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सत्यमेव जयते

GOVERNMENT OF MAHARASHTRA

TRIBAL DEVELOPMENT DEPARTMENT

**STRENGTHENING TRADITIONAL PANCHAYATS  
IN  
TRIBAL COMMUNITIES : AN IMPERATIVE NEED**



**TRIBAL RESEARCH AND TRAINING INSTITUTE  
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## P R E F A C E

The "Panchayat" or the institution of village council, is as old as India's history and is part of her cultural tradition. The ancient panchayats, serving as units of local government discharged most of the functions that affected the life of village communities both rural and tribal areas. These institutions flourished in relative isolation. Irrespective of the social and political changes which have taken place over the years the traditional tribal panchayats have been able to maintain their cultural heritage. Even now in most tribal communities, family and community disputes are handled by the traditional panchayats without referring them to the local police stations, or the local judicial authorities.

Right from post independence period, Panchayat Raj system of self Government received much attention. Five committees namely Balwant rai Mehta Committee 1957; Ashok Mehta 1978; G.V.K. Rao 1985; L M Sanghvi 1986 and Sarkaria Commission in 1988 were specially appointed to study the working of panchayat institution and suggest measures to bring about strong and effective decentralised system of democratic self government, for all round rural development.

In Maharashtra Panchayat Raj concept was adopted in 1961 on the basis of the report of V.P. Naik Committee appointed by the State Government and its actual implementation was started from May 1st 1962,

With the advent of Panchayat Raj system in India, it was felt that the tribal panchayats must be strengthened. This idea of uplifting and promoting the development of tribal panchayats without disturbing their traditions was advocated by the late Prime Minister Shri Rajiv Gandhi. During his visit to the tribal areas of Bihar in May 1988 he had mentioned about strengthening Panchayat Raj system in tribal areas in such a way that the tribals and their traditional institutions are able to fully participate in the working of the system.

In this regard Central Government instructed Tribal Research and Training Institute, Pune, of Government of Maharashtra, to identify the traditional tribal institutions indicating interalia and their area of influence and how best they can be utilised under the Panchayat Raj system in tribal areas.

The present report is an account of the traditional tribal panchayats of selected tribal communities in Maharashtra in the context of Panchayat Raj system.

It gives an exhaustive account of the organisation and working of the traditional panchayat, its forms, function, structure, powers, efficiency and so on.

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I am quite sure that this report will not only be useful to policy makers and administrators, but also for students of Anthropology, Sociology, Political Science and Social work as well.

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## CHAPTER-I

# PROFILE OF TRADITIONAL PANCHAYATS IN TRIBAL COMMUNITIES : AN OVERVIEW.

### INTRODUCTION

Political systems have been a part and parcel of every known society. There seems to be no society where political activities are non-existent. Even the smallest community requires some form of Government. The concept of panchayats is not new to India. Since time immemorial panchayats have enjoyed the confidence of people. These traditional political institutions have survived inspite of turmoils and changes in the state of central authorities and governments mainly because the village folks were fully confident of their own capabilities of sound thinking and right approach to find a correct solution to their individual and community's problems and difficulties.

The word "panchayat", literally means, an assembly (yat) of five (panch) wise and respected elders chosen and accepted by the village community. These elders are considered to be the incarnation of God (panch parmeshwar). These elders are honored, respected, obeyed and accepted as leaders of a village.

Political structure and function of tribal panchayats however differs from one tribe to another. Despite of the varied nature of tribal political systems in India there

are certain features which are common to every tribal community. L.P.Vidyarthi and B.K.Rai (1976 : 200) have highlighted the characteristics of tribal political system. These characteristics are as follows :

### 1.2 Characteristics of Tribal Political system:

i) The tribal law depends on the agnatic relation like clan and lineage.

ii) The local group relation and territorial relations like co-villagers and co-territorials take part in political affairs.

iii) Moral principles and public opinions are matters of consideration which is reflected in the mode of social control which the tribals have over their people.

iv) Their laws have their origin in social customs and cultural traditions.

v) The tribal laws do not make any distinction between public crime and private crime, viz. social matters are also brought before the panchayats.

vi) Oath and ordeal are main modes of evidence.

vii) Punishment is awarded in the shape of fine, compensation to the aggrieved, offer of communal feasts, and offering or puja to the supreme being.

viii) A breach of norm is likely to affect the whole society, for instance the case of incest causes concern to the whole community.

ix) It believes that punishment is also given by the supernatural beings.

### 1.3 Political structure of Tribal Panchayat :

The traditional political structure of the tribals is

confined to the institutions such as council of village elders, the village headman, village panchayat, village unions, a tribal chief and so on. All these institutions consisting of a single individual or a group of elders have interrelated, cross-cutting fields where one surpasses the other varying from situation to situation. These institutions are mainly five kinds, viz.

1) **The Council of Elders** - is a temporary body of selected villagers, generally coinciding with clan elders to look into cases brought before them.

2) **The Village Headman** - a hereditary post and/or subject to villagers opinion if and when required.

3) **The Village Panchayat** - a body of the panchas (five elders) headed by the village headman. The panchas are elected directly.

4) **The Union of Villages** - a regional panchayat headed by a regional head.

5) **The Tribal Chief** - a hereditary post of supreme judicial authority at the tribal level (Vidyarthi & Rai 1976).

By and large in most tribal societies in India the above institutional structural pattern of the political life of tribals exists. There could, however be variations in the types of these institutions and further more their functions. Given this background the question that arises next is the function of these institutions.

#### 1.4 Political Functions of Tribal Panchayat Institutions :

Every political institution or an organisation of a tribal community has a function and role to play. The main functions of these institutions are to maintain law, order, peace and social harmony among the members of the village and also with the neighboring villages. Given below are certain specific functions of the above said institutions as outlined by Vidyarthi & Rai (1976 : 202)

##### i) Functions of the Council Elders :

It is a temporary council of selected village elders who take up particular problems at a particular time and solve disputes like quarrels between two villagers and tackle sex offenses, intrusion by outsiders in village affairs, land disputes etc.

##### ii) Functions of the Village Headman :

Every tribal village has a headman who acts as a spokesman for all the villagers in dealing with outside authorities. The position is hereditary and belongs to the largest clan group of a village.

The village headman is a man who commands majority of the villagers, whom the followers consider a guide and keeper of traditional values and who has the betterment of his followers at heart. Such is an informal leader of the village and wields a great deal of power and influences all village decisions and actions.

Local names of village heads however differ from one tribe to another. Given below is a table showing the

different types of names of village headmen as evident in different tribes.

TABLE No.1.1

Table indicating name of tribe, State and local name of village head.

S.No.	Tribe	State	Local name of village head
1.	Rengma Nagas	Nagaland	Kokhugu or Kekhoong
2.	Purums	Manipur	Khullakpa
3.	Oraons	Bihar	Mahato
4.	Santhals	Bihar	Majhi
5.	Lodhas	W.Bengal	Mukhia
6.	Bison horn Marias	Madhya Pradesh	Peddas
7.	Bhils	Maharashtra	Vasawa
8.	Dubla	Maharashtra	Patel
9.	Gamits	Maharashtra	Patel
10.	Banjaras	Rajasthan	Mukhia
11.	Konda Reddis	Andhra Pradesh	Pedda kapu
12.	Thakkars	Maharashtra	Khot

iii) Functions of Traditional Village Panchayats :

This is a body of which all villagers are members. They sit together to discuss village affairs of diverse nature. There is never any formal voting. Each man states his opinion and the dominant attitude is immediately apparent. Rarely there is an issue of sufficiently controversial or heated arguments. In these discussions the

village headman has no more real authority than any other villager. The common will of the village community is expressed through the medium of the panchayat which practically includes the entire population of the village. In some tribes traditional panchayats are managed by a group of elderly people alongwith other villagers and assistants.

**iv) Functions of Union Village Panchayats :**

Among some tribes, villages are grouped in loose unions, the strength of such unions going upto two hundred or even more. Such village panchayat unions among different tribes is known as

"Paragana" or Parha etc. Its legal authority is vested in the Paragana panchayat. This institution constitutes a court of appeal from decision of village panchayat, moreover it is the only authority component to try certain types of offenses.

Though the panchayat is in some cases, empowered to pass a sentence of ex-communication, readmission to the tribal fold can be affected only through the agency of wider representative body (Sachhidanand 1968 : 123). The union of villages known, as said above, by different names like paragana, Parha etc. is very common in Bihar.

**v) The Tribal Chief or Chieftainship :**

The chieftainship is a common feature of the tribals like Nagas, Kharias, Garos, Lushais etc. living in the north-eastern Himalayan region. The post is hereditary. A chief is not only to look after the region or tribe but is also the supreme judicial authority at tribal level

(Sahay 1969 : 160) . He has a group of advisers to advice him in judicial and other administrative affairs.

#### 1.5 Nature of Disputes Solved by Traditional Panchayats :

The disputes solved by both single panchayat or union of panchayats (Paragana panchayat) in tribal India, may be broadly classified as follows :

- i) Disputes related to property.
- ii) Communal disputes between two or more villages.
- iii) Disputes between different lineages in a village.
- iv) Disputes over marriage, divorce, family violence, quarrels etc.
- v) Stealing
- vi) Adultery
- vii) Incest
- viii) Breach of other sex taboos -
  - a) sexual relations between the same lineage members.
  - b) sexual relations between members of the same clan.
  - c) sexual relations between members of other tribes and caste communities.
  - d) sexual relations with a married woman whose husband is alive.
  - e) sexual relations with menstruating women.
- ix) Disputes over witchcraft and sorcery.
- x) Disputes over an appeal from the village panchayat.
- xi) Breach of cultural taboos and/or norms which will affect the entire community.

## 1.6 The Political Scene in Tribal Areas Today :

The political life of the tribals of India reflects a paradoxical situation in which democracy and monarchy co-exists. In other words the political life of the tribals is an admixture of the traditional and modern political set-up. We see that the traditional village panchayat is still active in their social life, whereas the statutory panchayat is approached mainly for judicial matters. The traditional village head, leads the socio-cultural life of the community and the new elected "Sarpanch" or "Mukhia" is approached in village disputes with government or so on. Political parties are actively creating for themselves a favorable atmosphere among the tribals. At the same time traditional village leaders and elders are taken into confidence.

Thus the political field of activities as far as the tribals are concerned may be broadly classified into two types as put forth by Vidyardhi & Rai (1976).

a) Traditional Political Field - It is the product of their traditional political life which at the same time combines political affairs with social and religious affairs.

b) Contemporary Political Field - The second type has come out as the precipitate of culture change, culture contact and alien way of life, the mode of electing a Village Sarpanch, Mukhia or Adhyaksha etc. in the present democratic set-up.

