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GOVERNMENT OF MAHARASHTRA



**Traditional Panchayat Systems  
in  
Tribal Communities  
of  
Maharashtra State**



**Tribal Research and Training Institute,  
Maharashtra State, Pune  
1978-79**



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TRADITIONAL PANCHAYAT SYSTEMS IN TRIBAL  
COMMUNITIES OF MAHARASHTRA STATE.

BY

TRIBAL RESEARCH AND TRAINING INSTITUTE,

MAHARASHTRA STATE

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## Preface

Significance of village Panchayat for the - future development of political order needs hardly to be emphasised. As a institutions of self rule in the villages, Panchayat possess immense potentialities for the success of democratic institutions and way of life.

It has to be borne in mind that Traditional Panchayat were the unique speciality of the tribal communities in India. The Tribal Panchayat has been in existence since very long in the tribal areas. Living in inaccessible hilly and forest areas and leading isolated life, largely uninfluenced by the conditions of modern ways of human existence, the inhabitants of the tribal villages were utilizing the services of the Traditional Panchayats to a greater extent. In the period of post-independence, the country did not result in the oversight Metamorphosis of the conditions of life and ways of living of the tribal communities. Consequently, along with the statutory Panchayat, the traditional Panchayats continued to function in some of the tribal communities in India as well as in Maharashtra.

The present report is an account of Traditional Tribal Panchayats of the different tribal communities in Maharashtra. It gives an exhaustive account of the organisation and working of the Traditional Panchayat, its forms, functions, structure, powers etc.

The work of this report has been completed by Shri P.Z.Chavan, Research Officer of the Institute. I would like it to be placed on record his efforts and interest which he took in the work. This report would be useful to the student of Sociology, Anthropology and the administrators and Planners to plan their work in Tribal Areas and to understand the system of Social control of tribal in a village community.

(Dr.G.M.Gare)  
Director,  
Tribal Research & Training  
Institute, Pune.





## TRADITIONAL PANCHAYATS

The Name of the Tribe : (1) MADIA GOND

### Form

Village Council is traditional (Pancha and Panchaya Lit Ainletee) consists of the several prominent men of the community. These men are usually the leaders of the castes. They are called "Syana" (elders). They are represented by the castes.

### Functions

This Council discusses and decides not only issues pertaining to the village as such, but often also matters which concern a particular caste or community while their decisions are binding for their own caste. They are accepted here as their advice when a more important issues are at stake, all adult male villagers of all castes are summoned to a Council. The procedure at ~~such~~ meeting of the village council resembles that of a court of law. With the committee (Pancha) as a bench of judges and the rest of the villagers as a jury. Usually the village council only meets when summoned either by the complainant who wishes to have a case investigated or by the offender who has ~~informally~~ informally be made on outcaste by public pending decision of the council and now wishes either to establish his innocence or to obtain a fair judgement. The village or caste council

makes strenuous efforts to settle old quarrels within the village without recourse to the courts of law. Peace and good order in the village depend to a large extent on their administration and arbitration.

### Structure

The village council resembles that of a court of law. It has got its own committee (Panh) as a bench of judges. And the rest of villagers are jury. The village headman is one of the constituents (Mukadam or Patil) of the village council.

### Powers

The village council tries breaches of the social, religious and occupational traditions of each caste, it arbitrates in disputes between members of the same and of different castes. The usual punishment imposed by the village council for the breach of caste laws consists in fine, in feasts, to the caste or village community, in a pilgrimage to some famous shrine. Excommunication from caste is the last resort and the highest punishment. For certain offences excommunication follows automatically. The village or caste Council has only to establish whether the offence was really committed or not. Many quarrels are settled by compromise and bitter feelings are soothed. Much money is saved which otherwise would be spent in long litigation.

Elections

1) In the village or caste council a man's position is doubtlessly much enhanced by his wealth and by backing of many relatives.

2) Eloquence is likewise appreciated for the election of the leaders.

3) Age, wisdom and knowledge count more for the selection of the caste leaders. As wisdom and experience come with age. Elderly people generally enjoy high respect. The old people are selected leaders because they know the caste traditions thoroughly and remember how their fore-fathers decided matters in situation.

