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**A COMPARATIVE STUDY OF TRADITIONAL  
PANCH AND STATUTORY PANCHAYAT**

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*TABULATION*  
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## FOREWORD

As recommended by the Advisory Committee of the Tribal Research and Training Institute regarding publications of the report of earlier completed research works, this report is being published in mimeographed form. If the workers, administrators, researchers, students as well as any person of tribal society could get useful material out of this report, the objectives in publishing it would be realised. I take this opportunity to congratulate each of the research personnel who has been associated with this research project.

Gujarat Vidyapith,  
Ahmedabad-380014. }

**Dhirubhai Manibhai Desai**  
*Vice-Chancellor*



## INTRODUCTION

The understanding of traditional tribal institutions for tribal development work is essential. It is more so when a new agency, having some similarity at a surface level start functioning in tribal development. In order to get some primary information on the subject, a survey was undertaken in Shamlaji tribal area in Dungry Garasia Community. The data collection was made in this research project through participation and observation technique and also by canvassing a schedule.

The institute is grateful to the office bearers of Shri Garasia Panch and number of informants from the tribe without whose active cooperation, this research work would not have materialised.

Siddharaj Solanki  
Acting Director







likelihood that the statutory panchayat might work in rivalry with such traditional councils. This has been already reported from certain tribal areas which is not at all a desirable situation. The flexibility of traditional panchayat has more appeal in the eyes of the tribals who find the rules and regulations of the statutory panchayat difficult to understand. To aggravate this situation, in several places, the statutory panchayat has become a media for the non-tribals to hold supremacy over the tribals, and thus to oppress them. These and many factors relating to the functioning of both statutory and traditional panchayats need careful examination in each tribal region.

In order to have a correct picture of the existing situation, this study was undertaken by us. Its main objective was to make a comparative study of the working of both the systems, and to bring out the problems arising from it.

The Shamlaji tribal development block was selected for the purpose of this study. It was selected mainly because the traditional panch was functioning effectively there and statutory panchayats had also been established in all the villages of the block. So we thought it would provide an interesting field for the study.

The traditional panch in the area had been functioning for the two talukas in which the block was situated viz. Bhiloda and Meghraj and also for Vijaynagar taluka, all of them being in Sabarkantha district. The main tribe of the three talukas was Garasia or Dungri Garasia as it was specifically known. The panch was exercising its authority over the entire tribe staying in these three talukas. The working and organisation of the whole panch was therefore studied for our purpose.

Statutory panchayats were studied only in Shamlaji tribal development block. Information from all the panchayats in the block was collected. For the purpose of knowing the opinions of people about both the systems, 8 villages were selected at random from the block, 4 of which were from Bhiloda taluka and 4 from Meghraj taluka. 263 informants were selected from these villages at random.

## II. THE TRIBE

Shamlaji tribal development block was mainly inhabited by Garasias, a sub-tribe of the main stock of Bhil. Regarding the origin of these tribal people it was believed that many Rajputs had married Bhil girls and their progeny was called Garasias. There was another belief prevalent that many Rajputs who used to be expelled from their society because of their social misdeeds,

settled among the Bhils who were living in jungles in isolation and married Bhil women. Their progeny were called Garasias. Regarding the origin of the word Garasias, it was claimed that this word 'Garasias' originated from Sanskrit word 'Gras' which means 'mouthful of food'. And those who were given land by their chieftans in order to earn a mouthful of food for themselves were called Garasias. Another claim of this kind was also made that the word Garasia originated from word 'Giri-Ish' which meant land holders of mountainous land.

As such it was not difficult to find out that the Garasias from the early past had been having lot of elements of Hindu culture in their society. There were enough evidences to support this contention, when we went in detail about their culture. However, it was beyond the scope of this report to go in such details, but it could be safely assumed that from very ancient times these Garasias wanted to come on par with the Hindu Society. And for that, the enlightened people amongst them, made efforts to do away with the weaknesses of their society. Such people always made efforts to bring unity among the people through which the reform movement could be easily introduced. A large number of such people had adopted the 'Bhagat' creed, and thus had imitated the Hindu way of life. One of the efforts to bring unity and thereby to bring social reformation was the constitution of the District Garasia Panch organised on a much bigger scale.

