PRELIMS RECKONER

POLITY

NON-CONSTITUTIONAL BODIES





NON-CONSTITUTIONAL BODIES

	National Human Rights Commission (NHRC)	State Human Rights Commission (SHRC)	
Creation	✓ Established under the Protection of Human Rights Act, 1993		
Composition	 ✓ Chairperson and five members ✓ 7 ex-officio members, namely the chairpersons of National Commissions for Minorities, SCs, STs, BCs, women, Protection of Child Rights and Chief Commissioner for Persons with Disabilities 	✓ Chairperson and two members	
Qualification	 ✓ Chairperson: A person who has been Chief Justice or a Judge of the Supreme Court ✓ Members: Serving/retired judge of the Supreme Court Serving/retired chief justice of a High court Three persons having knowledge of human rights, of which at least one should be a woman 	 ✓ Chairperson: A person who has been Chief Justice or Judge of a High Court ✓ Members: 	
Appointment	 ✓ By the President, on the recommendations of a 6-member committee consisting of: ○ Prime Minister as the head ○ Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha ○ Leaders of the Opposition in Lok Sabha and Rajya Sabha ○ Central Home minister 	 ✓ By the Governor, on the recommendations of a committee consisting of: ○ Chief Minister as head ○ Speaker and Leader of the opposition in the Legislative Assembly ○ State Home minister ○ Chairman & Leader of opposition in the Legislative Council 	
Term & tenure	 ✓ 3 years or until they attain the age of 70 years ✓ Eligible for re-appointment, but not for further employment under the Central/state government 		



	✓ President can remove the chairperson or any member if they are:		
	 Adjudged an insolvent 		
	o of unsound mind		
Removal	 Engages in paid employment outside office 		
	 Convicted and sentenced to imprisonment 		
	✓ President can also remove the chairperson/member on the ground of proved misbehaviour or incapacity		
	 In these cases, president has to refer the matter to the Supreme Court for inquiry. 		
	✓ Functions relating to human rights in case of UT of ✓ Can inquire into violation of human rights only in		
	Delhi are dealt with by the NHRC respect of subjects mentioned in the State List and the		
	✓ Salaries, allowances and other conditions of service of Concurrent List		
	are determined by the Central government ✓ Salaries, allowances and other conditions of service of		
Other features	✓ Can inquire into human rights violation <i>suo motu</i> are determined by the state government		
Other features	 ✓ Has all the powers of a civil court and its proceedings ✓ Can inquire into human rights violation suo motu 		
	have a judicial character. Has all the powers of a civil court and its proceedings		
	✓ Submits its reports to the Central government and have a judicial character.		
	to the State government concerned Submits its annual or special reports to the State		
	government		
	✓ Not empowered to inquire into any matter after the expiry of one year from the date on which the act constituting		
	violation of human rights is alleged to have been committed		
Limitations	✓ NHRC has limited role and powers with respect to the violation of human rights by members of the armed forces		
	✓ No power to punish the violators nor to award any relief to the victim		
	✓ Recommendations are not binding on the concerned government		



	Central Information Commission (CIC)	State Information Commission (SIC)	
Creation	✓ Under the provisions of the Right to Information Act (2005)		
Composition	✓ Chief Information Commissioner and not more than ten Information Commissioners		
	✓ Persons of eminence in public life with wide knowledge and experience in law, science and technology, social service,		
Qualification	management, journalism, mass media or administration and governance		
	✓ Should not be a MP or Member of the Legislature of any State/Union Territory		
	✓ Should not hold any other office of profit/connected with any political party/carrying on any business/pursuing any profession		
	✓ By the President on the recommendation of a	✓ By the Governor on the recommendation of a	
	committee consisting of:	committee consisting of:	
Appointment	 Prime Minister as Chairperson 	 Chief Minister as Chairperson 	
	 Leader of Opposition in the Lok Sabha 	 Leader of Opposition in the Legislative Assembly 	
	 Union Cabinet Minister nominated by the PM 	 State Cabinet Minister nominated by the CM 	
Term & tenure	✓ Hold office for such term as prescribed by the Central	Government or until they attain the age of 65 years	
Term & tenure	✓ Not eligible for reappointment		
	✓ President can remove the chairperson or any member	✓ Governor can remove the chairperson or any member if	
	if they are:	they are:	
	 Adjudged an insolvent 	 Adjudged an insolvent 	
	 Of unsound mind 	 Of unsound mind 	
Removal	 Engages in paid employment outside office 	 Engages in paid employment outside office 	
Kemovai	 Convicted and sentenced to imprisonment 	 Convicted and sentenced to imprisonment 	
	✓ President can also remove the chairperson/member	✓ Governor can also remove the chairperson/member on	
	on the ground of proved misbehaviour or incapacity	the ground of proved misbehaviour or incapacity	
	o In these cases, president has to refer the	 In these cases, Governor has to refer the 	
	matter to the Supreme Court for inquiry.	matter to the Supreme Court for inquiry.	
Report	✓ Submits an annual report to the Central Government	✓ Submits an annual report to the State Government	
	✓ Salaries, allowances and other conditions of service of a	re determined by the Central government	
Other features	✓ Can order inquiry into any matter if there are reasonable grounds (suo-motu power)		
	✓ While inquiring, the Commission has the powers of a ci	vil court	