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The name of the tribe : (2) BHILLS

Form

"Jat Panchayat" or the "Caste Council" is still existing in the Bhills, the habitate of which is the districts of Dhule, Jalgaon, Nashik, The Tadavi, the Patil and few other older members of the village community form this council. The entire community is represented in both village council or Jat Panchayat.

With the little spreading of education, a further shift is thus form occurred with the participation of the younger people in the affairs of Jati Panchayat. The major and main part of leadership is, however, retained by the older people in the Jati Panchayats while the young entrants begin to participate only in the arguments of the council. The decisions and important affairs continue to be still the older man's charge. The Jati Panchayat of the Bhills have a certain number of such educated Panch Patils as its members.

Functions

The Jati Panchayat is as a traditional organisation has been playing important role since long. It therefore still continues to discharge this function of settling many kinds of disputes. Its work is shared now by the Panchayat. Most of the disputes are however still settled directly in the Jati Panchayat.

The settlement of disputes in the village depends on the nature of disputes. Disputes of purely personal nature like thefts and quarrels, violence or injuries and all momentary disputes are primarily settled in the Jati Panchayat. The social disputes such as adultery, divorce, remarriage, abduction and non payment of bride price etc. are also settled in the Jati Panchayat without a reference to Raj Panchayat.

### Structure

Every Bhil head of the family in the village community has to participate in the Jati Panchayat. The Jati Panchayat is formed on the village basis. It has a direct and regular touch with the people. The Jati Panchayat consists of three or four members who are called as Panch Patels.

### Selection or election

The leader in a tribal community like the Bhills is a man of certain extraordinary qualities. Normally a leader in Bhil community is elected who has the qualities such as power of speech, old age, sociability, social status, moral virtue like honesty and education etc. These qualities are essential for qualifications for selecting the leader who becomes a member of "Traditional Panchayat".

New types of leadership is emerging and education is playing a significant role in this. Thus the "Traditional Panchayat" - Jat Panchayat in Bhil community is slowly changing its form and functions under the new conditions adding new functions also within its own sphere.

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Name of the Tribe : Kolan

The common law is applicable to the Kolan Tribe. But they have their own judiciary system. In order to improve their own people in all the spheres they have got their "Traditional Panchayat", which administers the justice to the aggrieved party.

Form

In every village of Kolan Tribe, there is a traditional panchayat which is called "Panchayat" or "Panch Mandal". The president of this Panch Mandal is called "Naik" (Nekun). He is the head of the village. All the meetings, ceremonies, celebration of festivals are conducted under the supervision of ~~Naik~~ Naik. There is a post of vice president of this Panchayat who is called "Mahajan". He is next to the Naik in hierarchical matters of respect and reverence and powers and authorities. The third post of the Traditional Panchayat is "Karbhari", who acts as a secretary to the Panch Mandal. He calls meetings. He collects funds for the celebration of some festivals. He keeps the accounts of the money collected from the villagers. He collects money for the celebration of some festivals eight days in advance.

The fourth post of the staff of the Panch Mandal of Kolam people is "Ghatyat". His main duty is to invite the members or the villagers for the meeting of the Panch Mandal in Chavadi - a public place - where the meeting of Panch Mandal is held. He recovers the amount of fine from the offenders. He keeps in his memory as to who has attended or not attended the meeting. His memory is a muster so to say as he does not keep any record on paper regarding the attendance of the villagers for the meeting of Panchayat. He informs the Panch Mandal who has not attended the meeting and the reasons for not attending the meeting. At the time of celebration of 'Moha Donbari' festival he takes lead in distributing the 'Prasad' and he gives a small speech. In the marriage ceremony, he is the guardian of 'Ghat' and he has the highest honour in this regard and hence he is called 'Ghatya'. The other members are Taram (Bhumak) works as a peon. Deckari - Fajari performs puja, worship of God. Paulkari - Deokari - beating the drums is their duty in some festivals. Song adyavetala - tells history and plays role of Bhat. He carries out recreational activities. He participates in corus songs and dance.