## 1.7 Role of Traditional Panchayats in the Panchayat Raj Frame Work

With the establishment of Panchayati Raj in the country, the Nyaya panchayats like Gram Panchayats were adopted as institutions for dispensation of justice and developmental activities at the grass root (Jena A.C. 1993 : 239). The rationale behind Panchayat Raj system was to involve people at the grass root in decision making, bring an awareness and motivate people, build up development psyche, discover dormant resources and skills and endeavor to activate them.

It has also an advantage of realistic appreciation of local needs and participation of people in planning which is crucial to the success of planning effort. This will ensure the accelerated development of the economy coupled with social justice. Today, even the world opinion is veering round to the view that local governments are essential for national growth and for effective people's participation and that it is an integral and indispensable part of the entire democratic process.

This means that in a democratic set-up such as in India, people share the responsibility to accelerate the process of development, because in democracy power flows from people. The people are sovereign therefore distribution of power should be from the base upwards.

If one takes a glance at the rural scenario, almost 80% of Indian population lives in the villages. Majority of Indian rural population is composed of the caste communities, as compared to the tribals. Today the political

lobby at the grass root is dominated by caste community representatives who have access to political and economic resources. In this bargain the traditional panchayat system which is part and parcel of the tribal culture has been side tracked or overlooked.

It was not until May 1988 that the idea of strengthening and promoting tribal panchayats received attention. When the late Prime Minister Shri Rajiv Gandhi during his visit to the tribals areas of Bihar had mentioned about strengthening Panchayat Raj in tribal areas in such a way that the tribals and their traditional institutions are able to fully participate in the working of the system.

#### 1.8 Aims and Objectives of the Study :

Given the above background, the Tribal Research & Training Institute, Pune set forth the following objectives :

- i) To study the traditional political systems of selected tribal communities in Maharashtra so as to assess their status, role, functions performed, effectiveness, influence, and the various activities be it judicial or socio-cultural taken up by the political institutions which are part of tribal panchayat system.
- ii) To assess as to what extent these traditional panchayats participate interact or get involved with Panchayat Raj administration.
- iii) To suggest measures so as to strengthen and promote these panchayats in judicial and developmental affairs of their own communities, taking into account

their socio-economic, educational and administrative limitations.

#### 1.9 Significance of the Study :

The practical significance of this study lies in the attempts made to highlight following aspects.

- i) It gives an ethnographic account of the traditional panchayat systems in selected tribal communities of Maharashtra. More precisely on their political structure, role, function, effectiveness and areas of influence etc.
- ii) It also highlights as to how these traditional panchayati institutions interact/or participate in Panchayat Raj system.
- iii) It points out the limitations and the lacunas that exist among traditional panchayats with regards to their judiciary and developmental upliftment.
- iv) It suggests various measures so as to strengthen the traditional panchayat institutions in order to make them strong, effective and enable them to participate in the Panchayat Raj set-up.

Besides the practical utility of the study with reference to policy planning and administration, this research will certainly be useful to students of Sociology, Anthropology and Public administration and other disciplines of social sciences.

## CHAPTER II

### RESEARCH METHODOLOGY

#### 2.1 Setting of the Research :

The present research study was carried out in 9 tribal sub plan districts, out of the 14 which are there in the State of Maharashtra. These nine Tribal Sub Plan districts which were selected for the study were as follows : Thane, Raigad, Nasik, Dhule, Jalgaon, Ahmednagar, Nanded, Gadchiroli and Chandrapur respectively. From every district selected for this study data was gathered at least from 2-5 tahsils of the every above mentioned district. The criteria for selecting the tahsil was the concentration of the population of concerned tribe. Wherever the tribal population was more those tahsils were selected, to collect relevant data.

#### 2.2 The Target Population :

Out of the 47 scheduled tribal communities in Maharashtra, which constitutes about 9.19% of the population of the State, 14 prominent tribal communities were selected so as to represent a proportionate sample. These 14 tribal communities were as follows : the Andhs, Bhils, Dublas, Gonds, Gamits, Kolams, Korkus, Katkaris, Koknas, Mahadeo Kolis, Malhar Kolis, Pardhans, Thakurs and the Warlis. Remaining tribal communities are either non existent or their population is extremely small.

## **2.3 Method of Data Collection :**

### **a) Interview Schedules :**

One of the major research tools used to collect data on the traditional political systems of these 14 tribal cultures selected was an interview schedule. About 104 interview schedules were mailed to project officers of the 9 districts to be filled in personally by them or their Assisting Officers by interviewing the heads and/or members of traditional panchayats. The concerned Project Officers were given instructions in a separate covering letter as to how the schedule should be filled in and what other information they should look for other than the questions in the schedule. The completed schedules alongwith the observations of the Project Officers were mailed back to Tribal Research & Training Institute.

### **b) In depth Interviews:**

Besides the data collected through mailed schedules with the kind co-operation of the Project Officers, data was also collected using In depth- Informal Interviews. These interviews were randomly taken of some village panchayat heads and also members of these panchayats. This certainly contributed to cross-check the data collected through interviews.

### **c) Participant Observation :**

To cross-check the data collected through interview schedules, informal interviews, the technique of participant observation was used to actually assess the existing situations of the traditional panchayats. The researchers

participated by witnessing some of the issues and cases tackled by the traditional panchayats of a few tribal communities from the selected tribes. Hence it was possible to get a comprehensive understanding of the traditional panchayats in tribal communities.

#### **2.4 Sampling Procedures :**

As mentioned in chapter one, the major aim of this project was to assess the potentialities of various political institutions prevalent in tribal cultures so as to make their use in participatory development and judicial justice of the tribals without disturbing their traditions. Hence 14 prominent tribes of Maharashtra were selected non-randomly from 9 Tribal Sub Plan districts, so as to cover a proportionate Tribal Sub Plan Geographical area.

#### **2.5 Data Processing & Analysis :**

The data collected on 14 tribal political systems was manually analysed as it was qualitative in nature. The data is presented in a systematic manner keeping in view the comparative and common features of the political systems of the tribes under study. Use of tabular forms of presenting data was done wherever necessary. Thus both qualitative and quantitative methods of analysis were used.

#### **2.6 Chapter Scheme :**

This report is divided into five chapters, given below is the gist of what is discussed or depicted in each chapter.

CHAPTER I : The first chapter namely, Profile of Traditional Panchayats in tribal communities : An over view, gives a reader an introduction to the concept of tribal political systems with reference to their structure and function, their characteristics, the nature of disputes tackled by these traditional panchayats, the political scene in tribal areas, and of course the objectives and the significance of the study.

CHAPTER II : The chapter on Research Methodology presents the approach of gathering data, its processing method, the analysis and the categorisation of chapters as presented in this report.

CHAPTER III : The third chapter highlights the comparative analysis of the 14 tribal political systems under study.

CHAPTER IV : In this chapter the need to recognise the organisational capabilities which are prevalent among the tribal political systems is highlighted. It also gives the various strategies to strengthen traditional panchayats in tribal communities.

CHAPTER V : The last chapter highlights the various conclusions drawn from the study. This chapter also gives suggestions so as to strengthen the tribal political systems for developmental and judicial purposes.



## CHAPTER III

### ETHNOGRAPHY OF TRADITIONAL PANCHAYATS :

#### A CROSS CULTURAL VIEW

Tribal councils or traditional political institutions have been an important aspect of tribal culture. These political institutions settled family, inter-family, inter-clan, inter-tribe & inter-village disputes. The council of wise elders judged the culprits or the parties involved in disputes on the basis of cultural norms & values. The decisions of the council were accepted by the parties involved in disputes. The tribal political institutions for that matter were constituted to maintain social justice & social solidarity.

Once upon a time these institutions were very powerful & strong, but with the advent of the statutory panchayat raj system in tribal areas things are changing considerably. Traditional panchayat system is almost dying off, especially among tribes which are very close to metropolitan cities. On the other hand these panchayats are still existing in remote areas.

This Chapter gives a comprehensive account of the present situation of traditional panchayats in selected tribal societies of Maharashtra State. The data is systematically presented starting with a brief introduction of the tribe so as to give a reader an idea about its sub-divisions, geographical distribution, population, physical traits, forms of marriage prevalent, type of family etc., and then the ethnographic details about the

structure & function of its political system. This ethnographic account is written in an alphabetic order, tribewise.

#### TRIBE : ANDH

##### I. A BRIEF NOTE ON THE TRIBE

**Subdivisions :** The Andh tribe is divided into two sub-groups or sects viz. Vartali (or pure) and Khatali (or illegitimate).

**Population in Maharashtra :** As per 1981 census of India the total population of Andhs is 2,31,871 with 1,17,667 males and 1,14,204 females.

**Geographical distribution :** The members of Andh tribe are principally found in Parbhani, Buldhana, Akola Nanded and Yavatmal districts of Maharashtra State.

**Their Physical features :** Andhs appear to be very remarkable people with dark complexion, thicklips and prominent cheek bones.

**Main occupation :** Andh is principally a cultivating tribe and agriculture is its main occupation.

**Subsidiary occupation :** Hunting, gathering fruits, roots, honey etc., and of course working as daily wage labourers in off seasons.

**Forms of Marriage :** Monogamy is a common form of marriage. Cross cousin marriages are allowed.

**Type of family :** Both nuclear and joint family types are prevalent among the Andhs with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF ANDH PANCHAYAT :

a) **Structure** : The traditional panchayats of the Andhs is headed by the village head popularly known as 'Mohtaria'. His post is hereditary and usually is form a dominant clan of the Andhs residing in the concerned village. He is well versed with the traditional laws and constitution of the tribe. He is considered to be wise, experienced and responsible person.

The Mohtaria is assisted by two assistants namely photatia and Dukria. These two officers assist the Moh-taria in calling the offender, collecting fines in kind or cash and also solving the disputes. Besides these two officers there are other elderly persons who are part of the panchayat or village council. The duty of the panch (five elderly wise people) alongwith head are suppose to diagnose a dispute case, analyse it, see whether it fits into the law, judge which party is right or wrong and decide about the punishment as traditionally followed, depending on the offense committed.

b) **Disputes solved** : Some of the disputes solved by the Andh panchayat are as follows :-

i) Quarrels and fights between husband and wife.

ii) Quarrels and fights between father and son, between two brothers etc.

iii) Disputes over land division.

iv) Disputes over divorce, arranging marriages, bride price etc.

v) Sexual misconduct.

vi) Quarrels between two families or two clan groups.

c) **Forms of punishment** : Among the Andhs a culprit is charged fine in cash or kind. If he does not have cash he gives a goat, bull or buffalo to the panchayat.

d) **Other functions of panchayat** : Beside giving justice and the judicial functions of the Andh panchayat, it also supports or actively takes part in other cultural activities such as marriage welfare activities death and birth rituals and ceremonies and important village activities such as offering sacrifices to the village Gods and Goddesses and so on.

e) **Selection of the elders** : The post of a Mohtaria (village head) is hereditary. It is passed on from one generation to another. However the other members of the panchayat (panchas) are selected by the people depending on their socio-economic status, their experience, their qualities of leadership, sincerity, honesty, humility etc. As far as the village head is concerned he gets training since his childhood by observing his father handle various cases of disputes. Headmanship is a family profession. Other members in the family are also well versed with traditional laws.

