1	2	3
10.	Himachal Pradesh	-
11.	Jammu and Kashmir	6
12.	Jharkhand	15
13.	Karnataka	29
14.	Kerala	5
15.	Madhya Pradesh	22
16.	Maharashtra	151
17.	Manipur	-
18	Meghalaya	-
19.	Mizoram	-
20.	Nagaland	1
21.	Odisha	10
22.	Puducherry	-
23.	Punjab	1
24.	Rajasthan	15
25.	Tamil Nadu	20
26.	Tripura	-
27.	Ut Chandigarh	1
28.	Uttar Pradesh	38
29.	Uttarakhand	2
30	West Bengal	58
	Grand Total	522

Reservations for SCs/STs in Panchayati Raj Institutions

*221. PROF. MANOJ KUMAR JHA: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether the mandatory provision of reservation for persons belonging to the Scheduled Castes/Scheduled Tribes in Panchayati Raj Institutions (PRIs) under the Constitution (73rd Amendment) Act are not being observed in certain States/UTs;

(b) if so, the details thereof;

(c) whether the provisions of the Constitution (73rd Amendment) Act had been extended to Scheduled Areas by an Act passed in 1996 and States were expected to enact the required laws in this regard within one year; and

(d) if so, names of the States/UTs which have not enacted the required laws within the prescribed time along with the reasons therefor?

THE MINISTER OF PANCHAYATI RAJ (SHRI NARENDRA SINGH TOMAR): (a) and (b) "Panchayat", being "Local Government", is a State subject and part of State List of Seventh Schedule of Constitution of India. Mandate for setting up of Panchayats is provided by Article 243 in Part IX of the Constitution of India. Article 243D of the Constitution of India provides for reservation of seats for Scheduled Castes and Scheduled Tribes in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the Total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the Total population of that area. The provisions for reservation of seats for Scheduled Castes/ Scheduled Tribes have been incorporated in respective State Panchayat Raj Acts of States/Union Territories.

(c) Yes Sir.

(d) The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) was enacted 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. All these States have undertaken steps to process the amendment of their State Panchayati Raj Acts and respective subject laws to bring them in consonance with PESA Act. Details showing compliance of State Panchayati Raj Acts with Section 4 of PESA Act 1996 is given in the Statement-I (*See* below) and details showing compliance of important subject laws with PESA Act is given in the Statement-II (*See* below). The States of Andhra Pradesh, Gujarat, Himachal Pradesh, Maharashtra, Rajasthan and Telangana have framed their State PESA Rules under their respective State Panchayati Raj Acts. Jharkhand, Odisha, Chhattisgarh and Madhya Pradesh are yet to frame their State PESA Rules. Rajasthan has also enacted "The Rajasthan Panchayati Raj (Modification of Provisions in their Application to the Scheduled Areas) Act 1999" to bring them in conformity with the PESA Act 1996.

Statement-I

Compliance of State Panchayati Raj Acts with Section 4 of PESA Act 19

PESA States	Provisions under Section 4 of PESA Act, 1996										
	(d) (Customary mode of conflict resolution by the (Gram Sabha)	(e) (Selection of programme beneficiaries by Gram Sabha)	f) (GP to obtain UC from Gram sabha)	(h) (Nomination by State Government of persons of ST not represented in intermediate & district PRIs)	(i) (Consultation with Gram Sabha or PRI before land acquisition and resettlement &	(j) (Planning & management of water bodies by Gram Sabha or PRI)	(k) (Recommendation by Gram Sabha or PRI before grant of prospecting license or mining lease)	(l) (Recommendation by Gram Sabha or PRI before exploitation of minor minerals)	(i) (Restrict sale of intoxicant)	(ii) (Ownership of Minor Forest	(iii) (Prevent land alienation)
1	2	3	4	5	6	7	8	9	10	11	12
Andhra Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Chhattisgarh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gujarat	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Himachal Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jharkhand	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
Odisha	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Maharashtra	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Madhya Pradesh	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N
Rajasthan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Telangana	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 Act

States	Land acquisition	Excise	Forest produce	Mines andminerals	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 Panchayats.

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

'N' denotes action is yet to be completed.

Railway zone in Andhra Pradesh

*222. SHRI Y. S. CHOWDARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government has constituted a Committee to consult various stakeholders including MPs to take a final decision for construction of railway zone in the State of Andhra Pradesh (AP);

(b) if so, the details thereof;

(c) whether the Committee has submitted its report to Government in this regard;