## III. THE PANCH

In former days, before 1934, the Panch was not functioning in an organised manner. Whenever a dispute arose, the elders of the village and the Mukhi used to sit together and settle the disputes. The office of Mukhi was hereditary, and it was considered to be a matter of shame and disgrace if the office of the Mukhi was snatched away from the particular family because of some reason. In case there was no son in the family of Mukhi or the son was of minor age, another mature man from the same clan, to which the Mukhi belonged, used to be selected by the villagers as their Mukhi. Mukhis were very particular in dealing with all disputes promptly. Certain powers had also been vested in the Mukhis by the then Idar State. In fact, he used to work as a liason officer between the villagers and the State. Due to his power and influence the villagers normally never used to go against the wishes of the Mukhi. The Mukhi was considered to be the Head of the village elders who used to sit together to deal with disputes. Thus, the Mukhi and certain elders used to constitute the village Panch and whenever there was dispute between two villages, the respective panch of each village used to sit together for coming to a



decision. At the time of fairs at Shamlaji, such as, on occasion of 'Janmashtami' and 'Kartik Purnima' the Panch of all the villages of Bhiloda, Meghraj and Vijaynagar talukas used to sit together to assess the situation in their society and to take certain measures for maintaining the social solidarity of the tribe. During those times the Idar State had practically nothing to do with the law and order of the tribal society and unless there was very grave issue, they never bothered to interfere with the tribal way of life. As such the Mukhi of the village was the most important person in the village. The office of Mukhi had become an institution by itself. After independence, the Mukhis were recognised by the Indian police department and they were entrusted with the job of reporting all criminal offences to the local police. So their role was reduced from settling disputes to an informant. But even then the social offences particularly of sexual nature were always dealt with by the Mukhi and the elders of the village. Such cases were not taken to police, unless murder was also committed in such disputes. The elders and the Mukhi of the village even dealt with such disputes where they had become police cases. And the Panch used to pass strictures on the guilty person, and justice based on special norms was given to the petitioner. Thus, the Panch before it was re-organised in the year 1934 was of very local character, and except the Mukhi there was no fixed membership in it.

After 1930, Shri Khemjibhai Roopaji Parmar of village Malasa who was then working as an agricultural officer in the then Idar State, took initiative of organising the Panch and for that he discussed the matters with the elders and Mukhis of nearly all the villages in several meetings. At last in the year 1933, in a meeting convened by Shri Khemjibhai Roopaji Parmar at Sariadhara, it was decided that the Panch should be organised on the district level with seven sub-divisions.

In 1934, the formation of Garasia Panch took place and Shri Ramji Moonga was made its first President and Shri Khemajibhai Roopaji first Secretary. In 1941 this Panch was registered. The whole credit for the organisation of the Panch went to Shri Khemjibhai. In 1941 Khemjibhai became its President. The main objective for organising this Panch was to strengthen the unity of Garasias, and to bring social reformation in the society. By social reformation these enlightened leaders who organised the Panch meant that their society should go forward in every aspect of its development and should not remain backward. They wanted to do away with many things prevalent in the society such as high bride-price, excessive use of ornaments, drinking of mahua liquor, eating meat, etc., etc. In the opinion of the enlightened leaders who had already adopted Hindu way of life, these were great evils of the

Garasia Society. To carry out their programmes of social reconstruction they nominated members from nearly all villages of the Bhiloda, Meghraj and Vijaynagar talukas who were entrusted to look after their villages and neighbouring villages. The district Garasia Panch was having following office bearers-(i) President, one (ii) Vice-President-one and (iii) Secretary-two. As mentioned earlier, the District Panch was divided into seven sub-divisions known as 'Peta Panch'. Following were the seven panchs in the Sabarkantha District Garasia Panch:- (1) Vijaynagar Peta Panch, (2) Pal Ratta-Peta Panch, (3) Pahara Peta Panch, (4) Bhiloda Peta Panch, (5) Shamlaji West Peta Panch, (6) Shamlaji East Peta Panch, and (7) Meghraj Peta Panch. Each Peta Panch had one president and one secretary. They were nominated by the working committee of the Garasia Panch. For membership of either Garasia Panch or Peta Panch the age limit was 18 years. While for office bearers it was 25 years. At the interval of every three years there was to be fresh election for the office of the president and the secretary of the Garasia Panch. In certain cases the election might take place after 5 years interval. Once the president and secretaries were elected, they could continue upto a tenure of two terms i.e. maximum upto eight years after which they would forfeit the right of standing again for the same office. Although this ought to have been the practice this was not strictly followed. The present president Shri Surjibhai Solanki and one Secretary Shri Amritbhai Kharadi were holding office since 1957 i.e., since last nine years. This year the election had taken place and these officials had again been elected for a further term of 3 years or whenever the next election would take place. There were, of course, provisions for removing the office bearers if one-third members of the Panch reported against them and three-fourth members voted against them for their removal. According to the provisions of the Garasia Panch, the Panch would meet at least once in a year. The members of Peta Panch could however call a meeting whenever there was need to discuss any problem. In Garasia Panch meeting, at least 32 members' attendance was essential for passing any resolution and in Peta Panch at least 8 members' attendance was essential.

