Difference Between Constitutional Body and Statutory Body

The important difference between a constitutional body and a statutory body is that the constitutional body cannot have the modification of mechanism without changing the constitution, but the statutory body can have such modifications.

The table below highlights the major points of difference between a constitutional body and a statutory body and a few examples of each.

Constitutional Body vs Statutory Body

Difference Between Constitutional Body and Statutory Body

Constitutional body	Statutory body
The Constitution of India in states these bodies through dedicated articles that detail their functions and operative ambits.	Statutory bodies are not mentioned anywhere in the Constitution of India.
The functions or operative mechanism of a constitutional body cannot be changed unless the Constitution of India is amended.	Statutory bodies come into existence through Acts of the Parliament; therefore, through passing acts, the functions of a statutory body can be defined or modified.
The members of a constitutional body are appointed by special committees or by the higher governmental offices (like the President of India or others).	Statutory bodies have members that can be appointed by either the President or by entities of authority under which the statutory bodies are setup.
Some examples of Constitutional bodies in India are the Attorney General of India, the National Commission for Scheduled Castes, the National Commission for Scheduled Tribes, the National Commission for Backward Classes, etc.	Some popular examples of statutory bodies in India are National Commission for Women, Central Vigilance Commission, National Green Tribunal, etc.

Constitutional Body and Statutory Body

In order to maintain law and order in the country and promote civil behaviour amongst the citizens of India, various types of Bodies and tribunals exist that help enacts, administer and enforce laws. They can be viewed as quicker, less busy channels for hearing cases. In everyday use, however, there are three major kinds of bodies that one comes across:

- Constitutional bodies,
- Statutory bodies,
- Regulatory bodies.

What is a Constitutional Body?

Constitutional bodies are the entities that derive mentions from the Constitution of India. These bodies are immensely important; to change the mechanism of operation, there would first need to be an amendment in the Constitution itself.

Additionally, these bodies are defined by their own dedicated articles in the Indian Constitution. Such bodies are not possible to be statutory bodies. Examples of constitutional bodies are Finance Commission, Election Commission, UPSC, etc.

What is a Statutory Body?

Statutory bodies are the entities that come into being through enacting an Act of Parliament. Statutory comes from the word Statute, which is essentially laws passed by the legislature or the Parliament. These bodies are not mentioned in the Constitution of India, hence are termed non-constitutional bodies.

Statutory bodies can also pass a law as they are authorized to do so. A few examples of statutory bodies are National Green Tribunal, National Human Rights Commission, and National Commission for Minorities, etc.