

STANDING COMMITTEE ON RURAL DEVELOPMENT AND PANCHAYATI RAJ
(2025-2026)

33

EIGHTEENTH LOK SABHA

MINISTRY OF PANCHAYATI RAJ

REVIEW OF PANCHAYATS EXTENSION TO THE SCHEDULED AREAS ACT, 1996

THIRTY-THIRD REPORT



LOK SABHA SECRETARIAT
NEW DELHI

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Presented to Lok Sabha on 31.07.2026

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LOK SABHA SECRETARIAT

NEW DELHI

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THIRTY-THIRD REPORT

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**COMPOSITION OF THE STANDING COMMITTEE ON RURAL DEVELOPMENT AND
PANCHAYATI RAJ (2025-2026)**

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INTRODUCTION

I, the Chairperson of the Standing Committee on Rural Development and Panchayati Raj (2025-26) having been authorised by the Committee to submit the Report on their behalf, present the Thirty-Third Report on 'Review of Panchayats Extension to the Scheduled Areas Act, 1996' of the Ministry of Panchayati Raj.

2. The Committee held briefing by the representatives of the Ministry of Panchayati Raj (MoPR) on 31 October, 2025.

3. The Committee held further briefing by the Ministry of Panchayati Raj and Indira Gandhi National Tribal University, Amarkantak (Madhya Pradesh) on 20 January, 2026.

4. The Report was considered and adopted by the Committee at their sitting held on 08 July, 2026.

5. The Committee wish to express their thanks to the officials of the Ministry of Panchayati Raj (MoPR) and the Indira Gandhi National Tribal University, Amarkantak (Madhya Pradesh) for placing before them the requisite material and their considered views in connection with the examination of the subject.

6. The Committee would also like to place on record their deep sense of appreciation for the invaluable assistance rendered to them by the officials of Lok Sabha Secretariat attached to the Committee.

NEW DELHI
29 July, 2026
07 Shraavana, 1948 (Saka)

SAPTAGIRI SANKAR ULAKA
Chairperson
Standing Committee on Rural Development &
Panchayati Raj

THIRTY-THIRD REPORT

“REVIEW OF PANCHAYATS EXTENSION TO THE SCHEDULED AREAS ACT, 1996”

PART – I

NARRATION ANALYSIS

A. Introduction – Evolution of Panchayati Raj

1.1 As far as the aspect of ‘Panchayats’ is concerned, the history of Constitutional status to the Panchayats begins when “The Constitution (Seventy-Second) Amendment Bill, 1992” was introduced in Lok Sabha in 1991 to insert “Part –IX: The Panchayats” in the Constitution. In 1993, after receiving assent of the President on 20.04.1993, that Bill was passed as “The Constitution (Seventy-Third) Amendment Act, 1992” which came into effect on 24th April, 1993. Thus, by way of “The Constitution (Seventy Third) Amendment Act, 1992”, following amendments were made in the Constitution of India-

(i) “Part –IX: The Panchayats” was inserted in the Constitution.

(ii) Eleventh Schedule was added in the Constitution.

(iii) Sub-clause (bb) was added to clause (1) of Article 280 whereby the Central Finance Commission has been mandated to make recommendations to the President as to the measures needed to augment the Consolidated Fund of a State to supplement the resources of Panchayats on the basis of recommendations of State Finance Commission.

1.2 ‘Panchayat’, being local government, is a State subject under Entry No.5 of the ‘List II: State List’ under Seventh Schedule to the Constitution of India. All States and Union Territories, covered under Part-IX, have made their respective Panchayati Raj laws, in consonance with the 73rd Constitutional Amendment Act, 1992. Thus, Panchayats are set up and operate in accordance with the Panchayati Raj laws of the concerned State/UT, which may vary from State to State.

1.3 At the time of enactment of 73rd Constitutional Amendment Act, 1992, the provisions of Part-IX were not applicable automatically to all States and Union Territories. In terms of Article 243M of the Constitution, certain areas were initially excluded from the scope of Part-IX. The ‘Scheduled Areas’, referred to in Article 244(1) of the Constitution, were one of those areas. But a provision was also made under Article 243M of the Constitution to include the ‘Scheduled Areas’ in Part-IX, if required in future, so that those areas may also be brought into the main stream of Panchayati Raj system.

1.4 That provision is Article 243M(4)(ii) of the Constitution, which inter-alia, provides that Parliament may, by law, extend the provisions of Part-IX to the Scheduled Areas referred to in clause (1) of Article 244, subject to such exceptions and modifications as may be specified in such law.

1.5 In 1994, the Ministry of Rural Development constituted a committee (popularly known as Bhuria Committee), under Chairmanship of Sh. Dileep Singh Bhuria, the then Member of Parliament, to make recommendations on the salient features of the

law for extending provisions of Part IX of the Constitution to Scheduled Areas. The Committee submitted its report to the Government of India in January, 1995.

1.6 In 1996, Parliament enacted “The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” on 24th December, 1996 to extend the provisions of Panchayats to the Scheduled Areas, subject to certain exceptions and modifications as provided in section-4 of this Act. The provisions of the PESA Act, 1996 are applicable only to the areas notified as ‘Scheduled Areas’ under the Fifth Schedule to the Constitution of India (**Annexure I**).

1.7 It may be noted that at the time of drafting of “The Constitution (Seventy-Second) Amendment Bill, 1992” matters relating to Panchayats were dealt in the Department of Rural Development, which was created in 1974 under Ministry of Agriculture & Irrigation.

1.8 Till May, 2004, all matters relating to Panchayats, including PESA, were dealt in the Ministry/Deptt. of Rural Development. The Ministry of Panchayati Raj has been created in May, 2004, vide notification dt. 27.05.2004. Since then, MoPR is dealing the matters relating to Panchayats, including PESA. On the basis of above-mentioned C.O.s, and information furnished by MoTA from time to time, the MoPR has concluded that at present, Scheduled Areas exist in 10 States viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. As these areas are notified in terms of Fifth Schedule to the Constitution, therefore, this Ministry calls them as ‘Fifth Schedule Areas’ and oversees the implementation of PESA in Fifth Schedule Areas of those 10 States.

1.9 “Scheduled Areas” are the responsibility of the MoTA, whereas ‘PESA’ is the responsibility of MoPR. The role of MoPR starts only when an area is declared as a Scheduled Area. Unless any area of a State/UT is notified as “Scheduled Areas” in accordance with the Fifth Schedule to the Constitution, the provisions of PESA Act do not apply to those areas.

B. Enactment of PESA

1.10 In terms of Article 243M(4)(b) of the Constitution of India, **Parliament enacted “The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” (called as PESA Act), for extending the provisions of Part-IX of the Constitution**, with certain exceptions and modification, to the Scheduled Areas.

1.11 Scheduled Areas are those areas which are declared by the President of India. Article 244(1) and the Fifth Schedule to the Constitution deals with provisions relating to the Scheduled Areas. Since those Scheduled Areas are mentioned under Fifth Schedule of the Constitution, therefore, they are called as Fifth Schedule Areas.

1.12 This Act provides provisions for extension of the provisions of Part-IX of the Constitution of India, relating to Panchayats, to the Scheduled Areas referred to in Article 244(1), read with Fifth Schedule, of the Constitution. There are certain exceptions and modification, mentioned in section-4 of the Act, which must be complied with by the PESA States while extending the provisions of Panchayats to

the Scheduled Areas of the State concerned. Thus, the history of PESA revolves around two basic aspects namely “Scheduled Areas” and “Panchayats”.

1.13 With regard to “Scheduled Areas”, they are defined in paragraph-6 of the Fifth Schedule to the Constitution, which says that the expression ‘Scheduled Areas’ means such areas as the President may by order declare to be Scheduled Areas. These areas are the part of the India Constitution since its enactment i.e. 26th January, 1950. The Ministry of Panchayati Raj (MoPR) would like to clarify that as per ‘the Government of India (Allocation of Business) Rules 1961’, notified for the first time post-Independence, the matters relating to “Scheduled Areas” were mapped at that time with the Ministry of Home Affairs.

