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Q16

The Preamble to the Constitution of India, is (a) part of the Constitution but has no legal effect (b) not a part of the Constitution and has no legal effect either (c) a part of the Constitution and has the same legal effect as any other part (d) a part of the Constitution but has no legal effect independently of other parts Official key: D.

UPSC Civil Services Prelims 2020 · General Studies · 2 marks · Polity and Governance
Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation

(a)

Part but no legal effect. Too weak after Kesavananda / LIC.

(b)

Not a part. Berubari was overtaken.

(c)

Same legal effect as any article. The Preamble is not independently enforceable like a right.

(d) Official key

• **A part of the Constitution but no legal effect independently of other parts.**

Kesavananda: Preamble is part; it aids interpretation, it is not a free-standing writ clause.

Summary

Official key is (d). The Preamble is part of the Constitution. It has no independent, enforceable legal effect apart from the rest of the text; it guides reading of the other parts.

Related possible facts

These can be asked in a future Prelims paper.

Kesavananda, 1973

Preamble is part of the Constitution; basic structure.

Berubari, 1960

The earlier 'not a part' view - superseded.