According to the rules and regulations of the organisation there should be close coordination in the working of Peta Panchs and the Garasia Panch. It was the duty of Peta Panchs to place all the social problems of their areas before the Garasia Panch. In case of disputes between two or more Peta Panchs, working committee had every right to examine the decisions given by Peta Panch and to examine their accounts of income and expenditure.



We could see that the Garasia Panch and Peta Panch had been well organised with a broader objective. The spheres in which they mainly functioned were in the field of marriage, birth and death ceremonies. This organisation had brought about complete transformation in these fields as far as Bhiloda area was concerned. The Garasias of Bhiloda were much more advanced in comparison with those of Meghraj, and since this social reconstruction movement was initiated by the leaders of the Bhiloda area, it naturally received greater success there. The tribals of Meghraj taluka were economically backward, illiterate and ignorant and their life was more tradition bound. Hence, the objectives of the Garasia Panch could not be completely attained in that areas. Since the villagers of the Meghraj area were in no mood to do away with their traditional practices, the members of the Garasia Panch and Peta Panchs of that area could not exercise their influence over them. In fact due to public pressure, the members of the Peta Panch of Meghraj and Shamlaji East had a desire to sever their relations with the Garasia Panch but as yet this move had not materialised.

The Garasia Panch and Peta Panchs also settled disputes which arose between two families or two villages or likewise. But they mostly decided social offences. The members of the panch had great influence in their villages and the villagers in any conflict went to these persons to seek advice. In recent times, there had been tendencies of defying the Garasia Panch and its Peta Panchs. This was mainly because of the disunity among the leaders of the Panch. Shri Khemjibhai who once was the chief organiser of the Panch had now no faith in the working of the Panch. Similarly there were many other leaders who did not see eye to eye with each other.

#### IV. THE PANCHAYATS

The first statutory panchayat was established in this area in the year 1953. By 1959 all the villages had been covered under Panchayati Raj. It was not possible for the administration to have a Panchayat in each village because of the small population of tribal villages. As such under one group panchayat two or three or four villages came. At the time of enquiry altogether 36 panchayats were functioning in this block. Table I would provide the number of Panchayats according to their year of establishment.

TABLE I

Growth of Panchayats Year-wise

Year	No. of Panchayats
1953	1
1954	1
1955	-
1956	13
1957	10
1958	9
1959	2
TOTAL.....	36

It was clear from the above table that after 1955, the panchayat movement took greater speed. At present the panchayats were working under a three-tier system viz. the district panchayat (known as Zila Parishad), taluka panchayat and village panchayat. The Gujarat Panchayat act had been brought into force from 1st April, 1963. According to the provisions of the Gujarat Panchayat Act, 1963, a gram (village) panchayat consisted of not less than 9 members and not more than 16 members. Provisions have been made to reserve seats for women and members of scheduled Castes and scheduled tribes. A taluka panchayat consisted of ex-officio, elected, co-opted and associate members. On account of national emergency no election had taken place after 1961. Of the 36 panchayats in this block, 13 were having their own buildings, while 23 were functioning in rented houses.

Altogether there were 301 members (including office bearers) in the 36 panchayats. Of them 138 persons constituting 45.8 per cent of the total were tribals, while the rest 163, constituting 54.2 per cent of total were non-tribals, even though the majority of the population in the block were tribals.

Out of 301 persons, 80 were office bearers and the rest 221 were ordinary members. Of the 80 Sarpanchs and Up-Sarpanchs only 28 forming 35 per cent were tribals while the rest 52 forming 65 per cent were non-tribals. This meant that in the tribal area of Shamlaji tribal development block, larger number of panchayats were having non-tribals as their Sarpanch and Up-sarpanchs. If one looked at Table II it would be seen that larger percentage of Sarpanch and Up-sarpanch among both tribals and non-tribals were literate. Number of literate Sarpanchs and Up-sarpanchs was larger among the non-tribals. But among the ordinary members, both in tribals and non-tribals as much as 52.7 per cent and 42.3 per cent, respectively of the total in each were illiterate. Here again, larger number of tribal members were illiterate. However it must be recognised that quite an appreciable number of tribal members were literate. This clearly suggested that in Panchayats, more literate villagers participated.



