



Polity Class Notes for IAS and PCS

Chapter 15: Non-Constitution Bodies

Non constitutional Bodies	
➤ Bodies which not created by constitutional For example:	
<ul style="list-style-type: none"> • Planning commission (PC) • National development council (NDC) • National Human Right Commission (NHRC) • State Human Right Commission (SHRC) • Central Vigilance Commission (CVC) • Center Information Commission (CIC) • Lokpal and Lokayuts (LL) • NITI Aayog 	
Planning Commission (PC)	
➤ PC is extra constitutional body mean non – statutory (not passed by parliament) & non – constitutional	
➤ It is created by resolution passed by government in 1950, on the recommendation advisory planning board under K.C. Neogri in 1946	
➤ It is make an assessment for effect and balanced used of country recourses	
➤ It determine the priority & to define stage in which plan carried out	
➤ It formulate the 5 year plan, for effective utilization of resources	
➤ Nature of PC only law advisory. It is not responsible for taking & implementation of any decision	
➤ Prime minister is ex – office chairman of PC. He presides the meeting of commission	
➤ PC has deputy chairman. He is de facto (full time functional head) of commission. He is responsible for formulate & draft the plan to center. It is same rank of cabinet minister & attends all meeting without right to vote.	
➤ State Minister rank given to other member of PC (approx. 4 to 6 member of PC)	
➤ Some center minister appointed as part – time member of commission.	
➤ In any case, finance minister & planning minister are ex – office member of commission.	
➤ State is not represented in commission in any way so, PC is wholly a central – constitutional body.	
➤ PC was staff agency with advisory role but course of time. It has emerged powerful directive authority when by its recommendation consider by state & center both. So it is called “super cabinet” or parallel cabinet or fifth wheel of Economy	



- Role of PC conflict the with constitutional body Finance Commission(Article– 280)

National Development Council (NDC)

- NDC is not constitutional body or extra – constitutional body. It is statutory body, founded in 1952, on recommendation of Ist Planning Commission constituted in 1950.
- NDC is body of compound of PM as chairman, all CM of UT & state and Member of PC

Object

- To secure cooperation of state in execution of plan.
- Promote common economic policy in all vital spheres.
- To ensure balanced & rapid development of all parts of country.
- Better representation of state in planning commission.

Function

- To evaluate Five year Plan(FYP) time to time
- To prescribed guideline for PC
- To review the working of National Plan from time to time

How to formulate Five year plan

- PC → Cabinet → NDC → Parliament → President

So NDC is highest body but below than Parliament

- Nature of NDC is advisory. It is not binding on PC
- Sarkaria Commission formed on center – state relationship recommended that NDC should given constitutional states under Article 260 of constitutional & should renamed as “National Economic & development Council” (NEDC).

National Human Right Commission (NHRC)

- NHRC is statutory body established in 1993 under legislature enacted by Parliament.
- NHRC is watch dog of human right in country, related to life, dignity, equality, guarantee by constitution or international convents and enforcement by courts in India.

Commission is Multi Body

- Chairman and member are appointed by President on recommendation of 6 member committee.
 - There are 5 Permanent Members
- Chairman (Retired chief justice of India)– elected by collegiums of 6 members
 - Leader of opposition party of LS
 - Speaker of LS
 - Lead of opposition party of RS
 - Deputy chairman of RS
 - Centre home minister
 - PM (Prime minister)
 - Retire or serve judge of SC
 - Retire or serving of chief justice of HC

Contact: raheemeducation@gmail.com | www.raheemeducation.com |

Free Download notes: <http://www.raheemeducation.com/upsc-ias/>

Notes of Polity: <http://raheemeducation.com/gs-polity/>



4. One member from knowledge or Practical experience of human right
5. Other member from knowledge or Practical experience of human right
- Other ex – office member (4 Non – permanent members)
 1. Chairman of SC commission
 2. Chairman of ST commission
 3. Chairman of woman commission
 4. Chairman of minorities

So, $5 + 4 = 9$

Total 9 members

- Chairman and member can be removed by President – transfer to SC for enquiry & after enquiry
- Tenure: Term of 3 year or attain age of 70 year