#### Functions

This Panch Mandal settles the disputes and quarrels among the Kolam people. The Kolam people do not generally resort to the court of law both in civil and criminal matters. The Panch Mandal of Kolam people is famous for their impartiality and



honesty. Traditionally it is an independent body established to administer the justice. The Panch Mandal has its own code of conduct. The norms of this code of conduct are unwritten and they are traditional. The Kolam people feel it derogatory and degradation to resort to the court of law. The Kolam people give deep respect to the Panch Mandal. The decision given by the Panch Mandal is final and there is no appeal against it. Those who disregard or disobey the orders of the Panch Mandal they suffer from the punishment of excommunication or expulsion from the caste.

#### Elections

The Panch Mandal is not a permanent body. The intention appears that it should not develop the dictatorial attitude. The body should be really democratic in its nature and actual practice and hence the tradition is laid down to hold election to form a Panchayat or Panch Mandal. According to the Hindu calendar, on the Chaitra Shudha Pratipada day or Varsha Pratipada a day which is called in Vidarbha region as 'Mandos' all the villagers of Kolam Tribe assemble together in Chavadi - public place - to hold meeting. The non official who has not done his work satisfactorily in Panch Mandal during the previous year he is relieved from his duties. In his place a new member is elected by majority of votes. His tenure is of one year. A tray with Fan Supari is placed before the villagers one who desires to become a member of Panch Mandal picks up a yida of pan and he is elected as a member of

Panch Mandal. Declaration is made beforehand that one who desires to become a member of Panch Mandal should pick up a vida of pan. If the majority of the villagers feel that the old members should continue as the members of Panch Mandal they pick up the vidas of pan. One who desires to relinquish the membership does not pick up the vida. In short in the election, majority carries the point. All the non officials - honourable members Naik, Mahajan, Karbhari, Ghatya are necessarily elected but Tarna (Bhumak), Dlokari (Pujari), Paulkari, Dafkaris and songadya - Jester are also elected by majority. The village of Kolam tribe is a small republic state. The whole administration of this small state lies in the hands of Pancha Mandal (judiciary). If there is any opposition group who is not in a position to agree with the group in power in some matters of disputes quits the village immediately and takes shelter of any other nearby village generally in the vicinity of mountainous or hilly tracks.

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The name of the tribe : WARLIS

Form

The affairs of village, a group of four or five hamlets are regulated by a council of five tribesmen from the village. It is not necessary that the member may be strictly five. It may be more or less according to the number of influential men in the village capable of acting as the councillors. This Council is called 'Panchas' who are self elected persons and approved as such by the villagers. The panchas usually the bhagats and old men who by their experience and seniority are taken to be authorities on tribal matters.

Functions

The panchas settle the social disputes in the village. Whenever the complaint is lodged with any one of the panchas, an intimation is given by him (the panch) to his councillors, to the parties concerned and to the villagers in general that all people should assemble at a stipulated time and place to hear the dispute and give the decision. This gathering is called a 'Jat' though it comprises only the inhabitants of one village and not the whole community. The councillors, it will be seen from this, are not arbitrary judges, but they hear the case in the presence of all and both sides are given chance to present their case. Sometime the Jat meeting is invited on the initiative of the panchas

only, when in their opinion a grave offence is committed by any member of the tribe, within the locality for which he must be brought to book.

Petty quarrels are not referred to the panchas. They are settled by the persons concerned by measuring their strength, 'might is right being the rule'. The tribal court is meant for the social disputes which affect the interests of the tribe. These mainly pertain to marital disruptions, divorces, abductions or adulterous connections. The tribal court gives its judgement after hearing the case which is generally by way of settling the through compromise. There are no dissensions between the panchas because the prime aim in deciding the case is to arrive at a settlement. Generally the panchas consult the villagers assembled in the Jat meeting in settling the dispute and consensus is respected and decision is taken unanimously.

#### Punishment

The punishment is usually in the form of fines, a part of which is given to the person wronged by way of compensation and part utilised for serving body to the meeting. The tribal court has no legal machinery to execute the punishment inflicted by it on a person but the decisions of the panchas are not flouted by the persons as they are supported by the villagers. Thus there is strong moral force behind the pancha's verdict and no man can take the law in his

hands by going against the verdict. Social boycott is the most effective weapon which the village may use against any person who disobeys the order of the court. When persons from two different villages are involved in a social dispute, the panchas from both the villages come together and try to settle the matter amicably. If it is not settled by these two villages, the matter is referred to the panchas of two other villages who may look into it with an unbiased mind. The judgement of the third party is generally accepted by both the villages. If it is not, the matter ends ~~there only~~ there only without any justice being administered in that case. There is no higher court or authority to which an appeal can be made.

