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CONSTITUTIONAL BODIES

Election Commission

- **Article 324** of the Constitution provides that the power of superintendence, direction and control of elections to **parliament, state legislatures, the office of president of India and the office of vice president of India** shall be vested in the election commission.
- The Election Commission is a permanent and an independent body established by the Constitution of India. It ensures free and fair elections in the country.
- The president of India appoints Chief Election Commissioner and other Election Commissioners. They hold office for a term of **six years or until they attain the age of 65 years**, whichever is earlier.
- The powers and functions of the Election Commission with regard to elections to the Parliament, state legislatures and offices of President and Vice-President can be classified into three categories:
 - Administrative
 - Advisory
 - Quasi-Judicial
- It must be noted here that the election commission is not concerned with the elections to **panchayats and municipalities in the states**. For this, the Constitution of India provides for a separate **State Election Commission**. It conducts elections to Panchayats Bodies and Urban Local Bodies in accordance with **73rd and 74th Constitutional Amendments**.

Union Public Service Commission

- Articles 315 to 323 in Part XIV of the Constitution contain elaborate provisions regarding the composition, appointment and removal of members along with the independence, powers and functions of the UPSC.
- A chairman and other members of UPSC appointed by the president of India.
- The chairman and members of the Commission hold office for a term of **six years or until they attain the age of 65 years**, whichever is earlier.

State Public Service Commission

- Articles 315 to 323 in Part XIV of the Constitution deal with the composition, appointment and removal of members, power and functions and independence of a SPSC.
- A chairman and other members of State Public Service appointed by the governor of the state. They can be removed only by the president.
- The chairman and members of the Commission hold office for a term of six years or until they attain the age of 62 years.
- The **Constitution** makes a provision for the establishment of a **Joint State Public Service**

Commission (JSPSC) for two or more states. While the **UPSC** and the **SPSC** are created directly by the **Constitution**, a **JSPSC** can be created by an act of **Parliament** on the request of the state legislatures concerned.

- Article 315 - Public Service Commissions for the Union and for the states
- Article 316 - Appointment and term of office of members
- Article 317 - Removal and suspension of a member of a Public Service Commission
- Article 320 - Functions of Public Service Commissions

Finance Commission

- Article 280 of the Constitution of India provides for a Finance Commission as a quasi-judicial body.
- Chairman and four other members of Finance Commission to be appointed by the president.
- It is constituted by the **president of India every fifth year** or at such earlier time as he considers necessary.
- The constitution of India envisages the Finance commission as the balancing wheel of fiscal federalism in India.
- Articles Related to Finance Commission:
 - Article 280 - Finance Commission
 - Article 281 - Recommendations of the Finance Commission

National Commission for Scheduled Castes

- The National Commission for Scheduled Castes is a constitutional body. It is directly established by Article 338 of the Constitution.

National Commission for Scheduled Tribes

- The National Commission for Scheduled Tribes (STs) is a constitutional body. It is directly established by Article 338-A of the Constitution.

Special Officer for Linguistic Minorities

- Article 350-B of the Constitution, the office of the Special Officer for Linguistic Minorities was created in 1957. He is designated as the Commissioner for Linguistic Minorities.

Comptroller and Auditor General of India

- The Constitution of India (**Article 148**) provides for an independent office of the Comptroller and Auditor General of India.
- He is the **guardian of the public purse and controls the entire financial system** of the country at both the levels—the Centre and the state.
- The Comptroller and Auditor General of India is appointed by the **president of India**.

Attorney General of India

- The Constitution (Article 76) has provided for the office of the Attorney General for India.

- He is the **highest law officer in the country**.
- The Attorney General of India is appointed by the **president**. He must be a person who is qualified to be appointed a judge of the Supreme Court.
- He has the **right to speak and to take part in the proceedings of both the Houses of Parliament or their joint sitting and any committee of the Parliament** of which he may be named a member **but without a right to vote**.
- Article 88 - Rights of Attorney-General as respects the Houses of Parliament and its Committee

Advocate General for the State

- The Constitution (Article 165) has provided for the office of the advocate general for the states.
- He is the **highest law officer in the state**.
- The advocate general of state is appointed by the **governor** of respective state. He must be a person who is qualified to be appointed a judge of a high court.
- He has the right to speak and to take part in the proceedings of both the **Houses of the state legislature or any committee of the state legislature** of which he may be named a member but **without a right to vote**.



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