NOTICE

Department of Legal Affairs is examining a proposal of amendment in Recruitment Rules for the post of Superintendent (Legal) and Assistant (Legal). In this regard, draft Rules have been prepared and the same has been approved by the Competent Authority.

Before, taking up the proposal with DoPT, UPSC and other agencies involved for further finalizing the draft RRs; comments, if any, are invited from all stakeholders in the matter for looking into consideration with a period of thirty days from the date of such notification in the website of Ministry of Law & Justice. The objections and suggestions which may be received from stakeholder with respect to the said draft recruitment rules within the specified period shall be considered by the Central Government as per rules/requirement.

The comments may be furnished to the undersigned at Room No. 410, D-wing, Shastri Bhawan, New Delhi.

Sd-
(Madhu Bala Soni)
Section Officer
GSR.– In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in supersession of the Ministry of Law and Justice (Department of Legal Affairs) Class II posts Recruitment Rules, 1965, in so far as they relate to the post of Assistant (Legal) except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the posts Superintendent (Legal) and Assistant (Legal) in the Ministry of Law and Justice, Department of Legal Affairs, namely:–

1. Short title and commencement. - (1) These rules may be called the Ministry of Law and Justice, Department of Legal Affairs, (Group ‘B’ posts) Recruitment Rules, 2016.

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

2. Number of posts, classification and level in the pay matrix or pay scale.- The number of posts, their classification, level in the pay matrix or pay scale attached thereto shall be as specified in column (2) to (4) of the Schedule annexed to these rules.

3. Method of recruitment, age limit, other qualifications, etc.-The method of recruitment to the said posts, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) of the aforesaid Schedule.
4. **Disqualification.** No person,
    (a) who has entered into or contracted a marriage with a person having a spouse living; or
    (b) who, having a spouse living, has entered into or contracted a marriage with any person,
shall be eligible for appointment to the said posts:

Provided that the Central Government, may, if satisfied that such marriage is permissible under the personal law applicable to such person and other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of these rules.

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

6. **Saving.** Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-servicemen, and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

### Schedule

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<thead>
<tr>
<th>Name of the posts.</th>
<th>Number of posts.</th>
<th>Classification.</th>
<th>Level in the pay matrix.</th>
<th>Whether selection post or non-selection post.</th>
<th>Age limit for direct recruits.</th>
<th>Educational qualifications required for direct recruits.</th>
<th>Whether age and educational qualifications prescribed for direct recruits will apply in case of promotees.</th>
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<tr>
<td>1. Superintendent (Legal).</td>
<td>16* (2016)</td>
<td>General Central Service, Group 'B', - Gazetted, Ministerial.</td>
<td>Level - 8 (cell number 1 to 40) in the pay matrix</td>
<td>Selection</td>
<td>Not exceeding 30 years. Relaxable for Government Servants upto five years in accordance with (i) Degree in Law from a recognised University or equivalent; (ii) Should have four years experience as an officer of the State Judicial Service. or Should be four years experience in the Legal Department of a State.</td>
<td>Not applicable.</td>
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Note 2: The crucial date for determining the age limit shall be the closing date for receipt of applications.

Note 3: The qualifications are relaxable at the discretion of the Union Public Service Commission in case of candidates otherwise well qualified.

Note 4: The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission in the case of Scheduled Castes and Scheduled Tribes, if at any stage of selection, the Union Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Note 5: The term "Qualified Legal Practitioner" in relation to this clause means an Advocate or a Pleader who has practised as such for four years or an Attorney of the High Court of Bombay or Calcutta who has practised as such for three years.

Note 1: In computing the period during which a person has held any office in the State Judicial Service or 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 orders issued from time to time by the Central Government from time to time.
other aforesaid offices or any period during which he had been a legal practitioner.

Note 2: 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 a State Judicial Service or has held a supervisory post in the legal department of State or has been a Central Government servant having experience in Legal Affairs or Administration.

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<th>Period of probation, if any</th>
<th>Method of recruitment, whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods.</th>
<th>In case of recruitment by promotion or deputation/ absorption grades from which promotion/ deputation/ absorption to be made</th>
<th>If a Departmental Promotion Committee exists, what is its composition</th>
<th>Circumstances in which Union Public Service Commission is to be consulted in making recruitment.</th>
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<tr>
<td>Two years.</td>
<td>66-2/3% by promotion. 33-1/3% by direct recruitment.</td>
<td>Promotion: Assistant (Legal) in the Department of Legal Affairs in level 7 in the pay matrix Rs. 44900-142400 with two years regular service in the grade. Note: Where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite or qualifying service or eligibility service by more than half of such qualifying or eligibility service or two years whichever is less, and have successfully</td>
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<td>(i) Group ‘B’ Departmental Promotion Committee for considering promotion consisting of: 1. Additional Secretary /Joint Secretary (Admn.), Department of Legal Affairs - Chairman. 2. Another Joint Secretary Department of Legal Affairs to be nominated by the Secretary, Department of</td>
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<td>Consultation with Union Public Service Commission is necessary while making direct recruitment.</td>
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completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.

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<td>2. Assistant (Legal).</td>
<td>32* (2016)</td>
<td>&quot;Subject to variation dependent on workload.&quot;</td>
<td>General Central Service, Group 'B', - Non-Gazetted, Ministerial.</td>
<td>Level - 7 (cell number 1 to 40) in the pay matrix.</td>
<td>Selection Not exceeding 30 years. Note 1: Relaxable for Government Servants upto five years in accordance with the instructions or orders issued by the Central Government from time to time. Note 2: The crucial date for determining the age limit shall be the closing date for receipt of applications.</td>
<td>(i) Degree in Law from a recognised University or equivalent; (ii) Should have two year’s experience of Legal work in a State Legal Department. or Two years’ experience in Legal Affairs or Administration in Central Government; or Should be a qualified Legal Practitioner</td>
<td>Not applicable.</td>
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Note 1: The qualifications are relaxable at the discretion of the Staff Selection Commission in case of candidates otherwise well qualified.

Note 2: The qualification(s) regarding experience is/are relaxable at the discretion of Staff Selection Commission in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, if at any stage of selection, the Staff Selection Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Note 3: The term “Qualified Legal Practitioner” in relation to this clause means an Advocate or a Pleader who has practiced as such for two years or an Attorney of the High Court of Bombay or Calcutta who has practiced as such for two years.
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| Two years. | 25% by promotion. 75% by direct recruitment. | Promotion:  
(a) (i) Senior Court Clerk Grade-I with three years regular service in the grade in level 6 of pay matrix Rs.35400-112400/-;  
Failing which above Senior Court Clerk Grade-I with twelve years combined regular service in the grade of Senior Court Clerk Grade-I and Senior Court Clerk Grade-II in level 4 of pay matrix Rs. 25500-81100/-;  
Failing both, Senior Court Clerk Grade-I, Senior Court Clerk Grade-II and Court Clerk in level 2 of the pay matrix Rs. 19900-63200/- with twelve Years regular Service in the grade.  
(b) Possessing degree in Law of a recognized University or equivalent. | (i) Group 'B' Departmental Promotion Committee consisting of:  
1. Additional Secretary /Joint Secretary (Admn.), Department of Legal Affairs - Chairman.  
2. Another Joint Secretary Department of Legal Affairs to be nominated by the Secretary, Department of Legal Affairs.– Member.  
3. Deputy Secretary (Admn.) – Member. | Not applicable. |

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(Bhakti Lal)  
Under Secretary to Govt. of India