#### TRIBE : BHIL

##### I. A BRIEF NOTE ON THE TRIBE

**Subdivisions** : Among the sub-groups are Bhil Garasia, Dholi Bhil, Dongri Bhil, Barda Bhagali, Dungri-Garasia, Mewasi Bhil, Rawal Bhil, tadvi Bhil, Dhanka Bhil, Bhila-la, Pawara, Vasava, Vasave, Padvi Valvi (Gare & Aphale

1982 : 3).

**Population in Maharashtra :** As per 1981 Census of India the total population of Bhils in Maharashtra is 993,074 with 500,064 males and 493,010 females.

**Geographical Distribution :** Bhils are found in Dhule, Nashik, Jalgaon, Ahamednagar and Aurangabad districts of Maharashtra State.

**Their physical Features :** The Bhils are characterised by dark brown complexion, round & oval face, broad & massive jaws & well built-up body.

**Main Occupation :** Bhils are economically a settled agricultural tribe. Small scale cultivation of grains & some vegetables for family consumption is their main occupation.

**Subsidiary Occupation :** Hunting, gathering fruits, roots, corms, honey etc and working as agricultural & daily wage labourers is their subsidiary occupation.

**Forms of Marriage :** Monogamy is main form of marriage. Marriage by capture, elopement, adoption of son-in-law & marriage by service is very common among the Bhils.

**Type of Family :** Both nuclear and joint family types are prevalent among the Bhils with patriarchy, patrilocal residency & patriliney as a norm.

**Dialect :** The Bhils have their own dialect known as Bhili or Bhilori.

## **II MAIN FEATURES OF BHIL PANCHAYAT STRUCTURE :**

Traditional panchayat or village council is still prevalent among the Bhils. The entire community is represented in the village council. Every Bhil household

head has to participate in the Jati panchayat. It consists of 3-5 panchas (elderly people) along with the head of the village namely "Naik". The head of the village panchayat is selected on the basis of suggestions given by the people. People get together & then decide as to who should be heading the panchayat.

In case the head of the panchayat dies, he is replaced by the next eligible person from the other 3-5 panchas. The decisions taken by the panch are honoured & respected by the villagers and also the parties involved in disputes.

**b) Disputes solved :**

- a) Settling marriage, divorce, bride price disputes.
- b) Settling fights, between two groups, or families in the village.
- c) Disputes over property.
- d) Disputes of sexual misconduct.
- e) Disputes of stealing articles, cattle, poultry birds etc.
- f) other disputes which are at family & village level.

**c) Forms of punishment :**

- a) Out casting a person from the community.
- b) charging him heavy fine in cash or kind.
- c) physical torture if he repeats the same crime.
- d) Feeding the entire village.

**d) Other functions of the Panchayat :**

Besides judicial functions of the panchayat, its members under the chairmanship of the Naik also participate

& support other cultural functions in the village. For instance advising a family in selection of a boy or girl and discussing matters such as bride price, timing of the wedding, its rules & regulations & so on. Panchayat members also help in organizing village & family level functions, ceremonies, rituals & so on.

**e) Selection of a panch :**

A panch according to the Bhils must have extra qualities than others. He must have qualities of leadership, effective communication, his status should be high, he must be sincere, honest, sober, dedicated etc. Besides his qualities he must be well versed with traditional laws & constitutions, he must have an ability to judge right & wrong, & must be an experienced person in handling people.

**TRIBE : DUBLA**

**I) A BRIEF NOTE ON THE TRIBE :**

The Dublas are known as Hali or Hali Pati. Their total population in Maharashtra as per 1981 Census is 16,019 with 8,375 males & 7,644 females. They are principally found in Thane. The main divisions of Dublas are known as Talavia, Bohria and Kharcha. They speak Marathi and Gujarathi. The Dublas are peasants and labourers. They treat the Warlis & Dhodias as inferior groups. Monogamy is common form of marriage. Both nuclear & joint family types are prevalent among the Dublas with patriarchy, patrilocal residency & patriliney as a norm.

## II MAIN FEATURES OF DUBLA PANCHAYAT STRUCTURE :

A Dubla panchayat consists of a head & other members or representatives who are elected from every hamlet or village (falia). These tribes men are basically found in Thane, and being exposed to urban life, these panchayats are dying off. However in some remote settlements of Thane one gets to see that these panchayats are still existing.

The head of the panchayat is known as Patel. He selects a person from one of the members of the panchayat who works as a messenger & meeting co-ordinator. He is known as avaldar. He summons people & other panchas including the Patel for panchayat meetings. If the avaldar does not send messages to people, he is taken to task. He is paid about 2 - 3 rupees per meeting for calling people.

### **b) Disputes solves/tackled.**

i) Conjugal disputes - Cases of disputes between a husband & wife are generally settled by amicable compromise brought about by the panchas, which is followed by a feast. If a husband takes an initiative in proposing a divorce, he has to pay money to his wife. The children may remain either with father or with Mother. This depends on the decision of the panchayat.

ii) Extra-marital relations - If a person is found guilty of extra-marital relations with persons belonging to another tribe he or she is imposed with fine. The person who does not pay fine is excommunicated or de-

prived of utilizing public facilities & attending communal rituals & ceremonies.

iii) Quarrels & fights among family members, relatives & two different clans.

iv) Disputes over property.

v) Breach of a cultural taboo.

**c) Forms of punishment :**

i) Culprit is made to give feast to panchayat members or at times a group of elders or entire village.

ii) Imposing fine in cash or kind.

iii) Depriving him of utilizing public properties & services.

iv) Ex-communication.

**d) Other functions of the panchayat :**

Besides judicial functions the panchayat also supports social & welfare activities in the villages. Gives advice in organizing village & family level functions. Co-ordinates main ceremonies & rituals wherein the entire community is involved.

**e) Selection of the panchayat members :**

The panchayat members are selected on the basis of their intelligence, experience, ability to handle people & their problems, leadership qualities & so on. People of the village play an important role in selecting the panchas.

**TRIBE : GAMIT**

**I) A BRIEF NOTE ON THE TRIBE :**

Sub divisions - The sub-groups of Gamits are Gavit, Mavchi, Vasave, Padwi and Walvi.

**Population in Maharashtra** - As per 1981 Census of India the total population of Gamits is 110,828 with 55,514 males & 55,314 females.

**Geographical distribution** : The Gamits are concentrated heavily in Dhule district alone (Gare & Aphale 1982 : 9)

**Their physical features** : The Gamits have dark brown complexion, with medium height, semi thick lips and straight hair are other features.

**Main occupation** - More than 60 percent of the Gamits possess land and hence follow settled cultivation as their main occupation.

**Subsidiary Occupation** - Some of them are also engaged in forest as forest labourers. They also work as agricultural & daily wage labourers.

**Forms of Marriage** - Marriage with maternal uncle's daughter, paternal aunt's daughter & wife's sister is allowed. Monogamy again is the main form of marriage.

**Type of family** - Both nuclear & joint family types are prevalent among the Gamits with patriarchy, patrilocal residency & patriliney as a norm.

**Dialect** : The Gamits have their own dialect which is akin to Gujrathi. It is a mixture of Gujrathi, Hindi & Marathi. They also speak Bhilori & Mavchi dialects.

## II) MAIN FEATURES OF GAMIT PANCHAYAT :

**a) Structure** - The number of members in a panchayat of Gamits varies in odd number starting with five, seven, nine and so on upto fifteen. In small villages and hamlets the number of panchas are five. Besides the

patel who heads the panchayat there is the 'Karbhari' and the 'pradhan' who help him in summoning the members and other required persons. Karbhari is also known as Daya, who settles family & social disputes.

**b) Disputes solved or tackled :**

i) A disturbed situation due to breach of a religious taboo by an offender,

ii) patching-up the relationship of a newly wedded bride who fights with her in-laws & returns to her parents' home.

iii) Disputes of divorce, marriage, bride price etc.

iv) Disputes or issues of re-marriage with the permission of panchayat after proper settlements with first spouse & his/her family.

v) Issues of elopement.

vi) Sexual misconduct

vii) Quarrels between family members, relatives & friends.

**c) Forms of punishments :**

i) Impossession of fine.

ii) Physical torture

iii) Depriving the culprit to utilise public facilities in the village.

iv) In case of severe crime out casting the person.

v) Of late handing him over to the police.

**d) Other Functions :**

Other functions of the panchayat members is to coordinate and organise village level and family level functions with the participation of people.

**e) Selection of Panchayat Members :**

The members of the panchayat are elected by the people on the basis of their personal and administrative qualities.

**TRIBE : GOND**

**I) A BRIEF NOTE ON THE TRIBE :**

**Sub Divisions -** The Gonds are divided into more than 50 sub groups in Maharashtra. These are Raj Gond, Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatela, Bhimma, Bhuta, Koilabhuta, Koilabhuti, Bhar, Bison horn Marias, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koyha, Khirwar, Khirwara, Kuchi Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mundia, Muria, Nagarchi, Naikpod, Nagwanshi, Ojha, Raj, Sonjhari Jharekha, Thatia, Thotiya, Wade Maria, Vade Maria.(Gare & Aphale, 1982).

**Population in Maharashtra -** As per 1981 census of India the total population of Gonds in Maharashtra is 11,62,735 with 5,87,816 males and 5,74,919 females.

**Geographical Distribution -** The main concentration of this tribe is in districts of Chandrapur, Yavatmal, Nanded and Gadchiroli.

**Physical Features of Gonds -** They are little below the average in dark complexion than the Hindus. They have semi-thick lips, eyes with semi-epicanthic fold with flat nose and prominent cheek bones.

**Main Occupation -** The Gonds are mainly engaged in agriculture.

**Subsidiary Occupation** - Besides hunting, fishing, collecting fruits, roots and corms etc. a bulk of Gonds are labourers.

**Forms of Marriage** - Marriages within ones own sect is forbidden. The most common forms of marriages among the Gonds are 1) marriage by capture, 2) by elopement, 3) by service, 4) by intrusion and 5) by negotiation.