#### The Patil or Jatela

There is another institution for the administration of justice which runs parallel to the tribal court. This institution is invested in the Patil or Jatela who is judge in a tribal matters affecting the social status of an individual vis-a-vis the tribe. He is called Patil because he is supposed to be a leading man in the group of three or four villages. He is Jatela for he deals with the matter relating to the Jat or the caste. The functions of the tribal court are different from those of the Jatela. The former is competent to take up social disputes in general, the latter can hear the disputes regarding the social status.

The Jatela does not rest with giving his judgement in a particular case. He has to go a step further and executive the order. The Jatela has necessarily to follow the existing tribal law. He cannot create a law of his own, neither can he interpret it in any way inconsistent with the tribal motives. The punishment imposed is mostly in the form of a fine. The highest punishment is excommunication. The fine is utilised in serving today to the people.

When a person commits sin according to the popular notions of the Warlis he is said to have become impure and is liable to be excommunicated. Such a person is purified by under going the purificatory rite, known as Jat Karye or Gotai. This function is conducted by the Jatela himself.

#### Election or selection of Panchas or Jatela

The Panchas are self elected persons and approved as such by the villagers of course the norms of selecting panchas are there such as age, wisdom, experience, power of speech, wealth. The Bhagats are generally selected as panchas and old men who by their experience and seniority are taken to be authorities on tribal matters. Jatela He is generally a patil of the village. He is generally supposed to be leading man in the group of three or four villages and that is why he is elected as a patil or Jatela who acts as judge and administers the justice in matters of social status.

considered by Mahadeo Kolis as lower than themselves used to engage the attention of the caste panchayat so far.

Now-a-days, panchayat of Mahadeo Kolis approach the problem with threatening attitude, it tries to offer a piece of advice, patch up things and strike a compromise. The modern turn in the affairs of the panchayat is mainly of constructive nature. It tries to set normative rules of behaviour for the caste men to follow in their social functions, as for example, fixing a uniform bride price and laying down a rule that the bride's father's mother should be given an ordinary sari and no cash in lieu of it which many items used to be exorbitant.

#### Powers of Panchayat

Fine sanctioned by an implied threat of boycott is the main punishment. The amount of fine is almost always paid cash down.

2. In certain cases a guilty person is debarred from communal dinner.

3. If a man of Mahadeo Koli files a suit against the panchas in the court of law and if the panchayat becomes successful, the panchas decree total excommunication of the man who dared to proceed against them. A Koli from the village Ganga Mahalungi seduced a married Koli woman and had intercourse with her. When the case came before the panchas for adjudication, the

Name of the tribe :

MAHADEO KOLI

Form

In the village of Mahadeo Kolis, caste panchayat almost fulfils the functions of a village panchayat. The traditional panchayat consists of all the prominent leaders from the village. They manage to keep the village people from getting into litigation in court except in few cases of serious complaints involving land matters etc. Even when there is no such standing arrangement of a caste panchayat, the thirteenth day of the obsequies of any Mahadeo Koli is invariably a day of counting for them when all outstanding complaints are brought before the gathering. These leaders are the panchas of the traditional panchayat. They have got their own hierarchy of administration. There is a division of labour or distribution of work. There is caste constable who summons the culprits or the witnesses for the meeting.

The fixed routine that the official dinner for the obsequies can not start until and unless all the complaints are disposed of.

Functions

The caste panchayat of Mahadeo Kolis settles almost all disputes and quarrels pertaining to the life and property of a Mahadeo Koli, the nature of which may be civil or criminal one. Sexual misconduct in general and seduction in particular is the main field of complaint. In fringement of traditional taboos about social behavior with members of the other castes, particularly those



man nonchalantly declared that he did cohabit with a cow. The Panchas were shocked to ~~hear~~ hear ~~the~~ his words because cow ~~the~~ is the mother of all and without further argumentation straightway excommunicated him and laid a fine of one hundred rupees for any one who would associate with him or use such profane words.

....

