main and Branch Secretariats:-

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joint Secretary and Legal Adviser</td>
<td>Grade I</td>
<td>PB-4, Rs.37,400-67,000/- plus Grade Pay Rs.10,000/-</td>
</tr>
<tr>
<td>Additional Legal Adviser</td>
<td>Grade II</td>
<td>PB-4, Rs.37,400-67,000/- plus Grade Pay Rs.8,700/-</td>
</tr>
<tr>
<td>Deputy Legal Adviser</td>
<td>Grade III</td>
<td>PB-3, Rs.15,600-39,100/- plus Grade Pay Rs.7,600/-</td>
</tr>
<tr>
<td>Assistant Legal Adviser</td>
<td>Grade IV</td>
<td>PB-3, Rs.15,600-39,100/- plus Grade Pay Rs.6,600/-</td>
</tr>
</tbody>
</table>
**Law Officer Service cadre in the Law Commission of India:**

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joint Secretary and Law Officer</td>
<td>Grade I</td>
<td>PB-4, Rs.37,400-67,000/-  plus Grade Pay Rs.10,000/-</td>
</tr>
<tr>
<td>Additional Law Officer</td>
<td>Grade II</td>
<td>PB-4, Rs.37,400-67,000/-  plus Grade Pay Rs.8,700/-</td>
</tr>
<tr>
<td>Deputy Law Officer</td>
<td>Grade III</td>
<td>PB-3, Rs.15,600-39,100/-  plus Grade Pay Rs.7,600/-</td>
</tr>
<tr>
<td>Assistant Law Officer</td>
<td>Grade IV</td>
<td>PB-3, Rs.15,600-39,100/-  plus Grade Pay Rs.6,600/-</td>
</tr>
</tbody>
</table>

**Government Advocate Service cadre in the Central Agency Section and Branch Secretariats in Mumbai and Kolkata:**

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Government Advocate</td>
<td>Grade I</td>
<td>PB-4, Rs.37,400-67,000/-  plus Grade Pay Rs.10,000/-</td>
</tr>
<tr>
<td>Additional Government Advocate</td>
<td>Grade II</td>
<td>PB-4, Rs.37,400-67,000/-  plus Grade Pay Rs.8,700/-</td>
</tr>
<tr>
<td>Deputy Government Advocate</td>
<td>Grade III</td>
<td>PB-3, Rs.15,600-39,100/-  plus Grade Pay Rs.7,600/-</td>
</tr>
<tr>
<td>Assistant Government Advocate</td>
<td>Grade IV</td>
<td>PB-3, Rs.15,600-39,100/-  plus Grade Pay Rs.6,600/-</td>
</tr>
</tbody>
</table>

**Legislative Department**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
<th>Scale of Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Joint Secretary and Legislative Counsel</td>
<td>5</td>
<td>1</td>
<td>PB-4, Rs.37,400-67,000/- plus Grade Pay Rs.10,000/-</td>
</tr>
<tr>
<td>II</td>
<td>Additional Legislative Counsel</td>
<td>4</td>
<td>Nil</td>
<td>PB-4, Rs.37,400-67,000/- plus Grade Pay Rs.8,700/-</td>
</tr>
<tr>
<td>III</td>
<td>Deputy Legislative Counsel</td>
<td>9</td>
<td>Nil</td>
<td>PB-3, Rs.15,600-39,100/- plus Grade Pay Rs.6,600/-</td>
</tr>
</tbody>
</table>
IV | Assistant Legislative Counsel | 13 | Nil | Grade Pay:
<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>PB-3, Rs.7,600/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rs.15,600-39,100/- plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rs.6,600/-</td>
</tr>
</tbody>
</table>

Cadre Strength of Indian Legal Service in the Ministry of Law and Justice

<table>
<thead>
<tr>
<th>Grade</th>
<th>Permanent posts</th>
<th>Temporary posts</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>II</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td>III</td>
<td>28</td>
<td>3</td>
</tr>
<tr>
<td>IV</td>
<td>58</td>
<td>Nil</td>
</tr>
</tbody>
</table>

** The single post of Government Advocate in the scale of Rs.16400-20000 in Central Agency Section of the Department of Legal Affairs stands downgraded from the pay scale of Rs.16400-20000 to the pay scale of Rs.14300-18300 with effect from 1st December, 2007

THIRD SCHEDULE

(See rule 6(3) and 8(1) (iv))

POSTS IN THE MINISTRY OF LAW AND JUSTICE

<table>
<thead>
<tr>
<th>Department of Legal Affairs</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Feeder post to the Legal Adviser cadre of the Service</th>
<th>Feeder post to the Law Officer cadre of the Service</th>
<th>Feeder post to the Government Advocate cadre of the Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Superintendent (Legal)</td>
<td>Superintendent (Legal) in Law Commission of India</td>
<td>Junior Central Government Advocate</td>
</tr>
<tr>
<td>2. Librarian (Grade I)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legislative Department**

Superintendent (Legal) in the Legislative Department*.

Note: The principal rules were published in the Gazette of India vide number SRO:3084-A (CLSR), dated 25.9.1957 and subsequently amended vide number:

(i) GSR 1608, dated 28.09.1963;
(ii) GSR 1416, dated 27.07.1968;
(iii) GSR 1423, dated 27.07.1968;
(iv) GSR 1050, dated 03.05.1969;
(v) GSR 1981, dated 23.08.1969;
(vi) GSR 1900, dated 21.11.1970;
(vii) GSR 2, dated 06.01.1979;
(viii) GSR 72, dated 20.01.1979;
(ix) GSR 658, dated 12.05.1979;
(x) GSR 270(E), dated 29.03.1982;
(xi) GSR 668, dated 17.09.1983;
(xii) GSR 1161(E), dated 22.10.1986;
(xiii) GSR 658, dated 29.06.1987;
(xiv) GSR 872, dated 28.11.1987;
(xv) GSR 658, dated 20.08.1988;
(xvi) GSR 176, dated 10.08.1988;
(xvii) GSR 228(E), dated 21.03.2003;
(xviii) GSR 751(E), dated 28.12.2005;
(xix) GSR 358 (E), dated 10.5.2008;
(xx) GSR 275 (E), dated 28.3.2011; and
(xxi) GSR 904 (E), dated 27.12.2011.
EXTRAORDINARY

PART II—Section 3

PUBLISHED BY AUTHORITY

MINISTRY OF LAW

New Delhi, the 25th September, 1957

S.R.O. 3084-A (C.L.S.R.).—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him to that behalf, the President hereby makes the following rules:

Short title and commencement.—(1) These rules may be called the Central Legal Service Rules, 1957.

2) They shall come into force on the 1st day of October, 1957.

Definitions.—In these rules,—

(a) 'duty post' means any post in the Ministry of Law, whether permanent or temporary, of a category specified in column 3 of the First Schedule;

(b) 'grade' means a grade of the Service;

(c) 'qualified legal practitioner' means—

(i) an advocate of a High Court who has practised as such for at least seven years; or

(ii) an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years;

(d) 'Schedule' means a schedule to these rules; and

(e) 'Service' means the Central Legal Service constituted under rule 3.

Constitution of the Central Legal Service.—There shall be constituted a Service to be known as the Central Legal Service consisting of—

(a) persons appointed to the Service at the commencement of these rules under rule 6; and

(b) persons recruited to the Service after such commencement under rule 7.

Strength and composition of the Service.—(1) There shall be four grades in the Service.

2) The strength and composition of the Service and of each grade thereof shall be as specified in the First Schedule.
5. Filling of duty posts.—Every duty post shall be filled by appointment thereto of—

(a) a member of the Service in the appropriate grade; or

(b) any other person eligible for recruitment to the Service in the appropriate grade:

Provided that no person shall be appointed to a duty post under clause (b) for a period exceeding four years at a time.

6. Initial appointments to the Service.—(1) The Central Government may at the commencement of these rules appoint to the Service any person—

(a) who at the commencement of these rules is holding any post specified in Part A of the Second Schedule; or

(b) any person who, while holding any such post or any post specified in Part B of the Second Schedule, was temporarily appointed to any other civil post under the Central Government and has been continuously holding that or any other post under the Central Government until the commencement of these rules.

(2) Every person appointed to the Service under sub-rule (1) shall be appointed to one of the grades.

7. Recruitment to the Service.—The Central Government may after the commencement of these rules recruit to the Service—

(a) in Grade I, any person who has been a member of the Indian Civil Service permanently allotted to the judiciary or of a State judicial service for a period of not less than sixteen years or has held a superior post in the legal department of a State for a period of not less than ten years or is a Central Government servant who has had experience in legal affairs for not less than sixteen years;

(b) in Grade II, any person who has been a member of a State judicial service for a period of not less than thirteen years or has held a superior post in the legal department of a State for a period of not less than seven years or is a Central Government servant who has had experience in legal affairs for not less than thirteen years;

(c) in Grade III, any person who has been a member of a State judicial service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than five years or is a Central Government servant who has had experience in legal affairs for not less than ten years;

(d) in Grade IV, any person who has been a member of a State judicial service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than three years or is a Central Government servant who has had experience in legal affairs for not less than seven years or is a qualified legal practitioner of not less than 30 and not more than 45 years of age.

8. Promotions.—(1) The Central Government may promote a member of the Service from a lower grade to a higher grade whether in a substantive or officiating capacity.

(2) Every such promotion shall be by selection.

9. Seniority.—(1) Members of the Service in a higher grade shall be senior to those in a lower grade.

(2) Seniority of members of the Service in any one grade shall be determined in accordance with the period of continuous service in a duty post in that grade.

Provided that the seniority of members of the Service appointed under rule 6 shall be determined by the Central Government having due regard to the posts previously held by them under the Central Government and the length of service therein.

(3) For the purposes of this rule, continuous service in a duty post in a grade shall include—

(a) any service in a duty post in a higher grade;
(b) any service on deputation in a post which, in the opinion of the Central Government, is not lower than the duty post in status or responsibility; and

(c) any service in a post specified in the Second Schedule which, in the opinion of the Central Government, corresponds to or is higher than the duty post.

(4) Nothing in this rule shall be deemed to preclude the Central Government from determining the seniority of any member of the Service in such other manner as it deems fit if the special circumstances of his case so require.

10. Pay.—(1) The pay or time-scale of pay admissible to a member of the Service, or to the incumbent of a duty post, in any grade shall be as specified in respect of that grade in column 5 of the First Schedule.

(2) Where a person is appointed to any grade, his initial pay in that grade shall be at the lowest stage of the time-scale:

Provided that the Central Government may for special reasons direct such pay to be fixed at a higher stage.

(3) Any person appointed to the Service under rule 6 shall draw initial pay in the time-scale of the appropriate grade at such stage as the Central Government may direct.

11. Probation.—(1) Every person recruited to the Service after the commencement of these rules under rule 7 shall be appointed to the Service on probation for a period of one year, and any person appointed to the Service at the commencement thereof under rule 6 may be so appointed on probation for such period not exceeding one year as the Central Government may in each case determine.

(2) The Central Government may in the case of any person extend or reduce the period of probation.

(3) A probationer shall be liable to be discharged from the Service at any time without assigning any reasons.

12. Other conditions of service.—The conditions of service of members of the Service in respect of matters for which no provision is made in these rules shall be the same as are for the time being applicable to other officers of the Government of India of corresponding status.

13. Regulations.—The Central Government may make regulations, not inconsistent with these rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

14. Interpretation.—If any question arises relating to the interpretation of these rules, the decision of the Central Government thereon shall be final.