**Type of Family** - Same as Andhs.

## **II) MAIN FEATURES OF GOND PANCHAYAT ;**

**a) Structure** - The Gond village council very much resembles with that of a court of law. It has got its own committee (Panch) and rest of the villagers are jury. The head of the panchayat is recognised by different names namely Karbhari, Choudhari or Mahajan. The places where their meetings are held could be in a temples, village schools, main junctions in the village, Chavdi or at times in the headman courtyard.

### **b) Disputes Solved/Tackled :**

i) When a boy or man has sexual relationship with another man's wife or he elopes with her.

ii) Issues such as marriages, re-marriages, divorce, bride price which lead to violence. To solve these problems the panchayat functions.

iii) Quarrels and fights between family members and relatives or two groups in the community.

iv) Disputes which arise out of breach of a cultural taboo.

v) Offenses such as keeping donkeys, dragging dead horses and donkeys outside the village, breaking taboos of

menstruation, beating another person with chappals, having sexual relationship with ones younger brother's wife etc. are also handled in the Gond panchayat.

**c) Forms of Punishment :**

- i) Impossession of heavy fine.
- ii) Imposing the burden of communal feast on a culprit.
- iii) Taxing the culprit to bear the expense of liquor for the panchas or a group of elders.

**d) Other functions :** Oflate their panchayats are working with and under the leadership of gram panchayat. Thus besides functioning as a judiciary bodies and support on of village functions the traditional Gond panchayats are also liasoning with gram panchayats.

**e) Selection of the Panchayat Members :** The members are selected on the basis of wealth of the members of the panchayat and their social status, capability to handle panchayat administration. Age, wisdom, knowledge play important role in selection of a panchas.

**TRIBE : KOLAM**

**I) A BRIEF NOTE ON THE TRIBE :**

**Sub Divisions -** Kolams are declared as the primitive tribe of Maharashtra. It does not have a sub-group or sub-division.

**Population in Maharashtra -** As per the 1981 census the total population of Kolams in Maharashtra is 1,18,073 with 59,301 males and 58,772 females.

**Geographical Distribution** - This tribe is principally found in Nanded and Yavatmal districts.

**Their Physical Features** - Kolams have dark brown complexion, short stature, broad nose and prominent cheek bones. They have semi-epicanthic fold of the eye lids.

**Main Occupation** - The traditional occupation of Kolams is to manufacture of baskets and mats from bamboo strips. Their principle occupation however is cultivation.

**Subsidiary Occupation** - Unlike other tribes the Kolams also work as daily wage labourers in off seasons of cultivation.

**Forms of Marriage** - Monogamy is a common form of marriage.

**Type of Family** - Both nuclear and joint family types are prevalent among the Kolams with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF KOLAM PANCHAYAT SYSTEM :

a) **Structure** - The traditional panchayat of the Kolams is popularly known as 'Panch Mandal'. The President of this panch mandal is known as a 'Naik' or 'Nekun'. He is the head of the village all meetings of the panchayat, ceremonies, rituals of festivals, annual sacrifices are presided by him.

Next important post after the Naik is "Mahajan". In absence of the Naik, the Mahajan presides over the functions. The third important post is the post of a Karbhari and last but not the least is the Ghatya. Given below is a table which gives the functions of their panchas.

**Table depicting Kolam political authorities  
and their function**

S.No. Political Authority	Functions
1. Naik (President)	He presides over all judicial gatherings and after hearing about the disputes he gives his judgment.
2. Mahajan (Vice-President)	In the absence of the President he presides over judicial functions and passes judgements
3. Karbhari (Secretary)	He is incharge of collection of money and keeping accounts.
4. Ghatya	He works as a communicator between panchayat members and the people. He calls on meetings.

**b) Disputes Solved/Tackled :**

- i) Stealing disputes
- ii) Eloping with a girl
- iii) Quarrels among family members, between two families, between two groups etc.
- iv) Adultery
- v) Disputes over marriage, bride price, divorce etc.
- vi) Other situational disputes.

**c) Forms of Punishment :**

- i) Fine in cash or kind
- ii) Outcasting a criminal
- iii) Prohibiting a culprit from drawing water from the village well for drinking.
- iv) The culprit is some times abused or beaten publicly.

**d) Other Functions of the Panchayat :**

The Kolam panchayat also functions as an advisory body in organising important functions or programmes in the village.

**e) Selection of Panchayat Members :**

Panchayat members of Kolam tribe are selected on the basis of their age, experience, personal and administrative qualities. They are selected by the people. Their positions are subjected to termination in case of mismanagement of powers.

**TRIBE : KOKNA**

**I) A BRIEF NOTE ON THE TRIBE :**

**Sub Divisions** - The Koknas enjoy a better socio-economic status than the Warlis, Thakars, Katkaris and Dhor Kolis. There are no sub-divisions of Kokna tribe.

**Population in Maharashtra** - As per 1981 census, the total population of Koknas is 3,52,932 with 4,00,325 males and 3,87,123 females.

**Geographical Distribution** - The tribe is mainly spread over in the districts of Thane, Nasik and Dhule.

**Their Physical Features** - The Koknas have dark brown complexion. Their height ranges from 5 to 5 1/2 feet approximately. They have broad noses with semi-epicanthic fold of the eye lids.

**Main Occupation** - They are basically agriculturists.

**Subsidiary Occupation** - They also work as daily wage and agricultural labourers while some are serving in private and government sectors.

**Forms of Marriage** - Although monogamy is the marriage norm polygamy is allowed and practiced. A popular practice of serving ones wife "Khandadio", is prevalent among the Koknas.

**Type of Family** - Both nuclear and joint family types are prevalent among the Koknas with patriarchy, patrilocal residency and patriliney as a norm.

**Their Dialect** - The dialect of Koknas is said to be Kokni.

## II) MAIN FEATURES OF KOKNA PANCHAYAT ;

a) **Structure** - The Koknas have their own traditional panchayat to deal with disputes and conflicts between members of the community. The respectable elders are part of the panchayat. There are about 3-4 people in the panchayat. The head of the panchayat is known as "Karbhari". To assist him there is a person known as 'Naik'. The panchayat members are selected by the villagers. The selection committee consists of important person alongwith experienced elderly people who finally select the panchayat members.

According to Gare and Aphale (1982 : 26) the Kokna political organisation consists of Mahalkari Deshmukh, Patil and Karbhari. Mahalkari presides over 40 villages, Deshmukh over 12 and Patil over one village. The head of a village (Karbhari) handles issues pertaining to judicial matters at the village level. In case a Karbhari dies he is replaced by a capable person from the panchayat.

**b) Disputes solved/tackled.**

- i) Marriage, Divorce, bride price complaints & quarrels.
- ii) Family quarrels & disputes over land, property, power etc.
- iii) Breach of cultural taboos.
- iv) Sexual misconduct, stealing etc.
- v) Other issues that may arise out of a particular situation.

**c) Forms of punishment**

- i) charging fine in kind/cash.
- ii) physical torture.
- iii) Outcasting a person.

**d) Other functions of the panchayat**

Like most tribal panchayats the Kokna panchayat also takes a lot of initiative to support various village & family level functions.

**e) Selection of panchayat members**

The panchayat members are selected by experienced village elders. Some of the criteria for selecting these people are : honesty, sincerity, their knowledge about traditional law & constitution, their ability to deal with people & judgment of criminals & so on.

**TRIBE : KORKU**

**I) A BRIEF NOTE ON THE TRIBE**

**Subdivisions :** The Korkus are divided into three subdivisions namely Mahvasi, Puma and Bondoya.

**Population in Maharashtra :** According to the 1981 Census of India the total population of Korkus in Maharashtra is 1,15,974 with 58,675 males & 57,299 females.

**Geographical distribution** - They are chiefly found in east Nimar, Baitul in Madhya Pradesh and Amravati district in Maharashtra.

**Their physical Features** - The Korkus are dark brown skinned people, medium height, with semi-epicanthic fold of the eyelids, prominent check-bones & straight hair.

**Main Occupation** - Korkus are small scale agriculturists, agricultural & daily wage labourers, hunters, fishermen & collectors of minor forest produce.

**Forms of Marriage** - Monogamy as a rule is strictly followed, however there is no compulsion on polygamy provided it does not lead to conflicts.

**Type of Family** - Both nuclear and joint family types are prevalent among the Korkus with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF KORKU PANCHAYAT ;

a) **Structure** - Every Korku village has a panchayat which functions as a judiciary body. The panchayat is headed by a personality popularly known as patel. His post is hereditary. A choudhary is supposed to be a servant of the panchayat & does not get any returns in cash or kind for his services. The judicial functions of a choudhary are as follows :

- i) To call the panchayat meetings.
- ii) Deciding the day & place of the meeting.
- iii) Making arrangements for the meeting.
- iv) Collection of fine from the criminal.

v) Announcing judgment of the parties involved in disputes.

vi) Hearing & analyzing cases of disputes.

**b) Disputes solved/tackled.**

i) Family disputes.

ii) Breach of taboo or failure to perform divine duty.

iii) Decision to take back the out caste criminals.

iv) Disputes of divorce, marriage, bride price.

v) Disputes over property.

**c) Forms of punishment**

i) Outcasting a person.

ii) charging heavy fines in cash & kind.

iii) At times physical torture.

**d) Other functions of the panchayat**

Besides the judiciary responsibilities a panchayat also involves itself monitoring, planning & execution of cultural activities such as village fairs, ceremonies, festivals, traditional sports etc.

**e) Selection of panchayat members**

The post of patil (village head) is hereditary so the question of selecting him by people does not arise. In case a patil does not have a son, brother's son of the head man is bestowed with this responsibility. Other panchayat members are selected by people. Panchayat members are selected on the basis of their efficiency to lead people, give right judgment about disputes, be value neutral & so on.

## TRIBE : KATHODI OR KATHKARI

### I) A BRIEF NOTE ON THE TRIBE

**Sub-divisions :-** There are two sub-groups of the community namely Dhor-Kathkari and the Son Kathkari.

**Population in Maharashtra :** As per the 1981 Census of India the total population of Kathkaris in Maharashtra is 174,602 with 89,529 males & 85,073 females.

**Geographical distribution -** Kathodi or Kathkari is one of the most primitive tribes of Maharashtra. They are predominantly found in districts of Raigad, Thane, Pune, Nashik and Ratnagiri.

**Their physical Features -** The Kathkaris as compared to their neighboring tribe the Thakurs are dark & in complexion, medium height, broad nose, straight hair are their other physical traits.

**Their Occupation -** Most of the Kathkaris are labourers. Besides earning through daily wage labour. They are known for hunting, fishing, collecting roots, fruits corms etc. A very few Kathkaris may have their own land.

