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## KHAP PANCHAYATS AND SOCIAL HARMONY: A CASE STUDY OF HARYAN

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### Abstract

*The Khap Panchayats are ancient republican and socially sanctioned institutions of Haryana. Khap Panchayats have played an important Social role in fighting against the soicial evils. Khap panchayats still play an important role in formulating social relations including marriages between individuals, between different social groups and between different villages. But sometimes their decisions have been taken as immoral and unconstitutional. In this paper an attempt has been made to examine the role of Khap Panchayats in the past historic times and their relevancy at present. The study also examines the attitude of young as well as old generations about the role of these Khap Panchayats and their future prospectives.*

### Introduction

Haryana, a fast developing state, is second only to Punjab on the economic front in India. The economic development and modernization of Haryana in agriculture, education and health have changed the food and dress habits and house designs from traditional to western ones. The economic development has considerably changed the young generation and has moved it towards a casteless society.

Haryana is a state where social *panchayats* (not statutory) still play an important role in formulating social relations including marriages between individuals, between different social groups and between different villages. Previously the social *panchayats* popularly known as *Khap Panchayats* had been playing an important role in formulating social and economic life style of the society. The *Khap Panchayats* are ancient republican and socially sanctioned institutions

of Haryana. (Chaudhary, 2006) History shows that *Khap Panchayats* have never been found wanting wherever aberrations in society have threatened the social values (The Tribune, April 17, 2003). As and when the security of the people of the *Khap* area or *Sarva Khap* area was threatened by an invader or the autocrat, the *Khap Panchayats* took decision to resist the same and on several occasions. People led by *Sarva Khap* had successfully resisted the powerful invaders like Taimur Lang (Capt. Singh, 1988 p.577) and bigoted rulers like Allaudin Khilji and Aurangjeb (Capt. Singh, 1988, p.575). In the same spirit the *Sarva Khap Panchayats* lent their might in support of the first war of India's Independence in 1857. It is evident in a running reference of the *Sarva Khap Panchayat* held at Baraut in Meerut district (Uttar Pradesh) in February 1857 wherein almost all the Indian Chieftains of different states of northern India participated

either personally or through their representatives including Rani Jhansi and the last Mughal Emperor Bhadur Shah Zaffer of Delhi (Capt. Singh, 1988, p.595).