The name of the tribe :

THAKUR

Form

Generally twelve Wadis or Padas form a group which is the governmental unit of the tribe. Villagers of the twelve padas assemble only for traditional panchayat meetings. The Panchayat is an organisation common to most Hindu communities Jatbasalye 'literally the caste is sitting', is how Panchayat is meeting is referred to. & Among the Thakurs the Panchayat also is called the 'Jatganga' a term which suggests the purificatory powers of the collective body. Thus the traditional panchayat is a traditional court of justice of caste which expresses itself through its leaders or panchas.

The Patil of Thakurwadi otherwise called is the first resident of Thakurwadi. The post is a hereditary one and goes to the eldest son. The Patil is a social functionary who receives social honours but is not recognised by the Government. In case the village shifts and amalgamates into the neighbouring hamlet its patil continues to hold the office and work for the new settlement. At each panchayat meeting in his villages he gets 8 annas or a rupee according to the amount to be distributed. The payment is called 'Patalacha Man' or honour done to the Patil.

The traditional panchayat of Thakur consists of Panchas or the leaders of the area. The leadership is arbitrary. A garrulous swash buckler is considered the best leaders. Neither his economic status nor a reputation for integrity is considered important. Twelve villages constitute the barapade which for the purposes of the Panchayats forms a unit. Each Thakurwadi forms part of such unit. Villagers from all the hamlets that make up the unit are invited to and have a right to attend and participate in the proceeding of a Panchayat which concerns a person living in a village from the unit. This is how the Panchayat starts.

~~Ex~~

#### Functions

When the leaders or the panchas casually meet, they discuss the matter and decide to call a panchayat. The leaders fix a day and send a word to all the villages concerned. The Dore, Shird and Gayanda families are the messengers for his services, the messenger receives a sum of Rs. 1-4-0 which is paid from the fine  $\pi$  recovered. The Panchayat invariably meets in the evening at the village of the accused.

2. Generally women do not attend the meeting of panchayat but sometimes the elderly women participate in discussion when the conduct of a woman is discussed.

The panchayat settles all disputes pertaining to the life and property of a man having the nature of office as civil or original. In most cases the discussion centres on the fine which once fixed is immediately paid. The payment is a social sanction for the misdemeanor of the accused.

The remuneration of the shipai (messenger) is the first charge on the amount recovered as fine. This is normally 1-4-0. The police patil is next paid the same amount. The different villages are then paid. What remains after all these fines have been paid is spent in feasting the assembly. The messenger is dispatched to make the purchases.

Powers

In most cases the accused is prepared and keeps money handy for the fine. In exceptional cases when an attempt is made to avoid payment of the fine, various measures are adopted to force compliance. A social boycott is the most effective method. Drastic measures are also taken if necessary. The house of the defaulter is broken open and ravaged at the panchayat's command. His barn is forced open and the fowls seized to feed the assembly. In extreme cases, the house is set on fire.



The panchayat yields great power because it is the voice of the community asserting itself against those who violate time honoured conventions. The sanctions behind the panchayat are based on social cohesion with the weakening of which the influence of the panchayat declines.

Corporal punishment, destruction of property and excommunication are occasionally resorted to by the panchayat.

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PANCHAYAT SYSTEM AMONG DUBLAS :

The Patel of the Dubla Panch : A Dubla headman is also called Patel and is elected from the elders living in a village. The selection is based not only on the consideration of age and experience, but also on the status and influence of a person. A person who holds the responsibility of a head-man is highly respected; and the function at which he is honoured is known as Paghadibandhavi (i.e. tying the turban, the official head-dress of the chief). The person who receives it in private or at a public function requires high honour; he performs many of the functions of the old fashioned tribal chief, though living in modern societies. He is considered the wisest man of the community and his advice is usually followed by the tribesmen when setting the details for marrying their children. In cases, they ignore the Dubla Patel, he will not stand by them when problems arise in marital life or other relations. If such a person goes to the Patel for arbitration, he may retort by saying " You have married your son or daughter without taking my advice, so it is up to you to break your head". However, in all matters of family disputes, personal rivalries or quarrels, his voice is supreme and the parties generally go by his decisions.

The Composition and Working of Dubla Panch.

