

Khap Panchayat in Haryana: A Historical Overview

Anil Kumar^{1*}, Mamta²

¹Senior Research Fellow, Department of Political Science, Maharshi Dayanand University, Rohtak, India

²Associate Professor, Department of Political Science, Maharshi Dayanand University, Rohtak, India

Abstract—This research paper presents a comprehensive and multi-dimensional analysis of the institution called Khap Panchayat, which is deeply embedded in the socio-political fabric of Haryana and Western Uttar Pradesh. Khap Panchayats, which traditionally emerged as clan-based councils within the Jat community, are today at the center of society due to their complex and often controversial relationship with modern democracy and constitutional values. The primary objective of the research is to examine the historical origins of these institutions, understand their organizational structure, and analyze the socio-political mechanisms through which they maintain their authority. The analysis demonstrates how Khaps use the principles of 'Bhaichara' (brotherhood) and 'Izzat' (honor) to control individual freedom, particularly female sexuality and property rights. The study reviews historical texts and documents that claim the antiquity of the Khap. The research paper also provides an in-depth analysis of the landmark judgments of the Supreme Court, especially *Shakti Vahini vs. Union of India* (2018), and the role of Khaps in recent farmers' movements (2020-2025).

Index Terms—Khap Panchayat, Jaat Community, Gotra, Patriarchy, Honour Killing, Politics of Brotherhood, Farmers' Movement, Village System.

1. Introduction

The rural landscape of North-West India presents a striking social paradox; while it has witnessed the prosperity of the Green Revolution and rapid urbanization, it remains under the unyielding influence of traditional institutions like the Khap Panchayat. Locally referred to as caste councils, Khap Panchayats function as a parallel justice system and law enforcement agency in the rural areas of Haryana, Punjab, Western Uttar Pradesh, Rajasthan, and Delhi (Pradhan, M.C., 1966). Although the Supreme Court of India has declared them entirely illegal and characterized them as 'Kangaroo Courts' (Chaudhary, D.R., 2016), their legitimacy and power remain intact across a significant section of rural society.

Historically, Khap Panchayats emerged as a defensive and dispute-resolution mechanism during the unstable medieval period of India. The Jat community, originally pastoralists who later evolved into a powerful agrarian class, structured the Khap by intertwining their clan-based (Gotra) tribal framework with land and revenue systems. These institutions rest on the four pillars of Bhaichara (Brotherhood), Unity, Biradari (Community), and Izzat (Honor) (Chaudhary, D.R., 2016). However, in the 21st century, the edicts (firmans) issued by Khaps in the name of protecting these values often lead to the

suppression of individual liberty and human rights (Ahlawat, Neerja, 2015).

In recent years, Khaps gained notoriety for issuing decrees of violent punishment and social boycott against couples opting for love marriages, particularly those involving same-clan (sagotra) or inter-caste unions. Cases such as the 2004 Tewatia Khap order, the 2007 Manoj-Babli honor killing, and the 2008 murder of a pregnant daughter by Om Prakash are extreme examples of this regressive mindset (The Tribune, New Delhi, 1 Dec 2011). These incidents are not merely related to marriage; they are underpinned by a deep-seated politics of land inheritance and patriarchal control.

Despite this, a shift is being observed in the character of Khap Panchayats. During the historic Farmers' Movements of 2020-21, Khaps sought to re-establish their popular legitimacy by playing a crucial role in mobilization (Punia, Mandeep, 2022). This contradiction—social conservatism on one hand and active participation in political struggle on the other—makes Khap Panchayats a vital subject of Indian sociology and politics. This research paper is an attempt to document the complex structure of Khaps and analyze the ongoing conflict between tradition and modernity.