1.14 In 1999, when the Ministry of Tribal Affairs (MoTA) was created, vide notification dt. 15.10.1999, the matters relating to “Scheduled Areas” were mapped to MoTA. Since then, MoTA is dealing with the Scheduled Areas. Since 1950 to 2025, total 11 Constitutional Orders (C.O.) have been notified whereby the President has declared an area of a State as a ‘Scheduled Area’.

1.15 Therefore, all matters relating to ‘Scheduled Areas’, which may include setting up of parameters such as preponderance of tribal community or backwardness of area etc. required for declaring an area as a Scheduled Areas, sending the proposal to the President of India to notify an area as a Scheduled Area, to take action on the report of the Governor of the State on Administration of Scheduled Areas and forwarding the same to the President of India; comes under the domain of MoTA. Further, MoTA does not seek advice/opinion of MoPR during the process of notifying the ‘Scheduled Areas’. In nutshell, MoPR has no role in the whole process involved in declaring any particular area of a State as a Scheduled Areas or any other action required to be taken under the Fifth Schedule to the Constitution of India.

1.16 At present, Fifth Schedule Areas have been declared in **10 States** State-wise details of Notified Fifth Schedule Areas are as under-

Sl. No.	Name of the State	Villages	Panchayats	Blocks	Districts	
					Fully covered	Partially covered
1	Andhra Pradesh	1,586	588	36	0	5
2	Chhattisgarh	9,977	5,050	85	13	6
3	Gujarat	4,503	2,388	40	4	7
4	Himachal Pradesh	806	151	7	2	1
5	Jharkhand	16,022	2,074	131	13	3
6	Madhya Pradesh	11,784	5,211	89	5	15
7	Maharashtra	5,905	2,835	59	0	12
8	Odisha	19,311	1,918	119	6	7
9	Rajasthan	5,054	1,194	26	2	3
10	Telangana	2,616	631	72	0	4
	Total	77,564	22,040	664	45	63

C. Objectives of PESA Act 1996

1.17 To extend the Panchayati Raj system to the Scheduled Areas without disturbing the existing set-up of people residing in those areas and also to provide more powers to Gram Sabha/Panchayats which are not provided to normal Gram Sabhas/Panchayats.

D. Salient features of PESA Act 1996

1.18 The PESA Act, 1996 establishes Gram Sabhas in Scheduled Areas as an agency of local self-governance. As per Sections 4(b) and 4(c), Gram Sabhas must be established at the habitation or hamlet level. Gram Sabha has the authority to approve all development plans and projects before their implementation is taken up by the Panchayats (Section 4(e)(i)). The Act grants Gram Sabha powers to safeguard and preserve traditions and customs, their cultural identity, community resources and uphold customary mode of dispute resolution (Section 4(d)). Additionally, Gram Sabhas are responsible for identification or selection of persons as beneficiaries under the poverty alleviation and other programs (Section 4(e)(ii)), ensuring that development is community-led and culturally appropriate.

Land Rights: The Act provides for the protection of land rights of tribal communities in the Scheduled Areas, requiring consultation from Gram Sabha before any land is acquired for development projects. (refer section 4(i) of PESA Act).

Water Rights: Planning and management of minor water bodies in the Scheduled Areas has been entrusted to Panchayats at the appropriate level (refer section 4(j) of PESA Act).

Minor minerals: Recommendations of the Gram Sabha or the Panchayats at the appropriate level has been made mandatory prior to grant of prospecting license or mining lease or for grant of concession for the exploitation of minor minerals by auction (refer section 4(k) and 4(l) of PESA Act).

Regulation of intoxicants: Panchayats at the appropriate level and the Gram Sabha have been given the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant. (refer section 4(m)(i) of PESA Act).

Ownership of Minor Forest Produce (MFP): Panchayats at the appropriate level and the Gram Sabha have been given ownership of minor forest produce. (refer section 4(m)(ii) of PESA Act).

Power to stop land alienation: Panchayats at the appropriate level and the Gram Sabha have been given the powers to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe (refer section 4(m)(iii) of PESA Act).

Power to manage village markets: Panchayats at the appropriate level and the Gram Sabha have been given the power to manage village markets (refer section 4(m)(iv) of PESA Act).

Control over money lending: Panchayats at the appropriate level and the Gram Sabha have been given the powers to exercise control over money lending to the Scheduled Tribes (refer section 4(m)(v) of PESA Act).

Control over local plans and resources: Panchayats at the appropriate level and the Gram Sabha have been given the powers to control local plans and resources for such plans including tribal sub-plans (refer section 4(m)(vii) of PESA Act).

1.19 State Legislature shall not make any law under the provisions of Part-IX of the Constitution, which is inconsistent with the features mentioned in section-4 of the PESA Act. A State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources.

1.20 Gram Sabha is vested with "absolute" and mandatory powers, not to be overridden by higher tiers, especially relating to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution.

1.21 In addition to the powers endowed to a normal Panchayat, State Legislature shall also ensure that specific key powers (e.g. control over minor forest produce, land alienation, money lending, local plans, management of village markets etc.) are endowed to the Gram Sabha & Panchayat.

1.22 Gram Sabhas/Panchayats have specific control and ownership over minor forest produce, management of village markets, community resources and control over minor water bodies.

1.23 However, section 4(n) of the PESA Act mandates that, "the State legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha." Thus, basic primacy of Gram Sabha over the Panchayats has been established under this section. Therefore, as per the subject before their consideration and the provisions in State Acts and Rules, the Gram Sabha and the Panchayats exercise their powers.

E. Reservation under PESA

1.24 Reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities (SCs & STs) in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution, but reservation for STs shall not be less than one-half of the total number of seats. All seats of Chairpersons of Panchayats at all levels shall be reserved for the STs.

1.25 State Government may nominate ST persons as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level but such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat.

F. Difference between Normal Panchayati Raj System and PESA Framework

1.26 Panchayati Raj system applies to rural areas of all States and UTs except those areas which are excluded under Article 243M of the Constitution. It includes all the 10 PESA States. However, under PESA applies only to the Fifth Schedule Areas of the 10 States.

1.27 Under Panchayati Raj “Village” means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified. However, under PESA a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs.

1.28 Under Panchayati Raj system decision making involves elected representatives at all levels of Panchayats in planning and development. However, PESA emphasizes participatory democracy, making the Gram Sabha the centre of all operations and decision-making in conformity with tribal traditions and customary law.

G. Implementation status of PESA in the States

1.29 PESA States have adapted provisions of PESA Act, 1996:

Nine PESA states, except Rajasthan, have incorporated the provisions of PESA 1996 in their respective State Panchayati Raj Acts. Rajasthan, the tenth State, has notified “The Rajasthan Panchayat Raj (Modification of Provisions in their Application to the Scheduled Areas) Act 1999.”

1.30 PESA States have made PESA Rules under their Panchayati Raj laws:

At present, nine PESA states namely Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Rajasthan and Telangana have framed their PESA Rules and Odisha has framed their draft PESA Rules. Ministry of Panchayati Raj has been regularly following up with Odisha to finalize their PESA Rules.

1.31 State-wise details of adaption of provisions of PESA Act and framing of PESA Rules are as under-

States	Provisions of PESA Act adapted on*	PESA Rules notified on*
Andhra Pradesh	16.01.1998	24.03.2011
Chhattisgarh	05.12.1997	08.08.2022
Gujarat	11.07.1998	17.01.2017
Himachal Pradesh	24.05.2004	26.03.2011
Jharkhand	10.05.2001	02.01.2026
Madhya Pradesh	05.12.1997	15.11.2022
Maharashtra	08.08.2003 for Village Panchayat	04.03.2014
	03.01.1997 for Zila Parishad & Panchayat Samiti	
Odisha	21.12.1997 for Gram Panchayat	Draft Rules notified on 10.11.2023
	By Act 16 of 1997 for Panchayat Samiti	

	By Act 17 of 1997 for Zila Parishad	
Rajasthan	30.09.1999	01.11.2011
Telangana	30.03.2018	Became a separate State on 2 nd June, 2014. Adopted the PESA Rules of Andhra Pradesh, 2011 in 2014

1.32 All the Panchayats/Gram Sabha, functioning in the Scheduled Areas of those PESA States who have framed their PESA Rules and also for Odisha which has not yet framed its PESA Rules, are empowered to exercise their powers in accordance with PESA Act because PESA States have already adapted the PESA Act 1996 through their State Panchayati Raj Acts.

H. PESA Ranking of States

1.33 The Ministry of Panchayati Raj thus reviews the implementation of PESA from time to time and recently it has introduced the PESA Ranking of States on the basis of PESA Indicators/Indices so that the Centre and the States stay updated on the progress of implementation of PESA through an agreed framework. Maharashtra and Madhya Pradesh have emerged as front runners as per the rankings, while Himachal Pradesh, Rajasthan, Chhattisgarh and Telangana have emerged as performer States. Andhra Pradesh and Gujarat have been kept in the category of aspirant while the States of Odisha and Jharkhand have been put in the beginner category.

I. Initiatives taken by MoPR for implementation of PESA Act:

1.34 **National Conference on PESA 2021:** The Ministry of Panchayati Raj had organized a National Conference on PESA jointly with Ministry of Tribal Affairs on 18th Nov, 2021 at New Delhi. Panchayati Raj and Tribal/ST Welfare Departments of all the PESA States were invited to participate in the Conference. Central Ministries/Department and other organizations such as NITI Aayog, NCST, MoF, MoWCD, NIRD&PR as well as several NGOs were also invited.

1.35 **Regional Conferences on PESA:** This Ministry has organised two Regional Conferences on PESA on 11th and 12th January, 2024 at Pune, Maharashtra and on 4th and 5th March 2024 at Ranchi, Jharkhand to assess the progress made by the States in implementing the PESA Act and to develop a common vision for its implementation at the grassroots level. It has emerged from these two recent Regional Conferences that a training manual on each key PESA subject was pre-requisite to implement the PESA Act in letter and spirit.

1.36 **Preparation of Training Modules:** In response to the identified need for action-oriented capacity building during the regional conference, the Ministry constituted seven Committees of Officers to develop training materials on key PESA subjects: (i) Gram Sabhas, (ii) Minor Forest Produce, (iii) Minor Minerals, (iv) Land Alienation, (v) Money Lending, (vi) Intoxicants, and (vii) Customary Dispute

Resolution. These materials were finalized during a National Write-shop at NIRDPR, Hyderabad on 20-21 June 2024.

1.37 National Conference on PESA 2024: The Ministry of Panchayati Raj has organized a National Conference on PESA Act on 26th September, 2024 at New Delhi which saw the active participation of Minister of State from Ministry of Tribal Affairs, Ministers from Departments of Panchayat and Rural Development for Madhya Pradesh, Telangana, and Himachal Pradesh along with several Non-Government Organizations. 35 Elected Representatives from each of ten PESA States across the three tiers, officers from the concerned line departments implementing PESA at the ground level, in addition to the senior and ground-level officials of the State Panchayati Raj Departments from ten PESA States were also invited. In this conference, the Ministry launched seven training manuals on key PESA subjects –

- (i) Strengthening of Gram Sabha
- (ii) Minor Forest Produce
- (iii) Minor Minerals
- (iv) Customary Mode of Dispute Resolution
- (v) Control over Money Lending
- (vi) Prohibition & Regulating/Restricting the Sales & Consumption of Intoxicants
- (vii) Prevention of Alienation of Land.

1.38 PESA GPDP Integration: PESA–GPDP Portal was also launched during the National Conference on PESA 2024 in order to develop PESA village specific development plans within the Gram Panchayat Development Plan (GPDP) framework to facilitate planning and monitoring of development activities aligned with the rights and priorities of tribal communities under the PESA Act. PESA–GPDP portal enables hamlet/village wise resource allocation of Central Finance Commission grants, State Finance Commission grants, Centrally Sponsored Schemes, State Schemes and other funds in PESA GPs, which they can use to plan village wise activities.

Subject wise additional activities specific to PESA, such as Strengthening of PESA Gram Sabha, Customary Dispute Resolution, Prevention of Land Alienation, Enforcement of Prohibition and Intoxicant, Sale Management of Minor Forest Produce, Minor Minerals and Control over Money Lending, have also been added to GPDP portal for PESA area Gram Panchayats. GPs have begun planning their GPDP at village level for financial year 2025-26 in accordance with this after the national workshop.

1.39 PESA Day celebration on 24th December 2024: The Ministry had requested all ten PESA States to celebrate 24th December 2024 as PESA Day with the objective to enhance awareness about the PESA Act and build capacity of the stakeholders for better governance, with special focus on empowering Gram Sabhas and improving the functioning of Gram Panchayats in Scheduled Areas.

1.40 The National Level event was Chaired by Secretary, Ministry of Panchayati Raj, Government of India at Ranchi, where the local elected representatives from Schedule V areas, experts from Andhra Pradesh, Jharkhand, Maharashtra and

Madhya Pradesh spent a day deliberating over the various facets of the Act and the actions needed to fill the gaps between the ideal and the real situations. Jharkhand pledged to promulgate its PESA rules within 1-2 months as the draft was already in circulation.

1.41 PESA Day celebration (PESA Mahotsav) 2025: The Ministry of Panchayati Raj organized the PESA Mahotsav at Visakhapatnam, Andhra Pradesh, on 23rd and 24th December, 2025, on the occasion of PESA Day, with the objective of celebrating and strengthening the spirit of self-governance in Scheduled Areas. The Mahotsav featured a range of activities including sports competitions such as the 10 km PESA Run, Archery Recurve (Men & Women), and Kabaddi (Men & Women), along with traditional tribal games showcasing indigenous sporting practices. The event also included state-wise tribal cultural performances highlighting indigenous music and dance, a Craft Bazaar and Food Festival displaying tribal handicrafts, handloom, art, and indigenous cuisines, and the launch of the PESA Portal for information dissemination and monitoring. In addition, PESA Indicators for state-wise assessment, training modules in tribal languages, and Special Gram Sabhas on identified PESA themes were organized as part of the celebrations.

1.42 The Ministry also requested all ten PESA States to celebrate 24th December 2025 as PESA Day by organizing Gram Sabhas in PESA villages of Fifth Schedule Areas, with orientation and discussions on various PESA themes. The States were also advised to create awareness about the PESA Act and the respective State PESA Rules, and to disseminate information on the provisions of PESA through videos, flyers, pamphlets, posters, banners, wall writing, and other IEC materials. In addition, the Ministry had requested the States to organize sensitization programmes for district- and block-level officials of various line departments related to PESA, such as Revenue and other concerned departments, to strengthen understanding and effective implementation of PESA provisions at the field level.

1.43 Creation of PESA State Level Master Trainers and training conducted in PESA States: The Ministry requested the seven Anchor States to conduct the 2nd round of State-Level Master Trainers Training Programme during the Financial Year 2025–26. In response, trainings were conducted in 7 different anchor States and have been completed.

Sl. No	Anchor State	Dates for training	PESA training/ Manual
1.	Maharashtra	30-31 October, 2025	Strengthening of Gram Sabha
2.	Andhra Pradesh	10-11 September, 2025	Minor Forest Produce
3.	Chhattisgarh	09-10 October, 2025	Minor Minerals
4.	Telangana	11-12 November, 2025	Prevention of Alienation of land
5.	Madhya Pradesh	15-16 October, 2025	Control over Money Lending
6.	Himachal Pradesh	26 September 2025	Enforcement of Prohibition and Sales and Consumption of Intoxicant
7.	Odisha	28-29 October, 2025	Customary Mode of Dispute Resolution

1.44 In financial year 2024-25, this Ministry, in collaboration with the Anchor States, has conducted seven trainings of State Level Master Trainers on each training manual on key PESA Subjects. The details of trainings are as under:

Sl. No	Anchor State	Date	PESA training/ Manual
1.	Maharashtra	22-23 August 2024	Strengthening of Gram Sabha
2.	Andhra Pradesh	29-30 August 2024	Minor Forest Produce
3.	Chhattisgarh	2-3 September, 2024	Minor Minerals
4.	Telangana	18-19 September, 2024	Prevention of Alienation of land
5.	Madhya Pradesh	8-9 October, 2024	Control over Money Lending
6.	Himachal Pradesh	15 October 2024	Enforcement of Prohibition and Sales and Consumption of Intoxicant
7.	Odisha	22-23 October, 2024	Customary Mode of Dispute Resolution

1.45 Trainings conducted by State Government at State/District/Block Level on PESA

As per the data available on Training Management Portal of Ministry of Panchayati Raj, the details of trainings conducted on PESA in Financial Year 2025-26 till 31st December, 2025 are as under:

Training Details of PESA in FY 2025-2026(till December 2025)						
Sl. No.	State	Number of Trainings on PESA	Participants trained at State Level	Participants trained at District Level	Participants trained at Block Level	Grand Total
1	Andhra Pradesh	121	34	4,325	3,456	7,815
2	Chhattisgarh	6	72	-	80	152
3	Gujarat	0.00	-	-	-	-
4	Himachal Pradesh	20	157	679	-	836
5	Jharkhand	644	-	1,972	32,179	34,151
6	Madhya Pradesh	203	2,018	13,404	-	15,422
7	Maharashtra	83	211	2,823	-	3,034
8	Odisha	1	-	97	-	97
9	Rajasthan	13	63	-	277	340
10	Telangana	1	33	-	-	33
	Total	1092	2,588	23,300	35,992	61,880

1.46 For implementation of PESA at the ground level, the State Government imparts trainings to Elected Representatives of the three tiers of Panchayats, officers from the concerned line departments and the senior and ground-level officials of the State Panchayati Raj Department.

As per the data available on Training Management Portal of Ministry of Panchayati Raj, the details of trainings conducted on PESA in Financial Year 2024-25 are, as under:

Training Details of PESA in FY 2024-25						
Sl. No.	State	Number of Trainings on PESA	Participants trained at State Level	Participants trained at District Level	Participants trained at Block Level	Grand Total
1.	Andhra Pradesh	759	50	54059	0	54109
2.	Chhattisgarh	138	45	415	4554	5014
3.	Gujarat	8	0	0	226	226
4.	Himachal Pradesh	1	0	5	0	5
5.	Madhya Pradesh	292	162	14523	0	14685
6.	Maharashtra	38	0	1119	0	1119
7.	Odisha	1	0	45	0	45
8.	Rajasthan	27	131	307	1229	1667
9.	Telangana	0	0	0	0	0
10.	Jharkhand	0	0	0	0	0
	Grand Total	1264	388	70473	6009	76870

The Ministry has requested the States having less participants, such as Gujarat, Himachal Pradesh, Jharkhand, Odisha, Telangana to increase the number of planned trainings at State/ District / Block level to ensure that more participants are included for PESA trainings.

1.47 Translation of training manuals on PESA in local / tribal languages: The Ministry is keen to ensure that the translations of the seven PESA training manuals are carried out in tribal and regional languages to enhance accessibility, understanding, and the effective implementation of the provisions of the PESA Act at the grassroots level.

1.48 Andhra Pradesh and Telangana have completed the translation of all seven manuals into Telugu, while Maharashtra has completed translation of four manuals in Marathi. The Ministry of Panchayati Raj has also approached Bhashini, which has shared translated versions of the PESA training manuals in Gujarati, Marathi, Odia, and Santhali.

1.49 Additionally, the PESA Cell of the Ministry of Panchayati Raj has collaborated with the Ministry of Tribal Affairs to facilitate the translation of 7 training modules—

Strengthening of Gram Sabha, Minor Forest Produce, Minor Minerals, Customary Mode of Dispute Resolution, Control over Money Lending, Prohibition & Regulating/Restricting the Sales & Consumption of Intoxicants, Prevention of Alienation of Land.—in tribal languages including Mundari, Gondi and Bhili, utilizing the Aadi Vaani Portal of MoTA. The translations of the manuals into Gondi, Bhili, and Mundari have been completed and were vetted by respective states. Training manuals in Mundari (Madhya Pradesh), Bhili (Jharkhand) and Gondi (Chhattisgarh) were launched in the occasion of PESA Mahotsav, 2025.

1.50 PESA Indicators: In order to assess the progress of the States in implementing PESA, a set of indicators have been developed by the Ministry based on various parameters such as amendments made by the State Governments in their Panchayati Raj laws and other subject matter laws in accordance with PESA, conformity of State PESA Rules with PESA Act, deployment of PESA staff, training and orientation of Gram Sabha members and government officials on PESA, etc. These indicators have been shared with the State Governments for their feedback. Feedback has been received and incorporated into the framework. PESA indicators has been formally launched in occasion of PESA Mahotsav, 2025.

1.51 Advisory on taking prior consent of Gram Sabha before land acquisition: The Ministry of Panchayati Raj, after receiving recommendations from National Commission for Scheduled Tribes (NCST, has written to the Chief Secretaries of all the PESA States on 8 September 2025 to take prior consent of Gram Sabha before land acquisition for development projects and actual planning and implementation of the projects in the Scheduled Areas be coordinated at the State level. The State Governments have also been requested to carry out awareness programs among Gram Sabha members by using funds from the Orientation of Gram Sabha component of the Rashtriya Gram Swaraj Abhiyan of the Ministry of Panchayati Raj.

1.52 Research study on PESA: A research study is being commissioned on the topic, “Impact of PESA in Strengthening Self-Governance of Panchayats in Fifth Schedule Areas” for which Terms of Reference (ToR) have been finalized and the research is expected in next FY.

1.53 PESA Portal: A dedicated portal for PESA is being developed by the Ministry so that all the PESA related information, such as Constitutional provisions, State specific provisions related to PESA Act, State PESA Rules, list of PESA Panchayats and Gram Sabha, advisories and guidelines related to PESA, training manuals, conference and workshop minutes, research reports, case studies, best practices, photos and videos related to PESA, can be accessed by everyone at one place. The portal was formally launched on 24th December of 2025 in occasion of PESA Mahotsav, 2025.

1.54 Meri Parampara, Meri Virasat: In order to systematically document, digitize, and preserve the culture of tribals of the State of Chhattisgarh, a unique project called Meri Parampara, Meri Virasat has been awarded by the Ministry to the Government of Chhattisgarh. The project seeks to create detailed documentation of all the 42 tribal communities of the State by adopting a community and Gram Sabha led participatory approach. The project will not only safeguard endangered traditions but also empower indigenous voices, strengthen intergenerational knowledge

transmission, and create a bilingual (Hindi-English) digital repository accessible to communities, researchers, policymakers and the public.

1.55 Compendium of best-practices on PESA: In order to enable sharing of exemplary practices with regard to use of PESA powers by Gram Sabhas and Panchayats, MoPR organized a two days write-shop on 13th & 14th May, 2025 at Yashwantrao Chavan Academy of Development Administration (YASHADA) Pune, Maharashtra in which experts, PESA officials and the representatives in the domain of Panchayati Raj Institutions across Chhattisgarh, Madhya Pradesh, Gujarat, Orissa, Andhra Pradesh, Maharashtra, Jharkhand, Telangana and Rajasthan participated.

1.56 A total of 40 best-practices from all 10 PESA states were received by the Ministry. This has been published in form of a compendium in both English and Hindi entitled “PESA in Action: Stories of Strength and Self-Governance” which was released in a program held in Bhopal, Madhya Pradesh on 24th July, 2025. This compendium carries 40 success stories from all 10 PESA States. These success stories are clear evidence that the PESA Act is getting implemented on ground level and Gram Sabhas in PESA Areas are exercising the powers conferred to them by State PESA rules.

1.57 The Ministry of Panchayati Raj has also prepared six videos on the basis of these success stories, which have been uploaded on official YouTube page of the Ministry for wider circulation.

1.58 Appointment of PESA staff: Under the Rashtriya Gram Swaraj Abhiyan MoPR is supporting all 10 PESA states to appoint dedicated staff to work on implementation of PESA at State, District, Block and Gram Panchayat level. More than 15,500 dedicated staff is working across the states to implement PESA at the ground level.

1.59 Creation of PESA Cell in MoPR: A PESA Cell has, *[having regular (Ministerial) staff of one US, one SO and two ASOs,]* been created in the Ministry w.e.f. September 2024 to enhance the implementation and oversight of the PESA Act in Scheduled Areas. Four consultants, from background of Social Sciences, Legal & Finance, have also been engaged by the Ministry for PESA Cell.

J. Centre of Excellence (CoE) on PESA

1.60 The PESA Act empowers tribal areas and communities in local self-governance and undertaking various developmental activities in PESA Panchayats keeping in view traditional and customary laws and practices. The PESA States/Areas known as Fifth Schedule Areas, exist in the 10 consists of tribal areas inhabited by tribal communities having their own customary law, religious & social practices and traditional way of managing the affairs of their villages/Panchayats, community resources, dispute resolutions etc.

1.61 A need has been felt to institutionalize the efforts of the Ministry in PESA areas. While the Act was made in 1996, sustained focus has been lacking. There is an urgent need to institutionalize our efforts to implement a multi-pronged strategy to realize the objectives of PESA for our tribal communities. This is expected to be achieved by establishing a Centre of Excellence in an Academic Institution. By

engaging the tribal universities/institutions with MoPR, the centre can play a pivotal role in providing tailored educational/research programs, capacity building and other inputs that may address the specific needs and aspirations of tribal populations. This collaboration aims to enhance the effectiveness of local governance and development initiatives by integrating academic expertise with practical governance strategies.

1.62 The main objectives for establishing a Centre of Excellence in a Central University are as follows:

- (i) Aim to bridge the gap between academic knowledge and ground level administration in PESA areas in the PESA States;
- (ii) Strengthening Institutional Support and Research: Developing curricula and research focused on issues relating to tribal communities, provisions of PESA, forest rights, sustainable development, traditional knowledge preservation, local resource management etc for the benefit of PESA States/Areas, development of critical thinking.
- (iii) Documentations and best practices etc in respect of PESA implementing States/Areas etc.
- (iv) Capacity building of community leaders, elected representatives. panchayat functionaries, state officials in PESA States. Improving the skills and knowledge of the community leaders.
- (v) Preservation and Promotion of Customary Law and Practices, cultural heritage.
- (vi) Ensuring participatory planning at grassroots level and effective preparation of GDP in PESA area.
- (vii) Awareness campaigns at grassroots level in PESA Areas and among other stakeholders.
- (viii) Any other issue related to the PESA areas.

1.63 Towards this initiative, this Ministry communicated with the Department of Higher Education, M/o Education seeking information about national level Universities having Tribal Studies Departments & Universities engaged in Tribal Studies. In response, they provided a list of 16 Universities. The Request for proposal (RFP) for the 'Formation of Centre of Excellence in a Central University' was circulated to 16 Central Universities. The Ministry received proposals from 08 Central Universities:

- (i) Central University of Andhra Pradesh
- (ii) Rajiv Gandhi Central University, Arunachal Pradesh
- (iii) Central University of Himachal Pradesh
- (iv) Central University of Karnataka
- (v) Indira Gandhi National Tribal University, MP
- (vi) North Eastern Hill University, Meghalaya
- (vii) Central University of Punjab
- (viii) Jamia Milia Islamia, Delhi

1.64 The Scrutiny Committee of MoPR, after detailed discussion, shortlisted the following 04 Universities out of the 08 proposals received on circulation of Request for proposal (RFP):

- (i) Central University of Andhra Pradesh
- (ii) Central University of Himachal Pradesh
- (iii) Central University of Karnataka
- (iv) Indira Gandhi National Tribal University, MP

1.65 The final recommendation was based on the financial commitment made by the concerned State Governments to ensure ownership by the State. Thus, after discussions held with the State Governments of these 04 Universities, the Ministry received financial commitment from the State of Madhya Pradesh for establishment of National Level Centre of Excellence in their State. Therefore, after thorough evaluation, the scrutiny committee recommended setting up the Centre of Excellence (CoE) at **Indira Gandhi National Tribal University (IGNTU), Madhya Pradesh.**

I. Commitments from IGNTU for CoE:

- (a) Infrastructure such as Committee Room, Computer Lab/Systems, Lodging facility.
- (b) Manpower such as Professor/Associate Professor – Chair, CoE, Assistant Professor (2-3), Research Assistants/Researchers (2-3)

II. Deliverables for CoE:

- (i) Interventions for effective implementation of PESA.
- (ii) Improvement in the key parameters in various PESA/LSDG themes.
- (iii) Number of Awareness campaigns at Districts/Blocks/Villages
- (iv) IEC activities
- (v) Number of Residential Trainings at University for State level Master trainers/ Officials
- (vi) Number of ERs/officials trained at University for State level Master trainers/ Officials.
- (vii) Resource persons deployed for trainings/awareness at States/ Districts etc.
- (viii) Research studies.
- (ix) Documentation of activities as per Scope of Works.
- (x) Post Training Assessment and Feedback
- (xi) Other deliverables for meeting the objectives that may be decided as per mutual consent later on.

1.66 The funding for the CoE by the Ministry has been proposed through the State component of RGSA Scheme, wherein 60% of the funding will be borne by MoPR and 40% by the State government where the University in which CoE will be set up or located. The State Government of Madhya Pradesh has submitted its commitment to the proposal. The funding for the CoE is proposed to be through the State Component of the revamped RGSA scheme where in 60% will be borne by

MoPR and 40 % by the State Government of MP of the total budget of CoE of 13,35,32,200/- (5 year's amount). The State share is Rs. 5,34,12,800 (5 years amount) and the Centre's share is Rs. 8,01,19,320/- for the five years proposal. However, IGNTU has submitted a revised proposal amounting to Rs. Rs.9,63,23,000/- where the share of the Ministry of Panchayati Raj (MoPR) shall be 60%, amounting to ₹5,77,93,800/- and State Government's share, representing 40%, is ₹3, 85, 29,200/-, which has the consent of Government of Madhya Pradesh.

1.67 On 24th July 2025, the Ministry of Panchayati Raj, in collaboration with the Government of Madhya Pradesh and Indira Gandhi National Tribal University (IGNTU), Amarkantak, signed a **Memorandum of Understanding (MoU)** to establish a Centre of Excellence on PESA at IGNTU. The initiative marks a major step toward strengthening local self-governance in tribal areas and the effective implementation of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA).

1.68 Further, the Programme Advisory Board (PAB) has been constituted to guide Centre of Excellence in the Indira Gandhi National Tribal University, Amarkantak, Madhya Pradesh. The objectives of the PAB are Capacity Building of tribal communities, preservation & promotion of customary law and practices and strengthening institutional support & research. The Terms of Reference for the Programme Advisory Board are as under:

- (i) Approve the action plan for the functioning of the CoE.
- (ii) Advising the interventions needed for the CoE in respect of envisaged objectives
- (iii) Devising Key Performance indicators (KPIs) for the CoE as per the deliverables and interventions.

1.69 In the second meeting held on 18th August, 2025, the PAB members have approved work plan for 2025-26 having focus on documentation of traditional/ customary mode of dispute resolution, codification of traditions and customs, documentation of best practices in tribal areas, Training Manuals, 5 model PESA Gram Sabhas in PESA States, IEC materials on PESA in local/ tribal languages. Presently, IGNTU is undergoing the work of CoE as per the approved work plan with regular coordination of MoPR and DoPR, Madhya Pradesh. Ministry of Panchayati Raj reviews the approved work plan from IGNTU every month.

PART – II

OBSERVATIONS / RECOMMENDATIONS OF THE COMMITTEE

1. Need for Effective Implementation of PESA in Letter and Spirit

The Committee note that the PESA Act was enacted in 1996 to extend the provisions of Part-IX of the Constitution to the Scheduled Areas while preserving tribal customs, traditions and community resources. The Committee were informed that despite nearly three decades since enactment of the Act, shortcomings still persist in its implementation and progress remained slow in the initial years. The Committee further note that the core objective of PESA is to strengthen self-governance through Gram Sabhas in Fifth Schedule Areas and protect tribal communities and their traditional rights and resources. The Committee, therefore, recommend that the Ministry of Panchayati Raj, in coordination with the Ministry of Tribal Affairs and State Governments, should undertake a comprehensive review of implementation of PESA across all PESA States and prepare a time-bound roadmap with measurable outcomes for effective and sincere implementation of the Act in letter and spirit.

2. Early Notification of PESA Rules by all States

The Committee note that Odisha is the only remaining PESA State which has not yet notified its PESA Rules, though draft Rules were framed in 2023. The Committee were informed that Ministry of Panchayati Raj has been regularly corresponding with the State Government for early notification of the Rules. The Committee further note that although the Ministry clarified that non-framing of Rules does not prohibit exercise of powers under substantive provisions of the Act, absence of notified Rules adversely affects implementation at the field level. The Committee, therefore, strongly recommend that the Ministry of Panchayati Raj should pursue the matter with the Government of Odisha on priority basis and ensure notification of PESA Rules at the earliest. The Committee also recommend periodic review and updating of PESA Rules by all PESA States to ensure conformity with the spirit and objectives of the Act. The said review/assessments are necessary to identify gaps and enforce legal compliance.

3. Strengthening Gram Sabhas as the foundation of self-governance

The Committee note that Gram Sabha is the foundational institution under the PESA framework and is vested with extensive powers relating to community resources, customary dispute resolution, minor forest produce, land acquisition and village development planning. The Ministry of Panchayati Raj informed the Committee that under PESA, Gram Sabha should function in accordance with traditions and customs of tribal communities and that participatory democracy is the essence of the Act. The Committee further note that several powers under the Act remain inadequately operationalized at the grassroots level due to lack of awareness and weak institutional support. The Committee, therefore, recommend that the Ministry of Panchayati Raj should evolve a structured framework for strengthening Gram Sabhas in Scheduled Areas through mandatory orientation programmes, institutional handholding and dedicated awareness campaigns in local tribal languages. The Committee also recommend that Gram Sabha resolutions relating to land acquisition, community resources and local planning should be digitally recorded and monitored through a dedicated national PESA platform.

4. Prior informed consent of Gram Sabha before land acquisition

The Committee note that one of the most important protections under the PESA Act relates to mandatory consultation with Gram Sabha prior to land acquisition and rehabilitation in Scheduled Areas. RFCTLARR Act 2013 also strengthen this by explicitly requiring the prior consent of the concerned Gram Sabha before the preliminary notification for acquisition is published. The Ministry of Panchayati Raj informed the Committee that advisories had been issued to States regarding obtaining Gram Sabha consent before acquisition of land for development projects. The Committee also note that examples were shared before the Committee where tribal communities had regained land rights through intervention of Gram Sabha under PESA framework. The Committee are of the considered view that improper implementation of land safeguards under PESA may lead to alienation of tribal land and erosion of traditional livelihood systems. The Committee, therefore, recommend that the Ministry of Panchayati raj should issue comprehensive operational guidelines for mandatory Gram Sabha consultation/consent in all cases of land acquisition, mining leases and rehabilitation in Scheduled Areas. The

Committee further recommend that violation of such provisions should attract accountability mechanisms and periodic social audit.

5. Preservation of tribal customs, culture and traditional institutions

The Committee note that preservation of tribal traditions, customary laws and cultural identity is one of the principal objectives of PESA. The representatives of Indira Gandhi National Tribal University informed the Committee regarding efforts for documentation of tribal customary laws, Gond art, local traditions and traditional governance systems. The Committee further note that the Ministry of Panchayati Raj has also collaborated with other institutions for preservation and documentation of tribal heritage and best practices. The Committee are of the view that increasing socio-economic pressures and external influences may gradually weaken traditional tribal institutions and customary governance mechanisms. The Committee, therefore, recommend that the Ministry of Panchayati Raj should prepare a national action plan for preservation and promotion of tribal customs, languages, traditional governance systems and customary dispute resolution mechanisms in Scheduled Areas. The Committee also recommend that documentation work should be undertaken in tribal dialects and local languages to ensure authenticity and community participation.

6. Capacity building and training in local tribal languages

The Committee note that lack of awareness and inadequate capacity building remain major challenges in implementation of PESA. The Ministry of Panchayati Raj informed the Committee that training manuals have been prepared in Hindi, English and several regional and tribal languages including Mundari, Bhili and Gondi. The Committee also note the observations made during evidence that excessive dependence on English-based administrative systems may dilute outreach among tribal communities. The Committee are of the considered view that effective implementation of PESA requires communication in local tribal languages and culturally contextualized training mechanisms. The Committee, therefore, recommend that all training modules, IEC material and awareness programmes relating to PESA should be translated into major tribal languages and dialects spoken in Scheduled Areas. The Committee further recommend that community-based trainers and local tribal resource persons should be developed in all PESA States.

7. Dedicated institutional mechanism for PESA implementation

The Committee note that the Ministry of Panchayati Raj has established a dedicated PESA Cell and has also provided support for State-level, district-level and block-level coordinators under RGSA framework. The Committee further note that implementation of PESA involves multiple departments including Panchayati Raj, Tribal Affairs, Forest, Revenue and Rural Development Departments, thereby requiring strong institutional coordination. The Committee are of the opinion that absence of dedicated institutional structures at State and district levels adversely affects implementation and monitoring. The Committee, therefore, recommend that dedicated PESA Cells should be established in all PESA States at State, district and block levels with clearly defined roles, adequate staffing and budgetary support. The Committee also recommend constitution of inter-departmental coordination committees for convergence of all schemes and laws affecting Scheduled Areas, so that tribal self-governance and customary rights are protected.

8. Strengthening GPDP planning in Scheduled Areas

The Committee note that the Ministry of Panchayati Raj has introduced village-level GPDP planning in PESA areas and incorporated PESA-specific themes into planning framework. The Committee were informed that around 96 percent Gram Panchayats in PESA States had prepared village-wise PESA plans for FY 2025-26. The Committee are of the view that decentralized and village-centric planning is essential for ensuring tribal participation in governance and local development. The Committee, therefore, recommend that preparation of GPDPs in Scheduled Areas should mandatorily originate from Gram Sabha level and all plans should incorporate tribal livelihood protection, natural resource management, customary practices and cultural priorities. The Committee also recommend integration of PESA priorities with SDGs and tribal development schemes.

9. Documentation and replication of best practices

The Committee note that the Ministry of Panchayati Raj organized documentation of 40 successful PESA initiatives and prepared a compendium of best practices for wider dissemination. The Committee further note that successful examples relating to community forest management, tendu leaf collection, customary dispute resolution and Gram Sabha-led governance

have demonstrated positive outcomes in tribal areas. The Committee are of the considered view that dissemination of successful models can motivate local institutions and improve implementation standards across States. The Committee, therefore, recommend that the Ministry of Panchayati Raj should institutionalize annual documentation and dissemination of best practices under PESA and establish a national repository of successful Gram Sabha-led initiatives. Exposure visits of elected representatives and officials from comparatively weaker PESA States should also be organized.

10. PESA Ranking Framework and independent evaluation

The Committee note that the Ministry has developed ten indicators for ranking PESA States on implementation parameters. The Committee appreciate the initiative taken by the Ministry to create a comparative framework for assessing implementation status. However, the Committee are of the view that such rankings should be transparent, independently validated and outcome-oriented rather than merely procedural. The Committee, therefore, recommend that the Ministry should institutionalize an annual PESA Performance Index with clearly defined measurable indicators including Gram Sabha functioning, land rights protection, management of minor forest produce, participation of women and tribal communities, dispute resolution and effectiveness of local planning. Independent third-party evaluation may also be undertaken periodically to encourage the sincere healthy inter-state competition and transparency.

11. Centre of Excellence on PESA

The Committee note that a Centre of Excellence on PESA has been established at Indira Gandhi National Tribal University, Amarkantak with objectives relating to research, documentation, training, awareness generation and preservation of tribal heritage. The Committee further note that the Centre is expected to examine implementation challenges, undertake research studies and support capacity building in PESA States. The Committee are of the view that the Centre of Excellence can play an important role in bridging the gap between policy formulation and grassroots implementation. The Committee, therefore, recommend that the Centre of Excellence should function as a national knowledge and resource institution on PESA with adequate financial and human resources. The Committee also recommend that

similar regional centres may be established in other PESA States in phased manner.

12. Protection against exploitation and illegal land transfers

The Committee note concerns raised during evidence regarding exploitation of tribal communities through indirect or fraudulent land transfers and misuse of tribal identity for acquisition of tribal land. The Committee are deeply concerned that such practices defeat the very objective of constitutional and statutory safeguards provided to tribal communities. The Committee, therefore, recommend that the Ministry, in consultation with State Governments, should undertake a detailed study regarding illegal transfer of tribal land and loopholes in implementation of protective laws in Scheduled Areas. The Committee further recommend strengthening of monitoring systems, digitization of land records and mandatory Gram Sabha verification in all land transactions involving tribal land.

13. Awareness generation among tribal communities

The Committee note that lack of awareness regarding provisions and powers under PESA continues to remain a major challenge. The Committee were informed that awareness campaigns, workshops, residential trainings and IEC activities are being undertaken by the Ministry and the Centre of Excellence. The Committee are of the view that unless tribal communities themselves are fully aware of their legal rights and institutional powers under PESA, effective self-governance cannot be realized. The Committee, therefore, recommend that nationwide awareness campaigns in all PESA States should be launched through community radio, tribal language media, local cultural platforms and educational institutions. Special focus should be given to awareness among women, youth and traditional tribal leaders. The said awareness is essentially required to achieve the primary goal to educate tribes about their constitutional rights, specifically the authority of Gram Sabha over the local resources, land and cultural identity.

14. Need for convergence between PESA and other laws

The Committee note that implementation of PESA intersects with several other laws relating to forests, land, mining, tribal rights and local governance. The Committee are of the considered view that absence of harmonization often leads to administrative confusion and weak enforcement

at ground level. The Committee, therefore, recommend that the Ministry of Panchayati Raj should undertake a comprehensive review of convergence between PESA Act, Forest Rights Act, Land Acquisition laws and State Panchayati Raj legislations. The Committee further recommend that necessary guidelines may be issued by the Ministry of Panchayati Raj to ensure that no law or executive action dilutes the spirit and safeguards of PESA in Scheduled Areas. The said convergence is essential to resolve legal ambiguities, prevent the dilution of tribal rights and elimination of bureaucratic hurdles that restrict Gram Sabha autonomy.

NEW DELHI
29 July, 2026
07 Shraavana, 1948 (Saka)

SAPTAGIRI SANKAR ULAKA
Chairperson
Standing Committee on Rural Development &
Panchayati Raj

The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996

रजिस्ट्री सं. डी.एल.-33004/96

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भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 24th December, 1996/Pausa 3, 1918 (Saka)

The following Act of Parliament received the assent of the President on the 24th December, 1996 and hereby published for general information:—

THE PROVISIONS OF THE PANCHAYATS (EXTENSION TO THE SCHEDULED AREAS) ACT, 1996

No. 40 OF 1996

[24th December, 1996]

An Act to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.

BE it enacted by Parliament in the Forty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996. Short title.
2. In this Act, unless the context otherwise requires, "Scheduled Areas" means the Scheduled Areas as referred to in clause (1) of article 244 of the Constitution. Definition.
3. The provisions of Part IX of the Constitution relating to Panchayats are hereby extended to the Scheduled Areas subject to such exceptions and modifications as are provided in section 4. Extension of Part IX of the Constitution.

Exceptions and modifications to Part IX of the Constitution.

4. Notwithstanding anything contained under Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the following features, namely:—

(a) a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources;

(b) a village shall ordinarily consist of a habitation or a group of habitations or a hamlet or a group of hamlets comprising a community and managing its affairs in accordance with traditions and customs;

(c) every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level;

(d) every Gram Sabha shall be competent to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(e) every Gram Sabha shall—

(i) approve the plans, programmes and projects for social and economic development before such plans, programmes and projects are taken up for implementation by the Panchayat at the village level;

(ii) be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes;

(f) every Panchayat at the village level shall be required to obtain from the Gram Sabha a certification of utilisation of funds by that Panchayat for the plans, programmes and projects referred to in clause (e);

(g) the reservation of seats in the Scheduled Areas at every Panchayat shall be in proportion to the population of the communities in that Panchayat for whom reservation is sought to be given under Part IX of the Constitution;

Provided that the reservation for the Scheduled Tribes shall not be less than one-half of the total number of seats:

Provided further that all seats of Chairpersons of Panchayats at all levels shall be reserved for the Scheduled Tribes;

(h) the State Government may nominate persons belonging to such Scheduled Tribes as have no representation in the Panchayat at the intermediate level or the Panchayat at the district level:

Provided that such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat;

(i) the Gram Sabha or the Panchayats at the appropriate level shall be consulted before making the acquisition of land in the Scheduled Areas for development projects and before re-settling or rehabilitating persons affected by such projects in the Scheduled Areas; the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level;

(j) planning and management of minor water bodies in the Scheduled Areas shall be entrusted to Panchayats at the appropriate level;

(k) the recommendations of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas;

(l) the prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be made mandatory for grant of concession for the exploitation of minor minerals by auction;

(m) while endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institutions of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with—

(i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant;

(ii) the ownership of minor forest produce;

(iii) the power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of a Scheduled Tribe;

(iv) the power to manage village markets by whatever name called;

(v) the power to exercise control over money lending to the Scheduled Tribes;

(vi) the power to exercise control over institutions and functionaries in all social sectors;

(vii) the power to control over local plans and resources for such plans including tribal sub-plans;

(n) the State legislations that may endow Panchayats with powers and authority as may be necessary to enable them to function as institutions of self-government shall contain safeguards to ensure that Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha;

(o) the State Legislature shall endeavour to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas.

5. Notwithstanding anything in Part IX of the Constitution with exceptions and modifications made by this Act, any provision of any law relating to Panchayats in force in the Scheduled Areas immediately before the date on which this Act receives the assent of the President which is inconsistent with the provisions of Part IX with such exceptions and modifications shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from the date on which this Act receives the assent of the President.

Provided that all the Panchayats existing immediately before such date shall continue till the expiration of their duration unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having Legislative Council, by each House of the Legislature of that State.

Continuance of
existing laws
and
Panchayats.

K.L. MOHANPURIA,
Secy. to the Govt. of India,

COMMITTEE ON RURAL DEVELOPMENT AND PANCHAYATI RAJ (2025-26)**MINUTES OF THE THIRD SITTING OF THE COMMITTEE HELD ON FRIDAY,
31st OCTOBER, 2025**

The Committee sat from 1430 hrs to 1540 hrs in Committee Room No. '2', First Floor, Parliament House Annexe Extension (EPHA), New Delhi.

PRESENT

Shri Saptagiri Sankar Ulaka -- **Chairperson**

Members**Lok Sabha**

2. Shri Bhumare Sandipanrao Asaram
3. Shri Raju Bista
4. Shri Vijay Kumar Dubey
5. Dr. Sanjay Jaiswal
6. Shri Bhajan Lal Jatav
7. Dr. Mohammad Jawed
8. Shri Imran Masood
9. Shri Kota Srinivasa Poojary
10. Shri K. Radhakrishnan
11. Shri Ramashankar Vidharthi Rajbhar
12. Shri Parshottambhai Rupala
13. Shri Devendra Singh *alias* Bhole Singh

Rajya Sabha

14. Dr. M. Dhanapal
15. Shri Iranna Kadadi
16. Dr. Kavita Patidar
17. Shri Nagendra Ray

SECRETARIAT

1. Shri D.R. Shekhar - Additional Secretary
2. Shri V.K. Shailon - Director
3. Smt. Rashmi Roy - Deputy Secretary

Representatives of the Ministry of Panchayati Raj

Sr. No.	Name of the Witness	Designation
1.	Shri Vivek Bharadwaj	Secretary
2.	Shri Rajesh Kumar Singh	Joint Secretary
3.	Ms Mukta Shekhar	Joint Secretary
4.	Shri Vipul Ujwal	Director
5.	Shri Ramit Maurya	Director

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened for having a briefing by the representatives of the Ministry of

Panchayati Raj on the subject "Review of Panchayat Extension to Scheduled Areas (PESA) Act, 1996".

[Thereafter the representatives from the Ministry of Panchayati Raj were called in]

3. After welcoming the representatives, the Chairperson in his opening remarks stressed upon the various important aspect of the Panchayat Extension to Scheduled Areas (PESA) Act, 1996. The Chairperson, then asked the representatives of the Ministry to introduce themselves and place their views on the subject. The Secretary, Ministry of Panchayati Raj after taking permission from the Chairperson directed the Joint Secretary, to make a Power Point Presentation on the above-mentioned subject.

4. Subsequently, Members raised their individual queries. The queries of the Members were replied by the Join Secretary. Certain issues which remained unanswered along with those which warranted elaborate reply, the Ministry were requested to send written replies thereto in writing within 15 days.

[The Witnesses then withdrew]

A verbatim record of the proceedings has been kept.

The Committee then adjourned.

COMMITTEE ON RURAL DEVELOPMENT AND PANCHAYATI RAJ (2025-26)**MINUTES OF THE NINTH SITTING OF THE COMMITTEE HELD ON TUESDAY,
20th JANUARY, 2026**

The Committee sat from 1500 hrs to 1635 hrs in Committee Room 'C', Ground Floor, Parliament House Annexe (PHA), New Delhi.

PRESENT

Shri Saptagiri Sankar Ulaka -- **Chairperson**

Members
Lok Sabha

2. Shri Raju Bista
3. Dr. Sanjay Jaiswal
4. Shri Bhajan Lal Jatav
5. Dr. Mohammad Jawed
6. Shri Jugal Kishore
7. Shri Imran Masood
8. Shri Janardan Mishra
9. Shri Kota Srinivasa Poojary
10. Shri Parshottambhai Rupala
11. Shri Devendra Singh *alias* Bhole Singh
12. Shri Vivek Thakur

Rajya Sabha

13. Smt. Geeta *alias* Chandraprabha
14. Dr. Kavita Patidar
15. Smt. Rajathi

SECRETARIAT

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| 1. Shri D.R. Shekhar | - | Additional Secretary |
| 2. Shri V.K. Shailon | - | Director |
| 3. Smt. Rashmi Roy | - | Deputy Secretary |

Representatives of the Ministry of Panchayati Raj

Sr. No.	Name of the Witness	Designation
1.	Shri Vivek Bharadwaj	Secretary
2.	Shri Sushil Kumar Lohani	Additional Secretary
3.	Ms. Mukta Shekhar	Joint Secretary
4.	Shri Rajesh Kumar Singh	Director
5.	Shri Ramit Maurya	Director

Indira Gandhi National Tribal University, Amarkantak (Madhya Pradesh)

Sr. No.	Name of the Witness	Designation
1.	Shri Byomakesh Tripathy	Vice Chancellor
2.	Shri Soubhagya Ranjan Padhi	Professor
3.	Shri Prasanna Kumar Samal	Professor

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened for having a briefing by the representatives of the Ministry of Panchayati Raj and Indira Gandhi National Tribal University, Amarkantak (Madhya Pradesh) on the subject "Review of Panchayat Extension to Scheduled Areas (PESA) Act, 1996".

[Thereafter the representatives from the Ministry of Panchayati Raj and Indira Gandhi National Tribal University, Amarkantak (Madhya Pradesh) were called in]

3. After welcoming the representatives, the Chairperson in his opening remarks stressed upon the various important aspect of the Panchayat Extension to Scheduled Areas (PESA) Act, 1996. The Chairperson, then asked the representatives of the Ministry and University to introduce themselves and place their views on the subject. The Secretary, Ministry of Panchayati Raj after taking permission from the Chairperson directed the Joint Secretary, to make a Power Point Presentation on the above-mentioned subject. After that Vice-Chancellor, IGNTU with permission from the Chairperson directed Professor, IGNTU to make the presentation.

4. The presentation given by Ministry of Panchayati Raj focused on extent of PESA in 10 States, PEA Rules notified in 9 out of 10 States except Odisha (where it is still in draft stage), preparation of training modules/manuals on 7 key PESA themes in English and Hindi and also their translation in regional and tribal languages like Mundari, Bhili, Gonds and Santhali. Steps like capacity building through training undertaken, 88 PESA Specific themes included in GPDP portal for encouraging village level planning in Scheduled Areas, launching a Single Window PESA portal and initiating State ranking 10 indicators to monitor implementation progress, Advisory on mandatory Gram Sabha consent before land acquisition for development projects, Commissioned a research study on " Impact of PESA in strengthening self-governance of the Panchayats in Fifth Schedule areas". Setting up a PESA Cell in MoPR, extending dedicated manpower support under RGSA for State/District/Block level coordinators and mobilisers, MoU to establish Centre of Excellence (CoE) with IGNTU, funding ratio 60:40 (Centre : State) through RGSA for strengthening PESA implementation.

5. The presentation by IGNTU, identified as CoE for PESA implementation support in July 2025, highlighted its work on tribal culture preservation and community engagement, livelihood support through Incubation Centres, promotion of tribal heritage, art support to tribal artists, recognition of tribal knowledge and traditions, community empowerment initiatives like millet preservation and traditional knowledge promotion. IGNTU also mentioned the steps like promoting community justice mechanisms for local dispute resolution through PESA-linked Committees with 30+ cases resolved at village level. IGNTU proposed capacity building workshops for PESA functionaries and preparation of simplified training/awareness material for local users. The initial operational focus is on Madhya Pradesh and Chhattisgarh with expansion plans in other PESA States.

6. During the evidence, the following major queries were raised by Members of the Committee: -

- i. Why has PESA not been extended beyond the present 10 States? Can new States be included?
- ii. Clarification sought on the criteria and process for declaring Scheduled Areas and role of Centre/State in it.
- iii. Why PESA Rules notification still pending in Odisha? Is there any timeline?
- iv. Despite banks, why do tribals still depend on money lenders, and are Jan Dhan/Banking Services truly accessible in PESA areas?
- v. What steps are being taken to stop illegal land alienation/transfer of tribal land by contractors/businessman? Also, who benefits from industrial/mining use of tribal land? Whether tribals truly receive economic gains?
- vi. Is there any quorum requirement for Gram Sabha meetings, so that decisions are not taken by a small group?
- vii. When Gram Sabha forwards recommendations, who is the final approving authority and how much change occurs later?
- viii. What is Measurable Impact of PESA (before vs after)? Whether it can be shown by a comparative Chart/examples showing improvements in lifestyle/governance after PESA?
- ix. State-wise data of last 10 years sought mining/forest diversion/displacement in Fifth Scheduled Areas and rehabilitation measures undertaken.

7. Subsequently, the queries of the Committee were replied by the Secretary, MoPR. Certain issues which remained unanswered along with those which warranted elaborate reply, the Ministry and University were requested to send written replies thereto in writing within 07 days.

[The witnesses then withdrew]

A verbatim record of the proceedings has been kept.

The Committee then adjourned.

COMMITTEE ON RURAL DEVELOPMENT AND PANCHAYATI RAJ (2025-26)

**EXTRACTS OF THE MINUTES OF THE TWENTY SIXTH SITTING OF THE
COMMITTEE HELD ON WEDNESDAY, 8th JULY, 2026**

The Committee sat from 1100 hrs to 1347 hrs in Committee Room 'C', Ground Floor, Parliament House Annexe (PHA), New Delhi.

PRESENT

Shri Saptagiri Sankar Ulaka -- **Chairperson**

Members

Lok Sabha

2. Shri Vijay Kumar Dubey
3. Shri Bhajan Lal Jatav
4. Dr. Mohammad Jawed
5. Shri Jugal Kishore
6. Shri Naba Charan Majhi
7. Shri Janardan Mishra
8. Shri Kota Srinivasa Poojary
9. Shri Ramashankar Vidharthi Rajbhar
10. Shri Devendra Singh *alias* Bhole Singh
11. Shri Ganesh Singh
12. Shri Vivek Thakur

Rajya Sabha

13. Smt. Geeta *alias* Chandraprabha
14. Shri Samirul Islam
15. Dr. Kavita Patidar
16. Shri Nagendra Ray

SECRETARIAT

1. Shri V.K. Shailon - Director
2. Smt. Rashmi Roy - Deputy Secretary

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2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened for consideration and adoption of (i) xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx; (ii) Draft Report on the subject "Review of Panchayat Extension to Scheduled Areas (PESA) Act, 1996" pertaining to the Ministry of Panchayati Raj; and xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx.

3. Above mentioned draft reports were taken up for consideration and after discussion, the Committee adopted the same without any modifications. The Committee then authorized the Chairperson to finalize the aforesaid draft reports and present the same to the Parliament.

[xxxx xxxx xxxx xxxx xxxx xxxx xxxx xxxx]

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[xxxx xxxx xxxx xxxx]

A verbatim record of the proceedings has been kept.
The Committee then adjourned.

xxxx Not related to the Draft Report.