

Constitutional Bodies in India

[UPSC Notes]

What are Constitutional Bodies?

The bodies whose formation is prescribed by the constitution of India itself are known as Constitutional Bodies.

- The powers of Constitutional Bodies are derived from the Indian Constitution.
- To change any powers or functions related to Constitutional Bodies, A constitutional amendment is often required.

List of Constitutional Bodies in India

Maintaining the proper law and order in the country is the utmost responsibility of the Government of India, for which a number of Constitutional Bodies are constituted. There are many Constitutional Bodies in India out of which some important are mentioned below. Follow the Constitutional Bodies chart given below to know what type of Constitutional Bodies are there-

1. Election Commission of India
2. Union Public Service Commission of India
3. State Public Service Commission of India
4. Finance Commission
5. Goods and Services Tax Council
6. National Commission for SCs
7. National Commission for STs
8. National Commission for BCS
9. Comptroller and Auditor General of India
10. Attorney General of India

Above mentioned is the Constitutional Bodies chart, which you should revise to memorize for the UPSC exam. Next, we are going to learn about the list of Constitutional Bodies along with their powers and functions defined in the Constitution of India.

Election Commission of India

India is a democratic country, and the election commission of India is the biggest landmark for it as it helps to maintain democracy by conducting free and fair elections in the country. The election commission of India is a permanent body structured by the

constitution of India under article 324. The election commission is composed of a Chief Election Commissioner, which is appointed by the president of India.

Article	Article 324
Composition	The election commission of India is composed of the chief election commissioner and other election commissioners.
Tenure and Removal	The working tenure for the chief election commissioner is of 6 years or 65 years of age or whatever applies first.
Powers and Functions	<ul style="list-style-type: none"> • On the basis of the delimitation commission act of Parliament the election commission determines the territorial areas for elections throughout the country. • Keep an eye on the elections being conducted in the country to be in a free and fair manner. • The election commission has the power to cancel the polls if the offenses like both capturing violence and other irregularities are found. • Also the election commission can advise the Governor and the matters related to the disqualification of the members.

Union Public Service Commission of India

The Union Public Service Commission is the permanent body constituted by the parliament. It is the central recruiting agency that has the detailed provisions with regard to composition appointment and removal of the members along with the powers functions and the Independence of UPSC.

Article	Article 315 to 323 in Part XIV
Composition	The Union Public Service Commission is composed of a chairman along with the members appointed by the president of India. Generally, the UPSC consists of 9 to 10 members along with the chairman.
Tenure and Removal	The working tenure for the Chairman of UPSC is of 6 years or 65 years of age or whatever applies first.
Powers and Functions	<ul style="list-style-type: none"> • UPSC conducts all India exams for the appointment of candidates for all India services, Central Services, and Public Services of the Country. • It helps to frame and operate the scheme of joint recruitment for which the candidates have special qualifications.

	<ul style="list-style-type: none"> • UPSC also helps in solving the matters related to the methods of recruitment for civil services and civil posts. • It also assists the requirements of the state if requested by the State Governor or directed by the President of India.
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State Public Service Commission of India

The state public service commission is the same as the Union Public Service Commission. The only difference prevailing between them is that the Union Public Service Commission works at all Indian levels whereas all the states have their separate state public service commissions for appointment of the government servants. Likewise UPSC the state public service commission also deals with the composition, appointment, removal of members, and defining the powers and functions and independence of the State Public Service Commission.

Article	Article 315 to 323 in Part XIV
Composition	The state public service commission is composed of a chairman along with some members who are appointed by the governor of the state.
Tenure and Removal	The working tenure for the Chairman of SPSC is of 6 years or 62 years of age or whatever applies first.
Powers and Functions	<ul style="list-style-type: none"> • The state public service commission conducts the exams to appoint the Civil servants for the states. • The state public service commission is consulted by the personal management of the state on matters related to the recruitment of candidates for civil posts and civil services.

Finance Commission

The finance commission is a Constitutional Body that was constituted to allocate the revenue resources among the Union and State governments. The prime purpose for creating the finance commission was two maintain healthy financial relations between the Centre and States.

Article	Article 280
Composition	The finance commission is composed of a chairman along with 4 other members who are appointed by the president of India.
Eligibility	The eligibility of members of the finance commission is decided by the parliament. Generally, the chairperson of the finance

	commission is ought to be experienced in public affairs and have sound knowledge of financial issues.
Powers and Functions	<ul style="list-style-type: none"> • The function of the finance commission is to distribute the net proceeds of taxes among the state and center. • Finance commission is authorized to decide the sharing of taxes by Centre and States. • The finance commission enjoys power equal to that of the Civil Court.

Goods and Services Tax Council

The goods and services tax was a Revolutionary event that was enacted in 2016 by 101st Amendment Act. The proper functioning and administration of goods and services tax are only possible when both center and state governments cooperate and coordinate with each other.

