

Khaph Panchayats and their Resolution of 1950: A Sociological Interpretation

Abstract

According to functionalists human beings have legs because they walk not they have legs so they walk. For them, function is primary and the unit / part that fulfills it is secondary. All the social institutions, organizations, norms and values etc. fulfill one or more functions. It is true regarding to the Khaph Panchayats and Sarva Khaph Panchayats also. Now a day the functioning of Khaph Panchayats are targeted by social workers, media, so called intellectuals and administrators because of their Farmans and undemocratic decisions. Khaph Panchayats seem wrong in their functioning and activities in present time but at the time of their origin and development they did perform a number of social, political, administrative and judiciary functions. They were the origin of needs of the agrarian community. When there was a political un-stability, social insecurity and uncertainty of life and property, Khaph Panchayats did provide political stability, social security and certainty in their respective areas. They fought against invaders, provided external and internal security to the community, fulfilled the economic and political aspirations of the people. The defense volunteers of these Khaph Panchayats did participated in many wars and battles of national interest. Khaph Panchayats and Sarva Khaph Panchayats were the by-product of an egalitarian community and were based on the principles of democracy and their functioning was democratic. Most of the decisions were taken in open meetings of Khaph Panchayats or Sarva Khaph Panchayats in a democratic way. The resolution of 1950 of Sarva Khaph Panchayat of Meerut Division was a landmark in the reformatory activities of the Khaph Panchayats.

Keywords: Gotra, Farmans, Khaph Panchayat, Sarva Khaph Panchayat, Thamba, Caste, Faank, Egalitarian, Democracy, Invasion, Pothi, Saltnat

Introduction

In the words of Mr. Manohar Lal Khattar- "they are not formed by the government. These Khaph Panchayats are continued from last 900 years. These Panchayats have been made by the people of those areas only. They have carried out various social reforms such as fighting against dowry system; they worked for Beti Bachao Beti Padhao and gender ratio. He further said I rather feel it is a useful instrument of society. It is not as if they indulge is something, which is wrong. Khaph is a big Panchayat. One or two mistakes or incidents don't make Khaph Panchayats wrong as a whole. Even human beings and institutions commit mistakes. Khaph Panchayats have strength of their own" (Khattar 2016). It is said that the need is the mother of invention. It is true regarding to the Khaph Panchayats and Sarva Khaph Panchayat also. These were the result of the fulfillment of the needs of agrarian societies of medieval period. Historically Khaph Panchayat has been a system of social and political administration, since ancient time (Kumar 2012). A Khaph is consisted as a socio-political unit of 84 villages. In Khaph the village is the smallest unit, a unit of 7 villages formed a Thamba, these 12 Thambas form a unit of 84 villages, called Khaph Panchayat. In practice the number of villages in Thamba and in Khaph may vary from Khaph to Khaph, depending on the size of the Gotra, caste and region. The origin of word 'Khaph' is derived from 'Faank', meaning as offshoot or fraction. This word was probably first time used in Rajasthan in the context of Rajput rulers, classes, during the medieval period (Bharadwaj 2013). Khaph word has extensively used in the context of different sects of Rajasthan ruling class. The first Census report based on religion and caste was prepared in Jodhpur (1890-1891), dividing the people of India on the basis of religion and caste. The castes were divided into Gotras, the word Gotra was termed as Khaph (Bharadwaj 2013). Sarva Gotra was termed as



Birpal Singh Thenua

Assistant Professor,
Deptt.of Sociology & Political
Science,
Faculty of Social Sciences,
Dayalbagh Educational Institute
Deemed University,
Dayalbagh, Agra

Khap (Bharadwaj 2013). Sarva Khap Panchayat is a federation of all the Khap Panchayats of a region. In Sarva Khap Panchayats meeting other castes' Khap Panchayats also do participate.

The word Pachayat has written reference as far back as the Vedic Period. At this time Indian society was organized into village life. The mode of governing of village life was council of five that was called Panchayat. In the words of M. K. Gandhi "the meaning of Panchayat is an elected body of five people by villagers" (Vyas 1962). In the words of Acharya Ramesh Chandra Shastri "in Hindi Panchayat word was used for an elected body of five people that solve the social and castes disputes of the people" (Shastri 1961). Khap Panchayat means the Panchayat of nearby villagers who belong to common Gotra. The different Gotras had / have their own Khap Panchayats. According notable historian Satish Chandra "The Jat living on the both sides of the river Jamuna has a strong sense of clan brotherhood and egalitarians reflected in their clan brotherhood with culminated in a Chhaap. The Chhaap was somewhat like a tribal Jirga, but was more hierarchical (Chandra 2006). Jirga is a council of Afghan tribal leaders that makes decisions by consensus. Jirga includes all adult males and rules by consensus (Rubin 1995).