2. Meaning of Khap

The etymology of the word 'Khap' has various interpretations. According to Kabul Singh, who held significant positions in Khap institutions for decades, it means an 'association' or 'organization' (Chaudhary, D.R., 2016). Etymologically, Khap is said to be composed of two words: 'Kha' (meaning Sky) and 'Aap' (meaning Water). Thus, it signifies an organization that is as supreme as the sky and as pure, transparent, and accessible to all as water—implying a source of impartial justice (Ahlawat, Dr. Kavita, 2023). According to historical documents, the oldest use of this term was found in medieval Rajasthan to define different factions or branches within the Rajput ruling class. Gradually, in the context of the Jat community, it became synonymous with the geographical area inhabited by a specific Gotra (clan) or lineage and their socio-administrative organization (Dwivedi, Girish Chandra, 1981).

Sociologically, a Khap Panchayat is defined as "an assembly of villagers of the same clan who claim descent from a common ancestor (Dada)" (Vidyalankar, Dr. Satyaveer, May 2011). It functions as an exogamous unit within an endogamous caste

*Corresponding author: anilrammehar1@gmail.com

group. To understand the meaning of Khap, it is essential to know the following technical terms associated with it:

- *Gotra*: In the Khap system, Gotra refers to a patrilineal clan originating from a common ancestor. Historically, in the Rigvedic period, the literal meaning of Gotra was 'cowshed'—a place where cows of the same family or group were kept. Today, it is the primary basis for lineage identity and determining matrimonial alliances (Ahlawat, Dr. Kavita, 2023).
- *Bhaichara (Brotherhood)*: This represents the sentiment of mutual harmony and unity among people of the same region or clan. In Khap society, it is not just a feeling but a strict Social Code that completely prohibits marriage within the same clan or brotherhood (Vidyalankar, Dr. Satyaveer, May 2011).
- *Izzat (Honor)*: In Khap culture, Izzat signifies personal or family reputation and prestige. It is often placed above individual happiness (Eudaimonia). According to Khap norms, the violation of 'Izzat' is considered a grave offense, and traditionally, provisions for violent punishment have been observed in society.
- *Thamba*: The Thamba is an internal administrative unit of a Khap organization. It is usually a small cluster of 7 to 12 villages that acts as a pillar (Pillar) to provide strength to the entire Khap structure. Thambas play a crucial role in resolving local disputes (Pradhan, M.C., 1966).
- *Seem ka Bhaichara (Territorial Brotherhood)*: This is a geographical form of brotherhood. When the geographical boundaries of two or more villages are contiguous, a sense of brotherhood is assumed among the different clans living there. Due to this rule, marriages between boys and girls of neighboring villages are considered taboo, even if their Gotras are different (Chaudhary, D.R., 2016).

Thus, Khap is not merely a Panchayat; it is a sense of local sovereignty that holds ancestral traditions supreme over the written laws of the State.

3. Origin

The history of the origin of Khap Panchayats is a complex blend of facts and myths. While Khap leaders claim the institution to be ancient, historians consider it a product of medieval social changes.

A. Discourse on Claims of Antiquity and Texts

The primary source for the history of Khap Panchayats is a handwritten manuscript by Pandit Kanha Ram of Shoram village, Muzaffarnagar district. This 16-page document claims that the first meeting of the Sarva-Khap Panchayat took place in 1195 AD (Vikram Samvat 1252) in the forests of Baraut to mobilize an army against the invasions of Muhammad Ghori (Arya, Nihal Singh, 1991). The text contains details of the Khap sending thousands of soldiers against Timur Lane (1398), Babur (1527), and Ahmad Shah Abdali (1761) (Arya, Nihal Singh, 1991). However, historian Suraj Bhan Bhardwaj has termed these claims fictional, noting that contemporary Persian

and Rajasthani historians (such as Abul Fazl or Babur) do not mention any such organized military structure of the Jats (Bhardwaj, Suraj Bhan, 2012). Furthermore, these texts are written in modern *Khari Boli*, which raises doubts about their medieval authenticity.