A Dubla Panch consists of the headman and the representatives from each ward or hamlet (falia) of a village. The representative is also selected by the inhabitants of hamlet on the basis of his intelligence and experience, and as expressed previously, he conducts the affairs of his locality, except when some problems concerning the Dublas of other hamlets or villages arise. The Patel selects a person called gvaldar, from the members of the Panch. The main duty of an avaldar is that of a messenger to send for persons at the time of a caste assembly. If he fails to convey the message to any

member of the Panch or fails in his other duties, he is taken to task. He is paid about a rupee or rupee and a half per meeting for doing this job. Generally speaking, there are no written records for these panchayats, but the leaders and their followers trust to their memories for the past decisions.

If a person is found guilty of extra-marital relations with persons belonging to another tribes the Panch inflicts a fine. The person who does not pay the fine is excommunicated i.e. denied the privileges of being treated as a member of the community, while the person who pays the fine is readmitted.

If other disputes arise between two persons or parties the panchayat tries to make a compromise; the guilty person is not only officially reproached but also severely censured.

**Conjugal Disputes ;** Cases of disputes between a husband and wife are generally settled by amicable compromise brought about by the Panch and followed by a feast. If any sort of compromise between a husband and his wife fails the Panch helps them in seeking divorce but only for serious reasons. If a husband has taken the initiative in proposing the divorce, he has to pay Rs.12 to Rs.101 to the wife's party while if a wife takes the initiative she has to pay a higher compensation of Rs.51 to Rs.125. The Panch demands a fee of Rs.5 to Rs.12 out of the compensation received by a party, but no fee is levied in the case of a divorced woman. Generally the compensation to be paid by a wife seeking divorce is fixed at a higher level than that to be paid by the husband.

The children may remain either with the father or ~~mother~~ mother. In case the wife keeps the children she is given a compensation of Rs.5 or more depending on the circumstances of the case and the decision of the Panch.

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SAS/-



PANCH SYSTEM AMONG GAMITS

The number of members of a Panch varies from the odd number five, seven, nine and so on upto fifteen according to the size of the population involved. In a small village the Panch is usually composed of five or seven members selected from the older and experienced men who know all details about their tribal customs; but nowadays also educated young persons with a sense of social work are getting appointed. There is no special system of voting, but people meet at a certain place and appoint the members of the Panch. Besides the Patel, there is the Karbhari and the pradhan who help him in summoning the members and other required persons.

The duties and powers of the Gamit Panch are determined more by custom and practice than by a written law. The following are the reorganised duties of the Gamit Panch:

- (1) To remove the quarrel between the villages by preserving peace and ensuring co-operation in society.
- (2) To function as a mediator (Arbitrator) for Mutual understanding between two parties.
- (3) To give consent at the time of betrothal of Piya.
- (4) A Panch is summoned at the bride's father's home when there is a quarrel between the bride's party and the bride-groom's party, or when the bride returns to her father from her husband's house due to some reasons. The Panch tries to reconcile the matter, if possible. After that the bride-groom's party goes for a second Ana (bringing in) of a bride. So many times they charge each other by abuse and often the matter reaches to the stage of serious fighting.

In other cases, the Panch generally meets outside the village under a tree to settle the disputes of divorce and other social matters. Both parties have to obey the judgment given by the Panch which is spoken out in loud words.

The most important feature of the village government in India which has appealed to all the students of village communities throughout the world is the village panchayat. As remarked by H.S. Maine, the owning of common finances is carried out by the village panchayat, an organisation of five elders. This Panchayat system is extended also to Tribal communities and the tribal Panches share most of the qualities of the Panch that its consent should be obtained at the time of a betrothal or Piyen ceremony when drinks, formerly liquor and now tea, are offered.

(5) To remain present at the time of a ceremony and to see that the ceremony is performed according to the customs and to give a decision on questions arising at the time.

(6) To hear, examine and give decisions on cases of quarrels between the bride's and bridegroom's parties.

(7) To settle applications for divorce by persuasion and to authorise it, if necessary.

(8) To permit remarriages ( ) and authorise any married woman and to settle the affair.

(9) To summon any Ganit who entices away any married woman and to settle the affair.

(10) To remain present and to make necessary suggestions for the correct observance of the death rites of a Ganit.

