

UNIT 30 – UPSC - Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies

Under the Constitution, the President has power to make numerous constitutional appointments. But in reality he exercises this power on the proposal of the Cabinet. Cabinet decides who is to be appointed and at what place. The President appoints Governor of States, ambassadors and members of a number of Commissions. The unseen finger behind all these appointments is, however, of the Cabinet Generally speaking, the Prime Minister discusses with his other colleagues before the making of such appointments. Actually, Cabinet accepts the appointments made by the Prime Minister. The Constitutional Bodies in India are created by the Constitution which assists the Government to operate properly. Each of these permanent or semi-permanent organizations is accountable for the administration of specific functions. Some additional bodies help them by providing advisory functions.



Constitutional Bodies in India are the permanent or semi-permanent organization within the machinery of government. These bodies are responsible for the administration of specific functions. The functions of these bodies are usually executive type. Furthermore, different types of organization or commissions are used for advisory functions. The bodies are of national importance and help in the effective function of the government. India is a Socialist, Secular, Democratic Republic country. These constitutional or independent bodies have extensive administrative functions. The head of these bodies are either appointed by the president of India or the Prime Minister serves as the chairman.

Appointments to various constitutional posts:

The Constitution of India specifies the setting up of following major constitutional bodies and has given appointment to various constitutional posts.

The major constitutional bodies in India are as under:

- Union Public Service Commission (UPSC)
- State Public Service Commission
- Joint State Public Service Commission
- The Comptroller and Auditor General of India
- Election Commission of India
- Finance Commission of India
- National Commission for Scheduled Castes (NCSC)
- National Commission For Scheduled Tribe
- Staff Selection Commission (SSC)
- Central Vigilance Commission (CVC)

A Constitutional body is formed under detailed instructions given in the Constitution. It is compulsory for the government to set up such a body and it cannot dispense off with it easily when it becomes uncomfortable. Such bodies or institutions are written into the Constitution of a nation and cannot be eliminated without amending that part of the Constitution which sometimes also requires consent of the states.

Constitutional Bodies (powers, functions and responsibilities):

Election Commission of India:

The Election Commission of India, abbreviated as ECI is a constitutional body responsible for administering elections in India according to the rules and regulations mentioned in the Constitution of India. It was established on January 25, 1950. Major aim of election commission of India is to define and control the process for elections conducted at various levels, Parliament, State Legislatures, and the offices of the President and Vice President of India. It can be said that the Election Commission of India ensures smooth and successful operation of the democracy.

The Constitution of India has vested in the Election Commission of India according to the article 324 of Indian constitution the superintendence, direction and control of the entire process for conduct of elections to Parliament and Legislature (state legislative assembly & state legislative council) of every State and to the offices of President and Vice-President of India.

Initially, the commission had only a Chief Election Commissioner. Presently, it consists of a Chief Election Commissioner and two Election Commissioners. For the first time, two additional Commissioners were appointed on 16th October 1989 but they had a very short term till 1st January 1990. Afterwards, on 1st October 1993 two additional Election Commissioners were appointed. The concept of multi-member Commission has been in operation since then, with decision making power by majority vote.

Appointment & Tenure of Commissioners:

1. The President has power to select Chief Election Commissioner and Election Commissioners.
2. They have tenure of six years, or up to the age of 65 years, whichever is earlier.

3. They have the same status and receive pay and perks as available to Judges of the Supreme Court of India.
4. The Chief Election Commissioner can be removed from office only through accusation by Parliament.

Advisory Jurisdiction & Quasi-Judicial Functions:

1. Under the Constitution, the Commission also has advisory jurisdiction in the matter of post-election ineligibility of sitting members of Parliament and State Legislatures. Additionally, the cases of persons found guilty of dishonest practices at elections which come before the Supreme Court and High Courts are also referred to the Commission for its opinion on the question as to whether such person shall be disqualified and, if so, for what period. The judgment of the Commission in all such matters is binding on the President or, as the case may be, the Governor to whom such opinion is tendered.
2. The Commission has the power to prohibit a candidate who has failed to lodge an account of his election expenses within the time and in the manner set by law.
3. The Commission has also the power to remove or reducing the period of such disqualification as also other disqualification under the law.

Administrative Powers:

1. To decide the territorial areas of the electoral constituencies throughout the country on the basis of the Delimitation Commission Act of Parliament.
2. To organize and periodically amend electoral rolls and to register all qualified voters.
3. To inform the dates & schedules of election and to scrutinize the nominations papers.
4. To grant recognition to political parties & allot election symbols to them.
5. To act as court for settling disputes related to granting of recognition to political parties and allotment of election symbol to them.

Role of Election Commission of India:

Election commission plays vital role in organizing elections. The most critical challenge before the Election Commission of India is to implement norms and the Model Code of Conduct to ensure free and fair elections in the country. Its existence and independence are necessitated by history, which has revealed that self-governing elections are not free from disruption. Towards this end, it has been empowered to supervise political parties and candidates and take appropriate action in case of violations.

Functions and Powers:

Key functions of the Election Commission of India are as under:

- The Election Commission of India is considered the guardian of free and reasonable elections.
- It issues the Model Code of Conduct in every election for political parties and candidates so that the decorum of democracy is maintained.
- It regulates political parties and registers them for being eligible to contest elections.

- It publishes the allowed limits of campaign expenditure per candidate to all the political parties, and also monitors the same.
- The political parties must submit their annual reports to the ECI for getting tax benefit on contributions.
- It guarantees that all the political parties regularly submit their audited financial reports.

Other powers handled by the Election Commission of India are as follows:

- The Commission can repress the results of opinion polls if it deems such an action fit for the cause of democracy.
- The Commission can recommend for disqualification of members after the elections if it thinks they have violated certain guidelines.
- In case, a candidate is found guilty of dishonest practices during the elections, the Supreme Court and High Courts consult the Commission.
- The Commission can postpone candidates who fail to submit their election expense accounts timely.

The main duties of the Election Commission are:

1. To supervise, direct, control and conduct all elections to Parliament and State Legislatures as also to the office of the President and Vice- President of India.
2. To set down general rules for election.
3. To determine constituencies and to prepare electoral rolls.
4. To give credit to political parties.
5. To allot election symbols to different political parties and individual contestants.
6. To appoint tribunals for the decision of doubts and disputes arising out of or in connection with election to parliament and State Legislatures.

Union Public Service Commission (UPSC):

The UPSC is a central agency that has great responsibility for conducting examinations pertaining to Civil Services, Engineering Services, Defence Services, and Medical Services. It also conducts Economic Service, Statistical Service, and Police Forces examination. The Union Public Service Commission of India was formed by the British Government during the British rule. In 1924, Lee Commission had suggested in its report for the establishment of an independent and impartial Public Service Commission for India and on the basis of such recommendation, the Union Public Service Commission was established in 1926. Consequently by the government of India Act 1935, Public Service Commission was established separately for both the central and the state government services. After independence, arrangements were made to establish an independent and neutral Union Public Service Commission for the said purpose following the pattern adopted in the Government of India Act 1935.

Article 315 to 323 of Indian Constitution has a provision for such an agency. According to Act 315 of the constitution of India, there shall be a permanent Union Public Service Commission for appointment to the various posts of the central government services. Similarly, as Act 318 of the constitution of India also stated that the Union Public Service Commission will be constituted with a chairman and a fixed number of members; the number of such members and the terms and

conditions of their service are to be determined by the President of India. The President, as such, appoints the Chairman and other members of the commission for a period of six years.

