Panchayats (Extension to Scheduled Areas) Act, 1996

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Why in News?

The Jharkhand Cabinet approved the PESA rules, empowering Gram Sabhas with wider administrative and decision-making powers in Fifth Schedule areas—regions with a high tribal population—of the state.

- **PESA Act –** It ***extends the Panchayati Raj system*** or the 73rd Constitutional Amendment provisions to the ***tribal-dominated Fifth Schedule Areas***.
- It gives Gram Sabhas and Panchayats in these areas additional powers to maintain their traditional governance systems.
- **Purpose –** To decentralise governance, empower Gram Sabhas, and protect tribal traditions, resources, and rights.
- The PESA Act (1996) is called a "*Constitution within the Constitution*".
- **Recommendation** – ***Bhuria Committee, 1995,*** has recommended extending Panchayati Raj to tribal areas, which led to the PESA Act, 1996.
- **Applicable in 10 states** – Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Telangana.

Salient Features of the PESA Act

- **Power of Gram Sabha –** Gram Sabha in every village safeguards culture, resources, and traditional dispute resolution and approves development plans, identifies beneficiaries, and certifies fund utilisation.
- **Exclusive Rights of Gram Sabha include** -
  - Consultation in land acquisition & rehabilitation.
  - Planning & management of minor water bodies.
  - Recommendations for mining licenses and concessions.
- **Gram Sabha has the authority to regulate -**
  - Sale/consumption of intoxicants.
  - Ownership of minor forest produce (MFP).
  - Prevention of land alienation & restoration of alienated land.
  - Management of village markets.
  - Control over money lending to the Scheduled Tribes.
  - Oversight of social sector institutions and local plans.
- **Representation –** Chairperson at every Panchayat level must be from the Scheduled Tribes, and at least 50% reservation of the seats for STs in the Scheduled Areas.

Government Initiatives

- **Training** – Over 1 lakh participants trained in PESA provisions (2024–25).
- **Digital Portal –** PESA-Gram Panchayat Development Plan Portal launched for resource allocation and monitoring.
- **Capacity Building –** Manuals translated into tribal languages (Santhali, Gondi, Bhili, Mundari).
- **Centres of Excellence** – Established in universities (e.g., Indira Gandhi National Tribal University, Amarkantak).

PESA Day - *on December 24, 2024, by the Ministry of Panchayati Raj.*

References

1. Indian Express | Jharkhand Cabinet approves PESA rules
2. PIB | PESA Mahotsav

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