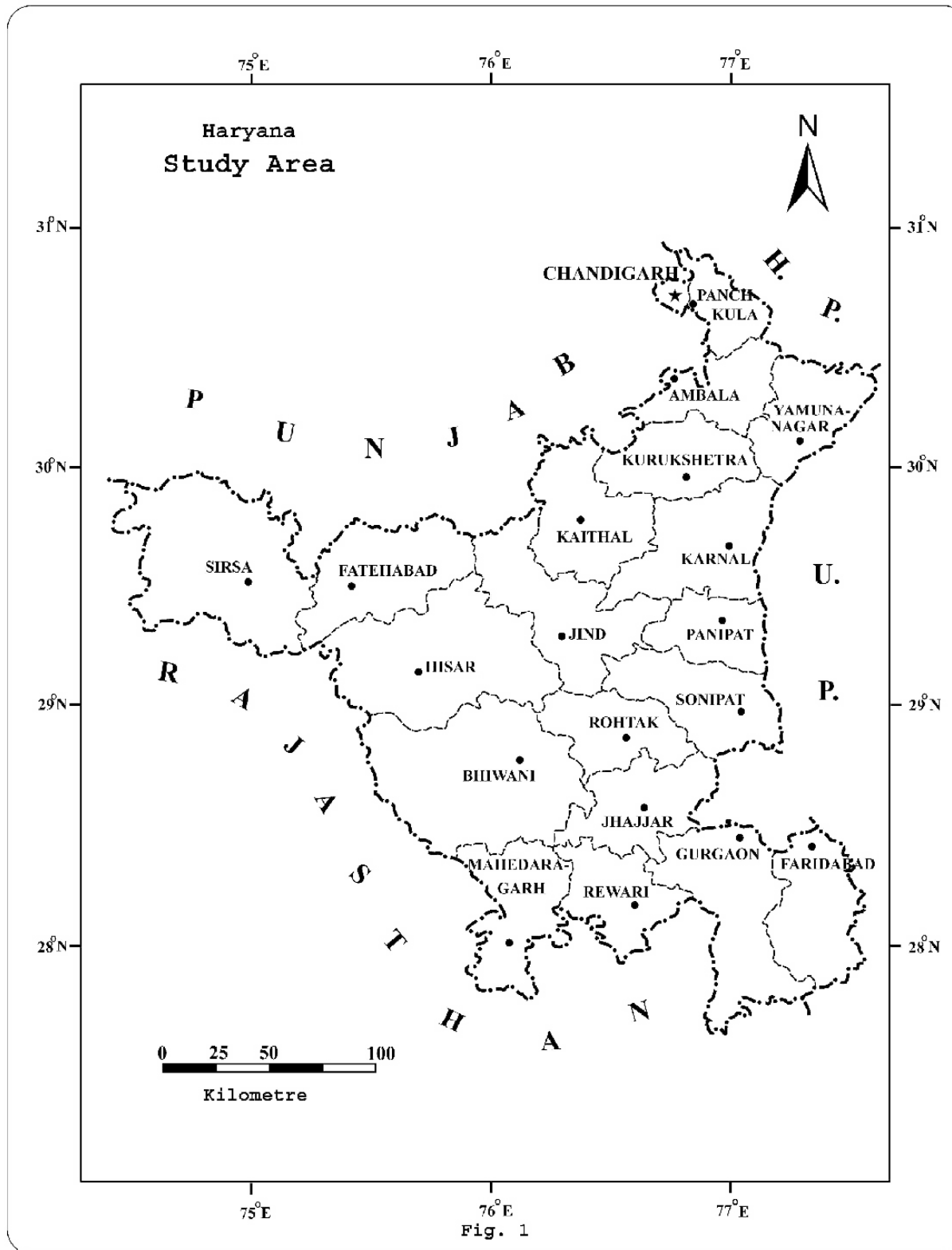
Even after independence the *Sarva Khap Panchayat* have played an important social role in fighting against the social evils. To weed out the dowry system, a *Khap Panchayat* was held in 1950 at village Beri in Jhajjar district where strict rules were framed about the expenses (*Lena-Dena*) in the marriage and the said rules were to be followed by everybody irrespective of caste, creed and religion (Chaudhary, 2006). Thereafter, the checks imposed by *Sarva Khap Panchayat* worked effectively. But after some time the newly acquired prosperity by a small section of the society and its semi-feudal attitude of boastfulness and vulgar exhibitionism started creating problems for the poorer section of the society in marriages. Again the *Sarva Khap Panchayat* deliberated upon it in 1960 meeting which was held at village Sisana, in Sonipat district (The Tribune, 22 Jan. 2006). where the rules adopted in *Beri Panchayat* were reformulated and reasserted. A decision was taken to keep vigil on the defaulters and to punish them properly.

After the formation of Haryana as a separate state and on account of a rapid development of agriculture with the introduction of HYV seeds, tube well irrigation and mechanization of agriculture new social formations started taking shape. A good section of Haryana peasantry became white collar by 1980's as services in Haryana developed rapidly. Power, transport and communication, public health and educational facilities spread with a great speed in rural Haryana. As a result of this a middle class not known earlier to the Haryanvi society developed rapidly. The natural result of this developmental phenomenon in Haryana was the growth of

urbanization and change in attitudes and social life support due to the effect of electronic media. Resultantly in the last 10 or 15 years the social scenario in Haryana has changed drastically and a new class of youth with knowledge and hunger for modern urban life has emerged. This class feels and thinks in terms of selfish interest, enjoyment and nuclear family. The old traditional way of life of joint family, village fraternity and *Khap* brotherhood do not appeal to them, rather these old traditions come into conflict with the interest and attitude of the modern youth of Haryana who reject the traditional values of marriage, joint family, social responsibility towards older generation and the cooperation in economic activities. In these circumstances the *Khap Panchayats* in Haryanvi society of today are not only losing their relevance rapidly but they also look obsolete, tradition ridden, obscurantist and seem to be concerned only to issue *fatwas* against marriages within *Gotra* and inter-caste marriages. Therefore, a social conflict has arisen between the young generation and *Khap Panchayats* in matrimonial issues.