Article	Article 279A
Composition	The goods and services tax Council is composed of a union finance minister who is the chairperson of the Council, the Union Minister of state charge, and the Minister in charge of Finance or Taxation.
Powers and Functions	<ul style="list-style-type: none"> • The function of the Council is to recommend to the center and States the matters related to the taxes and surcharges that are livid by the center and States. • It also recommends to both levels of government the goods and services that can be exempted or included in the GST list. • Apart from these the GST Council also decides the saturation limit of the turnover under which the goods and services can be assumed exempted from GST. • In fact the dates on which the petroleum crude oil diesel natural gas aviation turbine fuel will be levied GST on.

National Commission for SCs

The National Commission for Scheduled Caste is a Constitutional Body. This body was constituted specially to work in the favor and safeguard the issues and interests of the Scheduled Castes in India. Precisely it turns out to offer the protection to schedule caste communities from being discriminated against and exploited along with providing them with the necessary facilities for their upliftment.

Article	Article 338
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Composition	The National Commission for schedule caste is composed of a chairman along with 4 other members out of which one is a vice chairman.
Powers and Functions	<ul style="list-style-type: none"> • As the very name suggest the functions of the national commission for scheduled caste are investigating and monitoring all the issues that relate to the legal safeguards for the Schedule Castes. • It takes the special and specific complaints related to the deprivation of rights of the special category people. • It participates actively in the planning process for the social and economical development of the scheduled caste and evaluation of their development in a state. • Discharging of similar functions that relate to the Welfare and protection of seas as the President may specify them.

National Commission for STs

The National Commission for Scheduled Tribes is positive under the 83rd Amendment Act, 2003. Earlier there was a specific definition given to Scheduled Tribes but however, but with the advent of this Commission, many apps like POA and PCR came into existence. This commission is constituted specifically for the welfare and development of Scheduled Tribes of India.

Article	Article 338
Composition	The National Commission for Scheduled Tribes consists of 5 members where one will be the chairman, the second would be the vice chairman and out of the rest three one has to be a woman.
Tenure and Removal	The serving tenure for all the members of the commission is of 3 years.
Powers and Functions	<ul style="list-style-type: none"> • The National Commission for scheduled tribes look into the matters related to scheduled tribes and resolves their issues at the state and union level. • Like the National Commission for scheduled caste this Commission also looks into the complaints registered and takes action against the issues related to deprivation of rights.

National Commission for BCs

The National Commission for backward classes was established under the Ministry of Social justice and empowerment under the National Commission for Backward Classes Act 1993. This commission was constituted to find out the problems faced by the backward classes economically and socially and make recommendations to curb these problems.

Article	Article 338B
Composition	The National Commission for backward classes is composed of 5 members out of which one is a chairperson second is the vice chairperson and the other three important members are appointed by the President of India.
Tenure and Removal	The serving tenure for all the members of the commission is of 3 years.
Powers and Functions	<ul style="list-style-type: none">• The National Commission for backward classes work for the economically and socially backward section of society by registering their complaints and taking action against them.• This Commission also prepares the report about the Welfare and safeguarding of the rights and issues of socially and economically backward classes and presents it to the President of India along with the concerned state if required.

Comptroller and Auditor General of India

The Comptroller and Auditor General of India is the top body that is responsible for maintaining the internal and external expenses of state and union governments. It is one of those few offices that are appointed directly by the President of India.

Article	Article 148
Tenure and Removal	The tenure of the Comptroller and Auditor General of India is of 6 years for serving the office or 65 years of age or whatever applies first. The removal of CAG is the same as the judge of the Supreme Court.
Powers and Functions	<ul style="list-style-type: none">• The Comptroller and Auditor General of India can audit the accounts which are related to the expenditure from the consolidated funds of India.• Along with the consolidated fund he also manages the contingency fund of India and public accounts.

	<ul style="list-style-type: none">• He also keeps an eye on all the manufacturing trading balance sheet profit and loss accounts of All the departments are the central and state government
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Attorney General of India

The Attorney General of India is the highest law officer in the country. The composition of the Attorney General of India is constituted to advise the union government on all legal matters hence he can be called the union legal advisor.

Article	Article 76
Tenure and Removal	The President of India appoints the Attorney General of India. The eligibility of an attorney general is that he must be the person who is qualified enough to be appointed as a judge of the Supreme Court. There is no fixed tenure mentioned in the constitution about the term of office of the attorney general; neither the grounds of dismissal or removal is mentioned in it.
Powers and Functions	<ul style="list-style-type: none">• The Attorney General of India advises the Government of India on legal matters which are referred to him by the president of India.• Also he performs all other duties important as the legal character which are assigned to him by the president.