B. Transition from Pastoralism to Agriculture

Historically, the Khap system is linked to the migration of the Jat community from Sindh to the Bangar region of Punjab and Haryana in the 11th century. Between the 13th and 16th centuries, during the Delhi Sultanate, the use of the Persian Wheel (*Rehat*) and the construction of the Western Yamuna Canal transformed the Jats into a successful agrarian community. As clans began settled farming in specific territories, they integrated their clan-based (Gotra) tribal structures with the land and revenue systems. This period is considered the actual timeline of the Khap's origin (Dahiya, Krishna Chandra, 2010).

C. Consolidation during the Mughal and British Eras

During the Mughal era, Akbar recognized local Khap leaders as *Chaudhary* and *Muqaddam* for revenue collection (Pradhan, M.C., 1966). This administrative recognition granted the Khap institutional power. In the colonial period, the Village Settlement of 1833 further strengthened it. The British entrusted the responsibility of tax collection to influential village landlords, leading to the emergence of titles like *Zaildar* and *Lamberdar* (Pradhan, M.C., 1966). These landlords eventually became the operators of modern Khap Panchayats. According to Sanjeev Kumar (2013), this colonial administrative framework made the local elite so powerful that they began to control the socio-political life of the entire region (Kumar, Sanjeev, 2013).

4. Organizational Structure

The organizational structure of Khap Panchayats is a complex hierarchical system extending from micro-local units to vast regional federations. This structure is primarily based on the principles of genealogical seniority and geographical proximity.

Hierarchical Units:

- *Kutumb (Family)*: The smallest and primary unit of the village or society is the *Kutumb* or family. *Thok* and *Khandan* are its larger manifestations (Ahlawat, Dr. Kavita, 2023).
- *Thok*: A *Thok* can be described as an enlarged form of a lineage (*Khandan*) and a macro-unit of a sub-lineage. It follows the *Kutumb*. The behavior of mutual cooperation and harmony within a *Thok* is called *Bhaichara* (Pradhan, M.C., 1966). A *Thok* is also known as a '*Kumba*' or '*Bagad*'. The head of a *Thok* is called a '*Chaudhary*' or '*Moaziz Aadmi*' (Respectable Person). Socially, the head is recognized as the president of the *Thok Panchayat*. Every caste in a village has its own *Thok*.
- *Gaon-Panchayat (Village Council)*: The village is the second socio-political unit of the Khap organization. It

is formed by the various *Thoks* of the village. Its core basis is the mutual brotherhood among different castes such as Jats, Ahirs, Brahmins, Gurjars, Rajputs, etc. (Ahlawat, Dr. Kavita, 2023). The head is usually chosen from an influential *Thok* with the consensus of all other groups. Historically, this village council was an accepted administrative and judicial institution.

- *Gawand*: Following the village comes the '*Gawand*', which is a cluster of five to eight neighboring villages. They maintain peaceful relations through a '*Gawand Panchayat*', which includes informal political sub-units like '*Tappa*' and '*Satgama*'.
- *Thamba Panchayat*: A larger manifestation of the unit after the *Gawand* is called a *Thamba*. It comprises between 5 to 20 villages and represents a strong political unit. Issues not resolved at the village level are brought to the *Thamba Panchayat*. It acts as the link between the Khap and the village.
- *Khap (Regional Unit)*: The unit following the *Thamba*. It is formed by various *Thamba Panchayats*, *Gawand Panchayats*, and individual villages. Khaps are often named after the dominant clan or caste that first organized it, but they can also be named numerically, such as Khap Chaurasi (84 villages), Khap Battisa (32 villages), or Chaubisi (24 villages). Examples include Satrol Khap, Rohtak Chaurasi, Meham Chaubisi, and Dadm Khap. Historically, this institution handled administrative, judicial, and legislative functions.
- *Sarva-Khap Panchayat*: This is the highest federation encompassing all existing Khaps. Intellectuals and leaders call for a *Sarva-Khap* meeting during major crises affecting society, the nation, or the community. Membership in this assembly is voluntary.