	Central Vigilance Commission (CVC)		
Creation	 ✓ Establishment was recommended by the Santhanam Committee on Prevention of Corruption (1962–64) ✓ Established in 1964 by an executive resolution of the Central government ✓ Conferring statutory status through the Central Vigilance Commission Act, 2003 		
Composition	✓ Central Vigilance Commissioner and not more than two vigilance commissioners		
Appointment	 ✓ Appointed by the President by warrant under his hand and seal on the recommendation of a three member committee consisting of: ○ Prime minister as its head ○ Union minister of Home Affairs ○ Leader of the Opposition in the Lok Sabha 		
Term & tenure	 ✓ Holds office for a term of four years or until 65 years age. ✓ Salary, allowances and other service conditions: ○ Central Vigilance Commissioner >> similar to those of the Chairman of UPSC ○ Vigilance commissioner >> similar to those of a member of UPSC ✓ Not eligible for further employment under the Central or a state government. 		
Removal	 ✓ President can remove the chairperson or any member if they are: Adjudged an insolvent Unfit to continue in office by reason of infirmity of mind or body Engages in paid employment outside office Convicted of an offence which involves a moral turpitude Acquired such financial or other interest as is likely to affect prejudicially his official functions ✓ President can also remove the chairperson/member on the ground of proved misbehaviour or incapacity In these cases, president has to refer the matter to the Supreme Court for inquiry. 		
Report	✓ Presented annually to the President		
Other features	 ✓ Has its own Secretariat, Chief Technical Examiners' Wing (CTE) and a wing of Commissioners for Departmental Inquiries (CDIs) ✓ Empowered to conduct preliminary inquiry into complaints referred by Lokpal 		



	Lokpal		
Creation	✓ Established through the Lokpal and Lokayuktas Act (2013)		
<i>C</i> '''	✓ Chairperson and a maximum of 8 members of which 50% shall be judicial members		
Composition	✓ 50% of the members of the Lokpal shall come from amongst the SCs, the STs, the OBCs, minorities and women		
	✓ By the President on the recommendations of a Selection Committee consisting of:		
	o Prime Minister		
	o Speaker of the Lok Sabha		
	 Leader of Opposition in the Lok Sabha 		
0.1	 Chief Justice of India or a sitting Supreme Court Judge nominated by the Chief Justice 		
Selection	 An eminent jurist, to be nominated by the President on the basis of recommendations of the first four members of the selection committee. 		
	✓ Search Committee will assist the Selection Committee in the process of selection		
	o 50% of the members of the Search Committee shall also be from amongst the SCs, the STs, the OBCs, minorities		
	and women		
	✓ The term of office for Lokpal Chairman and Members is 5 years or till attaining age of 70 years		
	✓ The salary, allowances and other conditions of service of:		
	 Chairperson is equivalent to Chief Justice of India 		
	 Members' is equivalent to Judge of Supreme Court 		
Term & tenure	✓ Not eligible for reappointment and cannot hold any constitutional posts/offices under the government		
	✓ Not eligible for any diplomatic assignment, appointment as administrator of a UT and for further employment to any		
	other office of profit under the government		
	✓ Members cannot contest presidential, vice-presidential, state or central legislature or Panchayat elections for a		
	period of five years post ceasing to hold office.		
Removal	✓ The President can make a reference to the Supreme Court either on his own or if 100 MPs sign a petition seeking the		
	removal of the chairperson or any of the members.		
	✓ If the Court, after an inquiry, finds the charges to be true, she/he could be removed by President		
	✓ Preliminary enquiry: three months, extendable by three months		
Deadlines	✓ Investigation: six months, which may be extended by six months at a time		
	✓ Trial: one year extendable by one year and to achieve this, special courts to be set up		



Other features

- Jurisdiction of Lokpal includes the Prime Minister, Ministers, MPs and Groups A, B, C and D officers and officials of the Central Government
- ✓ All entities receiving foreign donations in the context of the Foreign Contribution Regulation Act (FCRA) in excess of ₹10 lakhs per year are brought under the jurisdiction of Lokpal
- ✓ Have the power of superintendence and direction over any investigating agency, including the CBI
- ✓ **Cannot** *suo motu* **proceed** against any public servant

Lokayukta:

- ✓ **Lokpal and Lokayuktas Act, 2013** states that every state shall establish a Lokayukta by **a law made by the State Legislature**
- ✓ Lokayukta and upalokayukta are appointed by the **governor of the state**
- ✓ The Lokayukta's composition, tenure and powers vary from state to state





