

## Constitutional Bodies - Indian Polity Notes

Constitutional bodies are important bodies in India that derive their powers and authorities from the Indian constitution. They are mentioned in the Constitution. Since they get their power from the constitution, any change in the mechanism of the constitutional bodies would require a constitutional amendment.

### List of Constitutional Bodies

The list of constitutional bodies in India along with the article pertaining to it in the Constitution, and other details are given below.

#### Attorney General

|                     |   |
|---------------------|---|
| Articles            | 76  |
| Tenure and removal  | Holds office during the pleasure of the President   |
| Further appointment | Yes   |
| Powers              | <ul style="list-style-type: none"> <li>• Privileges of an MP</li> <li>• Right of audience in all courts in India</li> <li>• Can attend both Houses of Parliament but cannot vote</li> </ul> |

#### Comptroller and Auditor General (CAG)

|                     |  |
|---------------------|--|
| Articles            | 148  |
| Tenure and removal  | <ul style="list-style-type: none"> <li>• Holds office for six years or 65 years (whichever comes earlier)</li> <li>• Removal is same as for an SC judge</li> </ul>   |
| Further appointment | No   |
| Powers              | <ul style="list-style-type: none"> <li>• Audits accounts related to the Consolidated Fund of India and states, the Contingency Fund and the Public Accounts Fund of the centre and states.</li> <li>• Advisory role regarding accounts to the President</li> </ul> |

#### Election Commission

|                     |  |
|---------------------|--|
| Article             | 324  |
| Composition         | Chief Election Commissioner, Other Election Commissioners  |
| Tenure and removal  | Presently for 6 years or 65 years (whichever is earlier) whichever is earlier  |
| Further appointment | Yes  |
| Powers              | <ul style="list-style-type: none"> <li>• Conducting free and fair elections in India</li> <li>• Registration of political parties</li> <li>• Overseeing elections</li> </ul> |

## Finance Commission

|                     |   |
|---------------------|---|
| Article             | 280   |
| Composition         | Chairman, four members  |
| Further appointment | Yes   |
| Powers              | <ul style="list-style-type: none"> <li>Decides the basis for sharing the divisible taxes by the centre and the states</li> <li>Any matter in the interest of sound finance can be referred to the President</li> <li>evaluates the rise in the Consolidated Fund of a state in order to affix the resources of the state Panchayats and Municipalities</li> <li>FC has the powers of a civil court</li> </ul> |

## National Commission for Scheduled Castes

|                     |  |
|---------------------|--|
| Articles            | 338  |
| Composition         | Chairman, Vice-chairman, 3 other members   |
| Tenure and removal  | 3 years  |
| Further appointment | Yes  |
| Powers              | <ul style="list-style-type: none"> <li>It is a quasi-judicial body</li> <li>Monitoring and reporting the working of constitutional safeguards for SCs</li> <li>It has the powers of a civil court</li> </ul> |

## National Commission for Scheduled Tribes

|                     |  |
|---------------------|--|
| Articles            | 338-A  |
| Composition         | Chairman, Vice-chairman, 3 other members   |
| Tenure and removal  | 3 years  |
| Further appointment | Yes  |
| Powers              | <ul style="list-style-type: none"> <li>It is a quasi-judicial body</li> <li>Monitoring and reporting the working of constitutional safeguards for STs</li> <li>It has the powers of a civil court</li> </ul> |

## Special officer for Linguistic Minorities

|                     |   |
|---------------------|---|
| Articles            | 350 B   |
| Composition         | Commissioner, Deputy Commissioner, Assistant Commissioner                                   |
| Tenure and removal  | Pleasure of the President   |
| Further appointment | Yes   |
| Powers              | Monitoring and reporting the working of constitutional safeguards for linguistic minorities |

## Union Public Service Commission

|                     |   |
|---------------------|---|
| Articles            | 315 - 323   |
| Composition         | 9 to 11 members   |
| Tenure and removal  | Presently for 6 years or 65 years whichever is earlier  |
| Further Appointment | Chairman of UPSC is not eligible for another term. Members are eligible only for appointment within SPSC and UPSC           |
| Powers              | Recruitment of All India Services, Central services, public services of centrally administered territories, advisory powers |

## State Public Service Commission

|                    |   |
|--------------------|---|
| Articles           | 315 - 323   |
| Tenure and removal | Presently for 6 years or 65 years (whichever is earlier) whichever is earlier |

## UPSC Questions related to Constitutional Bodies

**Is NITI Aayog a constitutional body?**

NITI Aayog is not a constitutional body. It is an executive body.

**What is the difference between statutory and constitutional bodies?**

Statutory bodies are established by an act of parliament whereas constitutional bodies are mentioned in the constitution and derive their powers from it.

**Is RBI a statutory body?**

Yes, it is a statutory body. It was established in 1935 by the Banking Regulation Act, 1934.

