

1	2	3	4
24.	Puducherry	108	88
25.	Punjab	13267	5643
26.	Rajasthan	10136	9413
27.	Sikkim	185	142
28.	Tamil Nadu	12524	9873
29.	Telangana	12769	8379
30.	Tripura	591	535
31.	Uttar Pradesh	58761	32444
32.	Uttarakhand	7789	6190
33.	West Bengal	3340	3302
	TOTAL	256765	197108

* including UT of Ladakh

Implementation of PESA Act

750. DR. K.V.P. RAMACHANDRA RAO:

SHRI BINOY VISWAM:

Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether it is a fact that several States having Fifth Schedule areas are yet to make their State laws compliant with provisions of "The Provisions of the Panchayats (Extension to the Scheduled Areas)" Act (PESA), 1996;

(b) if so, the details thereof;

(c) whether any time limit is prescribed to States to make the State laws compliant with the provisions of PESA Act;

(d) the action taken by Government to see that the States implement PESA Act;
and

(e) the total budgetary allocation and expenditure for Gram Panchayats under PESA Act in the last three fiscal years, State-wise details thereof?

THE MINISTER OF PANCHAYATI RAJ (SHRI NARENDRA SINGH TOMAR): (a) and (b) The Fifth Schedule States (Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana) have amended their respective State Panchayati Raj Acts in compliance with most of the provisions of 'The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996' (PESA). A statement showing compliance of State Panchayati Raj Acts with Section 4 of PESA is given in Statement-I (*See below*). Another statement showing compliance of important Subject Laws with PESA by the States is given in Statement (*See below*).

(c) As per provisions of PESA, no time limit is prescribed to States to make the State laws compliant with the provisions of PESA.

(d) The Government has made provision in PESA that notwithstanding anything contained under/Part IX of the Constitution, the Legislature of a State shall not make any law under that Part which is inconsistent with any of the features mentioned in section 4 of PESA. From time to time, Ministry of Panchayati Raj have requested the concerned States to frame their PESA Rules. So far, 6 States (Andhra Pradesh, Gujarat, Himachal Pradesh, Maharashtra, Rajasthan and Telangana) have made their State PESA Rules under their respective State Panchayati Raj Act/PESA Act and 4 States (Chhattisgarh, Jharkhand, Madhya Pradesh and Odisha) are yet to frame their State PESA Rules.

(e) There is no provision of budgetary allocation and expenditure for Gram Panchayats under PESA. However, in the last three fiscal years 2016-17, 2017-18 and 2018-19, under Fourteenth Finance Commission, with reference to Rural Local Bodies, a statement showing State-wise details of total grants allocated and total grant released is given in Statement-III.

Written Answers to

[7 February, 2020]

Unstarred Questions

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Chhattisgarh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gujarat	Y	Y	Y	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y
Himachal Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jharkhand	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	N	Y	Y
Odisha	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Maharashtra	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Madhya Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	N	Y	Y
Rajasthan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Telangana	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

'Y' denotes the provision has been made PESA compliant. 'N' denotes action is yet to be completed

Statement-II*Compliance of important Subject Laws with PESA*

States	Land acqui- sition	Excise	Forest produce	Mines and minerals	Agri produce market	Money lending
Andhra Pradesh	N	N	N	N	N	N
Chhattisgarh	Y	Y	N	Y	Y	Y
Gujarat	Y	Y	Y	Y	Y	Y
Himachal Pradesh	Y	Y	Y	Y	N	N
Jharkhand	N	N	Y*	N	N	N
Odisha	N	Y	Y	Y	N	N
Maharashtra	Y	N	Y	Y	N	Y
Madhya Pradesh	Y	Y	N	Y	Y	N
Rajasthan	N	N	N	Y	N	N
Telangana	N	N	N	N	N	N

* Jharkhand Govt. has adopted a resolution on 8.2.2007 conferring ownership right over Minor Forest Produce to Gram Panchayat.

'Y' denotes the provision has been made PESA compliant.

'N' denotes action is yet to be completed.

Statement-III

*Status of allocation and release of Fourteenth Finance Commission Grants to
PESA States (As on 03.02.2020)*

(₹ in crore)

Sl. No.	States	2016-17		2017-18		2018-19		Total	
		Allo- cation	Release	Allo- cation	Release	Allo- cation	Release	Allo- cation	Release
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	1463.45	1454.05	1686.85	1675.88	1947.32	858.99	5097.62	3988.93
2.	Chhattisgarh	886.82	886.82	1022.18	1022.18	1180.02	1047.86	3089.02	2956.86

1	2	3	4	5	6	7	8	9	10
3. Gujarat		1460.18	1460.18	1683.08	1683.08	1942.96	1725.36	5086.22	4868.62
4. Himachal Pradesh		306.05	306.05	352.76	312.60	407.24	361.63	1066.05	980.28
5. Jharkhand		1022.53	1022.53	1178.63	1044.45	1360.62	1208.24	3561.78	3275.22
6. Madhya Pradesh		2292.46	2292.46	2642.40	2638.21	3050.41	2708.78	7985.27	7639.45
7. Maharashtra		2542.61	2542.61	2930.76	2597.10	3383.28	3004.37	8856.65	8144.08
8. Odisha		1496.64	1496.64	1725.11	1725.11	1991.48	1768.44	5213.23	4990.19
9. Rajasthan		2305.52	2305.52	2657.47	2657.47	3067.80	2724.22	8030.79	7687.21
10. Telangana		908.99	908.99	1047.75	1047.75	1209.53	1071.59	3166.27	3028.33
TOTAL		14685.25	14675.85	16926.99	16403.83	19540.66	16479.48	51152.90	47559.17

Outsourcing of railway services

‡751. SHRIMATI CHHAYA VERMA:
CH. SUKHRAM SINGH YADAV:
SHRI VISHAMBHAR PRASAD NISHAD:

Will the Minister of RAILWAYS be pleased to state:

(a) the names of the services being outsourced by Railways and the details of the reduction in permanent jobs caused as a result thereof;

(b) the number of posts lying vacant in Railways and the action taken for recruiting permanent employees; and

(c) the name of permanent posts which have been abolished or are proposed to be abolished by Railways?

THE MINISTER OF RAILWAYS (SHRI PIYUSH GOYAL): (a) The information is being collected and will be laid on the Table of the House.

(b) The number of posts lying vacant as on 01.04.2019 is 3,03,911. Recruitment panels comprising of 1,17,168 candidates for Group 'C' posts (including Level-1 posts) have been formed for filling up these vacancies.

‡Original notice of the question was received in Hindi.