### Study Area

The State of Haryana spreading over an area of 44, 212 sq. km. with a population of 21.14 million, lies in the north-western part of the India (Fig. 1). It is surrounded by Uttar Pradesh in the east, Punjab on the north-west, Himachal Pradesh on the north and the great expanse of Rajasthan on the South. The study region is urbanizing rapidly and 29 per cent of its population lives in urban centers and 71 per cent in 6764 inhabited villages which depends on agriculture. The density of population according to 2001 census was 477 persons/sq. km. which is above than the national average of 324 persons/sq. km. The sex ratio of 861 males/1000 females is the second lowest in the country. Haryana being a part of the Gangatic



plain enjoys fertile soil and a rich agriculture hence the per capita income at current price which was Rs. 608/- in 1966-67 has increased to Rs. 23742 in 2001-02 and Rs. 26632 in 2002-03. Haryana with 67.9 per cent literacy rate ranked 20th in India. The study region constituting only 1.44 per cent of total geographical area of India and 2 per cent of the total population contributes more than 5 per cent of total food production in India.

### Objectives

The main objectives of the study are:

- i) to look into the changing structure of *Khap Panchayats* in Haryana from territorial entities to ethnicity;
- ii) to examine the traditional and contemporary role of *Khap Panchayats* within the changing socio-political structure of Haryana; and
- iii) to study the nature of conflict and social issues that have emerged in the recent past.

### Methodology

The data and the information used in this study have been taken from various published and unpublished sources. Field based data and quantitative and qualitative information have also been collected by focusing on the group interviews and extended discussions. Simple statistical techniques have been employed to analyze the data in order to achieve the objectives of the present study.

### Functioning of *Khap Panchayats*

#### Pre- Independence Scenario

*Khap Panchayats* were the tribal republics which mean a tribe governing itself through its assembly headed by the chieftain and the elected representatives through voting by raising hands. These were the territorial groups of tribes dominated by various Jat clans

and supported by all castes of the society. This social system was prevailing particularly in the areas where '*Raje-Rajware*' were not in existence particularly at the time of Alexander the Great (324 B.C.) But these tribal republics were abolished by Gupta dynasty. Later on this institution of *Khap* was rejuvenated by King Harshwardhan in 642-43 A.D when he became a mighty ruler. He respected the republics known as *Khap Panchayats* and himself became the head of the *Sarva Khap Panchayat* (Sharma and Mohan, 2003). He favoured social fraternity and sustainability and designed the *Khap's* Saffron flag with the risings sun in its middle so these assemblies became national in character in his time.

There was a system of cadre in *khap panchayats* and the hierarchy is as; Family *Panchayat*-confined to the members of a joint family; *Thola Panchayat*-a *panchayat* of neighbouring 10-15 families or a *mohalla panchayat*; *Panna Panchayat*-it is a *panchayat* of two three *mohallas* of a village; *Village Panchayat*- it is the *panchayat* of the village as a whole. After the village *panchayat* the hierarchy depends on the number of villages in the *panchayat* like; *Ghoand*- a *panchayat* of neighbouring 10-15 villages is known as *Gohand*; *Chaubisi* - a *khap* of 24 villages; *Bawani*-a *khap* of 52 villages; *Biasi*-a *khap* of 82 villages; *Chowrasi*-a *khap* of 84 villages and highest in hierarchy is *Sarva Khap Panchayat* termed as Haryana *Sarva Khap Panchayat* consisting of more than 300 *Khaps*. The *Khap Panchayats* are mainly concentrated in central Haryana because this area was not under *Jagirdari* system.

The chief functions of these *Khap* and *Sarva Khap Panchayats* were social security, fraternity (*Bhaichara*) economic security and social harmony. They met the collective social, political and economic needs of society from time to time. A *Khap Panchayat* was organized

under the leadership of Raja Bhim Deva in 1192AD, at village Depal near Hansi (Hisar) to minimize the marriage expenditure. The decisions of this *Panchayat* were reviewed in the *Khap* meeting at village *Shikarpur* in 1297 AD which was presided over by Chaudhary Mastpal.

The *Khaps* were prominent also in their fight against the foreign invaders like Tamur Lang in 1398 AD in which a Balmiki known as Dullia of Hansi and a Brahman Lady named Chandro were the major chieftains of the *Sarva Khap Panchayat* headed by Jograj Singh Gujjar. Delhi Pargana at that time included Haryana, Delhi, Alwar, Dholpur, and Bharatpur districts of Rajasthan, Agra and Meerut commissionaires of Uttar Pradesh (Fig.2). This territory had a common assembly known as Haryana *Sarva Khap Panchayat* which fought against the British in 1857. British defeated the *Sarva Khap Panchayat* and broke the marvelous social system and appointed their agents as *Namberdar*, *Safedposh* and *Jaildar* (Jail: group of 4 to 5 villages) to collect the revenue (agricultural tax).

