

GOVERNMENT OF INDIA  
MINISTRY OF PANCHAYATI RAJ  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 2600**  
ANSWERED ON-02.08.2022

**IMPLEMENTATION OF PESA ACT, 1996**

2600. SHRI D. K. SURESH:

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

- (a) whether it is true that Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) provides an opportunity to correct the loopholes in the Gram Sabha;
- (b) if so, whether it is also true that many State Governments have not implemented the PESA Act and as a result schemes are affecting the tribals and control over natural resources within the area of a village; and
- (c) if so, the details of the steps taken to ensure that PESA Act is implemented in all the States to ensure effective functioning of Gram Sabha?

**ANSWER**

THE MINISTER OF STATE FOR PANCHAYATI RAJ

(SHRI KAPIL MORESHWAR PATIL)

(a) to (c) The Parliament enacted “The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” (PESA) to extend Part IX of the Constitution, with certain modifications and exceptions, to the Fifth Schedule areas of ten States viz. Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. Nine PESA States, except Rajasthan, have incorporated the provisions of PESA 1996 in their respective State Panchayati Raj Acts. The tenth State, Rajasthan, has notified “The Rajasthan Panchayat Raj (Modification of Provisions in their Application to the Scheduled Areas) Act 1999”. With the objective of effective implementation of PESA, Ministry of Panchayati Raj circulated Draft Model PESA Rules in 2009. Based on constant persuasion by the Ministry of Panchayati Raj six States namely; Andhra Pradesh, Gujarat, Himachal Pradesh, Maharashtra, Rajasthan and Telangana have notified their State PESA Rules under their respective State Panchayati Raj Acts. The Ministry of Panchayati Raj has requested, the States of Jharkhand, Odisha, Chhattisgarh and Madhya Pradesh to notify their State PESA Rules through advisories, conferences, meetings, workshops. The recent advisory sent in this regard was in February, 2022.

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