The Commission consists of a Chairman and ten other members. They are appreciative to follow the rules mentioned in Union Public Service Commission (Members) Regulations, 1969. All the members of the commission are appointed by the President of India with at least half of the members being the Civil Servants (working or retired) with no less than ten years of experience in Central or State service.

The constitution of India has also espoused certain measures to guarantee the neutrality and fairness of the U.P.S.C. The Chairman of the Union Public Service Commission has not been authorized to take any office of profit under the central or any of the state governments after his retirement from service as chairman. Furthermore, before the expiry of their term of service, the executive cannot remove the Chairman or any of the members of the commission from their service. They can be removed only through the means stipulated in the constitution. Apart from this, once these members are appointed the terms and conditions of their services cannot be changed. Art. 322 announces that the remuneration and allowances of these members including the chairman will be considered as expenditure charged upon the consolidated fund of India, which means that their salaries and allowances are not subjected to the approval of the Parliament.

The Secretariat of UPSC is led by a Secretary, two additional secretaries, joint secretaries, and deputy secretaries. Every member can hold office for six years or till the time he attains the age of 65 years, whichever is earlier. A member can submit his resignation at any time to the President of India. On the other side, the President can eliminate him on the basis of misbehaviour. The UPSC submits a report of its work to the President annually. The report is then tabled in both houses of Parliament for discussion. The President places a memorandum in relation to the cases where the commission's recommendations were not accepted. The memorandum elucidates the reasons for non-acceptance.

Functions of Union Public Service Commission:

The duty of the Union Public Service Commission will be to conduct examinations for appointment to the services of the Union. Art. 320 of the constitution of India have categorically itemised the functions of the Union Public Service Commission (Tummala, 1994).

- Foremost function of Union Public Service Commission is to advocate for appointment in administrative services the meritorious and potential young men and women after selecting them through All India competitive examinations.
- Another function of U.P.S.C. is to assist them in framing and operating schemes of joint recruitment for any service for which candidates possessing special qualification.
- Union Public Service Commission advises the President on "all matters relating to methods of recruitment to civil services and for civil posts.
- Principles to be followed in making appointments to civil services and posts and in making promotions and transfers from the service to another and on the suitability of candidates for such appointments promotions or transfer.

- Next function is to look at all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a civil capacity, including memorials or petitions relating to such matter.

Other function of union public service commissions are as under:

- To conduct examinations for appointment to the services of the Union and conduct interviews for direct recruitment.

- To advise on any matter referred to them and on any matter which the president may refer to the appropriate commission;

- To exercise such additional functions as may be provided for by an Act of Parliament regarding the services of the Union and also with respect to the services of any local authority constituted by law.

- It shall be the duty of the Union Public Service Commission if requested by any two or more states, to assist those States in framing and operating schemes of joint recruitment for any service.

It is generally compulsory for the Government of India to consult the Union public Service Commission in respect of all the above matters. Nevertheless, the President has the power to make rules, specifying the matters in which, either generally or in particular circumstances the commission may not be consulted. Under the Union Public Service Commission (exemption from consultation) regulations framed by the President in 1958, it is not obligatory for the President to consult the U.P.S.C. in the following cases.

Posts in respect of which the authority of appointment, has specifically been conferred by the constitution in the President, Chairman of members of any Board, Tribunal Commission, Committee or any other similar authority, created under a statute or under the authority of a resolution of either Houses of the Parliament or by a resolution of the government of India for conducting an enquiry into any matter or advising the government of specified matters.

Posts concerned with the administration of North-East Frontier Agency and any service or post in respect of which the commission has agreed that it is not necessary for it to be consulted. The temporary and officiating appointments can also be made without consulting the U.P.S.C. provided the incumbent is not likely to hold the post for more than a year. But intimation has to be sent to the commission regarding such appointment as soon as the posts are filled. Similarly there is no need to make any reference to the commission regarding the reservation of posts in favour of backward classes, Scheduled Castes, Schedule Tribes.

Powers of Union Public Service Commission (U.P.S.C):

Main power of Union Public Service Commission is its advisory power. It can give advises to the President and the governors of any State of the following affairs.

1. On all matters related with the appointment of the civil services of the governments.
2. The evaluation of the standard and efficiencies of the candidates for appointment, promotion or transfer in all civil posts.
3. On all matters regarding the discipline and punctuality of the employees of all India Services.

4. Affairs associated with the demands and benefits of employees working under the All India Civil Services and injured while on duty.
5. Whether the payment or expenditure for any work of an employee of All India Civil Services will be borne by the consolidated fund of India.
6. Regarding discipline and promptness in government functions of paying compensation to a government employee if he suffers any problem or financial loss due to the negligence on the part of the government, matters related with the punishment measures of those employees who have violated discipline or of all matters related with the interest of the government employees working under the central government.

The constitution of India has made the Public Service Commission a simple advisory institution which is required to give advises to the subject sent to it by the President of India or by the Governors of the States. But to accept or refuse advises is the absolute discretion of the respective governments. This is because India has adopted a responsible self-governing government where in the council of ministers cannot delegate its responsibilities to their employees to any other organization. Though at the same time, it should not neglect advises made by a commission consisting of experienced and expert persons. In brief, The UPSC is the central recruitment agency in India. It is a sovereign constitutional body being directly created by the Constitution of India.

Staff Selection Commission (SSC):

The Staff Selection Commission is also significant constitutional body, which is responsible for recruiting staff for different ministries and departments of the government. Staff Selection Commission is considered as an attached office of the Department of Personnel and Training (DoPT) which comprises of Chairman, two Members along with a Secretary-cum-Controller of Examinations.

In the period of 1967-68, a Service Selection Commission was made by the Estimates Committee of the Parliament. The rationale for establishing this commission was to have a central agency for conducting examinations for recruiting staff to lower categories of posts. In 1975, Subordinate Services Commission was established for this purpose. Two years later in 1977, the agency was renamed as Staff Selection Commission. Its functions were redefined in 1999.

The main purpose of SSC is to conduct examinations and/or interviews for recruiting staff in Group B, C, and D posts for various ministries and departments of the government and their subordinate offices. Headquarter of the Staff Selection Commission is in New Delhi. It has seven regional offices at Allahabad, Bangalore, Chennai, Delhi, Guwahati, Kolkata, and Mumbai. Its two Sub-Regional Offices are located at Chandigarh and Raipur.

Functions of Staff Selection Commission:

Staff Selection Commission is responsible for recruitment of manpower in the Group B and non-technical Group C posts at various ministries and departments of the Government of India. It conducts recruitment in these groups for the subordinate offices as well.

The staffing of candidates is done through written examinations and personal interview rounds conducted by the Staff Selection Commission. It conducts the written examination at the various examination centres online or offline across the country. It also looks after the posting of the candidates so that they can be given their job to begin from their home state or region. It also

takes into account the complaints and grievances registered by the candidates during the recruitment process and works on to better them in future.

It conducts written examination on a national scale for various posts such as Lower Division Clerks, Stenographers, Assistants, Inspectors of Central Excise, Income Tax officer, Sub Inspector in CBI, Divisional Accountants, Auditors, Accountants, Junior Engineer in CPWD, Statistical Investigators, Tax Assistants, Section Officer etc. for various ministries and departments of the Government of India.

It also conducts examination for different education levels. The purpose to conduct such exam is to make it possible for people of every educational background candidates to take part in such aspiring government jobs. The candidates having passed their secondary, senior secondary and Graduation Degrees can apply for the different examinations and posts in which the SSC recruits its manpower.