**Purification Ceremony (Piyutu)**

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If any Gamit interdines or intermarries with other person of the lower community, the Gamits boycott him. He is not invited for social ceremonies like marriage, death etc. Nobody dines with him. The out-casted person, called Sato, has to pass through the fire ordeal and to become pure enough to return in caste. This is a very peculiar procedure. Seven booths, each of ten feet distance, are prepared from palm-leaves. One booth is set on fire by a priest. When the person enters in it, he has to go out from that booth and to enter another. Then this booth in which the man has entered is set on fire, he has to go in to the third. Thus the ceremony is ended when all the booths get lighted and the person comes out, with or without injury, from all the booths. He becomes pure and is supposed to be reborn, thereafter he is taken in caste. But he has to give a feast to the caste members.

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SAS/-

REMARKS & CONCLUSION

After having analysed the working of the Traditional Panchayats, it is proposed to highlight the major findings of this study.

It is proved beyond any doubt that however effective and powerful the Traditional Panchayats might have been in the past, they are in the state of decay and decline at the present and are bound to be of no real meaning and purpose in the foreseeable future. It is a well known fact that the growth and development of every human institution is dependent upon certain objective factors like social, economic, political and cultural conditions. The Traditional Panchayats cannot be an exception to this general rule. Let it be forgotten that the Traditional Panchayats originated and flourished in response to the needs of the organisation and regulation of the tribal community leading an isolated way of life in the inaccessible areas uninfluenced by the outside world. The exposition of the tribal areas to the outside world and the conversion of the tribal villages into mixed villages marked the beginning of the transformation of the Traditional Panchayats. Even if the Statutory Panchayats had not been established, due to the changed mode of living of the tribals and their increased contact with the outside world, the Traditional Panchayats, were bound to lose their early glory and power. In the circumstances, any thinking on the lines of the wholesale revival of the Traditional Panchayats in the place of the existing Statutory Panchayats will be not only idealistic but utopian.

Even the most enthusiastic supporters of the resuscitation and revitalisation of the Traditional Panchayats could not deny the fact that prior to the establishment of the Statutory Panchayats the Traditional Panchayats existed more for the name sake and dealt only with the cases arising out of the violation of the social and religious customs, particularly the sex taboos. Being hereditary in nature and inexperienced

of managing the modern developmental and programmatic activities, the Traditional Panchayats would not succeed in the implementation of the rural development schemes. Thus, the alleged and much publicised conflicts of jurisdiction between the Traditional and Statutory Panchayats actually lay only in the field of the settlement of disputes arising between the tribals. In other words, the two kinds of Panchayats did not find themselves juxtaposed to each other in their total aims and objectives and scope of activities. The examination of the working of the Village Cutcheries has revealed that even after their existence of 15 years the Statutory Panchayats have not been able to inspire such confidence among the tribal people as to enable them to refer their social and religious disputes for settlement. Consequently, the Traditional and Statutory Panchayats have been functioning simultaneously without any serious confrontation between them. Notwithstanding, it has been abundantly clear that one has affected the prospects of the other very adversely.

Even if it is accepted for argument sake that had the Statutory Panchayats been not established, having no other recourse, the tribal people had to fall back upon the Traditional Panchayats for an organised and orderly existence, it can not be denied that the Traditional Panchayats had to be radically reformed to meet the requirements of the changed environment of the tribal community. At least the hereditary character of the Traditional Panchayats had to be replaced by some kind of elective character to bring these Panchayats in line with the other institutions of the country based on the principle of universal adult suffrage. The growing generation of the tribal people themselves would not have tolerated the rule of the hereditary office bearers of the Traditional Panchayats. In the circumstances stated above, even the resuscitation of the Traditional Panchayats would mean far reaching alterations in their conventional customary organisation and functions.

The inevitability of the ultimate replacement of the Traditional Panchayats by the Statutory Panchayats had already been recognised by the educated tribals. Even the non-educated tribal people are no longer so hostile to the Statutory Panchayats as they were during the early fifties. However, a large number of these tribals, when asked whether they would like the resuscitation of their Traditional Panchayats, come out with affirmative answers. Notwithstanding, a very large number of them also give affirmative answer to the question whether they would like the Statutory Panchayats to continue in their areas.

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