NOTIFICATION

**Constitution
of India**

No.LOR-2017/C.R.110/D-14 - In exercise of the powers conferred by the proviso to article 309 read with article 165 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the rules further to amend the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984, as follows, namely:-

1. These rules may be called the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) (Amendment) Rules, 2017.

2. In Rule 11 of the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984, in sub-rule (1), clause (c) shall be substituted, namely –

"(c) who on the date of advertisement,

(i) is not more than 58 years of age, in the case of Government Pleader; or Government Pleader and Public Prosecutor; or Additional Government Pleader and Additional Public Prosecutor in the High Court :

Provided that, the upper age limit of 58 years shall be relaxed upto two years in case of the persons who, on or before the date of commencement of the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) (Amendment) Rules, 2017, are appointed as the Government Pleaders; or Government Pleaders

and Public Prosecutors; or Additional Government Pleaders and Additional Public Prosecutors; in the High Court.

(ii) is not more than 55 years of age in the case of any other Government Pleader or Additional or Assistant Government Pleader, Public Prosecutor or Additional Public Prosecutor or subordinate Government Pleader or Honorary Assistant to Government Pleader :

Provided that, the upper age limit of 55 years shall be relaxed upto five years in the case of persons who, on or before the date of commencement of the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) (Amendment) Rules, 2017 are appointed as the Assistant Government Pleaders and Additional Public Prosecutors in the High Court and Government Pleaders or Public Prosecutors or Additional / Assistant Government Pleaders or Additional/Assistant Public Prosecutors in the District and Sessions Court";

3. In Rule 11 of the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984, in sub-rule (1), in clause (d), for the portion beginning with the words "who has been" and ending with the words "7 years", the following shall be substituted, namely :-

"Who has been practicing as an advocate;

(i) in the case of Government Pleader; or Government Pleader and Public Prosecutor; or Additional Government Pleader and Additional Public Prosecutor; for the High Court for not less than ten years, ordinarily in the High Court, certified by the Registrar of the High Court or, as the case may be, Prothonotary and Senior Master, that he ordinarily practices in the High Court;

(ii) in the case of Government Pleader or Additional Government Pleader, Public Prosecutor or Additional Public Prosecutor in District
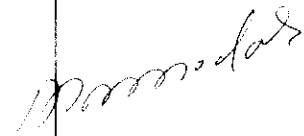
Court or City Civil and Sessions Court, for not less than seven years ordinarily in the Court for which the appointment is to be made, certified by the Principal District Judge/ Principal Judge/ District Judge of the Court, as the case may be, in which he practices."

(iii)   In the case of Assistant Government Pleader and Addl. Public Prosecutor in the High Court or District Court, for not less than seven years.

4.   In Rule 13 of the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984 after sub-rule (5), the following sub-rule (5A) shall be inserted, namely:-

"(5A) - The application shall be supported by detailed Resume of the applicant, copies of the certificates showing educational qualifications and the requisite certificate referred to in clause (d) of sub-rule (1) of Rule 11."

By order and in the name of the Governor of Maharashtra

(N.J. Jamadar)
Principal Secretary and R.L.A.
to Government