### Post-Independence Scenario

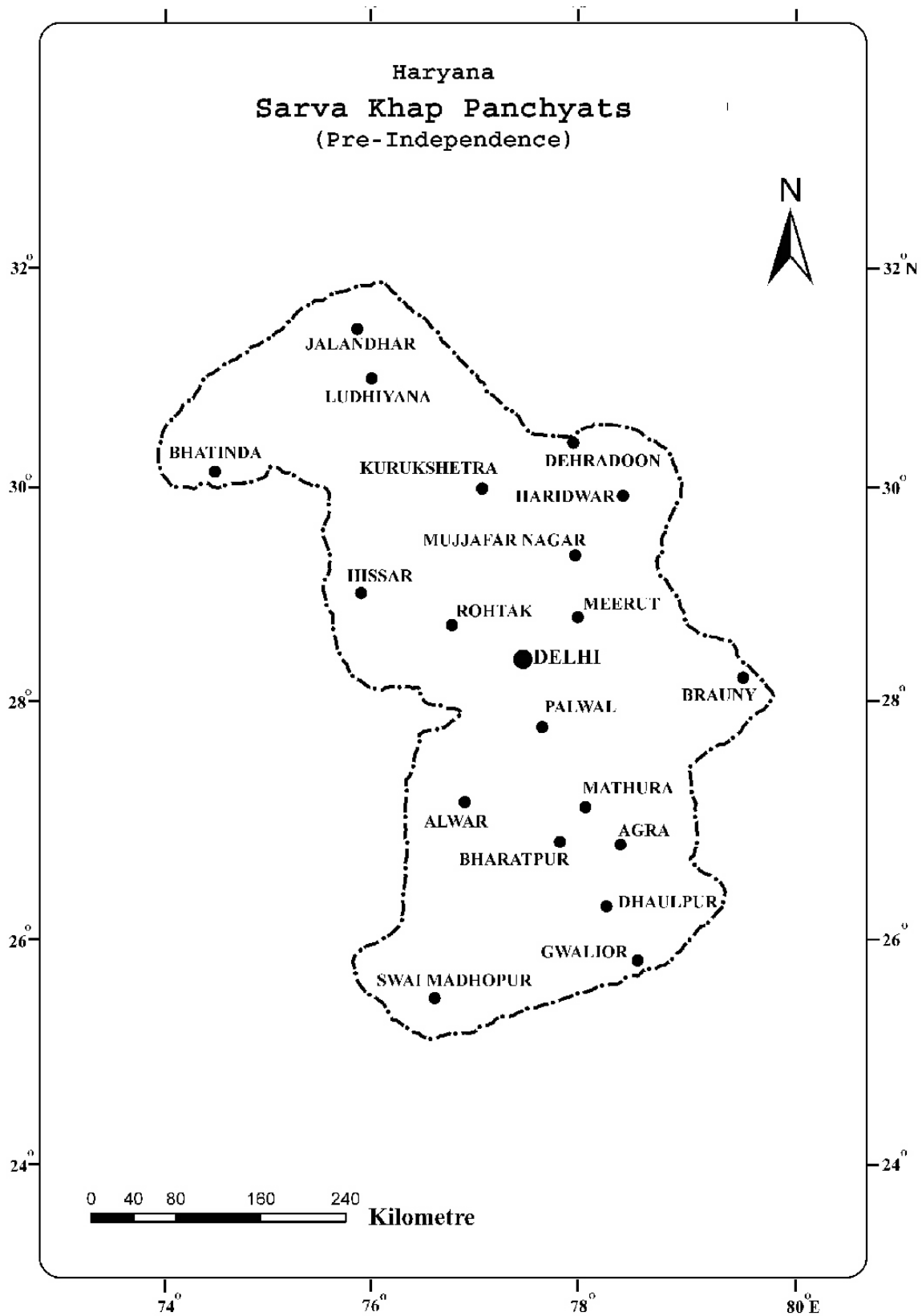
Although *Sarva Khap Panchayats* were organized at village Beri in Jhajjar district of Haryana in 1950 and in 1960 at Sisana (Capt. Singh, 1988 p.380) village of Sonipat district on the social issues of *Roti Beti* but in early 1950s *Gram Panchayat Act* came into existence and the legally sanctioned system lowered the value of the merely socially approved *panchayat*. This constitutional system of *Gram Panchayat*, *Block Smiti* and *Jila Parishad* has the right of collection and utilization of tax and also to receive governmental grants and spend them on the development of the village.