Aim of the Study

The aim of the study of 'Khap Panchayats and their Resolution of 1950: A sociological Interpretation' is to generate knowledge about the most criticized institution and organization of North-West India. What was the role of Khap Panchayats in the social reformation activities at the time of independence when Indian society needed the most? Did this institution play any role in social reformation activities or not? To know all this, is the aim of the present study.

Origin and Development of Khap Panchayats

Historically speaking, the Khap Panchayats are very old. It is very difficult to find the exact time and place of origin of Khap Panchayats but we may broadly consider the period of its development in 600 AD (Rajpurohit & Prakash 2015; Singhal, Malik & Malik 2013). Khap Panchayats are understood to have come into existence as a social system for maintenance mechanism in agrarian societies. They are the legacies of the tribal councils, formed by various tribes with a purpose of facilitating resolution of intra-tribal disputes and inter-tribal inter-course (Singh 2010). The Sarva-Khap Panchayat, according to local beliefs, was organized in 7th century by emperor Harsha at Prayag (modern Allahabad). The written historical records of different Khap Panchayats and Sarva Khap Panchayats are evident that there was a meeting (10th Ashad, Samvat 1256, 1191 AD) of Sarva-Khap Panchayat held at Tikri Village of Chaugama Khap (Meerut) which was attended by 60,000 people of various Khaps (Pradhan 1969). On the basis of the above descriptions it may be said that Khap Panchayats may be evolved from 6th to 10th century in North-west India. At the time of invasion of foreigners, the defense volunteers and armies of various Khaps fought against these invaders. At most of the occasion to fought against these invaders and

foreigners decisions were taken in the open Panchayat meeting in a democratic way in the interests of common defense and interest of people. The autobiography of Taimur, Malfuzat-e-Tamuri, lighted us that Jats troubled him a lot in the areas around Tohama (Hisar, Haryana). The Pothi of Pandit KanhaRam also tells that the meeting of Khap Panchayat was organized in 1398 AD in the forest of Chaugama in Mujaffarnagar to consider and resist the onslaught of the attacks of Taimur Lane. During the reign of Saiyad Lodi, a Sarva Khap refused the obey of the imposition of Jazia and increased taxation, declared its intention for civil disobedience, however in the light of determination of the Jat leadership, the Lodi rulers relented (Pradhan 1969). Khap Panchayats extended their support to Ibrahim Lodi in 1517 against his brother by sending defense volunteers. In 1527 Khap Panchayats did help to Maharana Sangram Singh against Babar. During the Mughal period Khap Panchayats and Sarva Khap Panchayats took a number of decisions against Emperors for the welfare of mass. These Khaps did oppose to Jazia, tax on sacred bath, tax on pilgrimage and increased tax.

After independence first formal meeting of Sarva Khap Panchayat of Meerut Division was organized in Shoron Village Khap Balian. This meeting was attended by 100 leaders of all 18 Khaps of Meerut division. In this meeting the leaders of Khap Panchayats including other castes and Jats were present. Speeches were given by several leaders from various Khaps one-by-one on the past history, origin and development of Khap Panchayats and Sarva Khap Panchayat. These speeches were given on the need and importance of the eliminating of mal practices regarding marriage and welfare of the people. In the last, 14 resolutions were put up before the general meeting (Pradhan 1965). These resolutions mainly were related to the marriage practices.

