

PESA Act (1996) and PESA Rules (2011)

- “The Provision of the Panchayat (Extension of the Scheduled Areas) act, 1996” popularly known as the PESA act, extends Part IX of the constitution to the Fifth Schedule Areas
- Beneficiaries: The scheduled tribes residing in Banswara, Dungarpur, Pratapgarh, and partial areas of Udaipur, Rajasamand, Chittorgarh and Sirohi (9 complete tehsils, 1 complete block and 46 complete gram panchayats covering 227 villages) of Rajasthan would be included in the Scheduled Area.

Minor Forest Produce

All Non Timber Forest Produce (NTFP) of plant origin including Bamboo

brush wood, stumps, cane, tussar, cocoons, honey, wax, lax, tendu leaves, medicinal plants and herbs, roots, tubers and the like.

Gram Sabha to safeguard Community Resources

Gram Sabha shall ensure that resources are utilised in such a way that:

- i. Livelihood means are sustained.
- ii. Inequality among people does not increase
- iii. Resources are not confined to few people, and
- iv. There is full utilisation of local resources, in keeping with sustainability.

Collection and marketing of Minor Forest Produce (MFP)

- Collection and marketing of MFP other than Bamboo and Tendu Patta will be done by Gram Sabha through the Village Forest Protection and Management Committee (VFPMC) or RAJAs or Cooperative Societies constituted for this purpose
- Gram Sabha shall ensure collection of MFP in accordance with the MoU signed by VFPMC with the Panchayat and the Forest Department
- The net revenue obtained shall belong to Gram Sabha.
- The Gram Sabha shall be free to use this revenue for undertaking community works and for augmenting production of MFP

Collection and Marketing of Bamboo

- Bamboo to be harvested scientifically on a non-destructive and sustainable basis by the Forest Department for the Gram Sabha
- After deducting the expenses incurred on the harvest and transportation, the Forest Department shall transfer the net proceeds to the respective Panchayats from whose area bamboo has been harvested
- The revenue received from bamboo harvesting shall be spent by Gram Sabha on development of community and regeneration of bamboo.

Collection and Marketing of Tendu Patta

- Tendu Patta shall continue to be collected by the Forest Department in accordance with the Rajasthan Tendu Leaves (Regulation of Trade) Act, 1974 (Act No. 5 of 1974)
- The net revenue received from collection of tendu leaves shall be transferred to respective Panchayats from whose area tendu patta is collected in the ratio of production of Tendu Patta from its area
- The Gram Sabha shall use 50% of this revenue for infrastructure development and rest 50% on cultural operations required for augmenting the production of Tendu Patta in its area.
- The Advisory Committee of the Forest Department shall necessarily have representation of Panchayati Raj Institutions.

IMPORTANT ISSUES

- Only 5 lakh rupees per year is made available for Cultural Operations to augment the production of Tendu Patta in all the 167 units of Tendu Patta. Average number of standard bags/year is 3,17,720. In the adjoining state of Madhya Pradesh Rs 45 are paid per standard bag. All Cultural Operations are labour intensive and should be linked to the ongoing NAREGA scheme.
- Formation of Rajasthan Forest Corporation will facilitate augmentation of Tendu leaves production and streamline online sale of NTFP's .