The existence of police administration for security, the judicial system for

dispensation of justice and recently (1987) introduced system of *Lok Adalats* to solve the local problems and disputes at the spot have rendered these *Panchayats* redundant. As a result these *Khap* territories, shrunk into *Clan/Gotra Panchayats* particularly in central Haryana. Today these *Gotra Panchayats* are the remnant of the tribal assemblies of olden times. (Fig. 3)

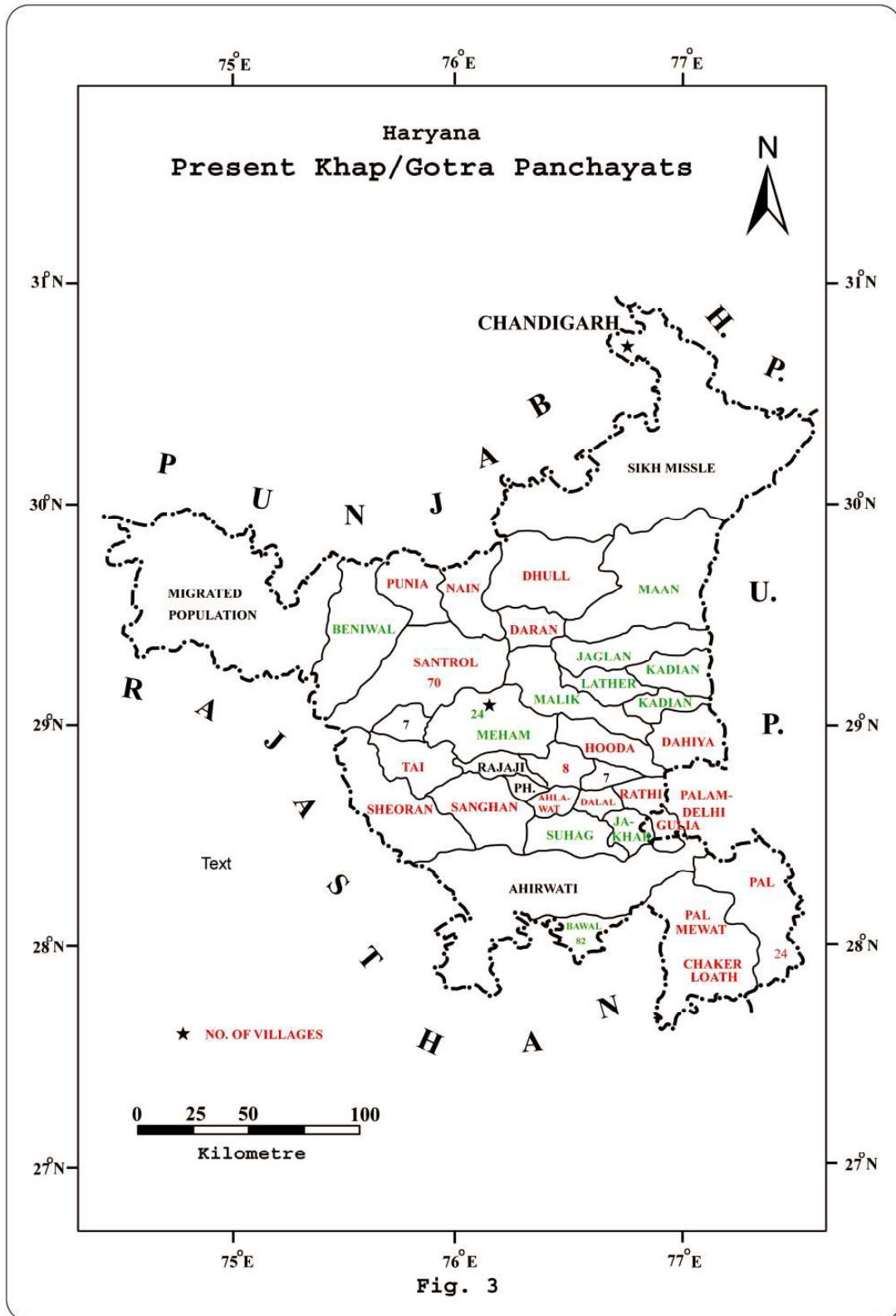
Economic development due to agricultural modernization in Haryana is also responsible for changed structure and functions of the *Gotra* or *khap Panchayats*. Agricultural modernization has raised the income of the middle level peasantry. Agricultural revolution led to huge agricultural production and hence economic growth took place raising the standard of living of *Haryanvi* people. This broke the *Jajmani* system and an individualistic approach has developed. Hence a social conflicts started emerging in terms of various disputes specially arising from the inter-*gotra* and inter-castes marriages. The Sangwan *Khap Panchayat* issued *fatwas*/took decision against such marriages at village Jondhi (Choudhary, 2001) and Asandha of karnal district, villages Talao and Chachhoroli of Jhajjar district (Choudhary, 2006) and village Ladawas of Bhiwani district (The Tribune, Feb. 4, 2006) and Nain *Khap* at Dohla village of Jind district (Danik Jagran Feb. 4, 2006.) and Malik *Khap* of Ahulana village of Sonipat district (Rajlaskmi, 2005) of Haryana are the glaring examples but some of the decisions were stayed by the Punjab and Haryana High court and were made null and void and the remaining could not be implemented properly for different reasons.

