

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
UNSTARRED QUESTION No. 255
ANSWERED ON-30.11.2021

PESA ACT

255. SHRIMATI RAKSHA NIKHIL KHADSE:
SHRI MANOJ KOTAK:

Will the Minister of **PANCHAYATI RAJ** be pleased to state:

- (a) the details of the land acquired in last five years in the States with Fifth Scheduled Areas covered under PESA Act 1996 for various projects including the State of Maharashtra;
- (b) the details thereof State & Project-wise thereby; and
- (c) the details of future plans thereto?

ANSWER

THE MINISTER OF STATE FOR PANCHAYATI RAJ
(SHRI KAPIL MORESHWAR PATIL)

(a), (b) & (c) In terms of Item no. 18 of State list of Seventh Schedule of the Constitution of India, 'land' is a State subject. Further, Section 4 of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 [PESA] provides that 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. It also provides that the actual planning and implementation of the projects in the Scheduled Areas shall be coordinated at the State level. Also, in terms of PESA, State Legislatures have been empowered to frame all laws concerning the extension of the provisions of Part IX of the Constitution relating to the Panchayats in Fifth Scheduled Areas. As such, the subject being in the purview of State Governments, these details are not maintained centrally.