5. Leadership in Khap Panchayats

A. Hereditary Leadership

Leadership in Khap Panchayats, specifically the post of the *Chaudhary* or President, is often hereditary, remaining within the same family for generations (Chaudhary, D.R., 2016). This can only change if the President voluntarily resigns or declares that the Khap may elect a new leader. Upon the death of a President in office, the leadership is transferred to the eldest son through a public ritual known as the *Pagri Rasam* (Turban Ceremony), where members of the Khap place a turban on the successor's head. Proponents of the Khap argue that this tradition is validated to prevent internal conflict over leadership. However, there is a growing demand for internal elections. Critics argue that Khap leaders are becoming "puppets" of political parties, using the institution for vote-bank politics, whereas the Khap is intended to be an independent social organization.

B. Male Dominance

The Khap Panchayat is a male-dominated institution rooted in patriarchal values (Chaudhary, D.R., 2016). Women are

traditionally excluded from the decision-making process, yet most Khap decisions profoundly impact their lives. When questioned about female leadership, Khap leaders often maintain silence or claim that the Khap never decides against women but always acts in their best interest. Over the last decade, however, some changes have emerged, with several Khaps forming separate women's wings. Decisions to involve women were taken in *Sarva-Khap* meetings in Kurukshetra (2011), Bibipur, Jind (2012), and the Gathwala Khap (Malik Khap) convention in Madina, Sonipat (2016).

C. Youth Leadership

Elders are given paramount importance in Khap Panchayats. While the younger generation is allowed to attend meetings, they are generally prohibited from speaking. If a young person speaks, they are often silenced with remarks such as, "*Mhare dhole baal gham mai ni hore*" (These white hairs are not from the sun, but from experience), implying that seniority is the sole measure of wisdom. Nevertheless, recognizing the growing influence of the youth, Khaps have begun establishing dedicated youth units.

D. Control of the Jat Caste

It is frequently observed that the presidents of Khap Panchayats belong to the Jat caste. Although Khap advocates argue that the institution is multi-caste (*Sarva-Jaatiya*) (Chaudhary, D.R., 2016), this remains a contradictory aspect. Today, Khaps are largely identified as social institutions of the Jats. While they claim to protect the interests of the "36 Biradaris" (all communities) of the region and invite representatives from all sections to meetings, these claims are weakened by the fact that final decision-making power remains concentrated in Jat leadership.

6. Methodology and Functioning

The structure of the Khap Panchayat has been weakening within the democratic system; hence, regular meetings are now less frequent. The Khap operates as an informal, loose structure where decisions are announced orally rather than in writing. Historically, they lacked permanent offices, holding meetings at village *Chaupals* or *Chabutras* (platforms). However, in the last two decades, permanent offices called Khap Bhawans have emerged (e.g., Narwal Khap Bhawan, Meham Chaubisi Chabutra). Calling a *Sarva-Khap* meeting is traditionally referred to as *Chitthi Faadna* (writing/dispatching letters) (Chaudhary, D.R., 2016).

A. Decision-Making Process

In a Khap meeting, all attendees technically have the right to express their views, but the final decision is made only by those specifically chosen for that Panchayat. There is no system of voting. Meetings are held in public spaces and are attended exclusively by men. While the process is termed participatory, in practice, it often involves imposing the will of powerful families under the guise of "consensus." According to Sanjeev Kumar (2022), these decisions are self-executing because they are deeply tied to community morality.

B. Legislative and Executive Functions

Khaps pass resolutions regarding social reforms or restrictions. M.C. Pradhan (1966) documented 14 major resolutions passed by the Sarva-Khap, including reducing marriage expenses, banning dowry, and promoting education. Conversely, Khaps also issue regressive edicts, such as banning girls from wearing jeans or attributing the use of mobile phones as a cause for sexual violence (Chaudhary, Prem, 2014).