The Staff Selection Commission also conducts departmental examination for the promotion of the candidates placed in various departments at entry level posts. The commission is accountable for the overall promotion in the departments in which it recruits for the Government of India.

Staff Selection Commission is also responsible for offering ample information and suggestions to the different government offices concerned, regarding need of manpower in the concerned departments. It also advises the various departments regarding the probable number of requirement of candidates and their required educational qualification for the posts concerned.

Staff Selection commission also chooses and prepares the questions of the various written examinations it conducts throughout the nation and evaluates the papers given by the aspiring candidates making the list of selected candidates for the concerned posts.

Staff Selection commission is responsible to perform tasks and functions other than these from time to time, as pointed out by the Central Government.

In brief, Staff Selection Commission has long been the power to recruit various offices and department of Government of India and its subordinated offices. These recruitments are done in a smooth manner on a national basis involving huge number of candidates every year, who are willing to join the government services. These aspiring candidates are selected through written examination, skill test/practical test and personal interview rounds conducted by SSC at various levels throughout the year periodically for various posts.

National Human Rights Commission of India:

National Human Rights Commission (NHRC) is a public body constituted for benefiting the citizens of the country. It plays vital roles since its establishment on October 12, 1993. Human Rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the constitution or embodied in the International covenants and enforceable by courts in India. This Commission was established after the thorough assessment of needs for such bodies to address the human rights related issues and by keeping in consideration the ways and measures to apply for their protection.

The Central Government of India setup the National Human Rights Commission of India in the year 1993 under the Protection of Human Rights Ordinance which was made effective the same year itself. Protection of Human Rights Act, 1993 (TPHRA) gave this Commission a status of a complete statutory basis to act as a Commission for the fruitful outcome.

National Human Rights Commission has already become an outstanding human rights institution with its national reputation and by performing the main roles to guard rights. It is one of the important responsible groups through creating total awareness and to promote the rights which have been given the key importance in the Act.

Composition of National Human Rights Commission of India:

National Human Rights Commission is an independent body works broadly and consists of highly knowledgeable team to work in the areas of human rights. The composition of this Commission is the head or chairperson being selected from the judiciary so any Supreme Court Chief Justice to lead the team members. Two members are selected from the judiciary out of whom one should be a sitting or former Supreme Court Judge and the other any High Court's Chief Justice respectively.

They are the key members besides rest two members whose appointments base on their knowledge level on both practical and theoretical grounds who could give new direction to human rights issues. Ex office members of NHRC are the chairpersons of four National Commissions to complete this Commission as a national body.

President appoints chairperson and the members of National Human Rights Commission for which a committee nominates the names. This committee consists of chairperson, the Prime Minister and the members including Home Minister, Leader of the Opposition in Lok Sabha, Leader of the Opposition in Rajya Sabha, Speaker and the Rajya Sabha Deputy Chairman.

Major issues tackled by NHRC are as follows:

- Custodial Torture
- Right to Work and Labour Rights
- Extrajudicial Killings
- Arbitrary Arrest and Detention
- Excessive Powers of the Armed Forces and the Police
- Sexual Violence
- Conflict Induced Internal Displacement
- Child Labour
- Manual Scavenging
- Violence and discrimination against Women, Children
- Lesbian, Gay, Bisexual, Transgender Rights
- Problems faced by Scheduled Castes and Scheduled Tribes, Religious Minorities, Persons with Disabilities

Role of NHRC in safeguarding human rights:

Since its development, the NHRC has extensively dealt with issues relating to application of human rights. NHRC has established its reputation for independence and honesty. There is increasing number of complaints addressed to the Commission seeking redressal of grievances. The NHRC has pursued its mandate and priorities with determination and considerable success.

Some of the famous interventions of NHRC include campaigns against discrimination of HIV patients. It also has asked all State Governments to report the cases of custodial deaths or rapes within 24 hours of occurrence failing which it would be assumed that there was an attempt to suppress the incident. An important intervention of the Commission was related to Nithari Village in Noida, UP, where children were sexually abused and murdered. Recently, NHRC helped to bring out in open a multi crore pension scam in Haryana. It also is looking up the sterilization tragedy of Chattisgarh.

Major Functions of NHRC are as follows:

- Proactively or reactively inquire into infringements of human rights or negligence in the prevention of such violation by a public servant.
- By leave of the court, to intervene in court proceeding relating to human rights.
- To visit any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates and make recommendations.
- Review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation.
- Review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial measures.
- To study treaties and other international instruments on human rights and make recommendations for their effective implementation.
- Undertake and promote research in the field of human rights.
- Engage in human rights education among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means.
- Support the efforts of NGOs and institutions working in the field of human rights.

It is revealed in reports that the international community has acknowledged the increasing importance of strengthening national human rights institutions. In this context, in the year 1991 an UN-sponsored meeting of representatives of national institutions held in Paris, a detailed set of principles on the status of national institutions was developed, these are commonly known as the Paris Principles. These principles became the foundation for the establishment and operation of national human rights institutions.

Planning Commission India:

Planning Commission of India is considered as an important institution in India's governance system. It has major role in country's economic planning for the overall growth.

Central Government had formed Planning Commission in India as central body to work comprehensively with the consecutive term of five years as country's Five-Year Plans for economic and social sustenance cum governance. A historic jump was by the freedom fighter, Netaji Subhas Chandra Bose in 1938 while he brought an idea of such economic planning which was aimed at

country's independent authority. The first idea came when he was Congress president and insisted for its development.

A Planning Commission had already been established by the British government before India's independence that was for a short tenure from 1944 to 1946. After independence, its democratic setup involved industrialists as well as economists to work independently and form development plans. It enhanced country's economic planning.

First and Subsequent Planning Commissions (India):

India espoused formal model of planning by constituting its 1st Planning Commission after independence on March 15, 1950. This Commission team was authorized to report to Prime Minister directly as first Prime Minister, Pundit Jawaharlal Nehru was its chairman and rest members were supposed to work in synchronization with Deputy Chairman of this Commission.

Main purpose to constitute 1st Five-year Plan and its launch in 1951 was to assure country's agricultural sector getting more support for timely growth and the complete development. Two more plans were made as succeeding Planning Commissions until 1965 but a break came thereafter due to neighbourhood conflicts between India and Pakistan during that period.

Other issues hindered development of Planning Commission for two more years when country faced drought condition and currency devaluation issues correspondingly. These two issues caused rise in general prices. The 3rd Planning Commission was established from 1966 to 1969 and then things normalized with the setup of 4th Five-year plan starting from 1969.

Since then Five-yearly Planning Commission continued until disruption in the setting up of 8th Plan in 1990 which did not devise due to country's political volatility. Two years from 1990-91 to 1991-92 were considered for annual plans until setting up of 8th Plan in 1992.

Functions of the Indian Planning Commission:

- To make an evaluation of the material, capital and human resources of the country, including technical employees, and investigate the possibilities of augmenting those are related resources which are found to be deficient in relation to the nation's requirement.
- To devise a plan for the most effective and balanced utilisation of country's resources.
- To define the stages, on the basis of priority, in which the plan should be implemented and propose the allocation of resources for the due completion of each stage.
- To specify the factors that tends to retard economic development.
- To determine the conditions which need to be established for the triumphant execution of the plan within the incumbent socio-political situation of the country.
- To determine the nature of the mechanism required for securing the successful implementation of each stage of the plan in all its aspects.
- To evaluate from time to time the improvement achieved in the implementation of each stage of the plan and also recommend the adjustments of policy and measures which are deemed important for successful implementation of the plan.