The *khap panchayat* has taken a serious note of *sagotra* marriages and due to their social pressure the cases of elopement of young couples have been reported from villages of Rohtak, Jhajjar and Jind districts. Some times the young couples were murdered to protect the



SOURCE :- PREPARED AND BASED ON JAT VEERON KA ITIHAS BY DEPT. DALIP SINGH

Fig:2





family honour (Saini, 2009).

A ghastly incident of Dharana Village of Jhajjar district was reported recently in Newspapers when a boy of Gahlout *gotra* married a girl of kadian *gotra*. According to Kadian *khap panchayat* they had violated the prohibitory line of marriage and the *bhaichara* that prevails among the Gahlout and Kadian *gotras* of the Dharana village. Hence, they were penalized by the Kadian *khap panchayat*. Later on August 9, 2009 the *sarva khap panchayat* declared a life time ban on the entry of boy and girl in the village. (Sarware, 2009). Thus the *serva khap panchyat* which is the largest and apex body on settling the disputes is taking a serious note on the inter cast marrigases.

The social pressure of the *khap panchyats* is such that some times even the protection provided by the court to the young couples does not work. For example a boy of Matour village of Jind district married a girl of Beniwal *gotra* in the court violating the prohibitory line of marriage defined by neighborhood villages (*bhaichara* villages). To protect her the girl went to her mother's village Singhwai in Kaithal district of Haryana. The boy sought the help of judiciary to provide protection to him, as he wanted to bring his wife from the village. Working under the pressure of *khap panchayat*, the village men had already taken a decision to teach him a lesson and in spite of the alleged protection provided by the court boy was lynched to death. (Staff Reporter, The Hindu, July, 26, 2009)

To solve the problem a meeting of 50 *gotras* was organized under the chairmanship of Justice Devi Singh Teotia at Chottu Ram Dharmshala, Rohtak for demanding change in the Hindu Marriage Act of 1955 to declare the *sagotra* marriage and the marriage in *bhaichara* villages as illegal so that no case is registered against the concerned *khap panchayat* members. (Sarware, 2009).

The political parties plant their agents in the organization of these *Gotra Panchayats* to get issued *diktats* in favour of their parties during the assembly and parliamentary elections. The rejected and dejected persons of the society like defeated *sarpanches* of the *village panchayats* have been intruded the *Khap Panchayats* and are affecting the decisions of the *panchayats*. The local factors also play very important role in formulating the decision on the social issues. Similarly, criminal elements have also entered into the social *panchayat* system for their vested interests. They changed the right decision or prejudice the judgment taken. Therefore, the relevance of *Khap Panchayats* has declined and the faith of the people in this system is decreasing day by day.

To access the ground realities 230 young persons between the age group of 20 to 22 years from different villages of different districts were interviewed to know their interests towards the social *panchayat* system and results are presented in table 1.

The Table 1 reveals that out of 230 young men from Bhiwani, Rohtak, Meham, Jhajjar, Gohana, Sonipat and Hisar district were interviewed of which 69.56 per cent do not know the organization and functions of the *Khap panchayats*; 53.47 per cent realized the necessity of *Khap Panchayat* and 59.13 per cent pointed out that the decisions taken by *khap panchayats* as wrong decisions and 60.87 per cent of young men have not given any suggestion for improvement of the working of *Khap Panchayat* which indicate that the young generation is not interested in this system as a result the importance of *Khap Panchayat* is declining and because of this the existence of *Khap Panchayat* is in danger.