Now when we looked into the age of the members of panchayats we found that larger number of members, both among tribal and non-tribals, came from the age group of 31-50. The figures in Table III gave clear idea about the age-structure of Panchayat members.

TABLE III  
Distribution of members (including office bearers) according to their age group and ethnic classification

Age-groups	Ethnic classification				Total	
	Tribal No.	Pc.	Non-Tribal No.	Pc.	No.	Pc.
18-25	2	1.5	2	1.2	4	1.3
26-30	27	19.6	17	10.4	44	14.6
31-40	53	38.4	64	39.3	117	38.9
41-50	41	29.7	60	36.8	101	33.6
51-55	7	5.0	16	9.9	23	7.6
56-60	5	3.6	1	0.6	6	2.0
Above 60	3	2.2	3	1.8	6	2.0
TOTAL.....	138	100.0	163	100.0	301	100.0

As much as 68.1 per cent and 76.1 per cent of the total number of tribal and non-tribal members respectively were in the 31-50 age-group. Among the tribals there appeared to be larger number of youths participating in the panchayats, as the proportion in the age group 26-30 was more than those of non-tribals. Again in the age-group 31-50 there was larger proportion of tribal members compared to that of non-tribal members in that age-group. This indicated that among the tribals larger number of youths were represented than those of non-tribals. The older persons who were more conservative, orthodox and tradition-bound were reluctant in participating in government sponsored activities while the younger persons were more enthusiastic about it.

As we have seen earlier non-tribals were better represented in panchayats than the tribals. It would be worth while to examine the proportion of non-tribals and tribals in each panchayat. The figures presented in Table IV pointed out that there were 7 panchayats in which all the members were tribals while in 3 panchayats all members were non-tribals. In these panchayats, even the provision of reserved seats for tribals had not been observed.

Again there were 3 panchayats in which 8 members out of 9 were non-tribals while 1 was tribal. Similarly there were 4 panchayats in which 8 members out of 9 were tribals while only 1 was non-tribal. Another thing which the figures in the Table IV revealed was that there were atleast 9 panchayats where the strength

TABLE II

Distribution of Sarpanchs and Up-Sarpanch and ordinary members according to their educational status and ethnic group

Tribal or non-tribal	Classification of panchayats members	Educational Qualifications						Total
		Illiterate	Can sign	I-IV std.	IV-VIII std.	VIII-XI std.	Any other Qualification	
Tribal	Sarpanch	7	6	6	6	1	-	28
	Up-Sarpanch Members	25.0	21.43	21.43	21.43	3.57	-	7.14
	TOTAL.....	58	11	22	9	1	-	110
Non-tribal	Sarpanch	52.7	10.00	20.00	8.2	0.9	-	8.2
	Up-Sarpanch Members	65	17	28	15	2	-	11
	TOTAL.....	47.1	12.3	20.3	10.9	1.4	-	8.0
TOTAL	Sarpanch	6	4	20	11	4	-	7
	Up-Sarpanch Members	11.5	7.7	38.5	21.12	7.7	-	13.4
	TOTAL.....	42.3	9.9	10.8	19.0	1.8	0.9	17
TOTAL	Sarpanch	53	15	32	32	6	1	24
	Up-Sarpanch Members	32.5	9.2	19.6	19.6	3.7	0.7	14.7
	TOTAL.....	13	10	26	17	5	-	9
TOTAL	Sarpanch	16.25	12.5	32.5	21.25	6.25	-	11.25
	Up-Sarpanch Members	105	22	34	30	3	-	26
	TOTAL.....	47.5	9.95	15.4	13.6	1.35	0.4	11.8
TOTAL	Sarpanch	118	32	60	57	8	1	35
	Up-Sarpanch Members	39.2	10.6	20.0	15.6	2.7	0.3	11.6
	TOTAL.....	118	32	60	57	8	1	35