	Central Bureau of Inv	estigation (CBI)		
Creation	Derives its powers from the Delhi Special Police Establishment Act, 1946 >> not a statutory body			
Стецион				tutory body
	✓ Headed by a Director, assisted by a special director or an additional director			
	✓ CBI has seven divisions :			
Composition	1. Anti-Corruption Division	2. Special Crimes Division	3. Administration Division	4. Directorate of Prosecution (for conducting the
	5. Economic Offences	6. Central Forensic Science	7. Policy & Coordination	prosecution of cases under
	Division	Laboratory	Division	the Lokpal and Lokayuktas
				Act, 2013)
		t shall appoint the Director on the	e recommendation of a committe	ee consisting of:
	 Prime Minister as Chairperson 			
Selection	 Leader of Opposition in the Lok Sabha 			
Beleetion	Chief Justice of India or Judge of the Supreme Court nominated by him			
	✓ If there is no recognized opposition leader in the Lok Sabha, then the leader of the single largest opposition party in the Lok Sabha would be a member of that committee.			
Tenure	✓ Director of CBI has been provided security of two-year tenure in office by the CVC Act, 2003			
	✓ Investigates crime of corruption, economic offences and serious and organized crime other than terrorism			
	✓ Provides assistance to the Central Vigilance Commission and Lokpal			
Functions	✓ Takes up investigation of conventional crimes like murder on reference from the state governments or when directed			
	by the Supreme Court/High Courts.			
	✓ Acts as the "National Central Bureau" of Interpol in India			
	National Investigation	n Agency		
Creation	✓ Under the National Investigation Agency (NIA) Act, 2008			
Composition	✓ Headed by a Director-General, appointed by the central government			
Features	✓ Empowered to probe terror attacks and offences related to human trafficking, counterfeit currency, manufacture or sale			
	of prohibited arms, cyber-terrorism and explosive substances			
	✓ Works under the administrative control of the Ministry of Home Affairs			



	National Disaster Management Authority (NDMA)	
Creation	✓ Under the provisions of Disaster Management Act, 2005	
	✓ A chairperson and other members, not exceeding nine	
Composition	✓ Prime Minister is the ex-officio chairperson	
	✓ The chairperson of the NDMA designates one of the members as the vice-chairperson	
Selection	✓ Members are nominated by the chairperson	
Privileges	✓ The vice chairperson has the status of a cabinet minister	
	✓ Members have the status of a Minister of State	
Functions	✓ Works under the administrative control of the Union Ministry of Home Affairs	

State Disaster Management Authority: Composition

- ✓ Consists chairperson and other members, not exceeding nine
- ✓ The **Chief Minister** is the ex-officio chairperson
- ✓ Chairperson of the State Executive Committee is the ex-officio member and acts as the ex-officio CEO

District Disaster Management Authority: Composition

- ✓ consists of a chairperson and other members, not exceeding seven
- ✓ The **Collector** of the district is the ex-officio chairperson
- ✓ The CEO of the DDMA is appointed by the state government.
- ✓ Co-chairperson:
 - o The elected representative of the local authority is the ex officio co-chairperson
 - o In case of Tribal Areas, the chief executive member of the district council of autonomous district is the ex-officio co-chairperson
 - o In case of a district where Zilla Parishad exists, the chairperson of that Zilla Parishad is the co-chairperson of the DDMA.
- ✓ The CEO of the DDMA, the superintendent of police and the chief medical officer of the district are ex-officio members
- ✓ Not more than two other district level officers are appointed by the state government as the members of the DDMA.



	NITI Aayog		
Creation	 ✓ Established in 2015 as the successor to the planning commission ✓ Created by an executive resolution of the Government >> neither a constitutional nor a statutory body 		
Composition	 ✓ Chairperson: The Prime Minister of India ✓ Governing Council: Chief Ministers of all the States Chief Ministers of UTs with Legislatures Lt. Governors of other Union Territories ✓ Special Invitees: Experts, specialists and practitioners with relevant domain knowledge ✓ Full-time organizational framework: Prime Minister as the Chairperson Vice-Chairperson: To be appointed by the Prime Minister Full-time members Part-time members: Max. of 2 from leading universities, research organizations and other relevant institutions in an ex-officio capacity. Part time members will be on a rotational basis. Ex Officio members: Max. of 4 members of the Union Council of Ministers to be nominated by the PM Chief Executive Officer: To be appointed by the PM for a fixed tenure, in the rank of Secretary to the Government of India Secretariat as deemed necessary 		
Guiding principles	 Antyodaya People's participation Inclusion Village Demographic dividend Sustainability 		
Functions	 Design policy and programme framework Foster co-operative federalism Monitoring and evaluation Think-tank, and Knowledge and Innovation Hub 		
Specialised wings	 ✓ Research wing ✓ Consultancy wing ✓ Team India wing ✓ Makes resemmendations to the Control and State Covernments 		
Misc.	✓ Makes recommendations to the Central and State Governments		