- To make required recommendations from time to time regarding those things which are deemed necessary for facilitating the execution of these functions. Such recommendations can be related to the current economic conditions, current policies, measures or development programmes.

In 2014, Prime Minister Narendra Modi announced his objective to dissolve the Planning Commission. It has since been replaced by a new institution named NITI Aayog. NITI Aayog is a Government of India policy think-tank.

The assured aim for NITI Aayog's formation is to promote involvement and participation in the economic policy-making process by the State Governments of India. It has adopted a "bottom-up" approach in planning which is a noteworthy contrast to the Planning Commission's tradition of "top-down" decision-making. One of the important directives of NITI Aayog is to bring cooperative competitive federalism and to improve centre state relation.

Composition of Niti Aayog:

The NITI Aayog comprises the following:

Prime Minister of India as the Chairperson, Governing Council comprising the Chief Ministers of all the States and Lt. Governors of Union Territories.

Regional Councils formed to address specific issues and contingencies impacting more than one state or a region. These will be formed for a specified tenure. The Regional Councils will be convened by the Prime Minister and will comprise of the Chief Ministers of States and Lt. Governors of Union Territories in the region. These will be chaired by the Chairperson of the NITI Aayog or his nominee.

Experts, specialists and practitioners with relevant domain knowledge as special invitees nominated by the Prime Minister.

The full-time organizational framework will comprise of, in addition to the Prime Minister as the Chairperson.

Major objectives of The NITI Aayog:

- To evolve a shared vision of national development priorities, sectors and strategies with the active involvement of States in the light of national objectives. The vision of the NITI Aayog will then provide a framework 'national agenda' for the Prime Minister and the Chief Ministers to provide impetus to.

- To promote cooperative federalism through structured support initiatives and mechanisms with the States on a continuous basis, recognizing that strong States make a strong nation.

- To develop mechanisms to formulate credible plans at the village level and aggregate these progressively at higher levels of government.

- To ensure, on areas that are specifically referred to it, that the interests of national security are incorporated in economic strategy and policy.

- To pay special attention to the sections of our society that may be at risk of not benefitting adequately from economic progress.

- To design strategic and long term policy and programme frameworks and initiatives, and monitor their progress and their efficacy. The lessons learnt through monitoring and feedback will be used for making innovative improvements, including necessary mid-course corrections.
- To provide advice and support partnerships between key stakeholders and national and international like-minded Think Tanks, as well as educational and policy research institutions.
- To create a knowledge, innovation and entrepreneurial support system through a collaborative community of national and international experts, practitioners and other partners.
- To offer a platform for resolution of inter-sectorial and inter-departmental issues in order to accelerate the implementation of the development agenda.
- To maintain a state-of-the-art Resource Centre, be a repository of research on good governance and best practices in sustainable and equitable development as well as help their dissemination to stake-holders.
- To actively monitor and evaluate the implementation of programmes and initiatives, including the identification of the needed resources so as to strengthen the probability of success and scope of delivery.
- To focus on technology up-gradation and capacity building for implementation of programmes and initiatives.
- To undertake other activities as may be necessary in order to further the execution of the national development agenda, and the objectives mentioned above.

Planning Commission was an advisory body, and so is Niti Ayog. Main difference between Planning commission and Niti aayog is that while the former had powers to allocate funds to ministries and states, this function will be now of finance ministry. The role of states in the planning commission era was restricted. The states yearly needed to interact with the planning commission to get their annual plan approved. They had some limited function in the National Development Council. Since Niti Ayog has all chief ministers of states and administrators of UT in its Governing Council, it is obvious that states are expected to have greater role and say in planning/ implementation of policies.

National Commission for Women:

National Commission for Women is also one of the significant statutory bodies established by the Government of India. It was established in 1992 under the provisions of the National Commission for Women Act, 1990. The Central Government took the initiative to establish this Commission by keeping in view the provisions of India's constitution to strengthen the women in country through addressing plights, suppressions and other types of violence they use to face. National Commission for Women also takes the initiatives for overall development of women community in whole country.

Main aim of National Commission for Women is to raise the concern for the women and to represent itself for their rights. This Commission takes into account the issues and concerns of women community and advises for the authentic solution of all the problems they face. This Commission takes into consideration many common issues associated with women and their repression from dowry to religious or political factors and most importantly their equal representation in job market and other exploitations.

Working of National Commission for Women:

National Commission for Women became statutory body and kept taking many steps for the protection of women. It also makes a point to work under the National Commission for Women Act, 1990 which is the key guideline for this Commission to suggest and explore initiatives meant for women and their overall growth.

Composition of National Commission for Women: It was constituted under Mrs. Jayanti Patnaik's chairpersonship. Dr. (Mrs.) Mohini Giri was appointed chairperson of the Second NCW on July 1995. While constituting the Third NCW, the government appointed Mrs. Vibha Parthasarathy as its new chairperson on January 1999. The successive NCW's are as follows;

4th NCW constituted on January 2002 with Chairperson Dr. Poornima Advani. 5th NCW constituted on February 2005 with chairperson Dr. Girija Vyas.

Functions of National Commission for Women:

- Work as the coordinating agency to receive and process all the complaints related to Indian Women deserted by their Overseas Indian husbands.
- Shall render all possible assistance to the complaints including conciliation, mediation between the parties and advising the complainant on related issues.
- Associating, networking with NGOs, community organizations in India and overseas and State women Commissions for wider area coverage, so as to assist easy access and provide support services.
- Shall endeavour towards a coordinated response amongst various Government agencies/organizations such as State Governments, The National Human Rights Commission, Indian Embassies and Mission, concerned Ministries etc.
- Provide assistance to the distressed woman in litigation and other issues pertaining to the complainant/case.
- Shall maintain a data bank record of cases registered.
- Seek reports from the State Government and other authorities on the complaints filed and action taken thereon.
- Shall advice and recommend the government on any policy or issue relating to the NRI marriages.
- Investigate various legal treaties on the issue and advice the Government on the subject, wherever required.
- Shall constitute an advisory committee panel of reputed advocates/NGOs, both in India as well as abroad, which shall intermittently review the functioning of the cell, cases filed and policy issues.
- Shall constitute a panel of experts (All India) to support the aggrieved wife and rendering legal services and other assistance, including mediation and conciliation
- Planning of training modules and conducting training on sensitisation on the subject to the various agencies entrusted with the task of providing justice, vig. Judiciary, police, administration, etc.

- Shall organize awareness campaigns for the masses on the issue.
- This commission has responsibility to encourage /support research and study in the related field like issues of grievances associated with dual citizenship, enactment of new legislation or signing of international treaties, marriage laws of other countries, etc.
- NCW must look into complaints and take suo-moto notice on any issue brought to the notice of the NRI Cell in accordance with Section 10 (1)(f) of the National Commission for Women Act , 1990 read with sub-section 4 of Section 10 and Section 8 of the Act.
- The cell shall control its own procedures in accordance with the National Commission for Women Act 1990.
- NCW must perform any other function as assigned to it by the Commission/Central Government.

Central Vigilance Commission (CVC):

Central Vigilance Commission, abbreviated as CVC is a top government body, established in 1964 with the aim of addressing corrupt practices within the government. The Central Vigilance Commission (CVC) works in coordination with the government authorities for the betterment of the system. The main purpose for which this important body had been established was to ensure all sorts of corruptions in government sector could be well prevented and addressed minutely.

It is an autonomous body, responsible for monitoring all vigilance activities under the union government. Its major role is to recommend government agencies in “planning, executing, reviewing and reforming” their vigilance capability.