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TABLE IV

Proportion of tribal and non-tribal members in all panchayats

No. of tribal members	No. of panchayats having non-tribal members										Total
	0	1	2	3	4	5	6	7	8	9	
0 Member	-	-	-	-	-	-	-	-	-	3	3
1 Member	-	-	-	-	-	2	-	-	3	-	5
2 Member	-	-	-	-	-	-	1	3	-	1	5
3 Member	-	-	-	1	1	1	1	-	-	-	4
4 Member	-	-	-	1	-	-	2	-	-	-	3
5 Member	1	-	1	-	2	-	-	-	-	-	4
6 Member	1	-	-	1	-	-	-	-	-	-	2
7 Member	-	-	-	-	-	-	-	-	-	-	-
8 Member	1	4	-	-	-	-	-	-	-	-	5
9 Member	4	-	-	-	-	-	-	-	-	1	5
TOTAL.....	7	4	1	3	3	3	4	3	3	5	36

of members was less than 9. In 3 panchayats there were 8 members, in 2 panchayats 7 members, in 3 panchayats only 6 members and in 1 panchayat only 5 members. As pointed out earlier according to the Act, a gram panchayat should consist of not less than 9 members. It was surprising to find that as many as 8 panchayats out of the total panchayats in this area did not have the full contingent.

Examining the representation of women in the gram panchayats it was found that among tribal members only 15.9 percent of them were women while among non-tribals members 22.7 of them were women. The figures in Table V provided the number of women in all panchayats.

TABLE V

Distribution of tribal and non-tribal members according to their sex

Ethnic groups	Male		Female		Total	
	No.	Pc.	No.	Pc.	No.	Pc.
Tribal	116	84.1	32	15.9	138	100.0
Non-tribal	126	77.3	37	22.7	163	100.0
TOTAL.....	242	80.4	59	19.6	301	100.0

According to the provision of the Gujarat Panchayat Act (1963) two seats in each gram panchayat were to be reserved for women. The figures given in Table VI would show that as many as 3 panchayats were without having any women members while in case of 6 panchayats were each having one woman among the total members. Here again, the provision had not been observed. The reserved seats were not filled because of the fact that in many villages women refused to participate in the panchayats. Such

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reserved seats remained vacant.

TABLE VI

Proportion of male and female members in panchayats

No. of female members	No. of panchayats according to No. of male members											Total
	1m.	2m.	3m.	4m.	5m.	6m.	7m.	8m.	9m.	10m.	11m.	
0 Member	-	-	-	-	-	1	1	-	-	-	1	3
1 Member	-	-	-	-	-	1	2	2	1	-	-	6
2 Member	-	-	-	1	-	2	2	2	2	-	-	27
Total No. of Members	-	-	-	1	-	4	5	24	1	-	1	36

Out of the total number of 301 members in the 36 panchayats, 165 had agriculture as their main occupation while 36 had non-agricultural occupations. For a good number of members (82 members) their annual income could not be known. Of the remaining 219 members, 88 were in the income group of Rs.1000/- and less, 57 in Rs.1,001-1,500, 58 in Rs.1501-2000, 11 in Rs.2001-3000, 4 in Rs.3001-5000 and 1 in above Rs.5000/-. On careful examination of the figures presented in Table VII, it was clear that number of members in higher group were mainly represented by the non-tribals. Further it was also revealed that both among non-tribals and tribals majority of the Sarpanchs and Up-Sarpanchs were from higher income groups. This would support the wide spread feeling that only well-to-do villagers dominated the panchayats. This was particularly true when one had a careful look at the figures of non-tribal members.

Coming to the activities of the panchayats in the field of development work in their area it was found that 24 panchayats out of 36 panchayats had undertaken development programme while the rest 12 had not done anything. Of the 24 panchayats who had undertaken the development work, 6 reported 1 development work, 9 panchayats reported 2 development works, 5 reported 3 works, 3 reported 4 works and 1 reported 5 works. It was apparent then that greater number of panchayats did not do beyond 2 development works. It had already been seen that only 66.7 percent of the total number of panchayats had undertaken development work. But even among them as many as 41.7 percent had not undertaken more than two development works, while 13.9 percent had done 3 works, 8.3 had done 4 works and only one forming 2.8 percent had done as many as 5 works. It was clear that majority of the panchayats had undertaken either no work or very few works. As regards the nature of development work undertaken, the figures in Table VIII would give some idea. It was apparent from the figures that wells, approach road, school



building, school rooms and panchayat house were the major development works undertaken by different panchayats.

Wells have been accounted by 14 panchayats out of the total 24 panchayats.

TABLE VIII

Distribution of Panchayats according to type of Development work.