**Forms of Marriage -** Marriage of cross cousins is prohibited. The Kathkaris do not call a Brahman for performing the wedding ceremony, but the head of the community who is called 'Naik' presides over the ceremony. Monogamy is a common form of marriage.

**Type of Family :** Both nuclear and joint family types are prevalent among the Kathkaris with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF KATKARI PANCHAYAT ;

a) **Structure** - The traditional panchayat of the Kathkari consists of 3-5 members. They are selected by the villagers. The chief, of the panchas' is called the 'Naik'. He is assisted by Karbhari & pradhan (helpers). The office of the Naik is not hereditary. The meetings of the panchayats are called on during emergencies only. There is no fixed place or timing for having panchayat meetings.

### b) **Disputes solved/tackled.**

Adultery, divorce, quarrels, breaches of marriage & other taboos are some of the major complaints which are referred to these panchayats.

### c) **Forms of punishment**

One of the major form of punishment is charging heavy fines in cash or kind to the culprit or party at fault. In case the fine is not paid he is taken to the local police station. Outcasting a person from the tribe has been fading away of late.

### d) **Other functions of the panchayat**

The members of the traditional Kathkari panchayat are readily available to guide & support village & family activities. Infact the role of traditional panchayat members is very significant as far as co-ordination of village level & family level functions.

### e) **Selection of panchayat members**

The selection of Panchayat members is decided by the villagers based on their abilities & personal qualities &

ofcourse experience to lead & judge people's problems and finally solve them.

**TRIBE : KOLI MAHADEO**

**I) A BRIEF NOTE ON THE TRIBE**

**Sub-divisions :** There are no sub-groups among the Mahadeo Kolis.

**Population in Maharashtra :** As per the 1981 Census of India the total population of Mahadeo Kolis in Maharashtra is 7,87,448 with 4,00,325 males & 3,87,123 females.

**Geographical distribution -** This tribe is predominantly found in districts of Nashik, Ahmednagar, Pune, Thane and Raigad.

**Their physical Features -** The Mahadeo Kolis have a light brown complexion. They are reasonably tall, with straight hair, thin lips & slightly prominent cheek bones.

**Main Occupation -** Their main occupation is cultivation.

**Subsidiary occupation -** Besides being small scale agriculturists the Mahadeo Kolis are also agricultural labourers, hunters, fishermen & collectors of roots, fruits, corms etc.

**Forms of Marriage -** Although monogamy is general norm of marriage polygyny is practiced very commonly. (Gare & Aphale 1982 : 37).

**Type of Family :** Both nuclear and joint family types are prevalent among the Kathkaris with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF MAHADEO KOLI PANCHAYAT :

a) **Structure** - The traditional village panchayat of the Mahadeo Kolis is known as "Gaon Balithak". It consists of the panchas (members of the panchayat). These meetings are open to every one in the village. Women are not allowed to attend the panchayat meetings. These meetings are usually held at night. There is no fixed place or fixed time for holding these meetings. The position of a panchayat member (panchas) in the village council depends on his behaviour & the ability to maintain people's confidence in him.

The office bearers are usually three- 1) President, 2) Vice-President, & 3) Peon. The President presides over all the judicial meetings hears cases disputes & finally passes his judgment. The Vice-president presides over the meetings in the absence of the president. The peon or shipai serves to call the people & other office bearers for the meetings.

### b) Disputes solved/tackled.

i) Quarrels between family members, relatives & two groups in a village.

ii) Sexual misconduct of a married woman or man with some one else's spouse.

iii) Divorce, marriage and bride price disputes.

iv) Disputes over property, land, stealing, etc.

v) Other disputes which are given rise to by various situations.

### c) Forms of punishment

i) Charging heavy fine in cash and/or kind.

ii) Outcasting a culprit

iii) Physical torture

**d) Other functions of the panchayat**

Active participation and moral support of traditional panchayat in planning and implementing village and family level function is always there besides performing judicial functions.

**e) Selection of panchayat members**

The members of village council are selected by elderly people of the village. Their post continues as far as they gain the confidence of the people they are working for.

**TRIBE : KOLI MALHAR**

**I) A BRIEF NOTE ON THE TRIBE :**

**Sub Divisions -** There is no sub-division among the Koli Malhars.

**Population in Maharashtra -** As per 1981 census the total population of Koli Malhar is 1,77,367 with 90,019 males and 87,348 females.

**Geographical Distribution -** The Koli Malhar popularly known as Malhar Koli are mainly concentrated in Thane district.

**Their Physical Features -** The Malhar Kolis are medium height people. Their physique is not well built. Their skin is dark and brown. Their eye lids show semi-epicanthic characteristics.

**Main Occupation -** Agriculture is their main occupation.

**Subsidiary occupation -** Besides being cultivators they

also work as agricultural labourers and daily wage labourers.

**Forms of Marriage** - Though monogamy is a general marriage norm, there is no objection to polygamy.

**Type of Family** - Both joint and nuclear family types are prevalent among the Malhar Kolis with patriary, patrilo- cal residency and patriliney as a norm.

## **II) MAIN FEATURES OF MALHAR KOLI PANCHAYAT**

**a) Structure** - The traditional panchayat of the Malhar Kolis consist of group panchayat consisting members of 10-12 Malhar Koli hamlets. The head of the panchayat is known as 'Karbhari'. Panchayats members represent every hamlet. Depending on the urgency of holding a panchayat meeting it is held. The members of the panchayat are selected by the villagers.

### **b) Disputes Solved/Tackled**

- i) Inter-village fights, quarrels or any other disputes.
- ii) Disputes of non-payment of fines by the culprits or a party at fault.
- iii) Sexual misconduct
- iv) Stealing
- v) Disputes over marriage, bride price, divorce etc.

### **c) Forms of Punishment**

- i) Charging the culprit or party at fault heavy fine either in cash or in kind.
- ii) In case of serious offense the culprit is out casted.

### **d) Other Functions**

Some of the other functions of the traditional panchay-

at among the Malhar Kolis are as follows :

- i) Organising village fairs and festivals.
- ii) Taking lead in organising weddings and discussing various issues associated with wedding such as bride price in cash and kind expectation from a girl's father and so on.
- iii) Supporting welfare activities in the village such as repairing or constructing temples or sacred places or public property.

**e) Selection of Panchayat Members**

Panchayat members are selected by the people after having assessed their capability and personal efficiency.

**TRIBE : PARDHAN**

**I) A BRIEF NOTE ON THE TRIBE :**

**Sub Divisions** - The tribe has several endogamous divisions of which the principal are the Raj Pardhans, the Gond Pardhans and Thotia Pardhans.

**Population in Maharashtra** - As per 1981 census the total population of Pardhans in Maharashtra is 98,685 with 45,726 males and 48,959 females.

**Geographical Distribution** - They are found in the districts of Yavatmal, Chandrapur, Nanded Gadchiroli, Wardha (TR & TI Statistical Series No.35 : 42).

**Physical Features of Pardhans** - Pardhans are short, dark skinned and medium built people, with straight hair, slight semi-epicanthic fold and semi-broad noses.

**Occupation** - Pardhans are agriculturists and agricultural labourers. They also work as daily wage labourers

during off season of cultivation.

**Forms of Marriage** - Monogamy is a general form of marriage, however there is no compulsion on polygamy.

**Type of Family** - Both nuclear and joint family types are prevalent among the Pardhans with patriarchy, patrilocal residency and patriliney as a norm.

## II) MAIN FEATURES OF PARDHAN PANCHAYAT

a) **Structure** - The officer bearers of traditional Pardhan panchayat are seven. Each person has a role and function to play as far as judicial matters are concerned. Given below is a table indicating the post and the role or function of the concerned officer bearer.

S.No.	Post	Functions
1.	Mahajan	Presides over the meetings takes and announces important decisions.
2.	Up Mahajan	Presides over meetings in the absence of Mahajan.
3.	Ghotiya	Assists Mahajan and Up Mahajan in organising the meetings, and Maintains peace and order in the village.
4.	Upvattya	
5.	Sanghatak	Invites members of panchayat and people for meeting.
6.	Saha Sanghatak	

### b) Disputes Solved/Tackled

i) Fights, quarrels and violence within families and in between two or more families.

ii) Wrong decision of the panchayat.

iii) Marriage disputes.

iv) Issues of divorce, marital separation etc. are some

common disputes tackled by the panchayat.

**c) Forms of Punishment**

- i) Charging a culprit fine in cash or kind.
- ii) Depriving him of utilizing certain facilities such as drawing water from the village well.
- iii) In serious cases of offense the culprit is out casted.

**d) Other Functions of the Panchayat**

Lending advice on planning and implementation of village functions and other cultural activities of the tribe is one of the most important functions of the panchayat.

**e) Selection of Panchayat Members**

Panchayat members are selected by the people themselves.

**TRIBE : THAKAR/THAKUR**

**I) A BRIEF NOTE ON THE TRIBE**

**Sub Division** - The Thakars are divided into two endogamous groups names Ka-Thakurs and Ma-Thakurs.

**Population in Maharashtra** - As per the 1981 census the total population of Thakars in Maharashtra is 3,23,191 with 1,65,571 males and 1,57,620 females.

**Geographical Distribution** - They are distributed in the districts of Thane, Raigad, Pune, Nasik and Ahmednagar.

**Their Physical Features** - The Thakurs certainly are better looking than their neighbors, the Kathkaris. Most of them are medium height, curly hair is an exception. Thakur women are noted for their bulging stomachs. Thakurs are not of very good physique

(Chaphekar 1960 : 6).

**Main Occupation -** Cultivation is the main occupation of the Thakars.

**Subsidiary Occupation -** Besides agriculture they also earn their livelihood by working as agricultural and daily wage labourers. Collection of roots, fruits, corms etc is also common among the Thakurs.

**Forms of Marriage -** Monogamy is the most common form of marriage, however polygamy may be practiced if there is no family conflict and if the husband can take care of more than one spouse.

## **II) MAIN FEATURES OF THAKUR PANCHAYAT**

**a) Structure -** Among the Thakurs the traditional panchayat is called 'Jat-Ganga'. The head of the panchayat is called 'Pade Khot.' This post is hereditary. Panchayat is the most powerful force among the Thakurs. All social and religious disputes are solved in the panchayat. Every village or hamlet has a village head. Besides this there is this concept of traditional group panchayat among the Thakurs. Twelve villages constitute "barapade" forms one single group panchayat unit. This unit of twelve panchayat tackles inter-hamlet/village disputes and other serious offenses such as murder, marriage with other caste or tribe member, adultery, sexual misconduct and so on. Villages participate in proceedings of group panchayat.

### **b) Disputes Solved/Tackled**

i) Witchcraft and sorcery activities.

ii) Disputes associated with marriage, divorce and bride price.