FIRST SCHEDULE

(See rules 2(o), 4(1), 4(2) & 10)

Central Legal Service
(Total strength—28)

Composition of grade

<table>
<thead>
<tr>
<th>Grade</th>
<th>Strength of grade</th>
<th>Designation of posts</th>
<th>Number of posts</th>
<th>Pay or time scale of pay</th>
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<td>4</td>
<td>Additional Secretary &amp; Chief Draftsman</td>
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<td>*Rs. 2,750/-</td>
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<td></td>
<td></td>
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<td>[Rs. 2,250/- ]</td>
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<td></td>
<td>Joint Secretary &amp; Draftsman</td>
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<td>[Rs. 3,500/- ]</td>
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*Rs. 3,500/- for members of the Indian Civil Service and for pre-1931 entrants within the meaning assigned to that expression in the Central Civil Services (Revision of pay) Rules, 1947.

†Rs. 3,000 for members of the Indian Civil Service and for pre-1931 entrants within the meaning assigned to that expression in the Central Civil Services (Revision of pay) Rules, 1947.
### Second Schedule

*Superior Posts in the Ministry of Law.*

[See rules 6(1) and 9(3)]

#### PART A

- Additional Secretary and Chief Draftsman.
- Joint Secretary.
- Joint Secretary and Draftsman.
- Additional Draftsman.
- Deputy Secretary.
- Deputy Draftsman.
- Under Secretary.
- Assistant Draftsman.

#### PART B

- Joint Secretary and Senior Additional Draftsman.
- Second Solicitor.
- Assistant Solicitor.

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K. V. K. SUNDARAM, Secy

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[No. F. 57(1)/56-Adm.I]
(Department of Legal Affairs)

New Delhi the 28th September 1963

G.S.R. 1608.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:

1. Short title.—These rules may be called the Central Legal Service (Second Amendment) Rules, 1963.

2. For rule 2 of the Central Legal Service Rules, 1957 (hereinafter referred to as the 'principal Rules'), the following rule shall be substituted, namely:

"2. Definitions.—In these rules,—

(a) 'Commission' means the Union Public Service Commission;

(b) 'Department' means the Department of Legal Affairs or the Legislative Department in the Ministry of Law;

(c) 'duty post' means any post in the Ministry of Law, whether permanent or temporary, of a category specified in columns 4 and 7 of the First Schedule;

(d) 'grade' means a grade of the Service;

(e) 'qualified legal practitioner' means

(i) in relation to appointment to duty post in Grade III by direct recruitment, an advocate or a pleader who has practised as such for at least ten years or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least eight years;

(ii) in relation to appointment to duty post in Grade IV by direct recruitment, an advocate or a pleader who has practised as such for at least seven years or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years;

(f) 'Schedule' means a Schedule to the rules; and

(g) 'Service' means the Central Legal Service constituted under rule 3;"

3. Rule 3 of the principal Rules shall be renumbered as sub-rule (1) thereof and—

(i) in sub-rule (1) as so re-numbered the following shall be omitted, namely:

"consisting of—

(a) persons appointed to the Service at the commencement of these rules under rule 6; and

(b) persons recruited to the service after such commencement under rule 7;"; and

(ii) after sub-rule (1) as so re-numbered, the following sub-rule shall be inserted, namely:

"(c) persons recruited to the service after such commencement under rule 7;";"
"(2) There shall be in the grades in the Service and each grade shall consist of the duty posts specified in the First Schedule."

4. For rule 4 and 5 of the principal Rules the following rule shall be substituted namely:

"4. Members of the Service. (1) The following persons shall be members of the Service with effect from the date indicated against them:

(a) persons appointed to the Service at the commencement of these rules under rule 5, from the date of such commencement;

(b) persons appointed to the Service after such commencement but before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date they were so appointed;

(c) persons other than those referred to in clauses (a) and (b) holding duty posts at the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date of such commencement; and

(d) persons appointed to duty posts after the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date they are so appointed.

(2) A member of the Service holding any duty post in any grade immediately before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, shall, on such commencement, be deemed to be a member of the Service in the grade.

(3) A person appointed to any duty post in any grade after the commencement of the Central Legal Service (Second Amendment) Rules, 1963 shall be a member of the Service in the grade.

(4) Any person who, before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, was a member of the Service in any grade and was appointed to any duty post in a higher grade for any period before such commencement shall be deemed to have been appointed to that higher grade for such period."

5. Rule 6 of the principal Rules shall be re-numbered as rule 5 thereof and after rule 5 as so re-numbered, the following rules shall be inserted, namely:

"6. Filling of duty posts. (1) A duty post in Grade I or Grade II shall be filled by promotion of a member of the Service in the next lower grade unless the Central Government decides to fill any such post by direct recruitment.

(2) Any duty post in Grade III shall be filled by promotion of a member of the Service in Grade IV, or by direct recruitment.

Provided that every third vacancy in Grade III shall be filled by direct recruitment.

(3) A duty post in Grade IV shall be filled alternately by direct recruitment and by promotion of a member holding any post specified in the Third Schedule.

(4) Notwithstanding anything contained in subrules (2) and (3), a vacancy required to be filled by promotion or direct recruitment may, if sufficient persons is not available to fill the vacancy, be filled by direct recruitment if the case may be by promotion.

(5) For rule 7. (1) and (2) of the principal Rules the following rule shall be substituted namely:

"7. Appointment to duty posts by appointments by direct recruitment. (1) A person shall be eligible for appointment by direct recruitment when he has been a member of the Indian Civil Service permanently allotted to the legal department of the central or a State Government for a period of not less than ten years or is a holder of a duty post in the legal department of a State Government for a period of not less than ten years or is a holder of another duty post in a State Government which is transferred to an appellate or higher court in legal affairs for a period of not less than ten years."
(b) to a duty post in Grade II, unless he has been a member of a State judicial service for a period of not less than thirteen years or has held a superior post in the legal department of a State for a period of not less than seven years or is a Central Government servant who has had experience in legal affairs for not less than thirteen years;

(c) to a duty post in Grade III, unless he has been a member of a State judicial service for a period of not less than seven years or has held a superior post in the legal department of a State for a period of not less than five years or is a Central Government servant who has had experience in legal affairs for not less than ten years or is a qualified legal practitioner of not less than 35 and not more than 45 years of age;

(d) to a duty post in Grade IV, unless he has been a member of a State judicial service for a period of not less than seven years or has held a superior post in the legal department of a State for not less than three years or is a Central Government servant who has had experience in legal affairs for not less than seven years or is a qualified legal practitioner of not less than 30 and not more than 45 years of age.

(2) Every direct recruitment to a duty post shall be in consultation with the Commission unless such consultation is not necessary under the general regulations in force in that behalf.

(3) For the purposes of sub-rule (1),—

(a) in computing the period during which a person has held any office in the State judicial service or in the legal department of a State or under the Central Government, there shall be included any period during which he has held any of the other aforesaid offices or any period during which he has been a legal practitioner;

(b) in computing the period during which a person has been a qualified legal practitioner, there shall be included any period during which he has held any office in the State judicial service or has held a superior post in the legal department of a State or has been a Central Government servant having experience in legal affairs.

8. Promotions.—(1) A person shall not ordinarily be eligible for promotion,—

(i) to a duty post in Grade I, unless he has held a duty post in Grade II for a period of not less than two years, or unless he has held duty posts in Grade II and Grade III for a total period of not less than six years;

(ii) to a duty post in Grade II, unless he has held a duty post in Grade III for a total period of not less than three years;

(iii) to a duty post in Grade III, unless he has held a duty post in Grade IV for a total period of not less than three years;

(iv) to a duty post in Grade IV, unless he has held one or more posts specified in the Third Schedule for a total period of not less than three years;

Provided that nothing in this sub-rule shall apply to a promotion to a duty post in any grade for a period not exceeding three months.

(2) Unless the Central Government otherwise directs, promotion to a duty post in Grade I, Grade II or Grade III in a Department shall be made from amongst persons holding duty posts in that Department.

(3) Every person promoted to a duty post in any grade under this rule shall be initially appointed to that post in an acting capacity.

(4) Every promotion for a period exceeding three months shall be by selection made on the recommendation of the Departmental Promotion Committee constituted for the purpose in accordance with the general rules in force in that behalf.

(5) In computing, for the purposes of this rule, the period for which a person has held a duty post in any grade, as the case may be, a post included in the Third Schedule, there shall be included.
(a) any period for which he has held a duty post in a higher grade;
(b) any period of his deputation for which he would have held that
    duty post but for his deputation; and
(c) any period for which he has held a post which, in the opinion of
    the Central Government, corresponds to or is higher than such duty
    post or, as the case may be, a post specified in the Third Schedule.

9. Probation.—(1) Every person appointed to a duty post, whether by
direct recruitment or by promotion, shall be on probation for a period of two
years.

(2) The Central Government may, in the case of any such person, extend
or reduce the period of probation.

(3) At any time during the period of probation and without any reasons
being assigned, a person appointed to a duty post on probation may—

(i) if he is appointed thereto by direct recruitment, be discharged
    from service in that post; and

(ii) if he is appointed thereto by promotion, be reverted to the post
    held by him immediately before such promotion.

(4) In computing the purposes of this rule the period for which a
person is on probation in a duty post, there may be included the period for
which he has officiated in that duty post.

10. Substantive appointments to duty posts.—Appointments of members
of the Service to permanent duty posts in any grade in a substantive capacity
shall be made in accordance with the general rules in force in that behalf.

11. Seniority.—(1) A list of members of the Service shall be maintained
separately for each Department in the order of their seniority.

(2) Seniority of members of the Service in each Department shall be
determined in accordance with the following principles, namely:

(i) a member of the Service appointed to a duty post in a substantive
capacity in any grade shall be senior to a member of the Service appointed
to a duty post in an officiating capacity or on probation in that grade;

(ii) seniority of members of the Service appointed to duty posts in
any grade in a substantive capacity shall be determined in accordance
with the date of appointment to a duty post in that grade in a substantive
capacity, and where two or more members of the Service are appointed
in a substantive capacity to duty posts in the same grade on the same
date, their seniority shall be determined in accordance with their seniority
while holding such duty posts in an officiating capacity or on probation;

(iii) subject to the provisions contained in clause (iv), seniority of
members of the Service appointed to duty posts in any grade in an
officiating capacity or on probation shall be determined in accordance
with the order of selection for appointment to a duty post in that grade
or to a post in the Ministry of Law, which, in the opinion of the Central
Government, corresponds to or is higher than such duty post, and

(vi) the relative seniority of direct recruits and of promotions shall
be determined according to the rotation of vacancies between direct
recruits and promotions.

Explanation.—Where a member of the Service is, while holding a post
lower than a duty post, selected for appointment to a duty post on a higher
grade, he shall, for the purposes of clause (ii), be deemed to have been appointed
to such post.

(2) Notwithstanding anything contained in sub-rule (2), the seniority of
the members of the Service appointed to it before the commencement of the
Central Legal Service (Second Amendment) Rules, 1963 shall be determined
in accordance with the rules applicable to them before such commencement.

(3) Nothing in this rule shall be deemed to prejudice the Central Govern-
ment from determining, after consultation with the Commission, the number,
of any member of the Service in such other manner as it seems fit if the special circumstances of his case so require.

12. Pay.—(1) The pay or time-scale of pay admissible to a person holding a duty post shall be as specified in respect of that post in column 10 of the First Schedule.

(2) On the first appointment of a person to a duty post on a time-scale of pay, he shall ordinarily draw pay at the lowest stage, unless he is entitled to a higher initial pay under the rules and general orders relating to pay for the time being in force:

Provided that the Central Government may, for special reasons, fix the pay of such person at a higher stage.

(3) Any person appointed to the Service under rule 5 shall draw initial pay in the time-scale of the appropriate grade at such stage as the Central Government may direct.

13. Other conditions of service.—The conditions of service of members of the Service in respect of matters for which no provision is made in these rules shall, unless the Central Government otherwise orders, be the same as are applicable from time to time to officers of the Central Civil Services, Class I.”.

