

# Statutory Body

[UPSC Notes]

## What is Statutory Body?

A Statutory Body is authorized to pass the law and take the decision on behalf of the country or state. The Statutory Body has official permission for the process of enacting laws. To establish a Statutory Body, a Cabinet resolution should be passed.

One of the examples of Statutory Bodies is SEBI, the Securities and Exchange Board of India. SEBI is an important regulatory body that is responsible for the security market in India.

## Statutory Bodies in India

In general, statutory bodies are created by the government to perform specific functions outside of traditional departmental executive structures. As a result, they fulfill the requirements for some operational independence from the government. Statutory bodies are typically set up in countries governed by parliamentary democracy.

Various statutory bodies in India provide services to the public. These bodies include the following:

- National Commission for Minorities
- National Commission for Scheduled Castes
- National Commission for Scheduled Tribes
- National Commission for Women
- National Commission for Scheduled

Various voluntary organizations provide services to the public. These include the:

- Indian Red Cross Society
- Indian Red Crescent Society
- Indian Association of Women's Empowerment and Self-Help Groups
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Some non-government organizations are that provide services to the public. These include the following:

- National Disaster Response Force (NDRF)
- Indian Navy, Indian Air Force
- Indian Army
- State Disaster Response Force (SDRF)
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Other private sector organizations that provide services to the public. These include private hospitals, private schools, and private vehicles. Private companies may also be involved in providing services to the public, such as water supply systems or sanitation facilities.

## Quasi-Judicial Bodies In India

The powers and procedures of a quasi-judicial body are similar to like of a court. Their capabilities are similar to law-enforcing bodies. The primary function of these bodies is to impose laws on administrative agencies.

### Categories Of Quasi-Judicial Bodies:

Four different categories of quasi-judicial bodies exist:

- Administrative entities perform quasi-judicial duties independently or as an integral part of their respective departments.
- Administrative adjudicatory tribunals rule on conflicts deftly and impartially because they are independent of the department at issue. The Ministry of law takes the Income tax appellate tribunal under itself.
- Tribunals can also be categorized as departmental bodies that exercise the State's inherent judicial powers and are established under Article 136. These bodies conduct control, composition, and procedure-related tasks.
- The Indian Constitution's Articles 323A and 323B grant tribunals created in conformity with those provisions the authority and standing of a High Court.

quasi-judicial bodies in India conjoins

1. EC of India
2. Income tax appellate tribunal
3. Intellectual Property appellate tribunal
4. Telecom dispute settlement & Tribunal.

### Why Did Quasi-judicial Emerge in India?

The emergence of the quasi-judicial body in India is a significant development. It is a system used by the courts to hear and decide cases involving various issues. It has been used to deal with cases involving corruption, money laundering, tax evasion, and other sensitive issues. The inauguration of this system brings with it numerous changes to the Indian judicial system.

### Difference Between Quasi-Judicial Body & Judicial Body

The difference between quasi-judicial body & judicial body is a crucial distinction-

1. The difference is that the quasi-judicial body is a body that is not subject to the same rules of evidence as the courts.
2. The judicial system, on the other hand, is bound by the same evidentiary laws as the courts.
3. The main difference between a quasi-judicial body & judicial body is that the quasi-judicial body is not a court of law but a court of fact.
4. In other words, it does not have to follow specific rules of evidence to decide cases.
5. It can just use its own knowledge and expertise to decide instances. This makes it very different from a court of law, where there are specific rules of evidence that need to be followed for an expert witness to give an accurate and reliable account of events.

## Regulatory bodies

Regulatory bodies have the power to impose regulations on companies to protect the public. They can also enforce rules and act as a watchdog over companies when they break the law.

- Numerous statutory bodies exist: Regulatory bodies are often created by governments or other organizations.
- They can be established by a government agency, such as the Securities and Exchange Commission (SEC), or by private companies, such as firms that are regulated by the Securities and Exchange Commission (SEC).
- They may also be created by private individuals, such as an investment manager or adviser.
- They can also be established by companies, such as broker-dealers or financial services firms. In order to safeguard investors from fraud and other illicit acts, regulatory bodies are frequently shown.
- They are also inaugurated to uplift liability and transparent in the financial sector.

## Difference Between Regulatory & Statuary Body:

Regulatory bodies are those bodies that are charged with regulating the activities of companies and ensuring that they are operating in accordance with the law. Statuary bodies, on the other hand, are those that are charged with ensuring that companies use in accordance with the rules and regulations.

- The difference between regulatory and statuary bodies is vital because it allows companies to be more transparent and accountable. It also helps companies to avoid any conflicts of interest when it comes to their decisions.
- However, there is a big difference between regulatory and statuary bodies. Regulatory bodies are more concerned about enforcing the law, while statuary

bodies are more concerned about protecting the public from risks associated with companies operating in an unregulated environment.

- This means that regulatory bodies should be considered as a backup when a company's business model is not working as well as expected.
- In addition, because regulatory bodies have the power to enforce rules, they can be used by companies to protect themselves from potential risks.

## Constitutional body:

The Supreme Court of the United States is a constitutional body, which is a body of judges that sits on the highest court in the federal government. As the highest court in the country, the Supreme Court is tasked with considering appeals from every branch of the federal government. The Supreme Court hears appeals from all federal judges, including those appointed by the president.

- The president appoints the nine justices who make up the Supreme Court. Each justice serves a four-year term. The justices are elected by popular vote every four years. They are known as "regular" justices because they hear cases every four years. They are also known as "superior" justices because they hear cases every eight years.
- The Supreme Court also has a "docket" or "list of cases," which includes all of its decisions and rulings over time. This list includes cases decided during its term as a full justice and any cases appealed to it after its term ends.
- The Supreme Court hears appeals from all parts of the federal government, including state and local governments, federal agencies, and courts outside the United States (e.g., foreign courts).

## Difference between Statutory body & Constitutional Body:

The difference between a statutory body and a constitutional body is critical because it directly affects the way that courts interpret the law.

- The statute must be construed in light of the whole body of law. If the statute is interpreted in light of its terms, it is not subject to any constitutional challenge.
- On the other hand, if it is interpreted in light of a broad interpretation, it is subject to constitutional challenge. In short, statutes are constitutional if they are read in light of the whole body of law.
- Constitutional challenges to statutes must be made on a case-by-case basis. A law that disobeys the Constitution cannot be declared invalid based only on a technicality.