C. Judicial and Penal Code Enforcement

The Khap is viewed as a village judicial body. Their penal process is based on the violation of social norms and traditional customs. When these conservative practices are breached, the Khap may take the following actions:

- *Hukka-Pani Band (Social Boycott)*: The most severe form of punishment. It involves the total economic and social isolation of an individual and their entire family (*Kunba*) from the village. No villager is allowed to help the family. Social boycott is the primary weapon that maintains the Khap's legitimacy and existence.
- *Economic Penalty*: Sometimes, a family is ordered to arrange a community feast (*Bhoj*) for the entire village. This is often imposed for contempt—specifically if someone helps a person who has already been boycotted by the Khap. Historically, symbolic fines of a small amount (*Dhela bhar*) were also common.
- *Honor Killing*: This is the extreme manifestation of punishment, usually targeted at couples involved in inter-caste or same-clan (*Sagotra*) marriages, intended to serve as a deterrent. While Khaps officially deny ordering capital punishment, case studies by Dr. D.R. Chaudhary in his book *Relevance of Khap Panchayats* hold the institution responsible for such incidents.

7. Politics of Surveillance

As discussed in the organizational structure of the Khap Panchayat, this highly managed framework gives rise to a pervasive surveillance mechanism. Although this structure is currently in a weakened state, its legacy continues to provide a strong refuge for patriarchy. This patriarchal system fosters a politics of male dominance, ensuring control over women, youth, and various castes. For instance, under the rule of Bhaichara (brotherhood), it is mandatory for all boys and girls in a village to consider each other siblings, regardless of their caste or clan. This makes it easier to label any romantic relationship as immoral and illegal. This surveillance is not limited to public spaces; through male-dominated arenas like meetings and *Chaupals*, it interferes directly in the private matters of the household.

8. Current Status

The current status of Khap Panchayats appears to be quite fragile. The democratic and constitutional framework has encouraged citizens to prioritize individual liberty and rights, leading to a steady decline in the social recognition of Khaps. Their political control has faded in the face of the representative

electoral system, and the public no longer takes Khaps as seriously as they once did. In cases of social or personal disputes, individuals now find it more appropriate to seek justice through the judiciary rather than the Khap.

D.R. Chaudhary argues that the justice system within Khap Panchayats was inherently biased, causing it to falter against the modern judicial system. In a democracy, human rights—especially women's rights—are highly sensitive issues. Since Khap rules, traditions, and decisions are often contrary to female autonomy, human rights organizations and NGOs maintain a strict vigil over these institutions. Any decision infringing upon human or women's rights triggers immediate intervention from NGOs and the judiciary, putting immense pressure on these bodies.

This declining legitimacy and acceptance have brought Khap Panchayats to a state of conflict. However, in response to changing circumstances, Khaps have begun to evolve. To save their existence, they have started asserting their role through new socio-political issues that concern the general public.

9. Legal Status and the Stance of the Supreme Court

The Supreme Court of India has declared Khap Panchayats entirely illegal (Ahlawat, Neerja, 2012). In the landmark 2018 case, *Shakti Vahini vs. Union of India*, the court explicitly stated: "*When two adults marry out of their own volition, the consent of the family, community, or clan is not necessary*" (2018, *Shakti Vahini vs. Union of India & Ors.*). The court directed state governments to establish safe homes to prevent violent decrees passed by Khaps and to take action against police officers who delay filing FIRs in such matters (SCC Online, 2025).

10. Contemporary Social Controversies

Despite legal strictness, Khaps remain at the center of several controversies:

- *Opposition to Same-Sex Marriage and Live-in Relationships*: In July 2024, approximately 300 Khap Panchayats organized a *Mahapanchayat* in Jind (Haryana), demanding a complete ban on same-sex marriage and live-in relationships.
- *Women's Safety vs. Restrictions*: Khaps continue to issue statements blaming Western attire and modern technology (mobile phones) for incidents such as sexual assault (Chaudhary, Prem, 2014).
- *Intervention by the Rajasthan High Court*: In March 2025, the Rajasthan High Court appointed a special panel to investigate the illegal activities of Khap Panchayats (such as *Otara-Potara* and social boycott) in Jodhpur and other districts (SCC Online, 2025).

11. Political Mobilization and Revival

In recent years, Khap Panchayats have made a successful effort to transform their image from social oppressors to "Protectors of the Farmers" (*Kisan Rakshak*).