Function

- NHRC is a watchdog of human rights in country
- NHRS take suo moto action or petition based
- To intervention in procedure violating human right
- To visit jail & secure condition of living & recommendation also
- To encourage NGO for HR work

Working of Commission

- It is powerful body but it advisory body but mainly (recommendation accepted)
- Headquarter at Delhi & establish other
- It has all power of civil court & its proceeding have judiciary chamber
- It have own nuclear staff for investigation into complaint of HR violation.
- HR is not empowered to in enquire into any matter after expiry of 1 year.
- After enquire, It can order to concerned government for compensation paid, start proceeding against guilty, immediate relief for to victim etc.
- Its recommendation is not binding to government or advisory nature
- Government should inform about action taken for recommendation in 1 month
- In case of armed force – commission seek repeat from central government & made its recommendation, Centre inform commission within 3 months.
- It presents report with memorandum action taken on the recommendation of commission and reason for non – acceptance of any such recommendation to central government before legislature.

A.M. Ahmadi Committee

- A.M. Ahmadi Committee Set up by commission – recommendation that definition of “Armed Force” should change in a way that Navy, Army and Air force But not para military force

State Human Rights Commission (SHRC)

- Protection of human Right Act 1993 provide for creation of not only at center/ nation but state also
- State Human Right Commission can enquiry in those matter which came under state list & concurrent list of 7th schedule of constitution.

Contact: raheineducation@gmail.com | www.raheineducation.com |

Free Download notes: <http://www.raheineducation.com/upsc-ias/>

Notes of Polity: <http://raheineducation.com/gs-polity/>



- However those came which under consider NHRC, not came under SHRC

Commission is Multi Body

1. Chairman (Retire Chief justice)– appointed by governor by recommendation of

- Opposition of LA & LC
- Speaker of LA
- Chairman of LC
- State home minister
- CM

2. Retire chief justice from HC.

3. Retire judge for HC or district court in minimum 7 years

4. One person from HR experience & practical experience

- Term: Age of 70 years or up to 5 years of age (whichever is earlier)

- State HRC – appointed by government but can be removed only by President.

- President can refer the on to SC

- Human right courts established on HR – Act 1993 in every district for their court set only by state government with concurrent of chief justice of HC of state

Central Vigilance Commission (CVC)

- Main agency that preventing corruption in central government.

- It is established in 1964 by executive resolution act, rewarded by santhanam committee. So it is not statutory or constitutional body.

Multi member body

1. One commissioner and two vigilance commission appointed by President by recommendation of

- PM
- Leader of opposition
- Home minister

2. Term: Age of 64 years or up to 4 years of age (whichever is earlier).After this tenure, he is not eligible for further state or central government

3. Only president can remove commission

4. Production refer cause to SC

- Salary, allowance & other condition of service of central vigilance commission are similar to UPSC chairman.

- Salary of Vigilance commission is equal to member of UPSC

- To exercise super intendence over the function of “Delhi Special Police establishment” which is part of central burrow of investigation – CBI

- Review progress investigation conduct by DSPF.

- Headquarter Delhi, power of civil court & its proceeding law a judicial character

Contact: raheineducation@gmail.com | www.raheineducation.com |

Free Download notes: <http://www.raheineducation.com/upsc-ias/>

Notes of Polity: <http://raheineducation.com/gs-polity/>



➤ CVC present annually to president a report on its performance, before each hour of Parliament.
➤ All India service – IAS, IPS, IFS
➤ Prevention & corruption Act – 1988
➤ If central government or any agency not agree with CVC – communicate reason of it
Central Information Commission (CIC)
➤ Established by centre government 2005 under the provision of Right to Information Act (2005) (RTI) Hence is not constitutional body
➤ Highest independent bodies which look into complaint made to it & divide the appeal.
➤ Chief Information commission and 10 Member commission
➤ Chief Information commission – By president on recommendation of <ul style="list-style-type: none"> • PM • Lead opposition of LS • Union cabinet (select by PM)
➤ 10 Member commission – from experience for social, law, service etc.
➤ Term: Age of 65 years or up to 5 years of age (whichever is earlier)
Salary of chief Information commissioner is equal to Chief of EC
State Information Commission (SIC)
➤ Term: Age of 54 years or up to 5 years of age (whichever is earlier)
Important Standing Committee
➤ Political Affair Committee
➤ Economic Affair Committee
➤ Appointment Affair Committee
By Speaker is Chairman of
➤ Business Advisory Committee
➤ General Purpose Committee
➤ Common rule
Lokpal & Lokayuktas
➤ Play an important role in socio – economic development a Nation
➤ Scandinavian Institution of ombudsman.
ARC
➤ Recommend the setting up of special designated Lokpal & Lokayukta for redresses of citizen grievance
➤ Set up on the pattern of institution of ombudsman in Scandinavian countries and New Zealand was 1st Country to implement
➤ Lokpal deals with complaints against minister and secretaries at centre and state level.
➤ Lokayukta deals with complaints against other specified higher officials in centre and state
➤ Lokpal with appointed by – President after consultation with CJI, Speaker of LC & Chairman of