Sr. No.	Nature of Development work	No. of panchayats who have done this work
1.	Wells	14
2.	Approach Road	5
3.	School Building	7
4.	School rooms	3
5.	Co-operative godown	3
6.	Ordinary rooms	3
7.	Store room for gram sevak	2
8.	Panchayat House	6
9.	Minor irrigation work (bundh)	1
10.	Medicine Chest	1
11.	Kerosine Oil Depot	2
12.	School equipment and enclosed verandah	2

Other than development programmes, some of these panchayats had also engaged themselves in other activities such as organisation of 'Youth Mandal', 'Bhajan Mandal', 'Bal Mandali', 'Mahila Mandal', etc., only 10 panchayats out of 36 panchayats had reported such activities. The figures given in Table IX would show such activities of the panchayats in this block. It could be seen from the figures in the Table that there was no uniform pattern to be found in each panchayat regarding such activities.

TABLE IX

Table showing the nature of activities other than the construction activities of the different panchayats

Sr. No.	Type of activities	No. of panchayats engaged
1.	'Yuvak Mandal' & 'Gram Rakshak Dal'	2
2.	'Bhajan Mandal', 'Yuvak Mandal & Gram Rakshak Dal'	1
3.	Bal Mandali and Yuvak Mandal	2
4.	Equipment for Bal mandal and Shram-Dan	1
5.	Adult educational & Ambar Charkha classes	2
6.	Mahila Mandal	1
7.	Others	1
8.	Total No. of Panchayats engaged in activities	10
9.	Total No. of Panchayats having no activities	26
10.	GRAND TOTAL.....	46

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TABLE VII

Distribution of Sarpanch, Up-Sarpanch and members according to their income group and ethnic classification

Income Group (Annual)	Tribal			Non-tribal			Total
	Sarpanch	Up-Sarpanch	Member	Sarpanch	Up-Sarpanch	Member	
Rs.1000 and less	5	3	42	2	6	30	72
Rs.1001 - 1500	5	3	15	5	6	33	38
Rs.1501 - 2000	2	-	7	1	10	29	45
Rs.2001 - 3000	-	-	1	2	-	8	9
Rs.3001 - 5000	-	-	-	2	-	2	2
Above 5000	-	-	-	-	-	1	1
No response	7	3	45	6	11	10	55
TOTAL.....	19	9	110	18	33	100	222
			138			172	301



For organising such activities and carrying about construction programme for development of the area, several committees had been formed in nearly all the panchayats. In only 4 panchayats, not a single committee had been formed. A look at Table X would give the idea that in formation of committees, the panchayats had not lagged behind.

TABLE X

Distribution of Panchayats according to the number of committees.

Number of committees	Number of Panchayats
1	4
2	3
3	11
4	12
5	2
No Committee	4
TOTAL.....	36

As regards the type of Committees, most of them were for education, agricultural development, irrigation and Health services. The figures for each type of Committees have been given in Table XI. The total number of Committees would be more than 36 here as many panchayats had more than one committee.

TABLE XI

Type of committees with the number of panchayats having such committees

Sr.No.	Type of Committees	No. of Panchayats
1.	Education	24
2.	Irrigation	17
3.	Agricultural production	29
4.	Health services	17
5.	Planning	4
6.	Bhajan Mandali	1
7.	Animal husbandry	3
8.	Prohibition	5
9.	Grain Distribution	1

Altogether there were 101 committees in 36 panchayats. In none of the panchayats except one, cases under dispute had been brought by the villagers. In the solitary case, one non-tribal villager reported against another non-tribal villager for breaking his door of the main entrance of the house. As such, panchayats had not been able to play any role in this field.

In 33 panchayats out of 36, the formation of Samadhan Panch had been completed, while in 29 panchayats the formation of Nyay Panchayat had been completed. But in none of these Samadhan and Nyay Panchayats, any case had been brought.

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V. COMPARISION

The tribals had no clear idea about the objectives of the panchayat i.e. to say for what the panchayat had been established in their villages. Majority of them knew only one thing that the panchayat had been established for collecting house taxes and that without the recommendation of panchayat they would not be able to get loan or subsidy from the Tribal Development Block or the Land Mortgage Bank. Since the panchayat was neither doing any good nor harm to them (except collection of house tax) they had no idea as to what to do with the panchayat. Most of them did not give any response when asked about abolition of panchayat.

It was very interesting to note, however, that despite the fact - that panchayat had no root in the tribal society of this block and their dissatisfaction over the house tax levy on them - majority of the tribals had expressed their liking of the panchayat. On being asked which of the two, among the panchayat and the Garasia Panch they liked most, majority of the informants answered that they liked both. The figures in Table XII gave a clear idea about their responses on this query.