Similarly some people of above 60 years of age were also interviewed. This group of people favoured the social *panchayats*, but they

**Table 1**  
**Haryana: Response of Young Generation about Khap Panchayats-2006**

S.N.	Area/Distt.	Necessity of <i>Khap Panchayat</i>		Knowledge about <i>Khap Panchayats</i>		Decisions of <i>Gotra Panchayat are right or wrong</i>		Are the all Castes included in these panchayats		Any Suggestion	
		Y	N	Y	N	R	W	Y	N	Y	N
1	Hisar	10	20	5	25	13	17	5	25	13	17
2	Bhiwani	9	9	4	14	5	13	2	16	4	14
3	Dujana (Jhajjar)	31	6	10	27	16	21	12	25	16	21
4	Rohtak	21	16	18	19	7	30	10	27	16	21
5	Meham	14	14	4	24	11	17	4	24	4	24
6	Gohana	28	22	22	28	34	16	12	38	26	24
7	Sonipat	10	20	5	25	8	22	5	25	11	19
	Total	123	107	68	162	94	136	50	180	90	140
In Total (230)	Percent of	53.47	46.53	30.44	69.56	40.87	59.13	21.74	78.26	39.13	60.87

Y = Yes, N = No, R = Right, W = Wrong  
Based on field survey – 2006.

do not support their decisions. During the extended discussions about *Khap Panchayat* of different *gotra*-blocks, the old men asserted for revision or reformation of the organization of *khap panchayats* and their functions. The issue was also discussed with the Chiefs of various *khap Panchayats* e.g. Chaudhry Surat Singh of *Chaubisi Khap* Meham advocated in favour of their organization by asserting that the *Khaps* are the oldest social institutions of our state and play a very important role in providing justice and social harmony. Likewise Chaudhary Rampal Dahiya of *Dahiya Khap* of village Sisana favoured the *khap panchayat* system but accepted the problem created by the local factors, particularly by politically rejected people or the agents of different political parties. Similarly, Chaudhary Ram Sawroop of Sheoran and 84 villages *khap pardhan* of Loharu favoured the *khap panchayat* system but were disappointed with low attendance of

the members indicating declining interest of people in the *panchayat*. Chaudhary Rishal Singh of Sangwan 60 *Khap* in Bhiwani district and Chaudhary Rajinder Dalal of *Dalal Khap* and Chaudhary Iswar Singh of 84 *Khap* Rohtak also favoured the continuity of *khap panchayat* system by improving the structure and organization of the *Khap Panchayat*.

Almost all the chieftains, interviewed, accepted the declining interest and indifferent attitude of people towards the *Khap Panchayat* System.

### Conclusion

*Khap panchayats* are socially sanctioned system in Haryana that work for the security, dispensation of justice, equality and social harmony in the past. But today these *khap panchayats* have turned in to a *gotra*/ clan *panchayats* and their decisions are related to *sagotra*, inter- *gotra* and inter-caste marriages.

Other social problems are not discussed and solved by them today. *Khap panchayats* are dominated by the elderly members of *Jat* community where participation of youths is minimal and women conspicuously absent. The decisions taken by *khap pancayats /sarva khap panchayat* are invariably criticized by the mass media, some individuals, intellectuals who consider some of the decisions of *khap panchyats* as violation of human rights. The Government functionaries and judiciary are also not in favour of the decisions/*fatwas* of the *khap panchayats* but the sentiments of people are attached with these social institutions and their decisions. Hence there is social conflict between the *gotras*, castes, generations, government administration and *khap* chieftains. Old generation desires to improve the organization and internal functions of the *khap panchayats*. But the opportunist politicians with vested interest have politicized its functioning. However the modernized young generation and the educated lot have little interest in the motivated functioning of these social institutions.

It is disturbing to note is that both the government and the intelligentsia have not taken initiative in restricting the unjustified decisions of *khap panchayats*. Therefore, it has acted as extra judicial body that restricts even the functioning of the statutory *panchayats*. Unless, the government functionaries, social leaders, and the intellectuals take interest in mobilizing the villagers in the line of changing situations, the *khap panchayats* may become an arena of vested interest of handful of the politicians to serve their sectarian interest.

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