Central Government of India formed CVC in the year 1964 as an important body that could take into account the measures and steps to prevent all the corruptions especially the governmental ones for a better system and governance. It has been working as a statutory body and plays crucial role in this regard. It has already addressed lots of such issues through the steps taken ever since its formation. CVC has been given several power including its status to work independently as a major sovereign body which remains free from any type of control from the authorities.

CVC came into existence after the reports submitted by Committee on Prevention of Corruption whose chairperson Mr. K. Santhanam had suggested for the formation of this Commission. Mr. Nittoor Srinivasa Rau was appointed as first Chief Vigilance Commissioner of India.

It must be informed that Central Vigilance Commission is not an investigating agency. It operates in coalition with the CBI or the Departmental Chief Vigilance Officers. The only search that Central Vigilance Commission conducts is that of investigating Civil Works of the government, which is done through the Chief Technical Officer. Before Central Vigilance Commission can take up investigations into corruption cases against government officials, it has to be approved by the government. The Central Vigilance Commission also publishes list of corrupt officials and recommends punitive action against them.

The President of India appoints the Central Vigilance Commissioner and the Vigilance Commissioners on the recommendation of the Prime Minister, Home Minister and the leader of the opposition in the Lok Sabha. It clearly indicates that the appointments to CVC are indirectly under the government’s control. CVC is often considered a powerless agency as it is treated as an advisory body only with no power to register criminal case against government officials or direct CBI to initiate inquiries against any officer of the level of Joint Secretary and above. Although CVC

is “relatively independent” in its functioning, it neither has the resources nor the power to take action on complaints of corruption.

Recently, news is flashed that Central Vigilance Commission will be given the power to report discrepancies or frauds in public sector banks. Moreover, the central vigilance officers (CVOs) are likely to get the authority to monitor and bring frauds to the notice of bank boards. Besides leveraging technology to prevent corruption, the CVC has taken new initiatives to improve the standard of vigilance work in the last few years.

Functions and powers of Central Vigilance Commission: Its main functions include technical audit of construction works of governmental organizations from a vigilance angle, investigation of specific cases of complaints relating to construction works and assisting CBI in its investigations involving technical matters.

Other functions of Central Vigilance Commission are:

- To exercise superintendence over the functioning of the Delhi Special Police Establishment (DSPE) with respect to investigation under the Prevention of Corruption Act, 1988; or offence under CRPC for certain categories of public servants and to give directions to the DSPE for purpose of discharging this responsibility.
- To review the progress of investigations conducted by the DSPE into offences alleged to have been committed under the PC Act.
- To undertake an inquiry or cause an inquiry or investigation to be made into any transaction in which a public servant working in any organisation, to which the executive control of the Government of India extends, is suspected or alleged to have acted for an improper purpose or in a corrupt manner.
- To tender independent and impartial advice to the disciplinary and other authorities in disciplinary cases, involving vigilance angle at different stages i.e. investigation, inquiry, appeal, review etc.
- To exercise a general check and supervision over vigilance and anti-corruption work in Ministries or Departments of the Govt. of India and other organisations to which the executive power of the Union extends.
- To chair the Committee for selection of Director (CBI), Director (Enforcement Directorate) and officers of the level of SP and above in DSPE.
- To undertake or cause an inquiry into complaints received under the Public Interest Disclosure and Protection of Informer and recommend appropriate action.

It can be said that Central Vigilance Commission is an apex Indian governmental body to address governmental corruption. It has the status of an autonomous body, free of control from any executive authority, charged with monitoring all vigilance activity under the Central Government of India. Central Vigilance Commission Act, 2003 also empowers the Commission to exercise superintendence over the functioning of the Delhi Special Police Establishment (DSPE) now called Central Bureau of Investigation (CBI). The Commission is also empowered to review the progress of investigations conducted by the CBI and the progress of applications pending with the competent authorities for grant of sanction for prosecution for offences alleged to have been committed under the Prevention of Corruption Act, 1988. The Commission also exercises

superintendence over the vigilance administration of the various organizations under the Central Government.

National Consumer Disputes Redressal Commission:

National Consumer Disputes Redressal Commission contributes a lot in the country's administrative reforms. This Commission has provided numerous guidelines and advises to government of India on the regular intervals for systematizing its functionalities that has made it one of the important bodies for the better and effectual governance in self-governing system.

In 1988, the Government of India established the quasi-judicial National Consumer Disputes Redressal Commission to modernize and improve the system of governance in the whole country. This Commission came into force under the Consumer Protection Act of 1986 whose mandates and rule for implementation needed a thorough assessment and strategy for implementation under a law.

Head office of National Consumer Disputes Redressal Commission is in Delhi and it has been mandated to assess all the issues which are of prime importance as far as redressal aspects are concerned. This Commission has been empowered with the autonomous power to tackle the issues through keeping in consideration the legal framework from observation to implementation of ideas to taking decisions that can prove highly result oriented for all types of consumer disputes.

National Consumer Disputes Redressal Commission submits its reports to the Central Government on regular intervals. As it is a complete research and analysis body, this Commission has already taken several initiatives which are of the paramount value for redressal purpose. A sitting or retired judge of the Supreme Court of India heads this Commission to offer the practical oriented reports to the government for implementation.

University Grants Commission India:

University Grants Commission (UGC) was established to augment educational system in India and especially to boost university system in the country for overall growth of higher education. This body has suggested several improvements in the university system and works extensively to bring the institutions of higher repute into order through constant reforms and by development initiatives.

Central Government established the autonomous statutory body, UGC in 1956 to restructure the university system in the country. This body has been given special powers to take important decisions from thorough coordination to taking steps for reforms in the education system. UGC takes the steps to determine and maintain university education standards for that its team involves in various stages of inspections in the universities besides providing total support to them.

Important role of UGC is to provide the timely recognition of Indian universities. This Body involves in the university system through funding them and the colleges which are recognized by the government. It operates from the headquarters in New Delhi besides Pune, Bhopal, Kolkata, Hyderabad, Guwahati and Bangalore based regional centres.

Formal inauguration of UGC was held by the then Education, Natural Resources & Scientific Research Minister, Maulana Abul Kalam Azad on December 28, 1953 but formal establishment of UGC was held in November 1956. It was constituted under an Act of the Parliament in the year 1956. It has been setup as a crucial body to work as statutory Government body for the reforms.

With its development, UGC had been mandated to work on various grounds to promote education system in the country for those recommendations were suggested before country's independence in 1945. The Commission has been given major roles to supervise the functioning of central and state level universities besides all the colleges working under the government.

It works with a Committee system and is entirely entrusted to look into the many affairs of the university education system of the country. It also suggests guidelines for the existing universities and plans for the formation of new ones after systematic research about the need and need fulfilment options. Unique features of UGC functioning is its distinct approach for giving grant to the universities.

Main responsibilities of UGC are as follows:

- Provide funds to the universities for their overall growth and development.
- Helping out the universities for better coordination & maintenance for the fullest of educational standardization as institutions of higher repute.
- Methodical promotion and best possible coordination for university education system in the country.
- Ensuring that the teaching, examination and research initiatives are well maintained as per the standards set.
- UGC must frames proper guideline to maintain education standard through keeping in view minimum standard level.
- Proper supervision of all sorts of developments in higher education in the universities and colleges and for that it offers them grants for support.
- This independent body works as an important link which coordinates between the Central and State governments as far as maintaining higher level learning institutes are concerned.
- Guidance and advisory role for the Central and State governments to take the initiative to improve the education system in the country.