- iii) Family quarrels and fights.
- iv) Cases of elopement.
- v) Marriages outside the tribe.
- vi) Sexual relations outside the tribe.
- vii) Sexual misconduct with a married woman.
- viii) Action taken against a person who beats a cow ruthlessly.

**c) Forms of Punishment**

- i) Sorcerers (Bhutala) or witches (Bhutali) if found are made to stand on a hot frying Pan (Tava)
- ii) Payment of fine in cash or kind.
- iii) Ex-communication.

**d) Other Function**

Besides the judicial activities and function carried out by the traditional panchayat. Its members are constantly consulted for advice on organising village functions and ceremonies.

**e) Selection of Panchayat Member**

The Khot's post being hereditary has nothing to do with selection. The eldest son of every generation shoulders this responsibility, In case there is no son, the eldest son of the brother of the Khot takes charge of the headmanship. Other members of the panchayat are selected on the basis of their efficiency and ability to handle panchayat affairs. Selection of panchayat members is done by the people again.

## TRIBE : WARLI

### I) A BRIEF NOTE ON THE TRIBE

**Sub Division** - The tribe is sub divided into three groups namely Murdes, Devars and Niners.

**Population in Maharashtra** - As per 1981 census the total population of Warlis in Maharashtra is 3,61,271 with 1,81,750 males and 1,79,521 females.

**Geographical Distribution** - Their main concentration is in Thane, Nasik and Greater Bombay respectively.

**Their Physical Features** - The Warlis have a sun-burnt skin. Fair skinned people are rarely found among the Warlis (Gare & Aphale 1982 : 65)

**Main Occupation** - Like most tribes in Maharashtra the Warlis too are agriculturists.

**Subsidiary Occupation** - Besides agriculture they also work as labourers to earn cash.

**Forms of Marriage** - Monogamy is common and widely accepted form of marriage.

**Type of Family** - Both joint and nuclear family types are prevalent among the Warlis with patriarchy, patrilocal residency and patriliney as a norm.

### II) MAIN FEATURES OF WARLI PANCHAYAT

**a) Structure** - The traditional panchayat of the Warlis consists of council elders headed by a chief known as Patel or Karbhari or Jatela. These elderly panchayat members solve or tackle the problems of people. The decision of their panchayats are respected. Panchayat meetings are held at a particular time and place in the hamlet. In case of urgency panchayat members always are

available to aid the situation.

**b) Disputes Solved/Tackled**

- i) Disputes in between two villages.
- ii) Conflict over divorce, marital separation.
- iii) Stealing
- iv) Family and communal violence
- v) Issues of dividing property
- vi) Sexual misconduct
- vii) Caste black magic spells to hurt some one from the community.

**c) Forms of Punishment**

- i) Payment of fine in cash or kind.
- ii) Dislocating a person from certain social functions and ceremonies.
- iii) In serious cases of offense outcasting him/her.

**d) Other Functions of the Panchayat**

The members of Warli Panchayat being elders, wise, experienced, wellversed with customs and traditions help the other sub organisation in the villages to run village and other family functions smoothly.

**e) Selection of Panchayat Members**

The panchas are self elected persons and are approved by the villagers. The norms of selecting panchas are their age, wisdom, experience, a power of speech, leadership qualities, socio-economic status and so on. The Bhagats (shamans) are generally selected as panchas and taken on the basis of seniority and masters of tribal constitution and laws.

## CHAPTER IV

### STRATEGIES FOR STRENGTHENING TRADITIONAL TRIBAL PANCHAYATS

As revealed in the data, the ethnographic account of fourteen traditional tribal panchayats of Maharashtra State, reveals that the tribal panchayats have been and are still actively functioning to maintain social solidarity peace and tranquility of the tribal societies. It was observed that as compared to the statutory panchayats the traditional panchayats in tribal communities have less administrative responsibilities. Their source of income is also meagre. Traditional panchayats are not much concerned with the developmental programmes and other administrative functions vested in panchayat raj. The main function of the officials of traditional panchayat is to see that no one violeted the cultural & political norms of the society. If any one was to deviated from the customary norms he was punished as per the traditional norms of the tribal court of law. On the whole these panchayats were functioning smoothly & systematically in their own way.

There is a harmonious relationship among the officials of the traditional panchayats. The tribals have faith in their traditional panchayats. The decision of the panchas is regarded as the will of God. Besides the smooth functioning of a single village panchayat in some tribes of Maharashtra, such as the Koknas, Malhar Kolis, Thakars etc. have group panchayats or union of villages forming a panchayat. These group panchayats would handle inter-



village disputes. It was also observed that besides judicial functions the traditional panchayat members also advised villagers in planning & implementing village & family level functions.

However, with introduction of panchayat raj which is based on the rationale that local government is essential for national growth and for effective people's participation which is an integral & indispensable part of the entire democratic process, things changed for some traditional panchayats while for some it did not make much difference, may be because they did not want to participate or interact with statutory panchayats.

The idea of promoting the development of Tribal panchayats without disturbing their traditions was advocated by his excellency the late prime minister, Shri Rajiv Gandhi. During his visit to the tribal areas of Bihar in 1988 he had mentioned about strengthening the tribal panchayats. Hence Government of India instructed Tribal Research & Training Institute, M.S., Pune-1 to study the tribal political institutions indicating interalia and their area of influence and how best they can be utilized under the panchayat Raj system.

This Chapter discusses four basic issues about traditional tribal panchayats of Maharashtra. These are as follows :-

- i) The attitude of tribal panchayat members towards the statutory panchayats.
- ii) Their willingness to shoulder responsibility &

participate in panchayat raj activities.

iii) Their limitations to handle judicial, administrative & developmental activities as per the rationale of panchayat raj.

iv) The various strategies to rectify their limitations & strengthen the panchayat systems of tribals.

#### 4.1 ATTITUDE TOWARDS PANCHAYAT RAJ :

The first issue under discussion is the attitude or perception of the members of traditional panchayat towards the panchayat raj system. The data has revealed that almost 55.84% of the members of traditional panchayat did not interact with gram panchayat members as far as shouldering or promoting activities of panchayat raj are concerned, while the other 44.15% did interact with panchayat raj members, but at the same time were part of the traditional panchayat. This is an indication that tribal panchayat members who did not get themselves exposed or involved with panchayat raj activities had an unsatisfactory attitude towards the implementation of programmes & not the rationale of panchayati raj programmes as framed, by the Government of India. Some of the reasons expressed by the members of traditional panchayat regarding their unsatisfactory or negative attitude towards functioning of the panchayat raj were as follows :-

i) misuse of powers.

ii) prevalence of corruption.

iii) dominance of caste members in panchayat samiti & also gram & group gram panchayat.

iv) exploitation & favouritism.

v) monopoly of political leaders.

On the other hand there were about 44.15% of the panchayat members of traditional panchayats who interacted & some of them even participated in panchayat raj activities, looked at the functioning of panchayat raj positively. They were mostly from tribal areas which are near towns & cities. Thus the attitude of functioning of panchayat raj at grass root is viewed from both positive & negative perspective.

4.2 The second issue under discussion is that, as to what extent the members of traditional panchayat showed their willingness to participate or shoulder the responsibility of panchayat raj activities at grass root level. Responding to the question asked to panchayat members of fourteen tribes whether or not they will be able to handle the panchayat raj responsibilities which are actually carried out by a gram panchayat. About 54.54% of the respondents said, that the traditional panchayats will be able to handle the responsibilities of panchayat raj while 45.46% replies that it is beyond the capacity of traditional panchayats to handle panchayat raj responsibilities. This clearly indicates that tribals have a number of limitations of handling political, administrative & developmental responsibilities which differ to a great extent from their structure of their political system. At the same time there are some positive organizational potentialities & capabilities in the tribal

political systems which need to be recognized.

Discussing about the participation of the tribals of Ranchi in the structural aspects of panchayat raj, it has been observed by Narayan (1992:226) that, "initially the tribals were contesting for the various elected offices of the panchayati raj institutions. Now they are occupying more than 50% of the elected offices.

4.3 The third issue under discussion is that, to what extent traditional tribal panchayats will be able to handle responsibilities of panchayat raj administration its bestowed upon them. The data has revealed that the members of tribal panchayats will have a number of difficulties & there are :

- a) Administrative difficulties.
- b) Educational limitations.
- c) Difficulty in interacting with dominant social & political groups.
- d) Age as a limitational factor.
- e) Socio-economic status of tribals themselves.

**a) Administrative Difficulties :-**

Administration is a skill of managing public affairs which involves jobs such as record keeping, correspondence, completion of set goals & targets, keeping accounts, planning, implementing & follow up of programmes & so on. With regards to the above administrative activities, traditional tribal panchayat members because of lack of education, administrative experience, lack of exposure to urbanization & modernization would find it difficult. These administrative difficulties of the

members of traditional tribal panchayats will certainly reflect on the quality of record keeping & maintenance, account & book keeping, setting goals & targets to be achieved, planning, implementation & follow-up efficiency, ability to interact with dominant caste lobbies & political authorities in panchayat raj administrative set up, handling correspondence and so on, while handling public affairs.