RS
<ul style="list-style-type: none"> ➤ Ist Lokyukta created in Maharashtra ➤ Ist Lokpal was Pinaki Chandra Chose
lokayukts
Lokayukta was appointed by government of state Consult with CJ of HC and leader of opposition

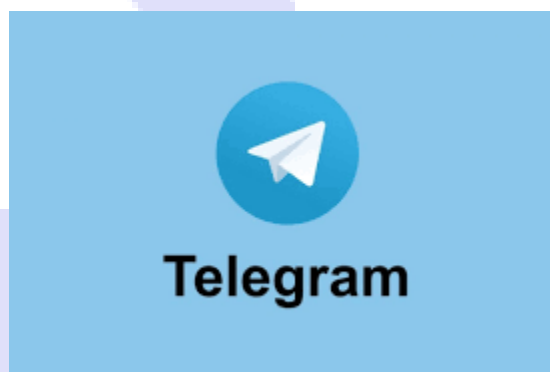
NITI Aayog (National Institute for Transforming India)
<ul style="list-style-type: none"> ➤ Think Tank of GOI providing both direction and policy inputs & relevant technique advice to centre and state.
<ul style="list-style-type: none"> ➤ One way flow of policy that Planning commission (PC) replaced by genuine & continuing partnership of states.
<ul style="list-style-type: none"> ➤ NITI Aayog is– Bottom up rather than ‘top – down’ approach
Composition
<ul style="list-style-type: none"> ➤ PM , all CM of state and UT , Regional Councils ,Special Invite and Full time organization ➤ Full time organization 1. Vice chairman – Appointed by PM and get rank of “Cabinet Rank” 2. Member get rank of Ministry of state 3. Two Part time member (From leading university) 4. Four Ex office member – of union council of minister nominated by PM 5. CEO (Chief Executive officer) appointed by PM who sectary rank to government of India
CBI
<ul style="list-style-type: none"> ➤ Central Bureau of Investigation – setup by 1963 by resolution of Ministry of Home affair special, later it transfer to ministry of Personal & special police establishment (vigilance cao) merged with CBI ➤ It forms by recommendation of “Santhanam Committee”. ➤ Main investigation agency of central and play input role in complain and maintain integrity in administration ➤ It assistance with CVC and lokpal ➤ CBI Academy located at Gaziabad ,UP
National Integration Council (NIC)
<ul style="list-style-type: none"> ➤ National Integration Council (NIC) was constituted 1961, following decision taken at national conference on “unity in diversity” convened by government, NDC. ➤ It contains PM ,Home minister (HM) , CM of all states , Leader of political parties , Chairman of UGC , Two educationist , Commissioner of SC and ST and 7 Person nominated by PM ➤ Discuss – Problem of National Integration



Other link for study of UPSC-UPPCS

DAILY CURRENT AFFAIRS	http://raheineducation.com/daily-current-affairs/
DAILY MAINS PRACTICE QUESTION	http://raheineducation.com/daily-mains-question-practise/
TEST SERIES	http://raheineducation.com/upsc-uppcs-test-series-20-test/
PRE NOTES	http://raheineducation.com/upsc-uppcs-pre-exam/
MAINS NOTES	http://raheineducation.com/upsc-uppcs-mains-notes/

Join Our Telegram Group



<https://t.me/insight2020>