7. Rule 14 of the principal Rules shall be re-numbered as rule 15 thereof and before rule 15 as so re-numbered, the following rule shall be inserted, namely:

“14. Amendment of the First Schedule.—The Central Government may, by order, amend the First Schedule from time to time by way of addition of any post thereto as a duty post or alteration of the strength of duty posts or pay or time-scale of pay and when the First Schedule is so amended, any reference to that Schedule in these rules shall be construed as a reference to such Schedule as so amended.”

8. For the First Schedule to the principal Rules, the following Schedule shall be substituted, namely:
FIRST SCHEDULE
See rules 2(c), 3(2) and 12]
The Central Legal Service
(Total strength 54)

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<th>Grade</th>
<th>Strength of grade</th>
<th>Department of Legal Affairs</th>
<th>Composition:</th>
<th>Legislative Department</th>
<th>Pay or time Scale of Pay</th>
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<tr>
<td>Grade I</td>
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<td>Grade II</td>
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<td>Leave Reserve</td>
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*Rs. 3,500/- for pre-1931 entrants within the meaning assigned to that expression in the Central Civil Services (Revision of Pay) Rules, 1947.
†Rs. 3,000/- for pre-1931 entrants within the meaning assigned to that expression in the Central Civil Services (Revision of Pay) Rules, 1947.
In the Second Schedule to the principal Rules, for the words, figures and brackets "[See rules 6(1) and 8(1)]", the words, figures and brackets "[See rule 5(1)]" shall be substituted.

10. After the Second Schedule to the principal Rules, the following Schedule shall be inserted, namely—

“THIRD SCHEDULE

[See rules 6(3) and 8(1)(iv)]

Posts in the Ministry of Law.

Junior Law Officer.
Superintendent (Legal).
Superintendent (Library & Research).

ANNEXURE

THE CENTRAL LEGAL SERVICE RULES, 1957.

[As amended by the Central Legal Service (Second Amendment) Rules, 1963]

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules:—

1. **Short title and commencement.**—(1) These rules may be called the Central Legal Service Rules, 1957.

(2) They shall come into force on the 1st day of October, 1957.

2. **Definitions.**—In these rules,—

(a) 'Commission' means the Union Public Service Commission;

(b) 'Department' means the Department of Legal Affairs or the Legislative Department in the Ministry of Law;

(c) 'duty post' means any post in the Ministry of Law, whether permanent or temporary, of a category specified in columns 4 and 7 of the First Schedule:

(d) 'grade' means a grade of the Service;

(e) 'qualified legal practitioner' means—

(i) in relation to appointment to a duty post in Grade III by direct recruitment, an advocate or a pleader who has practised as such for at least ten years or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least eight years;

(ii) in relation to appointment to a duty post in Grade IV by direct recruitment, an advocate or a pleader who has practised as such for at least seven years or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years;

(f) 'Schedule' means a Schedule to these rules; and

(g) 'Service' means the Central Legal Service constituted under rule 3.

3. **Constitution of Central Legal Service.**—(1) There shall be constituted a Service to be known as the Central Legal Service.

(2) There shall be four grades in the Service and each grade shall consist of the duty posts specified in the First Schedule.

4. **Members of the Service.**—(1) The following persons shall be members of the Service with effect from the date indicated against them:—

(a) persons appointed to the Service at the commencement of these rules under rule 5, from the date of such commencement;
(9) persons appointed to the Service after such commencement but before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date they were so appointed:

(c) persons other than those referred to in clauses (a) and (b) holding duty posts at the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date of such commencement; and

(d) persons appointed to duty posts after the commencement of the Central Legal Service (Second Amendment) Rules, 1963, from the date they are so appointed.

(2) A member of the Service holding any duty post in any grade immediately before the commencement of the Central Legal Service (Second Amendment) Rules, 1963 shall, on such commencement, be deemed to be a member of the Service in that grade.

(3) A person appointed to any duty post in any grade after the commencement of the Central Legal Service (Second Amendment) Rules, 1963 shall be a member of the Service in that grade.

(4) Any person who, before the commencement of the Central Legal Service (Second Amendment) Rules, 1963, was a member of the Service in any grade and was appointed to any duty post in a higher grade for any period before such commencement shall be deemed to have been appointed to that higher grade for such period.

5. Initial appointment to the Service.—(1) The Central Government may at the commencement of these rules appoint to the Service any person—

(a) who at the commencement of these rules is holding any post specified in Part A of the Second Schedule; or

(b) any person who, while holding any such post or any post specified in Part B of the Second Schedule, was temporarily appointed to any other civil post under the Central Government and has been continuously holding that or any other post under the Central Government until the commencement of these rules.

(2) Every person appointed to the Service under sub-rule (1) shall be appointed to one of the grades.

6. Filling of duty posts.—(1) A duty post in Grade I or Grade II shall be filled by promotion of a member of the Service in the next lower grade unless the Central Government decides to fill any such post by direct recruitment.

(2) A duty post in Grade III shall be filled by promotion of a member of the Service in Grade IV or by direct recruitment:

Provided that every third vacancy in Grade III shall be filled by direct recruitment.

(3) A duty post in Grade IV shall be filled alternately by direct recruitment and by promotion of a person holding any post specified in the Third Schedule.

(4) Notwithstanding anything contained in sub-rules (2) and (3), a vacancy required to be filled by promotion or direct recruitment may, if a suitable person is not available to fill such vacancy, be filled by direct recruitment, or, as the case may be, by promotion.

7. Appointment to duty posts by direct recruitment.—(1) A person shall not be eligible for appointment by direct recruitment:

(a) to a duty post in Grade I unless he has been a member of the Indian Civil Service permanently allotted to the Judicial Service of a State or has held in the legal department of a State for a period of not less than sixteen years;

(b) to a duty post in Grade II unless he has been a member of a State Judicial Service for a period of not less than thirteen years, or has held an inferior post in the legal department of a State for a period of not less than
seven years or is a Central Government servant who has had experience in legal affairs for not less than thirteen years,

(c) to a duty post in Grade III, unless he has been a member of a State judicial service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than five years or is a Central Government servant who has had experience in legal affairs for not less than ten years or is a qualified legal practitioner of not less than 35 and not more than 45 years of age;

(d) to a duty post in Grade IV, unless he has been a member of a State judicial service for a period of not less than seven years or has held a superior post in the legal department of a State for not less than three years or is a Central Government servant who has had experience in legal affairs for not less than seven years or is a qualified legal practitioner of not less than 30 and not more than 45 years of age.

(2) Every direct recruitment to a duty post shall be in consultation with the Commission unless such consultation is not necessary under the general regulations in force in that behalf.

(3) For the purposes of sub-rule (1),—

(a) in computing the period during which a person has held any office in the State judicial service or in the legal department of a State or under the Central Government, there shall be included any period during which he has held any of the other aforesaid offices or any period during which he has been a legal practitioner;

(b) in computing the period during which a person has been a qualified legal practitioner, there shall be included any period during which he has held any office in the State judicial service or has held a superior post in the legal department of a State or has been a Central Government servant having experience in legal affairs.

8. Promotions.—(1) A person shall not ordinarily be eligible for promotion,—

(i) to a duty post in Grade I, unless he has held a duty post in Grade II for a period of not less than two years, or unless he has held duty posts in Grade II and Grade III for a total period of not less than six years;

(ii) to a duty post in Grade II, unless he has held a duty post in Grade III for a total period of not less than three years;

(iii) to a duty post in Grade III, unless he has held a duty post in Grade IV for a total period of not less than three years;

(iv) to a duty post in Grade IV, unless he has held one or more posts specified in the Third Schedule for a total period of not less than three years. Provided that nothing in this sub-rule shall apply to a promotion to a duty post in any grade for a period not exceeding three months.

(2) Unless the Central Government otherwise decides, promotion to a duty post in Grade I, Grade II or Grade III in a Department shall be made from amongst persons holding duty posts in that Department.

(3) Every person promoted to a duty post in any grade under this rule shall be initially appointed to that post in an officiating capacity.

(4) Every promotion for a period exceeding three months shall be by selection made on the recommendation of the Departmental Promotion Committee constituted for the purpose in accordance with the general rules in force in that behalf.

(5) In computing for the purposes of this rule the period for which a person has held a duty post in any grade or, as the case may be, a post specified in the Third Schedule, there shall be included—

(a) any period for which he has held a duty post in a higher grade;

(b) any period of his deputation for which he would have held that duty post but for his deputation; and

(c) any period for which he has held a post which, in the opinion of the Central Government, corresponds to or is higher than such duty post, or in the case may be, a post specified in the Third Schedule.
9. Probation.—(1) Every person appointed to a duty post, whether by direct recruitment or by promotion, shall be on probation for a period of two years.

(2) The Central Government may, in the case of any such person, extend or reduce the period of probation.

(3) At any time during the period of probation and without any reasons being assigned, a person appointed to a duty post on probation may—

(i) if he is appointed thereto by direct recruitment, be discharged from service in that post; and

(ii) if he is appointed thereto by promotion, be reverted to the post held by him immediately before such promotion.

(4) In computing for the purposes of this rule the period for which a person is on probation in a duty post, there may be included the period for which he has officiated in that duty post.

10. Substantive appointments to duty posts.—Appointments of members of the Service to permanent duty posts in any grade in a substantive capacity shall be made in accordance with the general rules in force in that behalf.

11. Seniority.—(1) A list of members of the Service shall be maintained separately for each Department in the order of their seniority.

(2) Seniority of members of the Service in each Department shall be determined in accordance with the following principles, namely:

(i) a member of the Service appointed to a duty post in a substantive capacity in any grade shall be senior to a member of the Service appointed to a duty post in an officiating capacity or on probation in that grade;

(ii) seniority of members of the Service appointed to duty posts in any grade in a substantive capacity shall be determined in accordance with the date of appointment to a duty post in that grade in a substantive capacity; and where two or more members of the Service are appointed in a substantive capacity to duty posts in the same grade on the same date, their seniority shall be determined in accordance with their seniority while holding such duty posts in an officiating capacity or on probation;

(iii) subject to the provisions contained in clause (iv), seniority of members of the Service appointed to duty posts in any grade in an officiating capacity or on probation shall be determined in accordance with the order of selection for appointment to a duty post in that grade or to a post in the Ministry of Law, which, in the opinion of the Central Government, corresponds to that duty post; and

(iv) the relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees.

Explanation.—Where a member of the Service is, while holding a post other than a duty post, selected for appointment to a duty post in a higher grade, he shall, for the purposes of clause (iii), be deemed to have been appointed to such post.

9. Notwithstanding anything contained in sub-rule (2), the seniority of the members of the Service appointed to it before the commencement of the Central Legal Service (Second Amendment) Rules 1965 shall be determined in accordance with the rules applicable to them before such commencement.

10. Nothing in this rule shall be deemed to preclude the Central Government from determining, after consultation with the Commission the seniority of any member of the Service in such other manner as it deems fit if the special circumstances of the case so require.

11. Pay.—(1) The pay or scale of pay (applicable to a present holding a duty post shall be as specified in respect of that post in column 10 of the 19th Schedule.
(2) On the first appointment of a person to a duty post on a time-scale of pay, he shall ordinarily draw pay at the lowest stage, unless he is entitled to a higher initial pay under the rules and general orders relating to pay for the time being in force:

Provided that the Central Government may, for special reasons, fix the pay of such person at a higher stage.

(3) Any person appointed to the Service under rule 5 shall draw initial pay in the time-scale of the appropriate grade at such stage as the Central Government may direct.

13. Other conditions of service.—The conditions of service of members of the Service in respect of matters for which no provision is made in these rules shall, unless the Central Government otherwise orders, be the same as are applicable from time to time to officers of the Central Civil Services, Class I.

14. Amendment of the First Schedule.—The Central Government may, by order, amend the First Schedule from time to time by way of addition of any post thereto as a duty post or alteration of the strength of duty posts or pay or time-scale of pay and when the First Schedule is so amended, any reference to that Schedule in these rules shall be construed as a reference to such Schedule as so amended.

