**Subject Name:** Constitution Law
**Topic Name:** Advocate General and Attorney General

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## Advocate General of a State

The Advocate General of a State is a constitutional position in India, defined under Article 165 of the Indian Constitution. This role is analogous to the Attorney General of India but serves at the state level. The primary duty of the Advocate General is to advise the state government on legal matters. Appointed by the Governor of the state, the Advocate General must be a person who is qualified to be appointed as a Judge of a High Court. This implies that they must have been an advocate of a high court for at least ten years or must possess the necessary qualifications.

The responsibilities of the Advocate General include representing the state government in any legal disputes and performing any other legal duties assigned by the state government. The Advocate General holds office during the pleasure of the Governor, which means there is no fixed term for this position. They are also required to attend the proceedings of the state legislature but do not have the right to vote.

## Attorney General of India

The Attorney General of India is the chief legal advisor to the Government of India and is primarily the lawyer from the government in the Supreme Court of India. Defined under Article 76 of the Indian Constitution, the Attorney General is appointed by the President of India and must be a person qualified to be appointed as a Judge of the Supreme Court. This requires them to have been a judge of a high court for at least five years or an advocate of a high court for ten years, or an eminent jurist, in the opinion of the President.

The role of the Attorney General includes giving advice to the Government of India upon legal matters referred to them by the President, performing duties of a legal character as assigned by the President, and appearing on behalf of the Government of India in all cases in the Supreme Court in which the Government is concerned. The Attorney General is not a full-time counsellor for the government and does not have executive authority. They are allowed to take up private practice, provided it does not conflict with their duties as Attorney General.

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Both these roles are crucial in interpreting and defending the constitution and legal framework of the country, ensuring that the state and central governments adhere to legal norms and operate within the bounds of the law.

The positions of the Advocate General and the Attorney General are not just functional but symbolic, representing the intertwining of law and governance. Both uphold the constitutionality of governmental actions and legislation, playing a pivotal role in the judicial oversight of government operations. Their roles ensure a check on the executive, helping maintain a balance of power and upholding the principles of democracy and rule of law in India.