1. The hospitality of the groom's party was a big expenditure in the daughter's marriage and a big burden on bride's family therefore, curbing of this expenditure was necessary. According to the resolution of Sarva Khap Panchayat, people should not incur heavy expenditure on the daughters' marriage, particularly on extending hospitality to the grooms' parties.
2. In the return of the hospitality, groom's family used to show the ornaments - gems and jewelries at bride's house. Sarva Khap Panchayat decided to ban on the practice. It was decided anonymously that the display of these ornaments by groom's father at the time of the ceremony of welcome held at bride's house should stop.
3. In marriage party (BARAT) hundreds of the people used to accompany. This was a heavy burden on bride's parents therefore; no more than five persons should accompany a marriage party (BARAT).
4. Bride's parents used to invite their relatives at the time of daughter's marriage, it should be stopped immediately. No relatives should be invited by a bride's father at the time of her marriage, except

- her maternal uncle, for this custom entails heavy expenditure which the bride's father can ill.
5. The MANDHA (final feast before the departure of the marriage party) was given by the groom's parents before the departure of BARAT. This fest was organized on a large scale and was big expenditure on grooms' family. The feast of MANDHA should be discontinued.
 6. In the engagement ceremony heavy expenditure was expended by the parents of the brides. Relatives and friends were invited on this occasion. The engagement ceremony should be performed only with one rupee and the old custom of incurring heavy expenditure of this ceremony should be discontinued.
 7. At the time of engagement and marriage ceremony, precious ornaments were presented by the groom's and bride's parents. This presentation of precious ornaments was regulated. Now, the groom's father should not present more than 3 Tolas (weight measurement for precious metals) of gold and 50 Tolas of silver ornaments to the bride. The bride's father should not give more than one Tola of gold and 25 Tolas of silver ornaments.
 8. Dowry system was a one of the serious social problem among the Jats and other castes of Northern India. In this system a heavy amount of money / property / jewelries was given by the daughter's father at the time / before / after the marriage as a condition of marriage to the groom's parents. Now according to this resolution of Sarva Khap Paqnchay at this practice should be stopped immediately. Only five items of clothes and kitchen wares should be given in dowry.
 9. Among the Jats of Northern India boys and girls were married with unknown mates. Before marriage they did not know to one another. The Sarva-Khap Panchayat took a radical decision that the boy and the girl should be fully satisfied with each other before the marriage takes place. After the marriage, the husband should not leave his wife.
 10. The custom of child marriage was a serious problem not only among the Jats but in other castes and communities also. The resolution of increase the age of marriage of girls and boys was a commendable and radical work at that time. According the resolution, the marriageable age for the boys should be 25 years, and for a girls 16 years. Child marriage should be stopped.
 11. Bhat was / is a common practice among the Northern Indian Jats. Bhat was / is given by (Mama) maternal uncle) at the time of girl's marriage. In this Bhat presents of clothes, kitchen utensils, jewelry and even cash was given by Mama (uncle). This custom of Bhat was a big burden on bride's Mama. According to the resolution, in the Bhat ceremony (when presents are given by the bride's mother's brother to the parents of the bride) not more than 50 rupees should be given in cash and presents of clothes and kitchen utensils should be discontinued.
 12. After daughter's marriage parents used to go on every occasion and festival to daughter's husband's home. They had to expend their a lot. Now these customs of sending by presents to daughter's husband's place on every festival after marriage should be discontinued.
 13. The Gauna (when the bride goes to her husbands place for the second time after marriage) was treated as another marriage ceremony of married daughter. At this occasion a big amount of dowry was given. According to this resolution in the ceremony of Gauna only five items of clothes and one set of bedding should be given by the girl's father. All other presents in cash or kind should be discontinued.
 14. It was excepted that except the above mal practices some other mal practices may practiced. Therefore, other mal practices now prevalent in marriage ceremonies should be stop. It was also expected that through the above provisions and their implementation, a big amount of money will be saved. The money thus saved should be spend on education of boys and girls and for religious causes.

All these resolutions were passed by the general assembly and were sanctioned. Members of all the Khaps came to the dais one by one and pledged their support for the resolutions and also promised to implement them in their respective Khap areas. Leaders of several other castes also pledged them support and promised to implement the resolutions within their castes. These resolutions have had a profound effect upon the people of Meerut Division. Some of the resolutions such as those about marriageable age of boys and girls, limit on the number of relatives to be invited in marriages by the bride's father, or the limit imposed on parents and expenditure incurred on the Bhat ceremony were not strictly followed. But the other resolutions were being strictly followed by quite number of Khaps and the infringement of these, resolutions bring swift punishment from the Khap or inter Khap Panchayats. The defaulters were generally made to pay a fine and give a firm promise that he would not break the resolution in future. The fine thus realized was donated by the Panchayat to the school in the locality to which the defaulter belongs of towards building such a school if the village has none. From the register of record of Sarva Khap Panchayat kept by the Wazir of Khap Baliyan, it is evident that Khaps and councils of neighboring Khaps have punished a number of persons who have infringed one or the other of these resolutions. These resolutions were effectively implemented and were being strictly followed by the Jats as well as by certain other castes of such Khaps as Baliyan, Sakaslian (Gurjar), Badanu and so forth (Pradhan 1965). Information about breaking a rule by a person may be given either to the Khap leaders or the Wazir of the Sarva Khap council who, after verifying the complaint from the respective person of the village or Gamwand to which the defaulter belongs, call a Panchayat meeting either of the Khap or council of neighboring Khaps, depending upon the seriousness of the breach or status of the

