

POLITY – Important Constitutional Portfolio

Some posts in the government have been created under the Constitution. These important Constitutional portfolio are described below so you remember their constitutional authority, functions, duties, powers, qualifications, appointment and removal along with trivia.

I. ATTORNEY GENERAL OF INDIA

1. **Constitutional Authority-** Art 76 deals with the office of the Attorney General of India.
 2. **Appointment-** The President of India appoints the Attorney General.
 3. **Function-** Attorney General is the highest law officer of the country.
 4. **Qualification-**
 - a. Citizen of India.
 - b. Judge of a HC for 5 years or Advocate of a HC for 10 years or an eminent jurist.
 - c. Qualified to be a SC judge.
 5. **Duties-**
 - a. To give legal advice to the Government of India.
 - b. To represent Gol in all cases of SC/HC where Gol is concerned.
 - c. To represent Gol under Art 143.
 - d. No executive authority. These functions performed by Law Minister of India.
 6. **Powers-**
 - a. Right of Audience in all proceedings of all courts in India.
 - b. Speak in proceedings of both houses of the Parliament but having no right to vote there.
 7. **Removal-** The President of India can remove the AG any time. But no special provisions of the removal is written in the constitution. The AG automatically resigns when the Govt. is replaced.
 8. **Subordinates-** There are two more law offices in the country to assist the AG in his office viz. the Solicitor General of India and four Additional Solicitor General of India.
 9. **Trivia-** The 14th and current Attorney General of India is **Mukul Rohatgi**.
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II. ADVOCATE GENERAL OF INDIA

1. **Constitutional Authority-** Art 165 deals with the office of the Advocate General of a state.
2. **Appointment-** Governor of a state appoints the Advocate General of the respective state.
3. **Function-** Advocate General is the highest law officer of a state.
4. **Qualification-**
 - a. Indian citizen.
 - b. Judicial Officer for 10 years or Advocate in a HC for 10 years or Advocate of two or more such courts in succession.
5. **Duties and Powers-**
 - a. To give legal advice to the state Government.
 - b. To represent the state in cases pertaining to it.
 - c. To take part in proceedings of both houses of the State Legislature.
6. **Removal-** Governor can remove the Attorney General any time although there are no special provisions of his removal mentioned in the constitution. He automatically resigns when the Government is replaced as he is appointed to advise to the current Government.

It is advisable to read the Advocate General of India and Attorney General of the India at the same time and compare the two.

III. COMPTROLLER AND AUDITOR GENERAL OF INDIA

1. **Constitutional Authority-** The office of Comptroller and Auditor General (CAG) is written under the Art. 143 of Indian Constitution.
2. **Appointment & Tenure-** The President of India appoints the CAG for 6 years. He holds the office for 6 years or until the completion of 65 years whichever is earlier.
3. **Function-** Head of the Indian Audit and Accounts Department. He controls entire financial system of our country.
4. **Duties and Powers-**

- a. He audits all accounts and expenditures related to the Consolidated Funds of India, Contingency Fund of each state, Public Accounts of India.
 - b. He audits all trading, project, profit, loss accounts, balance sheets and other accounts of all departments of state and central Government.
 - c. He audits receipt and expenditures of the central and all state Govt., Government companies, PSUs.
 - d. He audits the accounts of any other authority when required by the President or Governor.
 - e. He maintains the accounts of the Government.
 - f. He submits his reports to the President (accounts of Central Govt.) and to the Governor (accounts of the state Govt.) who will place them before the House of Parliament and state Legislatures respectively.
5. **Removal-** He can resign anytime to the President of India or can be removed by the President of India on the ground of proved misbehavior and incapacity. A resolution must be passed by both the Houses of Parliament with special majority to remove the CAG.
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IV. SPECIAL OFFICERS FOR LINGUISTIC MINORITIES

1. **Constitutional Authority-** Art 350-B of the constitution contains provisions related to Special Officers for Linguistic Minorities.
Function- This post is created to provide equal opportunities, to spread awareness amongst the group for inclusive and national integration.
 2. **Duties and Powers-**
 - a. He investigates all the matters related to the safeguards for linguistic minorities mentioned in the court.
 - b. He promotes and preserves the linguistic minority group.
 3. **Trivia-**
 - a. The post was created in 1957
 - b. Headquarters is in Allahabad (UP)
 - c. Regional offices- Belgaum (Karnataka), Chennai (TN), Kolkata (WB)
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