**b) Educational Limitations :**

The data on the educational status of the 77 members of traditional panchayats whose informal interviews were taken by the researchers is depicted in the table given below :-

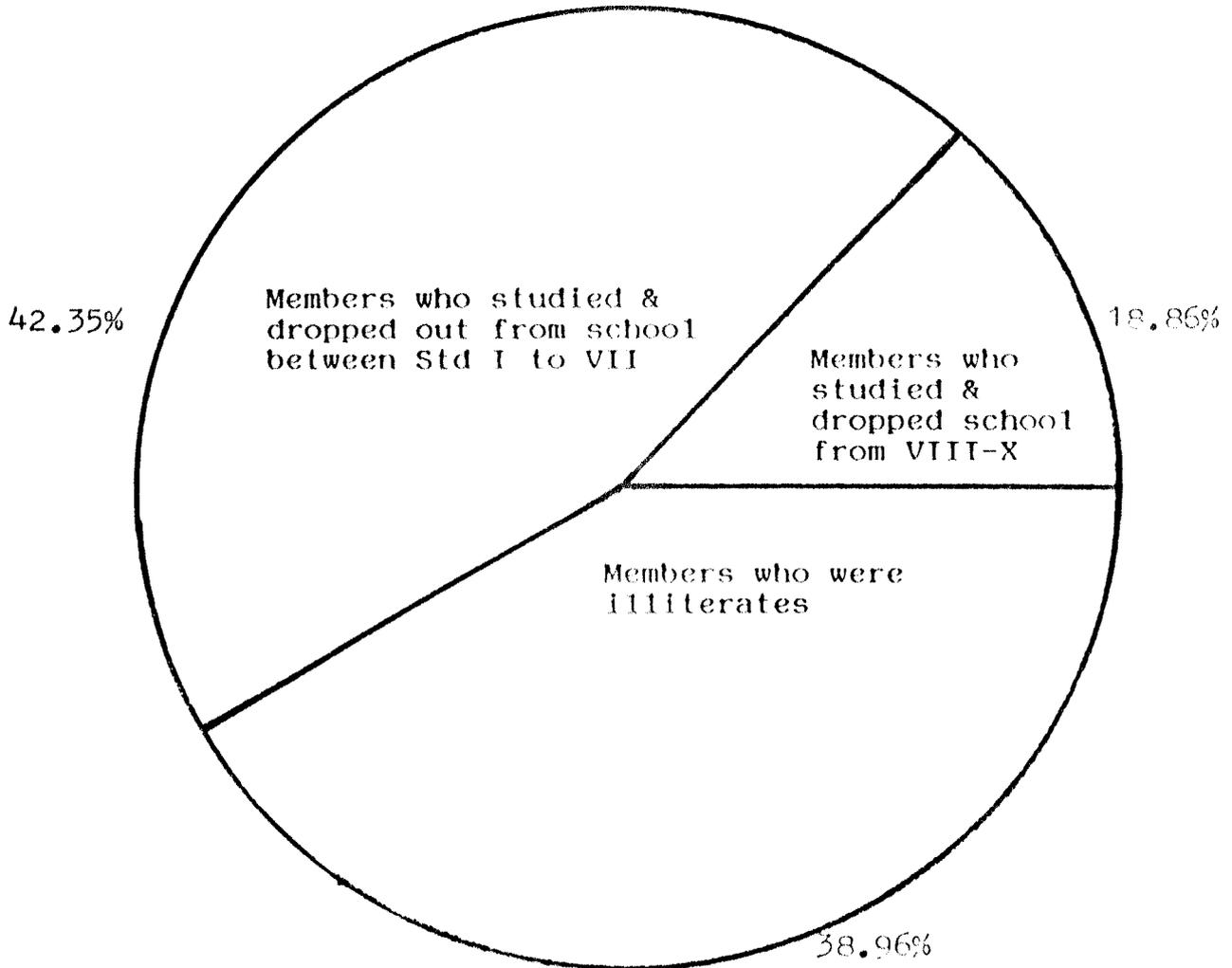
Table No.4.1

Table showing educational status of panchayat members

Sr.No.	Educational qualifications	No.of panchayat members
1.	Illiterates	30
2.	Studied & dropped school in between I - VII	33
3.	Studied & dropped school in between VII - X	14
4.	X - XII	-
5.	XII & above	-
<b>TOTAL</b>		<b>77</b>

Pie Diagram 4.1

Pie diagram showing percentage wise the educational status of Traditional panchayat members.



The above table & the pie diagram have depicted that about 38.96% of the total panchayat members were illiterate, 42.35% went through formal schooling from I - VIIth standard, at the same time only 18.86% underwent schooling from VII - Xth standard. It also indicated that not a single panchayat member studied above Xth standard. This means that educational performance is certainly poor as far as the panchayat members are concerned.

**c) Difficulty in interacting with dominant social & political groups.**

If one takes a glance at the political scenario in India right from gram panchayat to Central Government, we get to see that the political lobby is dominated by financially well off people, having high social status etc. Even at the grass root the members of a dominant caste community have keys to political & socio-economic power. The present gram panchayats are controlled by people who have access to political & financial resources. Although the panchayat is represented by tribal representative they are either side tracked or dominated or they merge with the dominant political group members & forget their tribal fellow brothers for personal or self development. Thus if judicial & developmental powers, if given to tribal panchayats they should be exclusively given to them alone so as to avoid the administrative partition of haves & have nots. Secondly these tribal panchayat members who are socio-economically & political-ly not upto the mark as compared to caste community panchayat members who hold the keys of political power. Hence the tribals will find it difficult to interact with the members of a dominant social or political group.

**d) Age as a limitation factor:**

The data on 14 tribal panchayats of Maharashtra has revealed that most members of the traditional panchayat are elderly people, who have experience, wise and matured. Even one of the selecting criteria of a panch is his age,

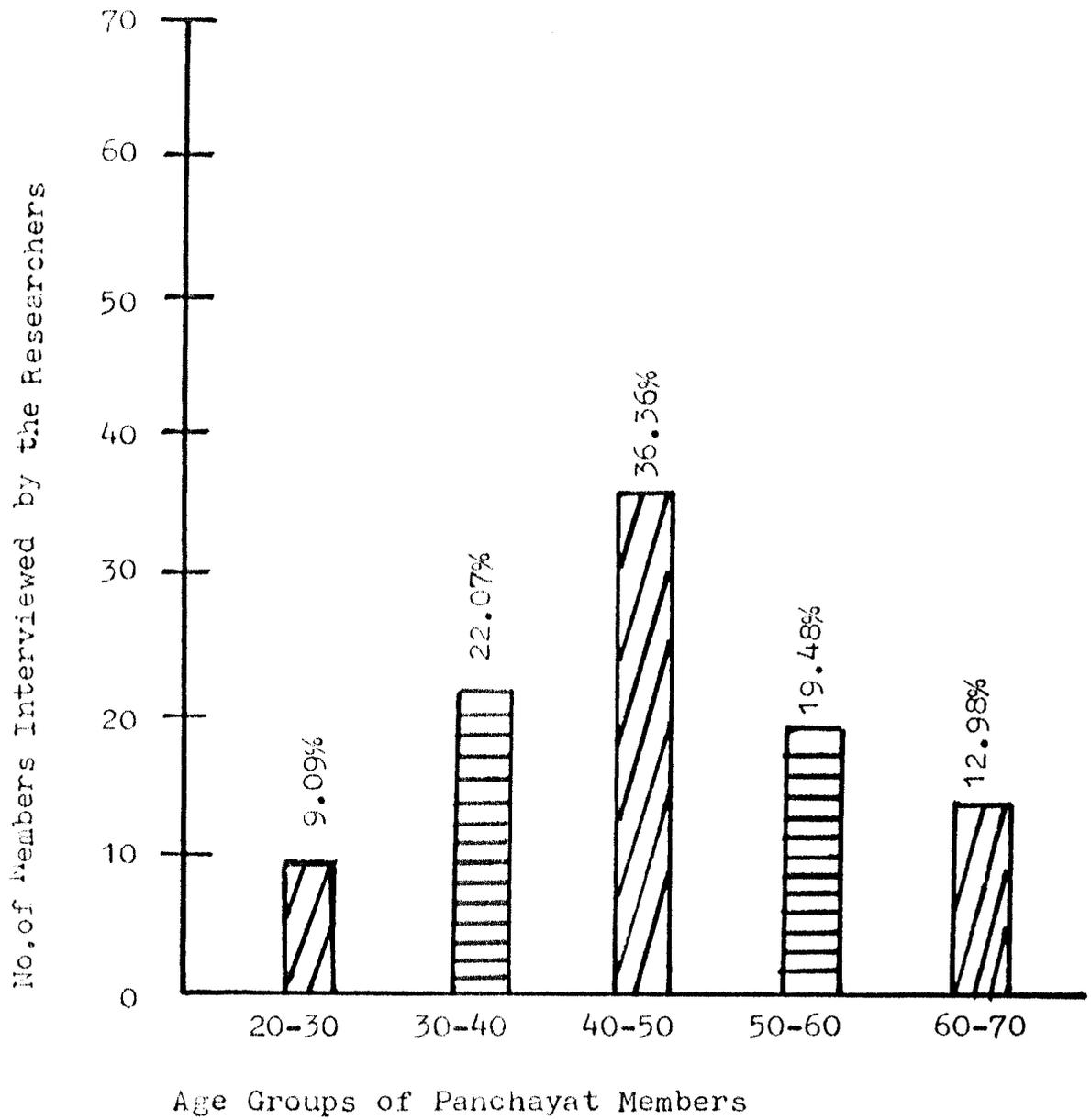
i.e how elderly he is and how well versed he is with the tribal laws, norms, precedence & other judicial matters. This factor of age & the experience of a panch as is certainly right from the view point of the tribals. However, if administrative responsibilities are to be bestowed on the panchayat members it should be handled by youngsters or middle aged members. Young age & dynamism certainly has an advantage as far as running around, organizing & handling public affairs is concerned.

Given below is a table showing the age wise distribution of 77 panchayat member who were interviewed informally.

TABLE NO. 4.2  
Agewise distribution of panchayat members

Sr.No.	Age Group	Total Members	Percentage
1.	20 - 30 years	07	9.09%
2.	30 - 40 years	17	22.07%
3.	40 - 50 years	28	36.36%
4.	50 - 60 years	15	19.18%
5.	60 & above	10	12.98%

Bar Graph 4.1 Showing age of panchayat members



e) Socio-economic status of the tribals themselves.

One of the limitations as observed through participant observation & interviews is the socio-economic status of the tribal panchayat members. Assessing the occupational status of the 77 panchayat members who were interviewed informally it was observed that out of 77 respondents, 59 were cultivators, 11 were daily wage labourers, 04 were in service, & 03 were engaged in small scale occupations & business. From the above data it is evident that most panchayat members are cultivators because they need to cultivate grains for family consumption throughout the year. It is rarely observed that tribals sell grains. As grains for family consumption, is their topmost priority. When they don't deal much with cash based trade & that their economy is subsistence type. Over all the socio-economic status of the tribal representatives in panchayat raj set up as compared to the caste community members is very low. In order to work hand in hand with politically & financially dominant people of the panchayat set-up the low socio-economic status of the tribal panchayat members may become a barrier and may prevent them from experiencing their opinion freely and independently. It is therefore suggested that if at all judicial & developmental powers are to be given to traditional panchayats it should be given exclusively to them. A committee consisting of educationalists, academicians, experts in law, finance & social work should be appointed so as to guide the traditional panchayats in overall administration, judicial & other public affairs.

As expressed by most members of traditional panchayats that their low socio-economic status & lack of access to State & Central level political authorities, would certainly become a socio-cultural barrier while working with politically & socially dominant caste community individuals in panchayat raj administrative set-up.

4.4 The fourth issue under discussion is regarding the various strategies to rectify the limitations of traditional tribal panchayats so as to strengthen them.

Despite of the administrative, educational, socio-economic etc. limitations of the members of the tribal panchayats as reflected in the data, it is still possible to rectify these limitations for a better cause. The task of giving judicial & developmental powers to the tribal panchayat although sound difficult, but given appropriate guidance, education, training, motivation & incentives traditional panchayats may get actively involved in participatory development. Given below are few suggestions which could be useful in developing strategies to strengthen traditional panchayats in tribal communities.

