

F.No. A-12018/1/2012-Admn.I (LD)  
Government of India  
Ministry of Law and Justice  
Legislative Department

\*\*\*\*\*

411, 'A' Wing, 4<sup>th</sup> Floor,  
Shastri Bhawan, New Delhi  
Dated the 20<sup>th</sup> July, 2017

**CIRCULAR**

Legislative Department, Ministry of Law and Justice is proposing to amend the Recruitment Rules for the post of Assistant (Legal) in the Department.

2. Accordingly, a proposed revised Draft of Recruitment Rules for the post of Assistant (Legal) is placed on the website, in pursuance of Department of Personnel and Training's Instruction, for information/comments of all concerned stakeholders.

3. The Comments/views, if any, on provisions contained in Draft RRs may kindly be furnished to the undersigned within 30 days from the date of issue of this circular failing which it shall be presumed that the concerned stakeholder have no objection in the provisions proposed in revised version.

Sd/-  
(B.M. Sharma)  
Deputy Secretary to the Govt. of India  
Ph. 23889014

To

All stakeholders

Copy to :

NIC Cell- with the request to upload the circular along with enclosures on the website of the Department.

**Annexure III**

1. Name of the Post:- Assistant (Legal)
2. Name of the Ministry/Department:- Legislative Department, Ministry of Law and Justice
3. Reference number in which Commission's advice on recruitment rules was conveyed:-  
F. No. 3/13(2)/2014-RR dated 17th July, 2014.
4. Date of Notification of the original rules and subsequent amendments (copy of the original rules & subsequent amendments should be enclosed, duly flagged and referenced):- G.S.R. 717(E) dated 10th October, 2014

Column no. of the recruitment rules	Existing provisions	Proposed Provisions	Reasons
Heading of col. No. 4	Pay Band and Grade Pay/ Pay Scale	Level in the Pay Matrix as per 7th CPC	as per recommendation of 7 <sup>th</sup> CPC
Col. No. 1 Name of the post	Assistant (Legal)	Assistant (Legal)	No change
Col. No.2 No. of posts	8*(2014) *subject to variation dependent on workload	8*(2017) *subject to variation dependent on workload	No change
Col. No.3 Classification	General Central Service, Group 'B', Non- Gazetted, Non-Ministerial.	General Central Service, Group 'B', Non- Gazetted, Non-Ministerial.	No change
Col. No. 4 Pay scale	Pay Band -2, Rs. 9300- 34800 plus grade pay of Rs. 4600/-	Level 7 (Rs.44900-142400/-) in Pay Matrix	as per recommendation of 7 <sup>th</sup> CPC
Col. No. 5 Whether selection or non-selection post	Not Applicable	Not Applicable	No change
Col. No. 6 Age limit for direct recruits	Not exceeding 30 years <b>Note1-</b> Relaxable for Government servants upto five years in accordance with the instructions or orders issued by the Central Government. <b>Note 2</b> - The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of Jammu and Kashmir State, Lahaul and Spiti district and Pangi Sub-division of Chamba district of Himachal Pradesh, Andaman and Nicobar Islands or Lakshadweep).	Not exceeding 30 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government)  Note:-The crucial date for determining the age limit shall be as advertised by the Staff Selection Commission.	As prescribed by DoP&T
Col. No. 7 Education and other qualifications required for direct recruits	<b>Essential:</b> (i) Bachelors Degree in Law of a recognised University established or incorporated by or under a Central Act or Provincial Act, or a State Act, or any institution for higher education deemed to be a University by the Central Government or any other	<b>Essential:</b> (i) Bachelors Degree in Law of a recognised University established or incorporated by or under a Central Act or Provincial Act, or a State Act, or any institution for higher education deemed to be a University by the Central Government or any other institution or foreign University	No change

	<p>institution or foreign University approved by the Central Government; and</p> <p>(ii) Two years experience in legal matters in Central or State Government or Public Sector Undertakings or listed Private Sector Organisations.</p> <p><b>Note 1:</b> Qualifications are relaxable at the discretion of the Staff Selection Commission in case of candidates otherwise well qualified.</p> <p><b>Note 2:</b> The qualification regarding experience is relaxable at the discretion of the Staff Selection Commission in 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 those communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p>	<p>approved by the Central Government; and</p> <p>(ii) Two years experience in legal matters in Central or State Government or Public Sector Undertakings or listed Private Sector Organisations.</p> <p><b>Note 1:</b> Qualifications are relaxable at the discretion of the Staff Selection Commission in case of candidates otherwise well qualified.</p> <p><b>Note 2:</b> The qualification regarding experience is relaxable at the discretion of the Staff Selection Commission in 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 those communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p>	
Col. No. 8 Whether age and EQ prescribed for DR will apply to promotees	Not applicable	Not applicable	No change
Col. No. 9 Probation	Two years	Two years	No change
Col. No. 10 Method of recruitment	By direct recruitment	(i)75% by Direct Recruitment (ii) 25% by Deputation/ absorption failing which by Direct Recruitment	To use the services of qualified persons in the Department
Col. No. 11 In case of recruitment by promotion or deputation/absorption, grade from which promotion or deputation/absorption is to be made	<p>Not Applicable.</p> <p><b>Note:</b> Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled in on deputation basis from officers of the Central Government:—</p> <p>(A)(i) holding analogous posts on a regular basis; or</p> <p>(ii) with five years regular service in post in PB-2, Rs.9300-34800 plus grade pay of Rs. 4200 or equivalent; and</p> <p>(B) Possessing the educational qualifications and experience prescribed for direct recruits under column (7).</p>	<p><b>Deputation/Absorption:-</b></p> <p>Officials of the Central Government -</p> <p>(a)(i) holding analogous posts on a regular basis; or</p> <p>(ii) with five years regular service in post in Level 6 Rs.35400-112400/-) in the Pay Matrix as per 7th CPC or equivalent; and</p> <p>(b) Possessing the educational qualifications and experience prescribed for direct recruits under column (7).</p>	method of recruitment changed to 75% by direct recruitment and 25% by deputation/ absorption failing which by direct recruitment
Col. No. 12 If DPC exists, what is its composition.	<p><b>Group 'B' Departmental Confirmation Committee</b></p> <p>1. Additional Secretary, Legislative Department, Ministry of Law and Justice -Chairman</p> <p>2. Joint Secretary and Legislative Counsel, Legislative Department, Ministry of Law</p>	<p><b>Group 'B' Departmental Confirmation Committee</b></p> <p>1. Additional Secretary, Legislative Department, Ministry of Law and Justice -Chairman</p> <p>2. Joint Secretary and Legislative Counsel, Legislative Department, Ministry of Law</p>	No change

