

GOVERNMENT OF KERALA  
LAW (INSPECTION-B) DEPARTMENT

No. 19266/B3/08/Law :

Dated, Thiruvananthapuram, 29.11.2008

CIRCULAR

Sub: Legal opinion sought for by Subordinate Officers of Government from the Advocate General indiscriminately without following the Kerala Government Law Officers Rules - instructions issued.

It has come to the notice of Government that many officers of Government are not following the proper procedure in seeking advice from the Advocate General.

As per rule 87 (4) of the Kerala Government Law Officers (Appointment and Conditions of Service) and Conduct of Cases Rules 1978, "the Heads of Departments, who require the advice of the Advocate General shall address the Government in the Administrative Department concerned and the Government shall decide whether the advice of the Advocate General should be sought or not".

As per rule 2 (ii) of the Rules Regulating the Conditions of Service, Duties Remunerations etc. of the Advocate General and Additional Advocate General, the duty of the Advocate General is "to advise Government whenever required and the Board of Revenue or the Collectors in respect of appeals to the High Court in cases where the Board of Revenue or the Collector has been authorised to sanction the filing of such appeals".

The Note below the said rule says, "Subject to the above, Heads of Departments who require the advice of the Advocate General should address the Government in the Secretariat Department concerned and Government will decide whether the advice of the Advocate General should be sought or not."

Hence all departments of the Secretariat are hereby instructed to direct the Subordinate Officers to follow the procedure in accordance with the above Rules in the matter of seeking advices from the Advocate General.

P.J. THOMAS  
Chief Secretary

To

- 1) All Departments in the Secretariat
- 2) The Advocate General, Kerala, Ernakulam.
- 3) The P.S to Chief Minister
- 4) The P.S to All Ministers
- 5) The P.A. to Law Secretary
- 6) Law (Nodal) Department
- 7) The C.A to Joint Secretary, Law (Inspection-B) Department
- 8) Stock File/Office Copy

Forwarded/By Order

*R/S*  
Section Officer

*Copy of the circular submitted for information.*

*Liason, Rgn Opt.*