15. Interpretation.—If any question arises relating to the interpretation of these rules, the decision of the Central Government thereon shall be final.
<table>
<thead>
<tr>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
<th>Pay or Time Scale of Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Chief Draftsman</td>
<td>4</td>
<td>2</td>
<td>Rs. 7,200</td>
</tr>
<tr>
<td>Additional Draftsman</td>
<td>4</td>
<td>2</td>
<td>Rs. 5,100-600</td>
</tr>
<tr>
<td>Additional Legal Advisor</td>
<td>3</td>
<td></td>
<td>Rs. 4,500-600</td>
</tr>
<tr>
<td>Joint Secretary &amp; Draftsman</td>
<td>2</td>
<td>1</td>
<td>Rs. 3,500-400</td>
</tr>
<tr>
<td>Assistant Legal Advisor</td>
<td>2</td>
<td></td>
<td>Rs. 2,750</td>
</tr>
<tr>
<td>Assistant Draftsman</td>
<td>2</td>
<td></td>
<td>Rs. 7,250</td>
</tr>
<tr>
<td>Leave Reserve</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Designation of posts within the meaning assigned to that expression in the Central Civil Services (Revision of Pay) Rules, 1947.
SECOND SCHEDULE

[See rule 5(1)]

Superior posts in the Ministry of Law

PART A

Additional Secretary and Chief Draftsman.
Joint Secretary.
Joint Secretary and Draftsman.
Additional Draftsman.
Deputy Secretary.
Deputy Draftsman.
Under Secretary.
Assistant Draftsman.

PART B

Joint Secretary and Senior Additional Draftsman.
Second Solicitor.
Assistant Solicitor.

THIRD SCHEDULE

[See rules 6(3) and 8(1)(iv)]

Posts in the Ministry of Law

Junior Law Officer.
Superintendent (Legal).
Superintendent (Library & Research).

[No. F. 34(1)/61-Adm.I(L.A.).]

B. N. LOKUR, Secy

MINISTRY OF FOOD AND AGRICULTURE
(Department of Agriculture)

New Delhi, the 5th October 1963

G.S.R. 1609.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Exploratory Tubewells Organisation (Class I and Class II Services) Recruitment Rules, 1963, namely:

1. These rules may be called the Exploratory Tubewells Organisation (Class I and Class II Services) Recruitment (Amendment) Rules, 1963.
GSR. 1416.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:—

1. (1) These rules may be called the Central Legal Service (Second Amendment) Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

In the Central Legal Service Rules, 1957,—

(a) in rule 7, in sub-rule (1),—

(1) in clause (a), for the words "ten years", the words "sixteen years" shall be substituted;

(2) in clause (b), for the words "seven years", the words "thirteen years" shall be substituted;

(3) in clause (c), for the words "five years", the words "ten years" shall be substituted;

(4) in clause (d), for the words "three years", the words "seven years" shall be substituted;

(b) in rule 8, for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Unless the Central Government otherwise decides, promotion to a duty post in any grade in a Department shall be made from amongst persons holding duty posts, or, as the case may be, posts specified in the Third Schedule, in the Department:

Provided that Junior Law Officers may be promoted to duty posts in Grade VI in either of the Departments."

[No. F.34(1)/64-Adm.I(LA).]

S. BALAKRISHNAN, Jt. Secy.
and Legal Adviser.
EXTRAORDINARY
भाग II—लाख 3—उपलब्ध (i)
PART II—Section 3—Sub-section (i)
प्राधिकार ने प्रकाशित
PUBLISHED BY AUTHORITY

MINISTRY OF LAW
(Department of Legal Affairs)
NOTIFICATION
New Delhi, the 12th July 1968

G.S.R. 1423.—In exercise of the powers conferred by the proviso to article 309 of
the Constitution of India, and of all other powers enabling him in that behalf,
the President hereby makes the following rules further to amend the Central Legal
Service Rules, 1957, namely:

1. (1) These rules may be called the Central Legal Service (First Amendment)
Rules, 1968.

(2) They shall come into force on the date of their publication in the Official
Gazette.

2. In rule 8 of the Central Legal Service Rules, 1957, for sub-rule (5), the follow-
ing sub-rule shall be substituted, namely:—

“(5) In computing for the purposes of this rule the period for which a
person has held a duty post in any grade or, as the case may be, a
post specified in the Third Schedule,—

(i) any period for which he has held such duty post in any grade, or, as
the case may be, a post specified in the Third Schedule, on ad hoc
basis shall be excluded;
(ii) there shall be included—
(a) any period for which he has held a duty post in a higher grade;
(b) any period of his deputation for which he would have held that duty post but for his deputation; and
(c) any period for which he has held a post which, in the opinion of the Central Government corresponds to or is higher than such duty post or, as the case may be a post specified in the Third Schedule.

S. BALAKRISHNAN, Jt. Secy

[No. F. 34(1)/68-Adm.I(LA).]

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विधि कंवलय
(विषयार्थ कालम्य)

प्रकल्पना

नई दिल्ली, 12 जुलाई, 1968

सारः का. ल. 1424—भारत के संविधान के अनुसार 369 के पर्याय से वह कार्य करने वाले उसके समय बंटने वाले शासक संप्रमाण शासित प्रभार का, यह विदेशी लगाया सेवा नियम, 1957 में प्रतिष्ठित संशोधन करने के लिए एक 'दांड नियम' निर्मित नियम बनाया है, ज्ञात हैः—

1. (1) ये नियम केंद्रीय विधि सेवा (प्रमाण संशोधन) नियम, 1968 के अधिकार से बंटने वाले उसके समय बंटने वाले शासक संप्रमाण शासित प्रभार का, यह विदेशी लगाया सेवा नियम, 1957 के नियम 8 में उपलब्ध के लिए निम्नलिखित उत्तर दिया जाएगा, तथापि तर—

"(5) इस नियम के प्रयोजनों के लिए ऐसी कार्यवाही की संशोधन करने में, जिसके दौरान किसी व्यक्ति ने किसी श्रेणी में कोई कर्मचारी पद या, यथार्थता में तृतीय अनुसूची में विनियमित कोई पद धारण किया हो, —

(i) उस किसी कार्यवाही का प्रवर्तन कर दिया जाएगा जिसके दौरान उसने किसी श्रेणी में कोई कर्मचारी पद या, यथार्थता में तृतीय अनुसूची में विनियमित कोई पद तदनुसरण पर धारण किया हो;

(ii) निम्नलिखित कार्यवाहियों को संस्थापित कर नियम जाएगा —

(क) कोई कार्यवाही जिसके दौरान उसने किसी उपकार श्रेणी में कर्मचारी पद धारण किया हो;

(ख) उसके प्रति नियोजन की कोई भी कार्यवाही, जिसके दौरान उस कर्मचारी पद को धारण किये रहता यदि उसकी प्रतिनियति न की गई होती; इतर
G.S.R. 1050.—In exercise of the powers conferred by the proviso to article 309 of the Constitution and of all other powers enabling him in that behalf, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:

1. (1) These rules may be called the Central Legal Service (Amendment) Rules, 1969.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 7 of the Central Legal Service Rules, 1957, after sub-rule (1), the following sub-rule shall be inserted, namely:

"(1A) In making appointment by direct recruitment to a duty post in Grade I, Grade II, Grade III or Grade IV, preference shall be given:

(i) to a person (not being a member of a State Judicial Service or a legal Practitioner) with experience in legal advice work if such posts is in the Department of Legal Affairs; and

(ii) to a person with experience in legislative drafting, if such post is in the Legislative Department.

No. [F. 34(2)/68-Adm.I(LA)]—
R. S. GAE, Secy.
in the C.S.O.

Educational and other qualifications required for direct recruits

<table>
<thead>
<tr>
<th>Educational qualifications required</th>
<th>Period of probation, if any</th>
<th>Method of rectt.</th>
<th>In case of rectt. by promotion/deputation/transfer, grades &amp; percentage of the vacancies to be filled by various methods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
<td>Two years</td>
<td>Direct recruitment</td>
<td>If a DPC. exists, what is its composition? transfer to be made</td>
</tr>
</tbody>
</table>

Desirable:

Should have:

1. A Degree of a recognised University.
2. A Diploma in Library Science from a recognised University/Institution.

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MINISTRY OF LAW
(Department of Legal Affairs)

New Delhi, the 7th July 1969

G.S.R. 1981.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:

1. (i) These rules may be called the Central Legal Service (Second Amendment) Rules, 1969.
   (ii) They shall come into force on the date of their publication in the Official Gazette.

2. After rule 14 of the Central Legal Service Rules, 1957, the following rule shall be inserted, namely:

"14-A. Power to relax:—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order, for
बिचि मंत्रालय

(बिचि कार्य विभाग)

नई दिल्ली, 7 जुलाई, 1969

सरकार का नियम 1982—भारत के संविधान के अनुपालन 309 के परामर्श द्वारा प्रदत्त शक्ति का यथा एकज्ञतित उसे समर्पित बनाने वाली सभी भ्रष्टाचार का प्रयोग करने हेतु, केंद्रीय बिचि सेवा नियम, 1957 में प्राप्ति संशोधन करने के लिये, राज्यसति एवं द्वारा निम्नलिखित नियम बनाये हैं; प्रमाण—

1. (i) ये नियम केंद्रीय बिचि सेवा (विचि संशोधन) नियम, 1969 को जा सकेंगे;
(ii) ये शासकीय राज्य में अपने प्रकाशन की तारीख का प्रमुख होगा।

2. केंद्रीय बिचि सेवा नियम, 1957 के नियम 14 के पदार्थ इन्निशिलित नियम यहाँ स्थापित किया जाएगा, प्रमाण—

''14—क्षेत्र में निश्चित करने की शक्ति—तब तक कि केंद्रीय सरकार की राय यह है कि ऐसा करना आवश्यक और संबंधित है नहीं तो उन कारणों से हो उसे कवर किये जाएंगे और संबंधित सेवा द्वारा प्रकाश द्वारा व्यक्तियों के किसी वर्ग के या किसी वर्ग के वारे में इन नियमों के उपबनन्त में से किसी को निच्छित कर सकेंगे।

[सरकार 34(2)/69-प्रसाद 1(बिचि)]

प्रारंभ 7 अगस्त, तविविष

MINISTRY OF SHIPPING AND TRANSPORT
(Transport Wing)
New Delhi, the 11th August 1969

G.S.R. 1983.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 8 of the Major Port Trust Act, 1963 (38 of 1963), the Central Government hereby removes Shri H. S. Balhaya, a Trustee, from the Board of Trustees of the Port of Kandla.

[No. 2-PG(56)/69]

K. L. GUPTA, Under Secy.
2. In rule 6 of the Central Legal Service Rules, 1957 (hereinafter as the said rules), for sub-rules (2) and (3), the following shall be substituted namely:

“(2) A duty post in Grade III shall be filled alternately by deputation and by promotion of a member of the service in Grade IV.

(3) A duty post in Grade IV shall be filled by direct recruitment of a person holding any post specified in Schedule in the ratio of 3:1.

3. After rule 6 of the said rules the following rule shall be inserted:

“4A. Filling of duty posts by deputation.—Notwithstanding what is contained in rule 6, where the Central Government is of the opinion that it is necessary or expedient so to do, it may fill a duty post in a Grade by deputation of a Government servant who is in a lower Grade by direct recruitment, but not include the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.

Explanation.—For the purposes of this rule, 'deputation' means the transfer of a Government servant by transfer on a temporary basis of the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.”

[No. F. 34(1)/63-LS]

N. D. SINHA,
Secretary

(Chairman)

Filling of Duty Posts

Called on 8th September, 1970

2. A duty post in Grade III shall be filled alternately by deputation and by promotion of a member of the service in Grade IV.