National Commission on Farmers:

The National Commission on Farmers (NCF) has great significance since its inception. Its major aim is to benefit the farmer's community in this country. This Commission has played several active roles to guide Indian farmers to organize them for an additional productivity and output through applying the innovating farming options. Creation of National Commission on Farmers was a big leap on November 18, 2004 through which the Indian Government offered a right platform to all agriculturalists for the better accessibility in the farming sector. Many scholar such as Professor M.S Swaminathan was assigned to lead this Commission as its chairman. Commission was mandated to work as an observatory body which could suggest proper advices through keeping in consideration multiple priorities from the government's Common Minimum Program and for the opportunities for a concrete outcome of steps taken.

Composition of the National Commission on Farmers:

Once the National Commission on Farmers was formally recognized, Commission's body was composed for its functioning. It was designed with the following hierarchical arrangement.

1. Commission Chairman
2. Full-time Members of the Commission
3. Part-time Members of the Commission
4. Member Secretary of the Commission

The government mandated the National Commission on Farmers to perform its role as an autonomous body and to do the broad research on the issues which are related to the farmers and offer good solution of problems they were facing in entire country. Some of the important mandates are mentioned below.

- Plan an all-inclusive medium-term strategy to ensure that there is best food and nutrition security options for the farmers.
- Workout suggestions and advises for effective techniques that could ease the productivity enhancement through maximum profitability options and to make things stable.
- Steps to take for sustaining the major farming systems in the whole country.
- Taking steps which collaborate between technology and public policy for the better farming outcomes.
- The Commission to suggest perfect measures which attract and retain the well qualified youths in the farming sector.

Commission of Railway Safety:

Major aim to establish the Commission of Railway Safety was to ensure the aspects related to rail travel safety and its operation. This Commission works under the control of the Ministry of Civil Aviation, the Government of India which administrates its functioning and crosschecking developments. The Commission also looks at the specific constitutional functions that had been implemented through the Railways Act (1989). Nature of this Commission's functioning is carefully inspectorial, investigatory and advisory. Major factors on which this Commission concentrates include legislative investigation in case of rail accidents and the rules associated to them under the framing of Railways Act. Other factors like issuing executive instructions on regular intervals for which this Commission was set are also important.

Major duties of this Commission include that this Commission assures for confirming whether any new railway line opened and planned for operation maintains the safety standards as specified by the Ministry of Railways. The Commission must approve for operation of new line in terms of safety standard whether that is capable to carry passenger traffic or not. Other roles of the Commission are monitoring gauge conversion and crosschecking line doubling besides thorough assessment of the lines and existing line electrification. Commission also conducts inquiry into serious train accidents that might occur any time. It would recommend safety measures to make best possible Railways safety improvement.

The Government of India appointed a Commission after entrusting private companies especially by involving the Consulting Engineers to ensure effective control of the construction and operation of India's first railways project. All those Consulting Engineers involved in this project were designated as Government Inspectors on the later stage when the Central Government undertook construction and operation of railways. Their statutorily recognition was completed in the year

1883 in further extension process. The Railway Board placed the entire Railway Inspectorate under it in 1905 upon establishment.

The Railway Board was delegated with its powers and functions under the Indian Railway Board Act, 1905 post its establishment under the Notification No.801 that dated to March 24, 1905 issued by the Central Government's Department of Commerce and Industry. It was completed under several sections of the Railway Act with the powers and authorities to create various General Rules for effective railway operation. Since then, this Railway Board acts in the capacity of Safety Controlling Authority to operate and work for both Company managed and Government's railway operations.

The functions were clearly drawn under the Section 181(3) of the Government of India Act of 1935 to plan them so that safety and security are dealt in clearly in the interest of the public travelling through the railways. Other functions were proper operation of the railways by ensuring least accidents and most importantly it was assigned to it to hold all inquiries pertaining to the accidents if any and their major and minor causes. This authority was totally independent without any other pressure hence the Federal Railway Authority was formed for such purpose.

Central Legislature permitted the main process to separate Railway Inspectorate in 1940 with the recommendation of placing the Senior Government Inspectors of the Railways under an authority solely administered by the Central Government. It followed by all Railway Inspectorate being placed to be controlled and administered by the Department of "Posts and Air" for which May 1941 was the date fixed. It was approached for continuation by any of the Ministries to administer that would be under the Civil Aviation portfolio.

The Commission of Railway Safety is the redesigned form of the former Railway Inspectorate whose inception on 1.11.1961 was revolutionary step.

Functions of Railway Safety Commission:

1. Approval of safety
2. Auditing and monitoring safety
3. Enforcement of safety
4. Investigation

Law Commission of India:

Law Commission is an executive body that is intended to work for legal improvement. The members of the commission are mainly legal experts, who work as per the government's mandate. The Commission is established for a fixed tenure and works as an advisory body to the Law Ministry. The first Law Commission was established during the British regime in 1834. Before independence, India saw three more commissions being established. The first such commission in independent India was set up for a three-year term in 1955. Since then, 19 more Commissions have been established.

The Commission is supervised by a full-time Chairperson. Its membership primarily comprises legal experts, who are entrusted a mandate by the Government. The 21st Law commission would be comprised of a full-time Chairperson four full-time Members (including a Member-Secretary), Secretary, and Department of Legal Affairs as ex officio Member, Secretary, Legislative Department as ex officio Member.

The Commission is established for a fixed tenure (usually three years) and works as an advisory body to the Ministry of Law and Justice. Before finalising its recommendations, the Commission needs to consult the law ministry. Law Commission works in synchronisation and under the general instruction of Ministry of Law and Justice. It generally acts as primary commission for law reform in the country. Internally, the Law Commission works in a research-oriented manner. The Law Commission employs research analysts and law students who work in a research-oriented manner. The commission comprises of research employees of different ranks and secretarial staff who looks after the day-to-day functioning.

This executive body works towards outlining the problems and determining areas for law reform. After due diligence and extensive research, it prepares report, which is sent to the Law Ministry. Once the proposals are cleared by other relevant ministries, action is taken to implement those recommendations.

Although an ad-hoc body but the Law Commission has played a major role in law reform in India. At times, it's also critical of the government's policies. The Supreme Court often follows the recommendations of the commission. However, since the commission's proposals are not binding on the government, often the critical recommendations made by it are not implemented. The Law commission also works on specific issues when requested by the Supreme Court.

The Commission evaluations and judicial administration ensures that it is responsive so that delays are eliminated, arrears are cleared and disposal of cases is quick and cost-effective without sacrificing the cardinal principle that they are just and fair. The Commission seeks to simplify procedure to control delays and improve standards of justice. It also promote an accountable and citizen-friendly government which is transparent and ensures the people's right to information.

Finance Commission of India:

The Finance Commission of India was established on 22nd November, 1951. The Finance Commission has been provided for the Indian constitution as part of the scheme of division of financial resources between the two different sets of governments. Finance Commission also serves as constitutional body for the purpose of allocation of certain resources of income between the Union and the State Governments. It was established under Article 280 of the Indian Constitution by the President of India. It was formed to describe the financial relations between the centre and the state.

Key role Finance Commission in India is to act as an instrument to divide proceeds of divisible taxes between the states and the Union government or in cases of taxes that are collected by the centre but the proceeds of which are allocated between the states, to determine the principles of such allocation.

The Finance commission of India also determines the principles of governing the grants in aids of the revenues of states out of the consolidated fund of India. It is an important function of the Indian Finance Commission.

The commission has the responsibility of considering any matter referred to the commission by the President in the interest of sound finance.

