

- 1. 'CUTTING DOWN THE GOVERNMENT TO A LIMITED SIZE IS CRUCIAL TO IMPROVE GOVERNANCE.' DISCUSS THE IMPORTANCE OF THE CONSTITUTION (91ST AMENDMENT) ACT IN THE LIGHT OF THE STATEMENT. WHAT IS THE EXCEPTION IN THE SAID AMENDMENT MADE FOR?**

Answer

Prior to 1 January 2004, the day 91st Amendment came into force, the Central and State Governments had the discretion to appoint any number in his council of ministers. In those days abnormally large ministry was constituted, which told upon the efficacy of the government in delivering services. Ministers were frequently added without any respect to the people who elected them. For the period from 1989 onwards the number of ministers was on the discretion of the Prime Minister and was done to placate the allies. It looked as one day all legislators would become ministers in some states. It not only created chaos in governance but also cost the treasury high. The Constitution (91st Amendment) Act, 2003 brings in a cleansing effect. It was crucial to improve governance and check politics of making and breaking government. It saved the exchequer from incurring huge expenditure on a bulging ministry.

The Constitution (91st Amendment) Act, 2003 stipulates that the strength of a council of ministers should not exceed 15 percent of the total number of members in the Lok Sabha or in the relevant state assembly. Accordingly Article 75 and Article 164 of the constitution were amended. An exception has been made only for smaller states such Sikkim, Mizoram and Goa where the strength of the assembly is 40 or less. The governments in these states can have a maximum of 7 ministers.