3. After rule 6 of the said rules the following rule shall be inserted:

“4A. Filling of duty posts by deputation.—Notwithstanding what is contained in rule 6, where the Central Government is of the opinion that it is necessary or expedient so to do, it may fill a duty post in a Grade by deputation of a Government servant who is in a lower Grade by direct recruitment, but not include the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.

Explanation.—For the purposes of this rule, 'deputation' means the transfer of a Government servant by transfer on a temporary basis of the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.”

[No. F. 34(1)/63-LS]

A. DAS GUPTA,
Assistant Director, Education Department, Himachal Pradesh,

(Chairman)

Filling of Duty Posts

Called on 24th September, 1970

2. A duty post in Grade III shall be filled alternately by deputation and by promotion of a member of the service in Grade IV.

3. After rule 6 of the said rules the following rule shall be inserted:

“4A. Filling of duty posts by deputation.—Notwithstanding what is contained in rule 6, where the Central Government is of the opinion that it is necessary or expedient so to do, it may fill a duty post in a Grade by deputation of a Government servant who is in a lower Grade by direct recruitment, but not include the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.

Explanation.—For the purposes of this rule, 'deputation' means the transfer of a Government servant by transfer on a temporary basis of the appointment of a Government servant promotion or by direct recruitment whether on a permanent or temporary basis.”

[No. F. 34(1)/63-LS]
Degree in law and having had teaching or research experience in law for not less than eight years or in a qualified legal profession of not less than 15 years and not more than 45 years of age,

(d) to a duty post in Grade IV, unless he has been a member of a State Judicial Service for a period of not less than seven years or has held a superior post in the legal department of a State for a period of not less than seven years or is a Central Government servant who has had experience in legal affairs for not less than seven years or possesses a Master's Degree in law and has had teaching or search experience in law for not less than five years or is a qualified legal practitioner of not less than 30 years and not more than 45 years of age."

G. C. SHARDA, Dy. Secy
3. Under sections 7 of the Act, every advocate who has practised for at least ten years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least ten years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least eight years or has practised as such attorney and an advocate for a total period of at least twelve years; or

(ii) in relation to appointment to a duty post in Grade III by direct recruitment, an advocate or a pleader who has practised as such for at least seven years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least seven years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years or has practised as such attorney and an advocate for a total period of at least five years;”

3. In sub-rule (1) of the rule 7 of the said rules, in clause (b), the following shall be added at the end, namely:

“or is a qualified legal practitioner of not more than 48 years of age.”

[A. 12028/6/78-Adm. I (LA)]

G. C. SHARDA, Deputy Secy.

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Department of Legal Affairs)

New Delhi, the 18th December, 1978

G.S.R. 72.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:

1. (1) These rules may be called the Central Legal Service (Third Amendment) Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 2 of the Central Legal Service Rules, 1967 (hereinafter referred to as the said rules), for clause (e), the following clause shall be substituted namely:

“(e) ‘Qualified legal practitioner’ means—

(i) in relation to appointment to a duty post in Grade II by direct recruitment, an advocate or a pleader who has practised as such for at least thirteen years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least eleven years or has practised as such attorney and an advocate for a total period of at least eleven years;

(ii) in relation to appointment to a duty post in Grade III by direct recruitment, an advocate or a pleader who has practised as such for at least ten years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least eight years or has practised as such attorney and an advocate for a total period of at least eight years;

(iii) in relation to appointment to a duty post in Grade III by direct recruitment, an advocate or a pleader who has practised as such for at least seven years, or an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years or has practised as such attorney and an advocate for a total period of at least five years;”

3. In sub-rule (1) of the rule 7 of the said rules, in clause (b), the following shall be added at the end, namely:

“or is a qualified legal practitioner of not more than 48 years of age.”

[A. 12028/6/78-Adm. I (LA)]

G. C. SHARDA, Deputy Secy.

MINISTRY OF HOMEAFFAIRS
(Department of Personnel and Administrative Reforms)

New Delhi, the 4th January, 1979

G.S.R. 73.—In exercise of the powers conferred by subsection (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government, after consulting with the Governments of the States concerned, hereby makes the following rules further to amend the All India Services (Discipline and Appeal) Rules, 1969, namely:

1. (1) These rules may be called the All India Services (Discipline and Appeal) Amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the All India Services (Discipline and Appeal) Rules, 1969, in sub-rule (4) of rule 3, in clause (1) of sub-rule (2) of rule 5A and in sub-rule (3) of rule 5B, for the words “within such period”, the words and brackets “within such period (not exceeding sixty days from the date on which the notice aforesaid is served on the member of the service)" shall be substituted.

No. 11018/13/78-AIS(III)
K. L. NEGI, Under Secy.

1979
PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc., of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Central Authorities (other than the Administrations of Union Territories)

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Deapartment of Legal Affairs)

New Delhi, the 17th April, 1979

G.S.R. 658—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the President hereby makes the following rules further to amend the Central Legal Service Rules, 1957, namely:

1. (1) These rules may be called the Central Legal Service (Fourth Amendment) Rules, 1979.

2. They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Legal Service Rules, 1957, after rule 12, the following rule shall be inserted, namely:

"12A. Benefit of added years of service for superannuation pension—

The benefit of addition to qualifying service for the purpose of superannuation pension shall be admissible to the members of the Service, who are appointed to the Service by direct recruitment from open market in terms of rule 30 of the Central Civil Services (Pension) Rules, 1972, as applicable to them from time to time."
2. Central Legal Service Rules, 1957, the provisions of which have been referred to in the First Schedule, namely:

(2) Central Legal Service Rules, 1957, Schedule 3.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

NOTIFICATION

New Delhi, the 29th March, 1982

G.S.R. 270(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the President hereby makes the following rules further to give effect to the Central Legal Service Rules, 1957, namely:—

1. (1) These Rules may be called the Central Legal Service (Amendment) Rules, 1982.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Legal Service Rules, 1957 in sub-rule (1) of Rule 1, clause (g) of rule 2, sub-rule (1) of rule 3, and the heading to the First Schedule,
The following amendments shall be made in Schedule I.

1. The words "Central Legal Service" shall be substituted for the words "Indian Legal Service", the words "Indian Legal Service" shall be substituted for the words "Indian Legal Service", and the words "Indian Legal Service" shall be substituted for the words "Central Legal Service".

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS  
(Department of Legal Affairs)  
New Delhi, the 7th June 1983

G. S. R. 668.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, read with rule 11 of the Indian Legal Service Rules, 1957, the Central Government hereby makes the following amendments to the Indian Legal Service Rules, 1957, namely:

In the said rules, for the First Schedule, the following shall be substituted, namely:

FIRST SCHEDULE  
[See rules 2(6), 3(2) 12 and 14]

Total Strength : 69

<table>
<thead>
<tr>
<th>COMPOSITION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Grade</strong></td>
</tr>
<tr>
<td>1</td>
</tr>
</tbody>
</table>
| I | 10 | 4 | Joint Secretary & Legal Adviser | 7 | 2 | Joint Secretary & Legislative Counsel | 3* | 2** | Rs. 2500-125/2-2750 and in case of pre-1931 entrants, who have opted to remain in pre-1931 scales of pay Rs. 300/
### Grade Strength of Grade

<table>
<thead>
<tr>
<th>Grade</th>
<th>Strength of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>100+</td>
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<tr>
<td>150+</td>
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<tr>
<td>200+</td>
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<tr>
<td>250+</td>
<td>18</td>
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</table>

<table>
<thead>
<tr>
<th>Dept. of Legal Affairs</th>
<th>Legislative Dept.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designation of posts</td>
<td>Pay or time-scale of pay</td>
</tr>
<tr>
<td>8</td>
<td>Additional Legislative Counsel</td>
</tr>
<tr>
<td>6*</td>
<td>Rs. 2000-125/2-2250.</td>
</tr>
<tr>
<td>13</td>
<td>Deputy Legislative Counsel</td>
</tr>
<tr>
<td>5</td>
<td>Rs. 1500-60-1800-100-2000.</td>
</tr>
<tr>
<td>14</td>
<td>Assistant Legislative Counsel</td>
</tr>
<tr>
<td>4</td>
<td>Rs. 1200-50-1600.</td>
</tr>
</tbody>
</table>

Note: (1) “Pre-1931 entrants” has the meaning assigned to it in the Central Civil Service (Revised Pay) Rules, 1970.

Note: (2) The grant of increment in the scale of pay of Rs. 2500-125/2-2750 to officers holding posts of Joint Secretary and Legal Adviser or Joint Secretary and Legislative Counsel shall be subject to the general order of Government in force from time to time regarding the regulation of increment to officers in that scale of pay.

*One post for Department of Atomic Energy, Bombay, continued for 5 years w.e.f. 1-8-1980.

**3 posts (one permanent and 2 temporary) held in abeyance.

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Subsequently amended by:

(i) Notification No. GSR 1608, dated 28-9-1963
(ii) Notification No. GSR 1416, dated 27-7-1968
(iii) Notification No. GSR 1423, dated 27-7-1968
(iv) Notification No. GSR 1050, dated 3-5-1969
(vi) Notification No. GSR 2, dated 6-1-1979
(vii) Notification No. GSR 72, dated 20-1-1979
(viii) Notification No. GSR 658, dated 17-4-1979
(ix) Notification No. GSR 270(E), dated 29-3-1982.
(ii) in rule 8—

(i) in sub-rule (1), for sub-rule (3); the following sub-rule shall be substituted, namely:

"(3) A duty post in Grade IV shall be filled by promotion of persons holding any post specified in the Third Schedule and by direct recruitment in the ratio of 1:1 (namely 50 per cent by promotion and 50 per cent by direct recruitment);"

(ii) in sub-rule (1),—

(i) in clause (a), the words "Indian Civil Service permanently allotted to judiciary or", shall be omitted;

(ii) in clause (b), the words and figures "of not more than 48 years of age" shall be omitted;

(iii) in clause (c), the words and figures "not more than 45 years" shall be omitted;

(iv) in clause (d), the words and figures "and not less than seven years" shall be omitted;

(v) after clause (d), the following Notes shall be inserted, namely:

"Note 1—The upper age limit for direct recruits under clauses (a) to (d) of sub-rule (1) shall be as follows:

Grade I: Preferably below 50 years.

Grade II: Preferably below 50 years.

Grade III: 50 years.

Grade IV: 40 years.

Note 2—The upper age limit in respect of the above posts is relaxable for Government servants up to five years in accordance with the instructions and orders issued by the Government of India in the Ministry of Law and Justice.

Note 3—The crucial date for determining the limit shall be the closing date for receipt of applications from candidates in (other than in the Andaman and Nicobar Islands and Lakshadweep);

(c) in rule 8—

(i) in sub-rule (1), in clause (iv), for the words "not less than three years", the words "not less than seven years" shall be substituted;

(ii) in sub-rule (2), the proviso shall be omitted;

(d) for the Third Schedule, the following Schedule shall be substituted, namely:

"Third Schedule

[See rules 6(3) and 8(i) (iv)]

Posts in the Ministry of Law and Justice

(i) Superintendent (Legal)

(ii) Librarian Grade IV"

The principal rules were published vide notification No. SRO: 3054-A, (CLSR), dated 25-9-1957.

Subsequently amended by:

(i) Notification No. GSR 1608, dated 28-9-1968;

(ii) Notification No. GSR 1416, dated 3rd July, 1968;

(iii) Notification No. GSR 1423, dated 3rd July, 1968;

(iv) Notification No. GSR 1050, dated the 3rd August 1969.


(vi) Notification No. GSR 2, dated the 6th January 1979.

(vii) Notification No. GSR 72, dated the 23rd January 1979.


(ix) Notification No. GSR 270(E), dated the 2nd March 1982.

(x) Notification No. GSR 1050, dated the 1st June 1983.

