

No.8/3/2015  
Government of India  
Ministry of Law & Justice  
Department of Legal Affairs  
Admn. I Section  
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Shastri Bhawan, New Delhi.

Dated : 2<sup>nd</sup> January 2017

**NOTICE**

Department of Legal Affairs is examining a proposal of amendment in Recruitment Rules for Indian Legal Service. In this regard, draft ILS Rules have been prepared and same have been approved by the Competent Authority.

2. Before, taking up the proposal with DoPT, UPSC and other agencies involved for finalizing the draft RRs; comments, if any, are invited from all stakeholders in the matter for looking into consideration with a period of twenty days from the date of such notification in the website of Ministry of Law & Justice i.e. by 22<sup>nd</sup> Jan. 2017. 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.

3. The comments may be furnished to Shri Bhakti Lal, Under Secretary, Department of Legal Affairs, Room No. 410'D', Shastri Bhawan, New Delhi.

  
(Madhu Bala Soni)  
Section Officer(Admn.I)

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

Notification

New Delhi, the ..... January, 2017

G.S.R.....(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. Short title and commencement.- (1) These rules may be called the Indian Legal Service (Amendment) Rules, 2017.
- (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 2, for clause(e), the following clause shall be substituted, namely:-

“(e) ‘qualified legal practitioner’ means an advocate who has practised as such for at least seven years in relation to appointment to a duty post in Grade IV;”;
  - (b) in rule 6,-
    - (i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) a duty post in Grade I or Grade II or Grade III of the Service shall be filled by promotion of a member of the Service failing which by deputation.”;
    - (ii) sub-rule(2) shall be omitted;
    - (iii) for sub-rule(3), the following sub-rule shall be substituted, namely:-

“(3) a duty post in Grade IV of the Service shall be filled by;

      - (a) 75% by direct recruitment;
      - (b) 25% by promotion of persons holding:-
        - (A) a duty post in Grade IV of the Legal Advisers’ cadre of the Service shall be filled by the persons holding posts specified in the Third Schedule under the Legal Advisers cadre of the Service;
        - (B) a duty post in Grade IV of the Government Advocates’ cadre of the Service shall be filled by the persons holding the post specified in the Third Schedule under the Government Advocates cadre of the

Service. The officers holding the post in the Third Schedule under the Government Advocates' cadre of the Service 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;

- (C) a duty post in Grade IV of the Law Officers' cadre of the Service in the Law Commission of India shall be filled by the persons holding any post specified in the Third Schedule under the Law Officers' cadre of the Service;
- (D) a duty post in Grade IV of the Legislative Counsels' cadre of the Service in Legislative Department shall be filled by the persons holding any post specified in the Third Schedule under the Legislative Counsels' cadre of the Service."

failing which by deputation/absorption.";

(c) in rule 7,-

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

"(1) A person shall not be eligible for appointment by direct recruitment to a duty post in Grade IV, unless he holds a Degree in Law of a recognised university 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 the Department 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."

- (ii) for Note 1 and Note 2, the following notes shall respectively be substituted, namely:-

"Note 1- The upper age limit for direct recruitment for Grade IV shall be forty years.

Note 2- The upper age limit in respect of Grade IV of Indian Legal Service is relaxable for Government servants upto five years in accordance with the instructions and orders issued by the Central Government.";

- (iii) for sub-rule (1A), the following sub-rule shall be substituted, namely:-

"(1A)- In making appointment (from the stage of fixing criteria to the stage of interview) by direct recruitment to a duty post in Grade IV of the service, preference shall be given:-

- (i) to a person (not being a member of a State Judicial Service or a legal practitioner) with experience: