

GOVERNMENT OF INDIA  
MINISTRY OF PANCHAYATI RAJ  
**LOK SABHA**  
**UNSTARRED QUESTION NO.6284**  
TO BE ANSWERED ON 05.04.2018

**PESA Act**

**6284. SHRI RAMSINH RATHWA:**

Will the Minister of PANCHAYATI RAJ be pleased to state:

- (a) whether the provisions of Panchayats (Extension to Scheduled Areas), (PESA) Act are not being adhered to in areas where it is compulsory;
- (b) if so, the details thereof;
- (c) whether any assessment has been made on the implementation and the effectiveness of the Act; and
- (b) if so, the details thereof;

**ANSWER**

THE MINISTER OF STATE IN THE MINISTRY OF PANCHAYATI RAJ

(SHRI PARSHOTTAM RUPALA)

(a) & (b): The Provisions of the Panchayats (Extension to the Scheduled Areas), (PESA) Act 1996 extends Part IX of the Constitution with certain modifications and exceptions, to the Fifth Schedule Areas of 10 States viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. The Act envisages strengthening of Gram Sabhas in Fifth Schedule Areas to enable them to function effectively as the basic institutions for people's participation ensuring transparency and accountability within the Panchayati Raj system. The success of implementation of PESA in the Fifth Schedule Areas varies from State to State keeping in view the actions taken by the States in creating facilitating environment for proper functioning of Gram Sabhas and Gram Panchayats through formulation of Rules, harmonising State Subject Laws and Panchayati Raj Acts with PESA Acts and providing adequate manpower and infrastructure for undertaking various activities in Panchayats in accordance with the provisions of the Act.

(c) to (d): There have been many studies related to various dimensions of the implementation and effectiveness of PESA Act by different organisations. Important such studies sponsored by Ministry of Panchayati Raj include "Study of Specific Central Laws Relating to Scheduled Areas with a view to harmonize their provision with the aims and objectives of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act 1996" by Indian Law Institute, New Delhi and State wise report on PESA Implementation – Some Essential Prerequisites and Suggestions by Enviro Legal Defence Firm (ELDF), Noida.

\*\*\*\*\*