[File No. A-1201812/85-Admn. 1(L)]

D. P. SHARMA, Dy. Sec.
(b) to a duty post in Grade II, unless he holds a Degree in Law of a recognised University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than thirteen years or has held a superior post in the Legal department of a State for a period of not less than thirteen years or is a Central Government servant who has had experience in legal affairs for not less than fifteen years or is a qualified legal practitioner;

(c) to a duty post in Grade III, unless he holds a Degree in Law of a recognised University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than ten years or is a Central Government servant who has had experience in legal affairs for not less than ten years or possesses a Master's Degree in Law and has had teaching or research experience in Law for not less than five years or is a qualified legal practitioner of not less than thirty years;

(d) to a duty post in Grade IV, unless he holds a Degree in Law of a recognised University or equivalent and unless he has been a member of a State Judicial Service for a period of not less than seven years or has held a superior post in the legal department of a State for a period of not less than seven years or is a Central Government servant who has had experience in legal affairs for not less than seven years or possesses a Master's Degree in Law and has had teaching or research experience in Law for not less than five years or is a qualified legal practitioner of not less than thirty years.
MINISTRY OF LAW, JUSTICE AND COMPANIES
AFFAIRS
(Department of Legal Affairs)

New Delhi, the 10th August, 1998

G.S.R. 176.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby signs the following rules further to amend the Indian Legal Service Rules, 1957, namely:

1. (1) These rules may be called the Indian Legal Service (Amendment) Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Legal Service Rules, 1957 (hereinafter referred to as the principal rules) in rule 10, for the words “permanent duty posts” the words “duty posts” shall be substituted.

3. In Rule 11 of the Principal Rules, for sub-rule (1), the following sub-rule shall be substituted, namely:

“Seniority of members of the service in each Department shall be determined in accordance with the general instructions issued by the Central Government in that behalf, from time to time.”

(No. A-10185/115/Adjn-PLA)] A. K. SONIK, Dr. Secy

Foot Note.—The Principal Rules was published vide Notification No. SRO : XOB-4, (CLSH), dated 25th September, 1957.

Subsequently amended by:—

(iii) Notification No. GSR 1423, dated 27-7-1990.
(iv) Notification No. GSR 1050, dated 3-5-1969.
(vi) Notification No. GSR 2, dated 6-1-1979.
(ix) Notification No. GSR 210(E), dated 29-3-1983.

GOMATI DAYANAND, Under Secretary

(under the authority and in the name of the Secretary to the Government of India in the Ministry of Law, Justice and Company Affairs, Department of Legal Affairs)
MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Department of Legal Affairs)

CORRIGENDUM

New Delhi, the 29th June, 1999

G.S.R. 382.—In the notification of the Government of India in the Ministry of Law, Justice and Company Affairs (Department of Legal Affairs) number GSR 176, dated the 10th August, 1998 published in the Gazette of India, Part II, Section 3, Sub-section (i) dated the 12th September, 1998, at page 700, in left hand side column, in line 23, for the figures "1997" read "1998".

[No. A-12018/1/95-Admn.I(LA)]
A. K. SONIK, Dy. Secy.
MINDISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)
New Delhi, the 14th Feb., 1958

G.S.R. 633.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Indian Legal Service Rules, 1957, namely—

1. (1) These rules may be called the Indian Legal Service (Amendment) Rules, 1958.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Third Schedule to the Indian Legal Service Rules, 1957, after the entry "Librarian (Grade I)", the following entry shall be added, namely:

"Confidential Superintendent, in the Legislative Department (Only for posts of Grade IV of Indian Legal Service in Legislative Department)."

[No. A-12018/1/58-Adm. I (LAW)
D. P. SHARMA, Dy. Secy.

This Principal rules was published vide Notification No. SRO 3084-A, (CLSR), dated 23-9-1957.

Subsequently amended by:—

(i) Notification No. GSR. 1099, dated 24-2-1963.
(ii) Notification No. GSR. 1416, dated 27-7-1962.
(iii) Notification No. GSR. 1423, dated 27-7-1968.

60th Notification No. GSR. 794, dated 29-3-1982.
(63) Notification No. GSR. 1104, dated 24-1-1983.
(64) Notification No. GSR. 1487, dated 27-7-1983.

All Notification No. GSR. 1099, dated 24-2-1963.
(66) Notification No. GSR. 1416, dated 27-7-1962.
(67) Notification No. GSR. 1423, dated 27-7-1968.
(68) Notification No. GSR. 1590, dated 3-5-1969.
(70) Notification No. GSR. 2, dated 6-1-1979.
(71) Notification No. GSR. 72, dated 20-1-1979.
(72) Notification No. GSR. 658, dated 17-4-1979.

ARTICLE 309—The President may, by notification in the Official Gazette, make rules for the purpose of the enactment of any law made by him for the purposes of the Constitution, and, where such a law is made by the President, for the purposes of any law made by him for the purposes of the Constitution.
G.S.R. 228(E) - In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, and in order to merge the Cadre of the Law Commission of India, Indian Legal Service in the Department of Legal Affairs, the President hereby makes the following rules further to amend the Indian Legal Service Rules, 1957, namely:

1. (1) These rules may be called the Indian Legal Service (Amendment) Rules, 2003.
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) In accordance with the provisions contained in Rule 14 of the Indian Legal Service Rules, 1957, the following posts of the Cadre of Law officers in the Commission of India in the Ministry of Law and Justice, will stand added corresponding grades of the Indian Legal Service in the Department of Legal Affairs for being treated as duty posts, as indicated below:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Post in the Law Commission (Department of Legal Affairs)</th>
<th>Post in Indian Legal Service (Department of Legal Affairs)</th>
<th>Pay Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Joint Secretary and Law Officer (1 post - Pmt.0, Tem.1)</td>
<td>Joint Secretary &amp; Legal Adviser (Grade I) (14 posts - Pmt.14, Tem.0)</td>
<td>Rs.18,400-22,400</td>
</tr>
<tr>
<td>2.</td>
<td>Additional Law Officer (2 posts) (2 posts - Pmt.0, Tem.2)</td>
<td>Additional Legal Adviser (Grade II) (15 posts - Pmt.15, Tem.0)</td>
<td>Rs.14,300-18,300</td>
</tr>
<tr>
<td>3.</td>
<td>Deputy Law Officer (3 posts) (3 posts - Pmt.0, Tem.3)</td>
<td>Deputy Legal Adviser (Grade III) (19 posts - Pmt.16, Tem.1)</td>
<td>Rs.12,000-16,500</td>
</tr>
<tr>
<td>4.</td>
<td>Assistant Law Officer (5 posts) (5 posts - Pmt.0, Tem.0)</td>
<td>Assistant Legal Adviser (Grade IV) (40 posts - Pmt.38, Tem.2)</td>
<td>Rs.10,000-15,200</td>
</tr>
</tbody>
</table>

2. The following rule shall be inserted after Rule 11 of the Indian Legal Service Rules, 1957, namely:-

11A. Consequent upon the merger of the cadre of "Law Officers" of the Commission of India with the Indian Legal Service with effect from the date of coming into force of these amendment rules, the seniority shall be determined in accordance with the general instructions issued by the Central Government in that behalf, from time to time.

3. The First Schedule appended to the Indian Legal Service Rules, 1957 shall be substituted by the following revised schedule:-
FIRST SCHEDULE
[See Rules 2(c), 3(2), 12 and 14]
THE INDIAN LEGAL SERVICE
(TOTAL STRENGTH: 134)
COMPOSITION

<table>
<thead>
<tr>
<th>Strength of Grade</th>
<th>Department of Legal Affairs</th>
<th>Legislative Department</th>
<th>Scale of Pay (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permanent</td>
<td>Temporary</td>
<td>Designation</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>
|                   | 18        | 4         | Joint Secretary & Legal Adviser | 14         | 1         | Joint Secretary & Legislative Counsel | 18400-500-22400/-
|                   | 19        | 2         | Additional Legal Adviser | 15         | 2         | Additional Legislative Counsel | 14300-400-18300/-
|                   | 28        | 4         | Deputy Legal Adviser | 18         | 4         | Deputy Legislative Counsel | 12000-375-16500/-
|                   | 57        | 2         | Assistant Legal Adviser | 43         | 2         | Assistant Legislative Counsel | 10000-325-15200/-

The principle rules were published vide Notification No.SRO:3084-A(CLSR), dated 29.1957.

Subsequently amended by:

(i) Notification No.GSR 1608, dated 28.9.1963
(ii) Notification No.GSR 1416, dated 27.7.1968
(iii) Notification No.GSR 1423, dated 27.7.1968
(iv) Notification No.GSR 1050, dated 3.5.1969
(vi) Notification No.GSR 2, dated 6.1.1979
(vii) Notification No.GSR 72, dated 20.1.1979
(viii) Notification No.GSR 658, dated 12.5.1979
(ix) Notification No.GSR 270(E), dated 29.3.1982
(x) Notification No.GSR 68, dated 17.9.1983
(xi) Notification No.GSR 1161(E), dated 22.10.1986
(xii) Notification No.GSR 658, dated 29.6.1987
(xiii) Notification No.GSR 872, dated 28.11.1987
(xiv) Notification No.GSR 658, dated 20.8.1988
(xv) Notification No.GSR 176, dated 10.8.1998

K. D. SINGH, Addl. Secy.
MINISTRY OF LAW AND JUSTICE  
(Department of Legal Affairs)  

NOTIFICATION  
New Delhi, the 28th December, 2005  

G.S.R. 751(E) – In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in order to merge the cadres of Advocates of Central Agency Section and Main Secretariat and Branch Secretariats at Kolkata and Mumbai with the Indian Legal Service in the Department of Legal Affairs, Ministry of Law and Justice, the President hereby makes the following rules further to amend the Indian Legal Service Rules 1957, namely:-

1(1) These Rules may be called the Indian Legal Service (Amendment) Rules 2005.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) In accordance with the provisions contained in Rule 14 of the Indian Legal Service Rules 1957, the following posts of Advocates in different grades in the Central Agency Section and Main Secretariat and Branch Secretariats at Kolkata and Mumbai in the Ministry of Law and Justice, will stand added to the corresponding grades of the Indian Legal Service in the Department of Legal Affairs for being treated as duty posts as indicated below:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Place of office/Name of post</th>
<th>Corresponding posts in Indian Legal Service (Department of Legal Affairs) in which added</th>
<th>Proposed revised nomenclature</th>
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</thead>
<tbody>
<tr>
<td>A. Central Agency Section</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>(a)</td>
<td>Senior Government Advocate (1 post – Pmt.) (Rs.18400-22400)</td>
<td>Joint Secretary and Legal Adviser (Grade I) (Rs.18400-22400)</td>
<td>Joint Secretary and Government Counsel (Grade I) (Rs. 18400-22400)</td>
</tr>
<tr>
<td>Government Advocate</td>
<td>Additional Legal Advocate</td>
<td>Deputy Government Advocate</td>
<td>Deputy Legal Adviser</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>(1 post) (Rs. 16400-20000)</td>
<td>(2 posts - pmt) (Rs. 14300-18300)</td>
<td>(3 posts - pmt) (Rs. 12000-16500)</td>
<td>(4 posts - pmt) (Rs. 10000-15200)</td>
</tr>
<tr>
<td>Additional Government Advocate (2 posts - pmt) (Rs. 14300-18300)</td>
<td>Deputy Legal Adviser (Grade III) (Rs. 12000-16500)</td>
<td>Joint Secretary and Legal Adviser (Grade I) (Rs. 18400-22400)</td>
<td>Joint Secretary &amp; Government Counsel (Grade I) (Rs. 18400-22400)</td>
</tr>
<tr>
<td>B. Main Secretariat and Branch Secretariats at Kolkata and Mumbai</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Central Government Advocate (2 posts - pmt) (Rs. 18400-22400)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Government Advocate (6 posts - pmt) (Rs. 14300-18300)</td>
<td>Additional Legal Adviser (Grade II) (Rs. 14300-18300)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

One post of Government Advocate in the Central Agency Section in the scale of Rs. 16400-20000 is temporarily merged with Grade II with the scale of pay as personal to its incumbent till he gets promotion to Grade I since there is no parallel pay scale in the four grades of Indian Legal Service.

