

Duties and Functions of the Authority

The Organisation plays a lead role in contesting the legal matters of civil, criminal and service nature to defend and safeguard the interests of the Government organizations in general in accordance with the applicable Acts, Rules, Regulations etc. The technical guidance besides legal opinions, advisory in the related issues of multifaceted activities and infrastructures are conveyed in a free and fair manner while keeping care to justice. It monitors and coordinates working of Government Counsels. For better appreciation of the issues involved for legal discourse and management throughout the State, the matters are contested after thorough examination, consideration under rules at different levels with the Administrative Secretaries and Heads of the Departments as the case may be. The Learned Advocate General pursuant to Constitution of India read with Section 79 and 22 of the J&K Reorganisation Act, 2019 has the primarily:-

1. Give advice to the Government of Union Territory of J&K upon such legal matters and perform such other duties of a legal character, as may from time to time be referred or assigned by the said Government.
2. Discharge the functions conferred on him by or under the Constitution or any other law for the time being in force.
3. The right of audience in all courts in the Union Territory of Jammu and Kashmir in the performance of duties.
4. Holds office during the pleasure of the Lieutenant Governor and receive such remuneration as the Lt. Governor may determine.
5. Right to speak in, and otherwise to take part in the proceedings of the Legislative Assembly, and
6. To speak in, and otherwise to take part in the proceedings of, any Committee of the Legislative Assembly of which he may be named a member, but shall not by virtue of this section be entitled to vote.

The Government Counsels are assisted by Legal Assistants/ Junior Legal Assistants, Stenographers, Record Keepers, MTS [Multi-tasking staff] for implementation of the job assignments to pave way for smooth implementation of various programmes / acts / rules drawn by the government to benefit the common masses besides down trodden classes/ categories, with utmost care of providing justice and opportunity to the affected party.

The Advocate General's Office is headed by the Administrative Officer [ADO], who is also working as Staff Officer. The ADO supervises the staff at both the offices viz; Srinagar wing and Jammu wing besides at Direction Office level and attends the matters as entrusted by the authority from time to time in addition to his own duties. The Learned Advocate General being the constitutional authority, the Administrative Officer [ADO] is the designated officer to make correspondence with the Government at Secretariat level and with other Heads of the Departments. The ADO being the Reviewing Authority for the staff on their performance, is also acting as Central Public Information Officer.

Down-below at Litigation Branch level, there is a Section Officer at High Court wing level i.e. Srinagar and Jammu. The Section Officers in their respective jurisdictions are mainly responsible for maintenance and management of Record Keepers to provide adequate assistance in providing the court case files to the Government counsels. At the Record Keeper level there are Senior Assistants. However, due to having inadequate strength in said category, the gap is filled up from other categories like; Head Assistants, Jr. Legal Assistants, Junior Assistants and by placing lower rung officials on In-charge basis or given additional charges as per the feasibility and suitability. The Record Keepers in their respective jurisdictions are mainly responsible/ accountable for maintenance, preservation and updation of court case records like; writ petitions/ LPAs/ Contempt Applications etc., including replies filed in court, status reports etc to be provided by the Government Counsels through the Stenographers/ Legal Assistants besides other assignments as entrusted from time to time by the Administration. These are assisted by nominal staff available in the rank of Junior Assistants / Orderlies etc.

In the Ministerial cadre there is an established Non-Gazetted administrative hierarchy headed by the Section Officer at Direction Office level. The procedures for dealing with the cases and the functions of the non-gazetted staff have been defined in Secretariat Manual. As per the Secretariat Manual, the Section Officer is empowered to dispose of certain issues at his own level or seek information from the concerned Record Keepers, Stenographers and Legal Assistants which he feels would be relevant for decision making. The Organisation has Legal cadre personnel, who assist the AAGs/DAGs/GAs in technical side for legal matters. The other cadres are; Senior/ Junior Stenographers, Head Assistants, Senior Assistants, Junior Assistants besides Accounts cadre officials.

Besides the above, the Finance Department has temporarily provided the services of Accounts Officer under leave reserves, over and above the sanctioned staff strength. The Accounts Officer is working at Direction Office level to attend the financial matters of the Organisation and is also delegated with Drawing and Disbursing Powers.

With a view to dealing with the different issues pertaining at the head office level, different Branches/ Sections have been set up in the Organisation. The brief description of which is as under:-

A. Litigation Branch:-

The Branch is headed by the Section Officer, at respective office wings at Srinagar and Jammu. Each section is dealing with the matters connected with the maintenance of court cases by the Record Keepers. The Section is responsible to provide the case files to the Govt. Counsels in accordance with the cause lists as notified by the Hon'ble High Court on daily basis. In addition, the Section deals with maintaining the stock positions at each office level.

Receipt and Dispatch Section:

The Section is headed by Section Officer Srinagar and Jammu. The section is responsible to ensure receipt and dispatch of daily official dak from and to, other offices of civil secretariat and Heads of the Departments. The copies of petitions received from Director, Litigation Kashmir and Director Litigation Jammu are transmitted to the concerned Record Keepers, for its placement before the respective Government Counsels [GCs].

B. Administrative Branch:-

This Branch is headed by Section Officer (A&C) and attends the subjects connected with the office administration. The issues dealt by the different sections as assigned are given below;

1. **Administrative Section:**

The Section headed by Section Officer deals with the Gazetted and non-Gazetted cadre management of the employees of the office. The section also deals with the issues of providing necessary staff to different wings. The assignments include personnel matters like appointments, promotions, trainings, settlement of service benefits, Service Rules, issuance of No Demand Certificates on account of advances etc. Further, it deals with the affairs of appointments, resignation etc of Law Officers/ Govt. Counsels.

2. **Coordination Section:**

The Section headed by Section Officer deals with the general matters, coordination issues, Complaints, RDAs, Govt. Grievance Cell, RTI, APRs, Planning matters etc. Till 2021-22, the section was also dealing with the release of counsel fees in HCP cases to Government Counsels, which is now taken care of by the Law Department.

During the Legislative Session, the Section plays a coordinating role in collecting information from different sections for preparing replies to the Questions raised by Hon'ble Members of Parliament and Assembly.

3. **Library Section:**

The Section headed by Librarian deals with the maintenance and upkeep of Departmental Libraries both at Srinagar and Jammu wing offices. The correspondence for procurement or otherwise of the books, periodicals besides to the Accession Register etc. are maintained for issuance of the books etc. to the Govt. counsels at both the Libraries separately. The Librarian is assisted by Library Assistant at each Library.

C. Accounts Branch:

The Branch is headed by the Accounts Officer. It deals with formulation of Non-Plan budget, compilation of accounts, release of Non-Plan funds, pension cases, Nazarat, reconciliation of expenditure figures and correspondence on financial matters etc. of the Organisation.

D. Personnel Branch.

The Section is headed by Private Secretary and deals with the Personal issues related to the authority; Ld. Advocate General besides attending the telephone, official email accounts etc. as assigned by the authority from time to time.

E. Technical Branch:-

The issues dealt by the branch are related to the technical matters of legal nature including opinions/ comments on such matters besides to the court cases dealt by the Ld. Advocate General. The branch is maintaining the distribution of daily court work as per need and instruction of Ld. Advocate General on casual absence of Law Officers/Govt. Counsel due to unavoidable circumstances/ or on assignment of special nature. The Branch Head is assisted by the Legal Assistant and Record Keeper of the rank of Junior Legal Assistant / Senior Assistant with other staff. The Branch is presently in absence of a technical officer, looked after by the Private Secretary in addition to own duties.

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