**a) Need for village level or tahsil level council :**

The first & foremost need of the traditional panchayats, if at all judicial or development powers are given to them, must be to educate & guide them constantly through a village level or tahsil level council in administrative, political, & developmental matters. This council must consist of experts (interested & dedicated

in tribal welfare) in development, accounts, law, academics, education & so on so as to plan, implement & follow-up developmental & judicial activities with the tribals. This council will certainly help in supervising the activities of the panchayats. Secondly & most importantly this council will be useful in writing & maintaining records & accounts & also handling administrative affairs. This council must work with the already established government machinery for the welfare of tribals through their traditional panchayats.

The council should consist of the members of traditional panchayat, village school teachers, educated tribals, medical practitioners, main officials of youth & mahila mandals & of course the experts from law, education, academics, accounts, social work & so on. This kind of a representation of both people & experts from outside will form a complete circle.

**b) Role of voluntary organizations in supporting traditional panchayats.**

Yet another strategy which may be useful in supporting or strengthening traditional panchayats in tribal communities would be to involve voluntary organizations working in tribal areas to plan, implement, & supervise the judicial & developmental activities of the traditional panchayats. Voluntary organizations can take care of the administrative & record keeping work for the traditional panchayats.

A number of voluntary organizations have proved that if developmental activities are interwoven with traditional

panchayats, youth & mahila mandals, traditional medical practitioners etc. they function smoothly as there is maximum participation of the people themselves.

The academy of Development science, a voluntary organization of Karjat, has collaborated with traditional panchayats & medical practitioners for schemes such as management of grain banks, cultivation of medicinal plants, social forestry programmes & so on. These schemes are getting very good response.

**c) Social controlling body or Council.**

Once a village level or tehsil level council or a voluntary organization is given the responsibility of supervising the traditional panchayat activities, then the question of controlling or checking the utilization of funds, management of activities, targets & achievements comes into the scene. Hence there should be an institution or a body which is already existing in government machinery to question the voluntary organizations and/or village councils which include the traditional panchayats as well regarding the progress of activities, mismanagement & misutilization of fund etc. In doing so there will be a sought of social control or check on the functioning of traditional panchayats.

**d) Testing the efficacy of the developed strategies.**

Whatever be the strategy which is designed to strengthen traditional panchayats, it should be first tested or experimented upon before actually implementing it. The evaluation of the efficacy of the developed strategies in

randomly selected tribes will help the policy makers & planners to assess its the success & failure & understand the gaps or lacunae which need to be rectified.

The strategies planned to support & strengthen traditional panchayats should be scientifically & rationally tested & evaluated with the help of social science research methods & techniques. Besides conducting research & scientific evaluation of the strategies motivating, educating, training & creating awareness among the tribals through various media is equally important & must go hand in hand with research and evaluation.

## CHAPTER V

### SUMMARY & CONCLUSION

The present study is an ethnographic account of fourteen traditional tribal panchayats of Maharashtra State. It points out the present status of the various political institutions, their structure, function, the nature of disputes solved by these panchayats, forms of punishment, the procedures of selecting panchayat officials, the socio-cultural functions of these panchayats other than judicial functions, the perception of panchayat members about the functioning of panchayat raj administration & their perceptions about strengthening their own panchayats.

The conclusions drawn from this study are based on interviews, participant observations & ofcourse secondary data on traditional tribal panchayats. These are as follows :-

- 1) The traditional panchayats in tribal communities especially in remote areas are functioning effectively in order to maintain social & cultural solidarity and communal harmony among its members.
- 2) On the other hand tribal areas which are close to metropolitan cities, the traditional panchayats are declining or/and getting assimilated with the statutory panchayats.
- 3) Tribal women are not a part of the panchayats as they are considered to be the second sex, the weaker sex & because of their inefficiency to handle panchayat matters.



4) Tribal laws, forms of punishment, the methods & techniques of solving disputes, procedures of selecting panchayat officials, structural & functional norms of the political institutions etc. have their origin in social customs & cultural traditions.

5) In most of the tribes under study it was observed that besides tackling village & inter-village judicial matters, tribal panchayats are actively involved in performing & organizing village & family level functions and/or ceremonies, such as organizing village fairs, offering the village deities annual sacrifice with the help of a shaman or priest, marriage, heading rituals, aesthetic programme co-ordination, helping orphans & destitute in the village & so on.

6) Among some tribal communities there are group gram panchayats which operate at a regional level under the guidance & leadership of a regional head.

7) Some of the forms of punishments taxed on a culprit are very harsh e.g. excommunicating a criminal, depriving him of utilizing communal benefits & facilities & physical torture.

8) The traditional panchayats in tribal communities dispense justice to the villagers with speed, without incurring heavy expense and with effectiveness.

9) Tribal laws do not make any distinction between public crime & private crime viz. Social matters are also brought before the panchayats.

10) The political life of the tribals reflects a paradoxical situation in which democracy & monarchy co-exists. In other words the political life of the tribals is an admixture of the traditional & modern political set-up.

11) With regards to the role of traditional tribal panchayats in handling developmental & judicial matters, the tribals will face administrative, educational, legal, political & socio-economic difficulties. These difficulties could however be rectified or corrected to some extent with help of village and/or tehsil level councils or with the dedicated efforts & support from voluntary organizations working under a controlling body or authority.

12) The involvement of traditional panchayats of the tribals is very marginal or minimum in the panchayat raj administrative set-up especially of those tribes residing in remote areas.

13) The political institutions which are part and parcel of the tribal culture vary from one tribe to another. Some tribes may have tribal chiefs or union of villages, or council of elders, or village headman while others may have panchayats.

14) The traditional tribal panchayats have organizational potentiality & capability to handle small scale village level development & judicial affairs if given right motivation, education, guidance & need based funds.

## SUGGESTIONS

Given the present status of the traditional panchayats in tribal communities & their limitations as far as administration, maintaining records and accounts, educational & socio-economic status and so on. The study proposes to put forth following suggestions which may be useful to strengthen traditional panchayats in tribal communities :

1) Steps must be taken to form a village level or tehsil level council which should consists of experts from academics, social work, law, education, management etc. so as to give advice regularly for planning, implementation & supervising judicial & developmental programmes of the traditional panchayats. This council must also be represented by the members of the panchayat & a few eminent personnel from the village. The Project Officer of Tribal Development Department, could be the Chairman of this Council. The members of traditional panchayat and other tribal representatives should be given counselling and guidance in judicial and developmental matters without disturbing their traditions. Counselling and guidance by the expert committee, must be given only when it is demanded or asked for by the traditional panchayats. Care should be taken by the Committee or counselling body that it does not dominate or overrule the tribals and that there should be least interference of the experts in the matters of tribal panchayats.

2) If for some reason a village or tehsil level council

cannot be formed. The responsibility of planning, implementing & supervising small scale developmental & judicial programmes must be given to voluntary organizations of repute. In doing so the administrative, educational, socio-economic & public relation management limitations of the traditional panchayats could be solved.

3) To supervise the village or tahsil councils a district or tahsil level body should be given responsibility to keep a check on mismanagement & misutilization of funds & more importantly the progress of work.

4) The planned developmental & judicial strategies to strengthen traditional panchayats should be tested or experimented upon randomly selected tribal panchayats so as to improve upon the probable gaps & lacunae which may arise in planning, implementing & monitoring developmental & judicial programmes.

5) Tribal women representatives do not seem to be part of panchayat tradition & hence they cannot participate in planning & implementing development strategies for them. Panchayats of the tribal in India should be motivated to change their tendency towards women & must be convinced so that women are given a chance to be a part of the development council.

6) Efforts must be made to discard certain severe forms of punishment such as excommunicating a culprit, depriving him of using communal facilities & torturing him physically, as these do not fit in to the Indian law.

7) Provisions should be made for a separate budget for small scale developmental & judicial activities traditional panchayats which could be handled by them with the guidance of the development council or voluntary organizations. The traditional panchayats in tribal communities should be practically given financial assistance. This would serve as an incentive-cum-compensation for abolishing their traditional powers of harsh punishment such as outcasting a culprit, physically torturing him etc.

8) Some of the small scale developmental activities which could be managed by the traditional panchayats could be as follows :-

a) Village cleanliness programmes.

b) Monitoring the supply of pure and clean water for the village.

c) Organizing medical check-up camps to detect diseases among children, women & the elderly folks.

d) Maintaining a first aid centre under the supervision of educated persons who have undergone formal training in first aid.

e) Construction & repairing of roads, houses, public buildings etc. in the village.

f) Development of waste land in & around the village.

g) Development of agricultural technology.

h) Welfare programmes should be implemented for orphans & destitutes in the village.

i) Encouraging & motivating the tribal youth to educate themselves.

- j) Helping the tribals to get development schemes implemented through panchayat samiti, project officers & co-operatives.
- k) Take up programmes such as social forestry, cultivation of medicinal plants & promotion of kitchen gardens.
- l) Maintenance of drainage system in the village.
- m) Supervising vaccination of cattle in the village.
- n) Establishing public reading rooms either in the school or somewhere in the village.
- o) Keeping a check on child marriages or early marriages.
- p) Welfare of the old folks.
- q) Contacting voluntary organizations to help the tribals to help themselves.
- r) Digging wells, bore wells & building small water tanks & dams in the village.
- s) Starting some income generating programmes for women & men as well.
- t) Establishing Adult education & balwadi centre(s) in the village.
- 9) The traditional panchayats should also include educated, young & dynamic personnel in the village to be a part of it.
- 10) If at all judicial & developmental powers are given to traditional panchayats. Its members & the experts of the village/tehsil council or voluntary organizations should be given some incentives in cash or kind to get the show going smoothly.
- 11) By giving judicial powers to traditional panchayats the workload of the present courts will be reduced to

some extent. Judicial powers such as humiliating a culprit, physically torturing him, outcasting him should be abolished from the traditional panchayats. Powers like solving family disputes and some village level matters should be handled by the traditional panchayats, on the lines of Nyaya Panchayats.

12) It was observed that there are no fixed places of meetings for these panchayats. Steps must be made to provide a small hall which would serve as an office-cum-meeting hall.

13) There is lot of scope for further research on tribal panchayats. One of such area is surveying as to how faulty are certain traditional laws, forms of punishments, customs and traditions. To what extent these faulty practices fit in the human right frame of reference of the indian court of law. A comparative study of codification of such faulty laws, forms of punishments, customs, traditions should be conducted by researchers. This will give an insight to the administrators and policy planners to take suitable steps to irradiate these faulty practices which do not fit into the conceptual frame of human rights.

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