2. The following rule shall be inserted after Rule 11A of the Indian Legal Service Rules 1957, namely:

11B. Consequent upon the merger of the cadres of Advocates of Central Agency Section and Main Secretariat and Branch Secretariats at Kolkata and Mumbai, with the Indian Legal Service with effect from the date of coming into force of these amendment rules, the seniority shall be determined in accordance with the general instructions issued by the Central Government in that behalf from time to time.

As regards the lone post of Government Advocate in the scale of Rs. 16400-20000 in the Central Agency Section, the incumbent of the post shall temporarily stand merged with Grade II of ILS with his scale of pay as personal to him till he gets promotion to Grade I of the Indian Legal Service.

3. The First Schedule appended to the Indian Legal Service (Amendment) Rules 2003 shall be substituted by the following schedule -
**FIRST SCHEDULE**

[See Rules 2(c), 3(2), 12 and 14]

THE INDIAN LEGAL SERVICE

(TOTAL STRENGTH: 148)

COMPOSITION

<table>
<thead>
<tr>
<th>Grade</th>
<th>Strength of Grade</th>
<th>Department of Legal Affairs</th>
<th>Legislative Department</th>
<th>Scale of Pay (Rs.)</th>
</tr>
</thead>
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<td>Permanen</td>
<td>Temporary</td>
<td>Permanent</td>
<td>Temporary</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>I</td>
<td>22</td>
<td>1</td>
<td>Joint Secretary &amp; Govt. Counsel</td>
<td>17</td>
</tr>
<tr>
<td>II</td>
<td>32</td>
<td>2</td>
<td>Additional Govt. Counsel</td>
<td>28</td>
</tr>
<tr>
<td>III</td>
<td>31</td>
<td>1</td>
<td>Deputy Govt. Counsel</td>
<td>21</td>
</tr>
<tr>
<td>IV</td>
<td>59</td>
<td>-</td>
<td>Assistant Govt. Counsel</td>
<td>45</td>
</tr>
</tbody>
</table>

**One post in the Department of Legal Affairs is in the scale of 16,400-20,000/-.

4. The principle rules were published vide notification No.SRO:3084-A(CLSR), dated 25.9.1957.

Subsequently amended by:

(i) Notification No. GSR 1608, dated 28.09.1963
(ii) Notification No. GSR 1416, dated 27.07.1968
(iii) Notification No. GSR 1423, dated 27.07.1968
(iv) Notification No. GSR 1050, dated 03.05.1969
(v) Notification No. GSR 1981, dated 23.08.1969
(vi) Notification No. GSR 2, dated 06.01.1979
(vii) Notification No. GSR 72, dated 20.01.1979
(viii) Notification No. GSR 658, dated 12.05.1979
(ix) Notification No. GSR 270 (E), dated 29.03.1982
(x) Notification No. GSR 668, dated 17.09.1983
(xi) Notification No. GSR 1161 (E), dated 22.10.1986
(xii) Notification No. GSR 658, dated 29.06.1987
(xiii) Notification No. GSR 872, dated 28.11.1987
(xiv) Notification No. GSR 658, dated 20.08.1988
(xv) Notification No. GSR 716, dated 10.08.1988
(xvi) Notification No. GSR 228 (E), dated 31.03.2003

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K O SINGH, ADJ. SC.
NOTIFICATION

New Delhi, the 10th May, 2008

G.S.R. 358(E).— In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Indian Legal Service Rules 1957, to de-merge the service cadre in the Department of Legal Affairs and to create three different cadres within that Service, namely:

1 (1) These rules may be called the Indian Legal Service (Amendment) Rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Legal Service Rules, 1957 (hereinafter referred to as the principal rules), for rule 6, the following rule shall be substituted, namely:-
6. Filling up duty posts.—(1) A duty post in Grade I or Grade II, barring the duty post of Grade II of the Service cadre of Legal Advisers and Grade II of the Service cadre of Government Advocates, shall be filled by promotion of a member of the Service in the next lower grade failing which by direct recruitment. The duty post of Grade II of the Service cadre of Legal Advisers (Additional Legal Adviser) shall be filled 90% by promotion failing which by deputation and 10% by direct recruitment. The duty post of Grade II of the Service cadre of Government Advocates (Additional Government Advocate) shall be filled 33.33% by promotion failing which by deputation and 66.67% by direct recruitment.

(2) A duty post in Grade III of the Service shall be filled alternatively by direct recruitment and by promotion of a member of the Service in Grade IV.

(3) A duty post in Grade IV of the Service, barring the duty post in Grade IV of the Service cadre of Legal Advisers, Grade IV of the Service cadre of Government Advocates and Grade IV of the Service cadre of Law Officers in the Law Commission of India; shall be filled by promotion of persons holding any post specified in the Third Schedule and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). A duty post in Grade IV of the Service cadre of Legal Advisers shall be filled by promotion of persons holding any post specified in the Third Schedule under the Service cadre of Legal Advisers and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). A duty post in Grade IV of the Service cadre of Government Advocates shall be filled by promotion of persons holding the post specified in the Third Schedule under the ILS cadre of Government Advocates and by direct recruitment in the ratio of 1:1 (namely 50% by promotion and 50% by direct recruitment). The officers holding the post in the Third Schedule under the Service cadre of Government Advocates will be eligible for promotion if they are eligible for enrollment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules. A duty post in Grade IV of the Service cadre of Law Officers in the Law Commission of India shall be filled 20% by promotion of persons holding post specified in the Third Schedule under the Service cadre of Law Officers, 40% by deputation/absorption; and 40% by direct recruitment.

3. For rule 6A of the principal rules, the following rule shall be substituted, namely:-

“6A. Filling of duty posts by deputation/absorption :-

The field of selection for deputation/absorption to the various grades shall be as under:

Additional Legal Adviser (Rs. 14,300-18,300)
Officers of the Central Government:

(a)(i) holding analogous post on regular basis in the parent cadre/department; or

(ii) with five years' service in the grade rendered after appointment thereto on regular basis in posts in the scale of pay of Rs.12,000-16,500/- or equivalent in the parent cadre/department; and

(b) possessing the educational qualifications and experience prescribed for direct recruitment under rule 7.

Additional Government Advocate (Rs.14,300-18,300)

Officers of the Central Government;

(a)(i) holding analogous post on regular basis in the parent cadre/department; or

(ii) with five years’ service in the grade rendered after appointment thereto on regular basis in posts in the scale of pay of Rs.12,000-16,500/- or equivalent in the parent cadre/department; and

(b) possessing the educational qualifications and experience for direct recruitment prescribed under rule 7 and is eligible for enrolment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules.

Grade IV of the Service cadre of Law Officers of the Law Commission of India (Rs.10,000-15,200)

Officers of the Central Government:

(a)(i) holding analogous post on regular basis in the parent cadre/department; or

(ii) with five years’ service in the grade rendered after appointment thereto on regular basis in posts in the scale of pay of Rs.8,000-13,500/- or equivalent in the parent cadre/department; or

(iii) with six years’ service in the grade rendered after appointment thereto on regular basis in post in the scale of pay of Rs.7,500-12,000 or equivalent in the parent cadre/department; and

(b) possessing the educational qualifications and experience prescribed for direct recruitment under rule 7.

The period of deputation shall be three years, which may in special circumstances, be extended to five years as the Central Government may think fit".
4. In sub-rule (1A) of rule 7 of the principal rules, for clause (i), the following clause shall be substituted, namely:

"(i) to a person (not being a member of a State Judicial Service or a legal practitioner) with experience in legal advice work if such post is in the Legal Adviser Service cadre in the Department of Legal Affairs, research work if such post is in the Law Officer Service cadre in the Department of Legal Affairs and experience of litigation work if such post is in the Government Advocate Service cadre of the Department of Legal Affairs. Further, in making appointment by direct recruitment to any duty post in the Government Advocate Service cadre in the Department of Legal Affairs, the candidate should be eligible for enrollment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules."

5. In sub-rule (1) of rule 8 of the principal rules, for clause (iv), the following clause shall be substituted, namely:

"(iv) to a duty post in Grade IV, unless he has held one or more posts specified in the Third Schedule and possesses six years' regular service in posts carrying the pay of Rs.7500-12000, seven years' regular service in posts carrying the pay scale of Rs.7450-11500 and eight years' regular service in posts carrying the pay scale of Rs.6500-10500. Further, for promotion to a duty post in Grade IV in the Government Advocate Service cadre in the Department of Legal Affairs, the candidate should be eligible for enrollment as an advocate in the Supreme Court under the Supreme Court Rules, 1950 as amended from time to time and for registration as an Advocate-on-Record of that court under the said rules."

6. For rule 11 of the principal rules, the following rule shall be substituted, namely:

"11. Seniority:— (1) A list of members of the service shall be maintained separately for Legislative Department and each of the three cadres in the Department of Legal Affairs as indicated in the 'First Schedule' to these rules, in the order of their seniority.

(2) The seniority of members of the service in each Department shall be determined in accordance with the general instructions issued by the Central Government in that behalf, from time to time.

Note:—
The single post of Government Advocate in the scale of Rs.16400-20000 in Central Agency Section of the Department of Legal Affairs stands downgraded from the pay scale of Rs.16400-20000 to the pay scale of Rs.14300-18300 with effect from 1st December, 2007.

7. In the principal rules, for the 'First Schedule' and the 'Third Schedule', the following First and Second Schedule shall respectively be substituted, namely:
**FIRST SCHEDULE**
(See rules 2(c), 3(2), 12 and 14)

THE INDIAN LEGAL SERVICE
(TOTAL STRENGTH : 146)

COMPOSITION

<table>
<thead>
<tr>
<th>Grade</th>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Joint Secretary and Legal Adviser</td>
<td>13</td>
<td>Nil</td>
<td>Joint Secretary and Law Officer</td>
<td>Nil</td>
<td>1</td>
<td>Senior Government Advocate</td>
<td>3</td>
<td>Nil</td>
</tr>
<tr>
<td>II</td>
<td>Additional Legal Adviser</td>
<td>19</td>
<td>Nil</td>
<td>Additional Law Officer</td>
<td>Nil</td>
<td>2</td>
<td>Additional Government Advocate</td>
<td>8**</td>
<td>1</td>
</tr>
<tr>
<td>III</td>
<td>Deputy Legal Adviser</td>
<td>16</td>
<td>Nil</td>
<td>Deputy Law Officer</td>
<td>Nil</td>
<td>3</td>
<td>Deputy Government Advocate</td>
<td>3</td>
<td>Nil</td>
</tr>
<tr>
<td>IV</td>
<td>Assistant Legal Adviser</td>
<td>36</td>
<td>Nil</td>
<td>Assistant Law Officer</td>
<td>5</td>
<td>Nil</td>
<td>Assistant Government Advocate</td>
<td>4</td>
<td>Nil</td>
</tr>
</tbody>
</table>

The Central Government has, in exercise of the powers conferred by rule 14 of the principal rules vide its order number 81 dated 27th September, 2007 de-merged the cadre of Government Counsels in the Service in the Department of Legal Affairs and created three different cadres within that department consisting of the following cadres with duty posts as under:

**Legal Advisers Service cadre in the Main and Branch Secretariats:**

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joint Secretary and Legal Adviser</td>
<td>Grade I</td>
<td>Rs.18,400-22,400/-</td>
</tr>
<tr>
<td>Additional Legal Adviser</td>
<td>Grade II</td>
<td>Rs.14,300-18,300/-</td>
</tr>
<tr>
<td>Deputy Legal Adviser</td>
<td>Grade III</td>
<td>Rs.12,000-16,500/-</td>
</tr>
<tr>
<td>Assistant Legal Adviser</td>
<td>Grade IV</td>
<td>Rs.10,000-15,200/-</td>
</tr>
</tbody>
</table>
**Law Officer Service cadre in the Law Commission of India:**