The President under Article 280 lays the recommendations of the finance commission before each House of the Parliament with an explanatory note as to the action to be taken on the recommendations.

The Finance Commission distributes of proceeds of Income tax between the union and the states. But, taxes on the payments of the central government are attributable only to the union territories.

Under Article 280 (C), the President may refer any matter to the Finance commission in the interest of “sound finance.” Till now the President of India has asked the commission to make recommendations on the principles governing distribution of the net proceeds of estate duty in respect of property Tax on Railway fare and excise duties on sugar and tobacco. The President also sought recommendations on the rates of interest, and terms of repayment of loans to the various states by the government of India.

Finance Commissions mainly focuses on the financial relations between the State government and the Central government. These recommendations progressively increase share of the state governments in the proceeds of the income tax. They also increased gradually the amount of grants-in-aids to be given to the states. As a result the states now enjoy considerable degree of financial autonomy so necessary for the proper functioning of the federation.

It can be said that the Finance Commission as an autonomous body has served a wonderful purpose. In, as complex a society as India is, it acted as an agency to bring about coordination and cooperation for smooth working of a federal system.

Under the Constitution, the basis for sharing of divisible taxes by the Centre and the States and the principles governing grants-in-aid to the states have to be decided by the Commission every five years. The President can refer to the Commission any other matter in the interest of sound finance. The recommendations of the Commission together with an explanatory memorandum as to the action taken by the Government on them are laid before each house of Parliament. The Commission has to assess the increase in the Consolidated Fund of a state to affix the resources of the Panchayat in the state. It also has to evaluate the increase in the Consolidated Fund of a state to affix the resources of the Municipalities in the state.

The Commission has been given passable powers to perform its function and within its area of activity. It has all the powers of the Civil Court as per the Code of Civil Procedure, 1908. It can call any witness, or can ask for the production of any public record or document from any court or office. It can ask any person to give information or document on matters as it may feel to be useful or relevant. It can function as a civil court in discharging its duties.

Key functions of Finance Commission:

The commission makes recommendations to the president with regard to:

1. The distribution of the proceeds of taxes between the union and the states.
2. The principles which should govern the grants-in-aid to be given to the states.
3. Any other matter referred to the Commission by the President in the interest of sound finance.

The recommendations of the commission are generally accepted by the Union Government as well as by the parliament.

State Public Service Commission:

The State Public Service Commission is also a constitutional body. There is a State Public Service Commission in every state. The same set of Articles (i.e., 315 to 323) of the Constitution also deal

with the composition, appointment and removal of members, power and functions and independence of a State Public Service Commission.

The composition of the State Public Service Commission is similar to that of the Union Public Service Commission. The members of the State Public Service Commission are nominated by the Governor. The functions of both the Commissions are also similar. Only the jurisdiction of the Union Public Service Commission is far wider than that of the State Public Service Commission. The jurisdiction of the Union Public Service Commission extends across the entire length and breadth of the country because it is related to the Civil Service of the Union Government. The Jurisdiction of the State Public Service Commission is limited within the State.

Powers, Functions and Responsibilities of State Public Service Commission:

A State Public Service Commission performs all those functions in respect of the state services as the UPSC does in relation to the Central services:

1. It conducts examinations for appointments to the services of the state.
2. It is consulted on the following matters related to personnel management.

(i) All matters relating to methods of recruitment to civil services and for civil posts.

(ii) The principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another.

(iii) The suitability of candidates for appointments to civil services and posts for promotions and transfers from one service to another, and appointments by transfer or deputation. The concerned departments make recommendations for promotions and request the SPSC to ratify them.

The Supreme Court has held that if the government fails to consult the State Public Service Commission in these matters, the aggrieved public servant has no remedy in a court. In other words, the court held that any irregularity in consultation with the State Public Service Commission or acting without consultation does not invalidate the decision of the government. Thus, the provision is directory and not mandatory. Similarly, the court held that a selection by the SPSC does not confer any right to the post upon the candidate. However, the government is to act fairly and without arbitrariness.

The additional functions relating to the services of the state can be conferred on State Public Service Commission by the state legislature. It can also place the personnel system of any local authority, corporate body or public institution within the jurisdiction of the SPSC. Hence the jurisdiction of SPSC can be extended by an Act made by the state legislature.

The State Public Service Commission presents, annually, to the governor a report on its performance. The governor places this report before both the Houses of the state legislature, along with a memorandum explaining the cases where the advice of the Commission was not accepted and the reasons for such non-acceptance.

Joint State Public Service Commission:

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 formed by an act of Parliament on the request of the state legislatures concerned. Therefore, a JSPSC is a statutory and not a constitutional body. The two

states of Punjab and Haryana had a JSPSC for a short period, after the creation of Haryana out of Punjab in 1966.

The chairman and members of a Joint State Public Service Commission are appointed by the president. They hold office for a term of six years or until they attain the age of 62 years, whichever is earlier. They can be suspended or removed by the president. They can also resign from their offices at any time by submitting their resignation letters to the president.

The number of members of a Joint State Public Service Commission and their conditions of service are determined by the president.

A JSPSC presents its annual performance report to each of the concerned state governors. Each governor places the report before the state legislature.

The UPSC can also serve the needs of a state on the request of the state governor and with the approval of the president.

The Comptroller and Auditor General of India:

Arts. 148-151 of the Indian constitution forms and regulates the office of Comptroller and Auditor General of India. Dr. Ambedkar felt that the Comptroller and Auditor General of India shall be the most important officer under the constitution of India.

The constitution has introduced the British system of responsible government in India. The substance of responsibility is that the executive i.e. the Prime Minister and the Cabinet remains answerable for all their activities to the popularly elected chamber of the legislature. It is imperative that there should be an independent authority to inspect and scrutinize the financial transactions of the government. With this view, the Government of India Act of 1935, made the Auditor General of India irremovable except “in like manner and on like grounds as a judge of the Federal Court.” The office of the Comptroller and Auditor General is an adaptation of the office of the Auditor General under the Act of 1935.

The constitution makes the Comptroller and Auditor General the guardian of the public purse. His main duty is to see that neither the union government nor the government of any state spends any money from the consolidated fund without legislative appropriation. Since he is the impartial head of the audit and accounts system of India, it is essential that he should be independent of executive control.

To protect this independence, it has been provided that (1) though appointed by the President; he does not hold office during the pleasure of the President like other officers of the union government. He may be removed from office through a process of impeachment. His salary and allowances cannot be varied to his disadvantage during his tenure of service.

He is appointed for a term of six years. His salary is equal to that of a Supreme Court Judge. He holds the rank of a secretary to the government of India. The remuneration and allowances of the Comptroller and Auditor General together with those of his staff are charged on the revenue of India.

The role, function and duties of the Comptroller and Auditor General are expounded by an act of the Parliament passed in 1971. An amendment of this act in 1976 has relieved him from preparing the accounts of the government. Presently, the Comptroller and Auditor General audit the account of the union and report to the President and the Governor. He reports on all expenditures from

the Consolidated Fund as well as from the Contingency Fund. He also audits and reports on the trade and manufacture by government departments. Accounts of Public Corporations are also audited by him.

The functions of the Comptroller and Auditor General in India is exposed to several criticisms. In India, the emphasis is almost exclusively on audit rather than on control of expenditures. In India, the Comptroller and Auditor General comes into the picture only at the audit stage i.e. after the expenditures have already been made. Some critics also question the knowledge of commenting on extravagance of the government by the Comptroller and Auditor General.