A. Jat Reservation Movement (2016)

During the 2016 Jat Reservation Movement, Khap Panchayats played a leading role. They not only unified the Jat community to demand OBC status but also contributed significantly to logistics, food supply, and strategic planning. While the violence during this period raised questions about their role, they exerted profound pressure on the government to meet their demands, re-establishing their organizational strength. Following this movement, political parties and social organizations were highly influenced; even government ministers and opposition leaders refrained from directly accusing Khaps of violence, suggesting instead that the violence might have been worse without their intervention. Khaps also raised millions in donations for the families of youths killed in police action and successfully pressured the government to provide them with employment.

B. Farmers' Movements (2020-21 and 2024-25)

Khap Panchayats acted as the centers of mobilization during the Farmers' Movements. They mobilized logistics, manpower, and moral support for farmers protesting at the Delhi borders. When the violence at the Red Fort threatened to end the movement, Khaps from Haryana, Western Uttar Pradesh, and Rajasthan stepped in to strengthen it further. They organized village-level meetings and assigned specific responsibilities to each village regarding tractor-trolleys and food supplies. This event once again placed Khaps in a position of strength, where the media and government officials avoided critical commentary on them.

C. Women Wrestlers' Protest (2023)

Khaps openly supported women wrestlers protesting against sexual harassment. This involvement significantly softened their traditional anti-woman image in the public eye.

D. Opposition to the Agnipath Scheme (2022–Present)

Khap Panchayats strongly opposed the Central Government's Agnipath recruitment scheme. In the rural society of Haryana, army service is considered a matter of pride and a permanent livelihood. Khaps organized *Mahapanchayats*, labeling the scheme a threat to the future of the youth, and some even called for a social boycott of the scheme.

E. Nuh-Mewat Violence (2023)

During periods of communal tension, several Khap Panchayats called for peace and brotherhood (*Bhaichara*), indicating a shift in their evolving political grammar.

12. Future

The future of Khap Panchayats in India does not appear particularly bright, as the changing generation has begun to abandon traditional customs in favor of modernity. However, as Samuel P. Huntington suggested, the "Clash of Civilizations" implies that religious identity and the legitimacy of traditional customs may see a resurgence. It is fair to say that the future of Khaps depends on the outcome of the ongoing conflict between tradition and modernity in India. Currently, they are undergoing an existential crisis and are adopting new strategies to ensure

their survival.

13. Suggestions

- *Democratic Reform:* Khaps should reform their structure to include women, youth, and all castes in the decision-making process to ensure democratic inclusion.
- *Non-Interference in Personal Rights:* Khaps must refrain from intervening in matters of individual choice and stop issuing regressive edicts. With increasing digital literacy, the educated youth will continue to challenge such decisions.
- *Social Justice Strategy:* To shed their casteist image, Khaps should adopt a strategy of social justice and speak out openly against the oppression of Dalits.
- *Focus on Criminal Deterrence:* Instead of issuing decrees against girls' attire or mobile phone usage, Khaps should socially boycott those involved in serious crimes like rape, kidnapping, and murder.
- *Addressing Rural Crises:* Khaps should focus on issues like employment, education, healthcare, and village development. They should socially boycott corrupt officials and representatives who fail to serve the village.
- *Cultural Reform:* Khaps should take a stand against the promotion of "gun culture," vulgarity, and glorification of crime in popular music by boycotting the creators and companies behind such content.

14. Conclusion

The historical analysis reveals that Khap Panchayats are not merely institutions of tradition, but political entities defined by caste, patriarchy, and community identity. While their original purpose may have been social security, their modern existence is often mired in conflict with the democratic system and the suppression of individual rights. The past political patronage they received gave them an illusion of being above the law. Although their recent involvement in agrarian issues and the creation of women's wings are positive steps, these are insufficient to fully repair their image. Structural and institutional reforms are necessary. Khaps must realize that they are no longer medieval protectors but citizens of a modern constitutional state. Their survival depends on the pace of their transformation.

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