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joint Secretary and Law Officer</td>
<td>Grade I</td>
<td>Rs. 18,400-22,400/-</td>
</tr>
<tr>
<td>Additional Law Officer</td>
<td>Grade II</td>
<td>Rs. 14,300-18,300/-</td>
</tr>
<tr>
<td>Deputy Law Officer</td>
<td>Grade III</td>
<td>Rs. 12,000-16,500/-</td>
</tr>
<tr>
<td>Assistant Law Officer</td>
<td>Grade IV</td>
<td>Rs. 10,000-15,200/-</td>
</tr>
</tbody>
</table>

**Government Advocate Service cadre in the Central Agency Section and Branch Secretariats in Mumbai and Kolkata:**

<table>
<thead>
<tr>
<th>Name of the duty post</th>
<th>Grade</th>
<th>Scale of pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Government Advocate</td>
<td>Grade I</td>
<td>Rs. 18,400-22,400/-</td>
</tr>
<tr>
<td>Additional Government Advocate</td>
<td>Grade II</td>
<td>Rs. 14,300-18,300/-</td>
</tr>
<tr>
<td>Deputy Government Advocate</td>
<td>Grade III</td>
<td>Rs. 12,000-16,500/-</td>
</tr>
<tr>
<td>Assistant Government Advocate</td>
<td>Grade IV</td>
<td>Rs. 10,000-15,200/-</td>
</tr>
</tbody>
</table>

**Legislative Department**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Designation</th>
<th>Permanent</th>
<th>Temporary</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Joint Secretary and Legislative Counsel</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>II</td>
<td>Additional Legislative Counsel</td>
<td>4</td>
<td>Nil</td>
</tr>
<tr>
<td>III</td>
<td>Deputy Legislative Counsel</td>
<td>9</td>
<td>Nil</td>
</tr>
<tr>
<td>IV</td>
<td>Assistant Legislative Counsel</td>
<td>13</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Cadre Strength of Indian Legal Service in the Ministry of Law and Justice**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Permanent posts</th>
<th>Temporary posts</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>II</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td>III</td>
<td>28</td>
<td>3</td>
</tr>
<tr>
<td>IV</td>
<td>58</td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Note:** The single post of Government Advocate in the scale of Rs.16400-20000 in Central Agency Section of the Department of Legal Affairs stands downgraded from the pay scale of Rs.16400-20000 to the pay scale of Rs.14300-18300 with effect from 1st December, 2007.

**THIRD SCHEDULE**

(See rule 6(3) and 8(1)(iv))

**POSTS IN THE MINISTRY OF LAW AND JUSTICE**

**Department of Legal Affairs**

- **Feeder post to the Legal Adviser cadre of the Service**
  - 1. Superintendent (Legal)
  - 2. Librarian (Grade I)

- **Feeder post to the Law Officer cadre of the Service**
  - Superintendent (Legal) in Law Commission of India

- **Feeder post to the Government Advocate cadre of the Service**
  - Junior Central Government Advocate
**Legislative Department**

Superintendent (Legal) and Confidential Superintendent in the Legislative Department.

Note: The principal rules were published in the Gazette of India vide number SRO:3084-A (CLSR), dated 25.9.1957 and subsequently amended vide number:

| (i)  | GSR 1608, dated 28.09.1963; |
| (ii) | GSR 1416, dated 27.07.1968; |
| (iii) | GSR 1423, dated 27.07.1968; |
| (iv)  | GSR 1050, dated 03.05.1969; |
| (v)   | GSR 1981, dated 23.08.1969; |
| (vi)  | GSR 1900, dated 21.11.1970; |
| (vii) | GSR 2, dated 06.01.1979; |
| (viii) | GSR 72, dated 20.01.1979; |
| (ix)  | GSR 658, dated 12.05.1979; |
| (x)   | GSR 270(E), dated 29.03.1982; |
| (xi)  | GSR 668, dated 17.09.1983; |
| (xii) | GSR 1161(E), dated 22.10.1986; |
| (xiii) | GSR 658, dated 29.06.1987; |
| (xiv) | GSR 872, dated 28.11.1987; |
| (xv)  | GSR 658, dated 20.08.1988; |
| (xvi) | GSR 176, dated 10.08.1988; |
| (xvii) | GSR 228(E), dated 21.03.2003; and |

[F. No. A-60011/6/2002-Admn.I (LA)]

P. K. MALHOTRA, Jt. Secy. & Government Counsel (Admn.)
MINISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)
NOTIFICATION
New Delhi, the 28th March, 2011

G.S.R. 275(E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Indian Legal Service Rules, 1957, namely:—

1. (1) These rules may be called the Indian Legal Service (Amendment) Rules, 2011.

(2) They shall be deemed to have come into force with effect from the 1st January, 2006.

2. In the Indian Legal Service Rules, 1957,—

(a) for the letters and figures “Rs. 18,400-22,400”, “Rs. 16,400-20,000”, “Rs. 14,300-18,300”, “Rs. 12,000-16,500”, “Rs. 10,000-15,200”, “Rs. 8,000-13,500”, “Rs. 7,500-12,000”, “Rs. 7,450-11,500” and “Rs. 6,500-10,500”, wherever they occur, the words, figures and letters “Pay-Band-4 : Rs. 37,400-67,000 plus Grade Pay Rs. 10,000”, “Pay-Band-4 : Rs. 37,400-67,000 plus Grade Pay Rs. 8,900”, “Pay-Band-4 : Rs. 37,400-67,000 plus Grade “Pay Rs. 8,700”, Pay-Band-3 : Rs. 15,600-39,100 plus Grade Pay Rs. 7,600”, “Pay-Band-3 : Rs. 15,600-39,100 plus Grade Pay Rs. 6,600”, “Pay-Band-3 : Rs. 15,600-39,100 plus Grade Pay Rs. 5,400”,
"Pay-Band-2: Rs. 9,300-34,800 plus Grade Pay Rs. 4,800", "Pay-Band-2: Rs. 9,300-34,800 plus Grade Pay Rs. 4,600" and "Pay-Band-2: Rs. 9,300-34,800 plus Grade Pay Rs. 4,200" shall respectively be substituted;

(b) in the First Schedule, for the words "Scale of Pay", wherever they occur, the following shall be substituted, namely,—

"Pay Band + Grade Pay or Pay Scale".

[F. No. A-60011/60/2010-Admn. 1 (LA)]

M. K. SHARMA, Jt. Secy. & Legal Adviser

**Explanatory Memorandum:**—In order to bring uniformity in the Indian Legal Service Rules, 1957, in terms of the new pay structure as per the Central Civil Services (Revised Pay) Rules, 2008 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 622(E), dated the 29th August, 2008, retrospective effect is required to be given to these rules. It is certified that no person is being adversely affected by giving this retrospective effect to these rules.

**Note:** The principal rules were published in the Gazette of India, vide number S.R.O. 3084 A (CLSR), dated the 25th September, 1957 and subsequently amended vide number:
(i) G.S.R. 1608, dated 28-9-1963;
(ii) G.S.R. 1416, dated 27-7-1968;
(iii) G.S.R. 1423, dated 27-7-1968;
(iv) G.S.R. 1050, dated 3-5-1969;
(vi) G.S.R. 1900, dated 21-11-1970;
(vii) G.S.R. 2, dated 6-1-1979;
(viii) G.S.R. 72, dated 20-1-1979;
(ix) G.S.R. 658, dated 12-5-1979;
(x) G.S.R. 270(E), dated 29-3-1982;
(xi) G.S.R. 668, dated 17-9-1983;
(xii) G.S.R. 1161(E), dated 22-10-1986;
(xiii) G.S.R. 658, dated 29-6-1987;
(xiv) G.S.R. 872, dated 28-11-1987;
(xv) G.S.R. 176, dated 10-8-1988;
(xvi) G.S.R. 658, dated 20-8-1988;
(xvii) G.S.R. 228(E), dated 21-3-2003;
(xviii) G.S.R. 751(E), dated 28-12-2005; and
MINISTRY OF LAW AND JUSTICE
(Department of Legal Affairs)
NOTIFICATION
New Delhi, the 27th December, 2011

G.S.R. 904(E).—In exercise of the powers conferred by the proviso to article 309 of the
constitutions, the President hereby makes the following rules further to amend the Indian Legal Service
rules, 1957, namely :-

1. (1) These rules may be called the Indian Legal Service (Amendment) Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Legal Service Rules, 1957,

(a) in rule 8, in sub-rule (1), for clause (iv) and the Note thereunder, the following shall be
substituted, namely:-

“(iv) to a duty post in Grade IV, unless he has held one or more posts specified in the
Third Schedule; and-

possesses six years’ regular service in post of the Superintendent (Legal) (PB – 2 Rs.9300
– 34, 800/- plus Grade Pay of Rs.4800/-) failing which eight years’ combined regular
service in the posts of Assistant (Legal) (PB – 2 Rs.9300 – 34, 800/- plus Grade Pay of
Rs.4600/-) and Superintendent (Legal) (PB – 2 Rs.9300 – 34, 800/- plus Grade Pay of
Rs.4800/-) out of which three years’ regular service shall be in the post of Superintendent
(Legal);

or

possesses seven years’ regular service in the posts of Junior Central Government
Advocate/Librarian Grade-I (PB – 2 Rs.9300 – 34, 800/- plus Grade Pay of Rs.4600/-):

Provided that for promotion to a duty post in Grade-IV in the Government
Advocate Service Cadre in the Department of Legal Affairs, the person shall be eligible
for enrolment as an advocate in the Supreme Court under the Supreme Court Rules,
1966, as amended from time to time, and for registration as an Advocate-on-Record of
that Court under the said rules.
Note 1: In the case of officers who are holding any of the posts mentioned in the Third Schedule on regular basis on the date of commencement of the Indian Legal Service (Amendment) Rules, 1987, the eligibility service for promotion to posts in Grade IV shall be three years' regular service in the feeder grade.

Note 2: Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.

Note 3: The eligibility list for promotion to the grade of Assistant Legal Adviser shall be prepared with reference to the date of completion of the prescribed qualifying service by the officers in the respective grade or post.

(b) in the Third Schedule, under the heading “Legislative Department”, the words “and Confidential Superintendent” shall be omitted.

[F. No. A-60011/16/2010-Admn. 1 (LA)]

M. K. SHARMA, Jt. Secy. and Legal Advisor (Admn.)

Note: The principal rules were published in the Gazette of India vide notification number SRO: 3084-A (CLSR), dated 25.09.1957 and subsequently amended vide the following notifications, namely:

(i) GSR. 1608, dated 28.09.1963;
(ii) GSR. 1416, dated 27.07.1968;
(iii) GSR. 1423, dated 27.07.1968;
(iv) GSR. 1050, dated 03.05.1969;
(v) GSR. 1981, dated 23.08.1969;
(vi) GSR. 1900, dated 21.11.1970;
(vii) GSR. 2, dated 06.01.1979;
(viii) GSR. 72, dated 20.01.1979;
(ix) GSR. 658, dated 12.05.1979;
(x) GSR. 270(E), dated 29.03.1982;
(xi) GSR. 668, dated 17.09.1983;
(xii) GSR. 1161(E), dated 29.06.1987;
(xiii) GSR. 658, dated 29.06.1987;
(xiv) GSR. 872, dated 28.11.1987;
(xv) GSR. 176, dated 10.08.1988;
(xvi) GSR. 653, dated 20.08.1988;
(xvii) GSR. 228(E), dated 21.03.2003;
(xviii) GSR. 751(E), dated 28.12.2005; and
(xix) GSR. 358(E), dated 10.05.2008.