

GOVERNMENT OF INDIA
MINISTRY OF PANCHAYATI RAJ
LOK SABHA
STARRED QUESTION NO.— †*232
ANSWERED ON- 04.08.2026

PANCHAYATS EXTENSION TO SCHEDULED AREAS ACT

†*232. SMT. JYOTSNA CHARANDAS MAHANT:

Will the Minister of PANCHAYATI RAJ be pleased to state:

- (a) whether district-level administrative officers have been vested with appellate or overriding powers to review and dispose of land acquisition objections raised by Gram Sabhas in certain Fifth Schedule areas, including Chhattisgarh, under the recently notified State Panchayats Extension to Scheduled Areas (PESA) Rules;
- (b) if so, the details thereof along with the reaction of the Government thereto;
- (c) whether the Government has taken cognizance of cases involving the use of forged or manipulated Gram Sabha consent resolutions to expedite mining and industrial projects in the Fifth Schedule areas; and
- (d) the corrective measures being taken to mandate the principle of "Free, Prior and Informed Consent" (FPIC) and to ensure that the PESA-Gram Panchayat Development Plan (GPDP) digital portal effectively audits and safeguards the said grassroot level resolutions?

ANSWER

THE MINISTER OF PANCHAYATI RAJ

(SHRI RAJIV RANJAN SINGH ALIAS LALAN SINGH)

- (a) to (d) A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (D) IN RESPECT OF
LOK SABHA STARRED QUESTION NO. †*232 ANSWERED ON 04.08.2026
REGARDING “PANCHAYATS EXTENSION TO SCHEDULED AREAS ACT”**

(a) and (b) Yes, Sir. In certain PESA States, namely Andhra Pradesh, Chhattisgarh, Himachal Pradesh, Maharashtra, Rajasthan and Telangana, their PESA Rules vest district-level administrative officers with appellate or overriding powers to review and dispose of objections raised by Gram Sabhas in relation to land acquisition in the Fifth Schedule Areas. Since this is a State subject, the Ministry of Panchayati Raj does not maintain details of proposals of land acquisition and reports of the State Governments.

(c) ‘Panchayat’, being ‘local government’, is a State subject and part of State list of Seventh Schedule of the Constitution of India. Panchayats are set up and operate through the respective State Panchayati Raj Acts, subject to the provisions of the Constitution. The implementation of “The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996” (PESA Act) is the responsibility of the State Government concerned, having Fifth Schedule Areas (called as PESA States).

As far as mining leases in Fifth Schedule Areas are concerned, PESA Act is applicable only to mining lease for minor minerals. In terms of section 4(k) and 4(l) of PESA Act, the recommendations of the Gram Sabha or the Panchayats at the appropriate level is mandatory prior to grant of prospecting licence or mining lease for minor minerals in the Scheduled Areas as well as grant of concession for exploitation of minor minerals by auction. Further, In terms of section 4(e) PESA Act, every Gram Sabha shall 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. The implementation of these provisions of PESA Act is the responsibility of State Government concerned.

Any cases/complaints involving the use of forgery, manipulated Gram Sabha consent resolutions are dealt by the State Government concerned. Since this is a State subject, the State Governments neither furnish details of such cases to the Ministry of Panchayati Raj nor does the Ministry of Panchayati Raj maintain any such details.

The Ministry of Tribal Affairs has informed that no State Government has reported any instance involving the use of forged or manipulated Gram Sabha consent resolutions to facilitate or expedite mining and industrial projects in the Fifth Schedule Areas.

The Ministry of Environment, Forest and Climate Change has informed that the protection and management of forest and tree resources are primarily the responsibility of the State Governments/Union Territory (UT) Administrations. There are legal frameworks for the protection and management of forest resources of the country. The State Governments/ UT Administrations take appropriate actions to protect forest and tree resources and address deforestation.

(d) It is the responsibility of the State Government concerned to comply with the provisions of PESA Act while ensuring the Free, Prior and Informed Consent, whenever required, of Gram Sabha or the Panchayat at the appropriate level and to ensure audit and safeguards of grassroots level resolutions.

The Ministry of Panchayati Raj has the PESA-Gram Panchayat Development Plan (PESA-GPDP) Portal, to facilitate the preparation, consolidation and monitoring of Gram Panchayat Development Plans (GPDPs) in PESA areas at village level, with a view to enhancing transparency and strengthening of the planning process. This portal is not for the audit or to safeguard the grassroot level resolutions. This portal is for the monitoring of the planning process.
