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Q61

Who/Which of the following is the custodian of the Constitution of India? (a) The President of India (b) The Prime Minister of India (c) The Lok Sabha Secretariat (d) The Supreme Court of India Official key: D.

UPSC Civil Services Prelims 2015 · General Studies · 2 marks · Polity and Governance

Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation**(a)**

The President is the constitutional head of the Union and is sworn to preserve, protect and defend the Constitution, but the institution described as custodian through judicial review is the Supreme Court. This option is not the key.

(b)

The Prime Minister heads the Council of Ministers and is the real executive, not the custodian of the Constitution. This option is therefore wrong.

(c)

The Lok Sabha Secretariat services the House; it has no power to interpret or enforce the Constitution as a court. This option is not the key.

(d) Official key

The Supreme Court of India is the final interpreter of the Constitution and exercises judicial review. In that sense it is the custodian of the Constitution. This option is the official key.

Summary

Official key is (d) The Supreme Court of India. Custody here means final interpretation and enforcement through judicial review, including the basic-structure doctrine. The President takes an oath to defend the Constitution but does not sit as its judicial guardian. The Prime Minister and the Lok Sabha Secretariat are executive and legislative-support offices. Only the Supreme Court fits the custodian role asked.

Related possible facts

These can be asked in a future Prelims paper.

Article 13

Laws inconsistent with Fundamental Rights are void; basis of judicial review

Article 32

Right to move the Supreme Court for enforcement of Fundamental Rights

Article 141

Law declared by the Supreme Court binds all courts

Kesavananda Bharati (1973)

Basic structure; Court as ultimate constitutional guardian

President's oath

Article 60: preserve, protect and defend the Constitution

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