

Standing Committee Report Summary

Review of Panchayats Extension to the Scheduled Areas Act, 1996

- The Standing Committee on Rural Development and Panchayati Raj (Chair: Mr. Saptagiri Sankar Ulaka) presented its report on 'Review of Panchayats Extension to the Scheduled Areas Act, 1996' on July 31, 2026. The Act extends the constitutional provisions on panchayati raj institutions to the scheduled areas with certain modifications. Scheduled areas are areas notified by the President under the Fifth Schedule to the Constitution, based on factors such as preponderance of tribal population and backwardness of the area. At present, there are 10 states with notified scheduled areas. Key observations and recommendations include:
- **Strengthening Gram Sabha:** The Committee noted that the Gram Sabha is the foundational institution under PESA, with extensive powers over matters such as: (i) community resources, (ii) customary dispute resolution, (iii) minor forest produce, (iv) land acquisition, and (v) village development planning. It observed that several of these powers remain inadequately operationalised due to a lack of awareness and weak institutional support. It also noted that excessive dependence on English-based administrative systems dilutes outreach among tribal communities. It recommended: (i) mandatory orientation programmes for Gram Sabha members, (ii) awareness campaigns in local tribal languages, (iii) digitally recording Gram Sabha resolutions on land and other resources, and monitoring these resolutions through a dedicated national PESA platform, (iv) translation of all training modules into major tribal languages, and (v) nationwide awareness campaigns through community radio, tribal-language media, and local cultural platforms.
- **Village centric planning:** The Committee noted that the Ministry of Panchayati Raj has introduced Gram Panchayat Development Plans (GPDP) in the PESA areas. In 2025-26, 96% of the Gram Panchayats in PESA states prepared such plans at village level. To strengthen village-centric planning, the Committee recommended that: (i) preparation of GPDPs should mandatorily originate from Gram Sabha level, and (ii) plans should incorporate tribal livelihood protection, natural resource management, customary practices, and cultural priorities. It also recommended integration of PESA priorities with sustainable development goals and tribal development schemes.
- **Illegal land transfers:** The Committee noted that tribal communities face the issue of fraudulent or indirect land transfers. It noted misuse of tribal identity for acquisition of tribal land. The Committee recommended: (i) a detailed study on illegal tribal land transfers and loopholes in existing protective laws, (ii) strengthening of monitoring systems across all PESA states, (iii) digitisation of land records, and (iv) mandatory Gram Sabha verification for tribal land transactions.
- **Consent for land acquisition:** The Committee noted that the Act requires mandatory consultation with Gram Sabha before land acquisition and rehabilitation in scheduled areas. It observed that improper implementation of these safeguards can lead to alienation of tribal land and livelihoods. It recommended: (i) comprehensive operational guidelines for mandatory Gram Sabha consent for all cases of land acquisition, mining leases, and rehabilitations, and (ii) accountability mechanisms and periodic social audits for violations.
- **Institutional coordination:** The Committee noted that the Ministry has established a dedicated PESA cell, however, implementation requires coordination among multiple departments. These include Panchayati Raj, Tribal Affairs, Forest, and Revenue. It further noted that PESA intersects with several other laws relating to forests, land, and mining, and that a lack of harmonisation leads to administrative confusion and weak enforcement. It recommended: (i) dedicated PESA cells at the state, district, and block levels, with clear roles, adequate staffing, and proper budgets, and (ii) constitution of inter-departmental coordination committees for better convergence.
- **Notification of PESA Rules:** The Committee noted that Odisha remains the only state yet to notify the PESA Rules, though the draft Rules were framed in 2023. The Ministry informed the Committee that it has been communicating with the state government to expedite the process. The Committee also recommended a periodic review and updating of PESA Rules by all PESA states.

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