	and Justice -Member 3. Deputy Secretary (Administration), Legislative Department, Ministry of Law and Justice -Member	and Justice -Member 3. Deputy Secretary (Administration), Legislative Department, Ministry of Law and Justice -Member	
Col. No. 13 circumstance in which UPSC is to be consulted in making recruitments	Consultation with Union Public Service Commission not necessary.	Consultation with Union Public Service Commission not necessary.	No change

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, PART – II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
(LEGISLATIVE DEPARTMENT)

Notification

New Delhi, dated the \_\_\_\_\_, 2017

G.S.R.....– 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, Legislative Department, Assistant (Legal) (Group ‘B’ post) Recruitment Rules, 2014, the President hereby makes the following rules regulating the method of recruitment to the post of Assistant (Legal) (Group ‘B’ post) in the Ministry of Law and Justice, Legislative Department, namely:-

**1. Short title and commencement.-** (1) These rules may be called the ministry of Law and Justice, Legislative Department, Assistant (Legal) (Group ‘B’ post) Recruitment Rules, 2017.

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

**2. Number of posts, classification, 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 columns (2) to (4) of the Schedule annexed to these rules.”.

**3. Method or recruitment, age limit, other qualifications, etc.-** The method of recruitment to the said post, 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 the other party to the marriage and that there are other grounds for so doing, exempt nay person from the operation of this rule.

**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, for reasons to the 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 of persons.

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

**SCHEDULE**

Name of post	Number of post	Classification	Level in the Pay Matrix/ Pay Scale	Whether selection post or non-selection post	Age limit for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)
1. Assistant (Legal)	8*(2014) *Subject to variation dependent on workload.	General Central Service, Group 'B', Non-Gazetted, Non-Ministerial.	Level 7 (Rs. 44900-142400/-) in the Pay Matrix as per 7 <sup>th</sup> CPC	Not Applicable	Not exceeding 30 years (Relaxable for Government servants upto 40 years in accordance with the instructions or orders issued by the Central Government) Note:-The crucial date for determining the age limit shall be as advertised by the Staff Selection Commission.

Educational and other qualifications required for direct recruits	Whether age and Educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	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
(7)	(8)	(9)	(10)
<p><b>Essential:</b></p> <p>(i) Bachelors Degree in Law of a recognised University established or incorporated by or under a Central Act or Provincial Act, or a State Act, or any institution for higher education deemed to be a University by the Central Government or any other institution or foreign University approved by the Central Government; and</p> <p>(ii) Two years experience in legal matters in Central or State Government or Public Sector Undertakings or listed Private Sector Organisations.</p> <p><b>Note 1:</b> Qualifications are relaxable at the discretion of the Staff Selection Commission in case of candidates otherwise well qualified.</p> <p><b>Note 2:</b> The qualification regarding experience is relaxable at the discretion of the Staff Selection Commission in 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 those communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p>	Not applicable	Two years	<p>(i) 75% by Direct Recruitment</p> <p>(ii) 25% by Deputation/ absorption failing which by Direct Recruitment</p>

In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption is to be made.	If a Departmental Promotion Committee exists, what is its composition?	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
(11)	(12)	(13)

<p><b>Deputation/Absorption:-</b> Officers of the Central Government - (A)(i) holding analogous posts on a regular basis; or (ii) with five years regular service in post in Level 6 (Rs.35400-112400/-)in the Pay Matrix as per 7<sup>th</sup> CPC or equivalent; and (B) Possessing the educational qualifications and experience prescribed for direct recruits under column (7).</p>	<p><b>Group 'B' Departmental Confirmation Committee</b> 1. Additional Secretary, Legislative Department, Ministry of Law and Justice - Chairman 2. Joint Secretary and Legislative Counsel, Legislative Department, Ministry of Law and Justice -Member 3. Deputy Secretary (Administration), Legislative Department, Ministry of Law and Justice -Member</p>	<p>Consultation with Union Public Service Commission not necessary.</p>
--	---	---

[F. No. A-12018/1/2012-Admn.I(LD)]

(K Biswal)  
Jt. Secy. and Legislative Counsel