TABLE XII

Distribution of informants-according to their liking of Statutory Panchayat and Garasia Panch

Sr. No.	Name of the villages	Response about liking				Total
		Both	Statutory panchayat only	Traditional panch only	No reply	
1.	Palla God	5	--	3	1	9
2.	Abhapur	20	1	2	6	29
3.	Ansol	7	14	3	4	28
4.	Ramera	16	30	1	3	50
5.	Jaswantpura	15	--	--	1	16
6.	Chhittadara	14	27	1	1	43
7.	Paharaia	28	6	--	8	42
8.	Rellawada	6	5	--	--	11
9.	Fute	16	2	--	--	18
10.	Rola	12	5	--	--	17
TOTAL.....		139	90	10	24	263

As many as 52.9 percent of the total informants were of the opinion that both, statutory panchayat and traditional panch, were good for them. Again, 34.2 per cent of the total informants liked only statutory panchayat, and in contrast to this, a very small number of informants consisting 3.8 percent of total liked traditional panch only. This paradoxical situation was a pointer to the fact that even tribals liked the traditional panch as well as

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statutory panchayat. For the purpose of deeper probing we again asked all the informants whether they had faith in their tradition panch or not - from the response of the informants given in Table XIII. It was interesting to note that there were good number of informants who had either no faith in the panch or not much faith.

TABLE XIII

Responses of informants about their faith in panch

Sr. No.	Name of the villages	Responses					Total
		Complete faith	Some faith	Not much	No faith	No reply	
1.	Palla God	7	1	--	-	1	9
2.	Abhapur	20	5	--	-	4	29
3.	Ansol	--	22	2	2	2	28
4.	Ramera	2	22	19	4	3	50
5.	Jaswantpura	12	3	--	-	1	16
6.	Chhitadara	1	18	12	10	2	43
7.	Paharia	22	13	1	3	3	42
8.	Rellawada	--	9	1	-	1	11
9.	Futa	14	--	--	2	2	18
10.	Rola	--	10	2	4	1	17
TOTAL.....		78	103	37	25	20	263

Only 29.6 percent of the total informants had complete faith in the Panch while 39.1 percent of the total had some faith in the panch. It indicated that only one third of the total informants had complete faith. In contrast to that as many as 23.6 percent of the total informants had either very little faith or no faith at all. It was found from a close examination of the above Table that it was in the villages of Meghraj taluka (Chhitadara, Rola and Rellawada) that the panch had not much prestige. In one of the village of Bhiloda taluka, too, viz. Ramera similar situation could be seen. However, Ramera was situated just on the borders of Meghraj-Bhiloda taluka and the way of life of the tribals of that village was more or less similar to that of tribals living in the villages of Meghraj taluka.

It would appear strange that the traditional panch which was supposed to be their own institution was losing its ground. The main factor behind the decline in prestige of the panch was the reformatory approach of the Panch leaders. The tribals of Meghraj taluka and some part of Bhiloda taluka too were not ready to accept the reforms which the Panch wanted to bring in their society, for instance, the reforms in marriage practices, in bride price, in giving up the drinking of liquor etc. One of the major causes of resentment was the reform movement of the panch in matter of a

particular marriage practice. "Among the Garasias, after the completion of marriage ceremony, the bride groom party returns to its own village without taking the bride with it. After some time on a convenient day, the kins, the friends and other villagers of the bride's village accompany the bride to the bridegroom's house. There, certain religious functions are held. This practice is called 'Amla' among the Garasias". The Garasia Panch instructed its members to stop this practice in the Garasia society. They were asked to persuade the villagers to let the bride go with the bridegroom party after the completion of marriage ceremony. Nearly hundred tribals in different villages of Bhiloda taluka had accepted this reform. But the tribals of Meghraj taluka were very much against this change. Many tribals resented such things and in the above mentioned villages defied the panch in these matters. They were not opposed to the panch for its judicial role. Rather in matter of disputes, they readily agreed to abide by the decisions of the panch. But it was hard for them to discard their traditional social customs and for that purpose they were not able to accept the instructions of the Panch to adopt new customs. In fact, in one village of Meghraj taluka, namely, Chhitadara, the tribals asked their representatives in the main body of the Garasia Panch to disassociate themselves from the Panch and form another Panch for the villages of Meghraj taluka.

Again to gauge the extent of participation of the villagers in selecting members of Garasia Panch or Peta Panch we asked our informants whether they contributed in the selection of members or not. Out of 263 informants only 31 informants replied in the affirmative. It clearly indicated that the villagers had no say in the selection of panch. In the former days when the Panch was functioning mainly on village level, things were quite contrary.