National Commission for Scheduled Castes (NCSC):

The Commissioner for Scheduled Castes and Scheduled Tribes was appointed under Article 338 to investigate matters relating to the protections provided for the Scheduled Castes and Scheduled Tribes in the Constitution and report to the President upon the working of these safeguards. Principally, it's an Indian constitutional body established to provide safeguards against the exploitation of Scheduled Castes to promote and protect their social, educational, economic and cultural interests, special provisions were made in the Constitution.

The first National Commission for Scheduled Castes was established on 2004 with Suraj Bhan as the Chairperson.

The Second National Commission for Scheduled Castes in series was constituted on May 2007 with Buta Singh as the Chairperson.

The Third National Commission for Scheduled Castes has been constituted on October 2010 with P.L.Punia as the Chairperson.

Functions:

The following are the functions of the commission:

- To investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards.
- To investigate into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes.
- To partake and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development under the Union and any State.
- To present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards.
- To prepare such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes.
- To discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

National Commission for Scheduled Tribe:

In India, Scheduled Tribes community suffer a lot due to social, educational and economic backwardness. Unfortunately such miseries were in practice from many centuries because these two communities were considered untouchables in society. Establishment of National Commission for Scheduled Tribes was considered mandatory for the improvement of this community.

On the 89th Amendment of the Constitution enacted on 19th February 2004, the National Commission for Scheduled Tribes has been formed under Article 338A on the bifurcation of the former National Commission for Scheduled Castes and Scheduled Tribes to supervise the implementation of various safeguards provided to Scheduled Tribes under the Constitution.

The Commission comprises a Chairperson, a Vice-Chairperson and three full time Members (including one lady Member). The term of all the Members of the Commission is three years from the date of assumption of charge.

The aim of establishing National Commission for Scheduled Tribes was to support and safeguard this community that was suppressed since the primeval period. The Government of India took an important step to set up such Commission that could prove helpful for this community to avail all infrastructures and facilities in the country without any isolation or discrimination.

Purpose of setting up this commission is to safeguard their interests to keep them socially and economically strong and enhance their living standard. This newly established Commission was established through amending Article 338 of the Indian Constitution to insert a new Article 338A through 89th Amendment Act, 2003 which smoothened progress of this deprived community. Constitutional amendment paved the way to the bifurcation of erstwhile National Commission for Scheduled Castes and Scheduled Tribes into National Commission for Scheduled Tribes and the second one National Commission for Scheduled Castes with effect from February 19, 2004 to work independently.

Duties and functions of National Commission for Scheduled Tribe:

Constitution of India under Article 338A has assigned some duties and functions to the Commission which are same as National Commission for Scheduled Castes.

The Commission shall discharge the following other functions in relation to the protection, welfare and development and progression of the Scheduled Tribes.

1. Measures that need to be taken over conferring ownership rights in respect of minor forest produce.
2. Measures to be taken to protection rights of the tribal communities over mineral resources, water resources, etc. as per law.
3. Measures to be taken for the development of tribal and to work for more viable livelihood strategies.
4. Measures to be taken to improve the efficacy of relief and rehabilitation measures for tribal groups displaced by development projects.
5. Measures to be taken to prevent alienation of tribal people from land and to effectively rehabilitate such people in whose case alienation has already taken place.
6. Measures to be taken to elicit maximum cooperation and involvement of tribal communities for protecting forests and undertaking social afforestation.

7. Measures to be taken to ensure full implementation of the Provisions of Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996).
8. Measures to be taken to reduce and ultimately eliminate the practice of shifting cultivation by tribal that lead to their continuous disempowerment and degradation of land and the environment.

Powers of the Commission:

In order to investigate the matters referred to in sub-clause (a) to inquire into any complaint referred to in sub-clause (b) of clause 5, the Commission have all the powers of a Civil Court trying a suit and in particular in respect of the following matters.

1. Summoning and enforcing the attendance of any person from any part of India and examining him on oath.
2. Requiring the discovery and production of any document.
3. Receiving evidence on affidavits.
4. Requisitioning any public record or copy thereof from any court or office.
5. Issuing summons/communications for the examination of witnesses and documents.
6. Any other matter to which the President may by rule determine.

Consultation by the Union and State Governments with the Commission: According to clause 9 of Article 338A of the Constitution, Union and every State Government must consult the Commission on all major policy matters affecting Scheduled Tribes.

National Commission for Protection of Child Rights:

The National Commission for Protection of Child Rights, abbreviated as NCPCR was formed in March 2007 under the Commission for Protection of Child Rights Act, 2005, an Act of Parliament (December 2005). The Commission's Mandate is to guarantee that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as preserved in the Constitution of India and also the UN Convention on the Rights of the Child. The Child is defined as a person in the 0 to 18 years age group.

The Commission envisages a rights-based perspective flowing into National Policies and Programmes, along with nuanced responses at the State, District and Block levels, taking care of specificities and strengths of each region. In order to touch every child, it seeks a deeper permeation to communities and households and expects that the ground experiences gathered at the field are taken into consideration by all the authorities at the higher level. Thus the Commission observes a crucial role for the State, sound institution-building processes, respect for decentralization at the local bodies and community level and larger communal concern for children and their comfort.

Functions: Major functions of the National Commission for Protection of Child Rights according to the CPCR Act 2005 are as under:

1. Examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation.

2. Present to the central government, annually and at such other intervals, as the commission may deem fit, reports upon working of those safeguards.
3. Inquire into violation of child rights and recommend initiation of proceedings in such cases.
4. Inspect all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures.
5. Look into the matters relating to the children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juvenile children without family, and children of prisoners and recommend appropriate remedial measures.
6. Study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children.
7. Undertake and promote research in the field of child rights.
8. Generate awareness for child rights literacy among various section of society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminar and other available means.
9. Inspect or cause to be inspected any juveniles custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organization, where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary.
10. Inquire into complaints and take suo motu notice of matter relating to:
 - Deprivation and violation of child rights.
 - Non implementation of laws providing for protection and development of children.
 - Non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and provides relief to such children.
 - Take up the issues arising out of such matters with appropriate authorities.
11. The Commission shall not enquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.
12. Analyse existing law, policy and practice to assess compliance with Convention on the rights of the Child, undertake inquiries and produce reports on any aspects of policy or practice affecting children and comment on proposed new legislation related to child rights.
13. Present to the Central Government annually and at such other intervals as the Commission may deem fit, reports upon the working of those safeguards.
14. Undertake formal investigation where concern has been expressed either by children themselves or by concerned person on their behalf.
15. Promote, respect and serious consideration of the views of children in its work and in that of all Government Departments and Organisations dealing with Child.
16. Produce and disseminate information about child rights.
17. Compile and analyse data on children.

18. Promote the incorporation of child rights into the school curriculum, training of teachers or personnel dealing with children.

Under the Commissions for Protection of Child Rights Act, 2005, the National Commission would have all the powers of the Civil Court while inquiring into matter under the CPC4.

The National Commission while inquiring into matters could seek for the discovery and production of any document and receive evidence on affidavits. It could also requisition any public record or copy thereof from any court or office. Apart from having the power to forward a case to a Magistrate, the commission is also authorised to issue commissions for the examination of witness.

After inquiry the National Commission can recommend initiation of proceedings for prosecution or any other action the commission may deem fit. It can approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary or recommend to the concerned authority for grant of such interim relief to the victim's family as the Commission may consider necessary.

This Commission had asked to establish special cells in schools to solve problems of children. The cell will examine the mental and physical torture against children. Complaints regarding sexual harassment mental harassment, favouritism etc. should be informed to the Taluk/District Legal Services Authority within 48 hours.