defaulter. In 1950 an another meeting of Sarva Khap Panchayat was also called and was attended by several Jat leaders from Punjab and it had such a profound effect upon them that after their return they convinced for a meeting of the Khaps of their state which ultimately led to a meeting of several Khaps in the town of Beri, on January 31, 1951. The prominent leaders of the Sarva Khap Panchayat of 1950 were also invited to this meeting. In this Khap Panchayat the 1950 resolutions of the Sarva Khap Panchayat of Meerut were adopted (Pradhan 1995).

Conclusion

Origin and development of Khap Panchayats was the result of fulfillment of the need of the pastoral and agrarian community. Since the origin of Khap Panchayat was the result of fulfillment of needs of community, they did perform a number of socio-cultural, political, administrative and judiciary functions till centuries. During Delhi Saltanat and Mughal period they were very strong and the Sultans and Badshahs also realized the need and existence of Khap Panchayats. Their functioning was democratic, most of the decisions were taken with the consultation of the representatives of different Khaps or the members of the Khap. They were the custodians of social norms and values of the society but time to time they provided external and internal security to the community from invaders. In general Jats are democratically inclined in their behavior. They rarely believe in hereditary offices and always prefer to contact the affairs of their villages. Just after the independence of nation the resolution of Sarva Khap Panchayat was commendable. Since the Indian society was suffering with a number of social evils, Sarva Khap Panchayat took a radical decision in a democratic manner to curb the social evils regarding marriage ceremony.

Social institutions like Khap Panchayats and Sarva Khap Panchayat are deeply rooted in society. They are social institutions and have social force behind them. They have more social influence and pressure on the members of community than any other institution. It is time for the functionaries of the Khap Panchayats and Sarva Khap Panchayat to learn from the past and to work for a better society and to fight with social evils not with youth and women.

References

1. Bharadwaj, S.B. (2013). *Myths and Reality of Khap Panchayats: A Historical Analysis of the Panchayats and Khap Panchayat*. SAGE
2. Chandra, S. (2006) *Medieval India: From Sultnat to the Mughals*. New Delhi: Har Anand Publications Pvt. Ltd.
3. Khattar, M. (2016). *Khap Panchayats are Useful Instruments of Society*. *The Hindu*: Kolkata. (Interview given in Kolkata)
4. Kumar, A. (2012). *Khap Panchayats: A Socio-Historical Review*. *Economic & Political Weekly*. Vol. XLVII. No.4. January 28, 2012. pp. 59-64
5. Pradhan M. C. (1965). *The Jats of Northan India: Their Traditional Political System*. *The Economic Weekly*. 11 December 1965.

6. Pradhan, M.C. (Ed.). et. al (1969). *Anthropology and Archeology*. Delhi: Oxford University Press
7. Rajpurohit, G.S. & Prakash, A. (2015). *Khap Panchayats in India: Legitimacy, Reality and Reforms*. *International Journal of Allied Practice, Research and Review*. Vol. II. Issue III, pp. 81-90
8. Rubin, B. (1995). *The Fragmentation of Afghanistan: State Formation and Collapse in the International System*. New Haven, Conn: Yale University Press.
9. Shastri, R.C. (1961). *Bharat Mein Panchayati Raj*. Ajmer: ?
10. Singh, R. (2010). *The Need to Tame Khap Panchayats*. *Economic and Political Weekly*. Vol. XLV. No. 21. May 22
11. Singhal, A.K.; Malik, I. & Malik, A.K. (2013). *Khap Panchayat & Personal Laws in India*. *Researcher*. 5(2)pp.39-3. <http://www.sciencepub.net/researcher>
12. Vyas, H.M. (1962). *Village Swaraj*. Ahmadabad: Navjivan Publishing House.