The judicial function of the panch was still honoured by the tribals everywhere in this region. A number of cases were reported to us in which the panch took action and the judgement was accepted by the guilty party. In one case one of the families of the village Jaswantpura was held as accused and the fine imposed by the Panch on that family of Jaswantpura was honoured. It so happened that when that family was celebrating the marriage of a daughter, one he-goat belonging to a tribal of another village came straying in the village Jaswantpura. The members of the accused family took away the he-goat in their house and after slaughtering it gave feast of goat-meat to the bridegroom's party. After some time the owner of the he-goat came to know about the fate of his he-goat. He appealed to the Panch who after enquiry found the allegations correct, and then ordered the culprit to pay



the price of the he goat to the owner. The family of Jaswantpura had to give Rs.45/- as compensation to the owner.

In another case of village Ramera, a young married woman had gone to her parent's house after having a quarrel with her husband. For one year she did not come back nor the husband made any attempt to get her back. In the meanwhile she developed relations with a young man of another village and ultimately went to his house to live with him as his wife. When it became known to her former husband, he appealed to the Panch to help him in restoring his wife to him. His wife, however, refused to return on the ground that he never had wanted to keep her as his wife. She argued that had he so wished he would have tried to get her back earlier. Then the Panch ordered her new husband to pay Rs.200/- as compensation to her former husband. As the young man did not have cash he had to part with one of his bullocks.

Yet, in another case the dispute arose between two tribal men over a piece of agricultural land. One of the man assaulted the other man on his head by a bamboo stick. The assault was made in the dark during night house when the villagers were dancing together. Next day, the Panch of the village asked to assaulter to pay Rs.5/- to the aggrieved. He did comply with the panch order.

In another case, a young unmarried girl of a well-to-do family eloped with a young man of another village. The girl's father appealed to the Panch and requested the Panch to get her daughter back. But the family of the young boy refused. They were, however prepared to pay the bride price. Normally in such cases when the family of the boy was ready to pay the bride price no grievance was to be felt by the girl's parents. But in this case since the girl's parents were quite well-to-do, they did not want their girl to go to a family of lower economic status. That was why they persisted to get the girl back. But for a month the boy's family managed to keep the girl with them. After this period good sense prevailed upon the girl's father and then he accepted the bride price and let the matter settled. The Panch had tried to impress upon the boy's family to return the girl immediately but since the boy's family was ready to pay the bride price, the Panch could not force it to do so.

There were few more cases collected by us in which we found that in all the cases the tribals did abide by the decisions of the Panch. Such cases normally never went to the police or to the court or to the statutory panchayats.

VI. EFFECTIVENESS

Even the tribal Sarpanch and Deputy Sarpanch accepted the authority of their Panch. That was one reason why disputed cases never came to the panchayat. The tribal Sarpanch and Deputy Sarpanch by no means played the role of leaders in their villages or for that matter in their society. They were more or less dummy figures in the panchayat organisation. On discussion with many Sarpanchs and Deputy Sarpanchs it was found that they had no knowledge of their own rights and duties. Most of the so called tribal leaders of the panchayat admitted that they themselves were wondering why and for what purpose they have been selected as Sarpanchs and Deputy Sarpanchs. The Secretary of the panchayat who happened to be the Talati of that area held real authority over them. Since many of them were illiterate, the Talati -cum-Secretary found it easy to handle them the way he preferred.

On the other hand, the Panch leaders were enlightened, alert and active. The foremost leaders of the Panch were much enlightened and they always kept this criteria in their mind while selecting members from different villages.

A talk with the Panch members of majority of villages would convince anybody that due to their enlightenment they had the leadership of their villages in their hands particularly in Bhiloda region. Many Panch members were well educated and were having fiery zeal to bring reforms in their society. One could not ignore, however, that they appeared to be over-ambitious. But it should not be denied that they were very much in the grip of the problems of their society and also knew how far their own society was capable of making changes. But they had no means to communicate their ideas into action. Unfortunately most of the Panch leaders were never consulted either by the Block or by the Taluka Panchayat. In fact, there ought to have been a machinery for the joint functioning of the Panch and other development agency in close collaboration. The leaders of the Panch were able to impress upon the Block or the Taluka authorities to do one or two things according to their thinking. But, by and large, they were not heard and not consulted. But the time has come when the Panch must get recognition from the government and its nominees must be associated well<sup>in</sup>/all aspects of tribal development. It does not serve much purpose to create a host of ineffective leaders as Sarpanchs and Deputy Sarpanchs while ignoring the true leaders of the community.



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