

Non-Constitutional Bodies

PLANNING COMMISSION

1. Established in March 1950 by an executive resolution of the Government of India, (i.e., union cabinet) on the recommendation of the Advisory Planning Board constituted in 1946, under the chairmanship of K C Neogi. Thus, the Planning Commission is neither a statutory institution nor a constitutional one. In other words, it is a non-constitutional or extra-constitutional body (i.e., not created by the Constitution) and a non-statutory body (not created by an act of Parliament). In India, it is the supreme organ of planning for social and economic development. Now, it has been replaced by another body named NITI Aayog from 1st January 2015.
2. The P.M of India is the *ex-officio* chairman of the commission. He presides over the meetings of the commission.
3. The commission has a deputy chairman. He is the *de facto* executive head (i.e., full-time functional head) of the commission. He is responsible for the formulation and submission of the draft Five-Year Plan to the Central cabinet. He is appointed by the Central cabinet for a fixed tenure and enjoys the rank of a cabinet minister. Though he is not a member of the cabinet, he is invited to attend all its meeting (without a right to vote).
4. It is discontinued in 2015 and replaced by NITI Aayog.

NITI (National Institution for Transforming India) Aayog

1. It is established in 2015 by the government to replace the Planning commission (was based on top-down model).
2. It is based on the bottom-up model.
3. It is the policy-making body for whole India.
4. The Ex-officio chairman of aayog is prime minister.
5. Current Vice President of aayog is Rajiv Kumar.
6. Permanent members of the governing council-
(a) All state Chief Ministers
(b) Chief ministers of Delhi and Puducherry
(c) Lieutenant Governor of Andaman and Nicobar
(d) Vice chairman nominated by the Prime Minister.

NATIONAL DEVELOPMENT COUNCIL

1. The National Development Council (NDC) was established in August 1952 by an executive resolution of the Government of India on the recommendation of the first five year plan (draft outline). Like the Planning Commission, it is neither a constitutional body nor a statutory body.
2. The NDC is composed of the following members.
 - A. P.M of India (as its chairman/head).
 - B. All Union cabinet ministers (since 1967).
 - C. Chief Ministers of all the states.
 - D. Chief Ministers/administrators of all the union territories.
 - E. Members of the Planning Commission.

NATIONAL HUMAN RIGHTS COMMISSION

1. The NHRC is a statutory (and not a constitutional) body. It was established in **1993** under legislation enacted by the Parliament, namely, the **Protection of Human Rights Act, 1993**. This Act was amended in 2006.
2. The commission is a multi-member body consisting of a chairman and four members. The chairman should be **retired chief justice of India**.
3. The chairman and members are appointed by the president on the recommendations of a **six-member committee** consisting of the prime minister as its head, the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha, leaders of the Opposition in both the Houses of Parliament and the Central home minister. Further, a sitting judge of the Supreme Court or sitting chief justice of a high court can be appointed only after consultation with the chief justice of India.
4. The chairman and members hold office for a term of **five years** or until they attain the age of **70 years**, whichever is earlier. They are not eligible for further employment under the Central or state government.

CENTRAL INFORMATION COMMISSION

1. The CIC was established by the Central Government in **2005**. It was constituted through an Official Gazette Notification under the provisions of the Right to Information Act (2005). Hence, it is not a constitutional body.
2. The Commission consists of a Chief Information Commissioner and not-more-than ten Information Commissioners.
3. They are appointed by the President on the recommendation of a committee consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and a Union Cabinet Minister nominated by the Prime Minister.
4. They should be persons of eminence in public life with wide knowledge and experience in social service, science, and technology, mass media, management, journalism, law, or administration and governance.
5. They should not be M.Ps or MLAs of any State or Union Territory. They should not hold any other office of profit or be connected with any political party or carrying on any business or pursuing any profession.
6. The Chief Information Commissioner and an Information Commissioner shall hold office for such term as prescribed by the **Central Government or until they attain the age of 65 years**, whichever is earlier. They are ineligible for reappointment.

CENTRAL VIGILANCE COMMISSION

1. The CVC is the main agency for preventing corruption in the Central government. It was established in **1964** by an executive resolution of the Central government. Its establishment was recommended by the **Santhanam Committee** on Prevention of Corruption (1962–64).
2. Thus, originally the CVC was neither a constitutional body nor a statutory body. In **September 2003**, the Parliament enacted a law conferring statutory status on the CVC.
3. The CVC is a multi-member body consisting of a Central Vigilance Commissioner (chairperson) and not more than two vigilance commissioners.
4. They are appointed by the president by warrant under his hand and seal on the recommendation of a three-member committee consisting of the prime minister as its head, the Union minister of home affairs and the Leader of the Opposition in the Lok Sabha.

5. They hold office for a term of **four years** or until they attain the age of **65 years**, whichever is earlier. After their tenure, they are not eligible for further employment under the Central or state government.

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