

Khaph Panchayat: Retrieving 'Honour' through Violence

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ABSTRACT

As the custodians of honour, Khaph Panchayats are self-proclaimed tribunals with full validity and authority among the segments of their caste. These Panchayats are not real courts and do not have a constitutional basis. Under this unconstitutional system, all people of a village huddle around a Chabutara in order to make rapid, unilateral, and incontestable decisions on a variety of problems such as social transgression, marriage, offences, property rights, or situations endangering the village's tranquillity. It is concerning to notice that, in an era where individuals communicate via 3G technology, Indian civilization has regressed to the Dark Age. In today's culture, when legal standards and constitutional authority rule society, organisations like the Khaph Panchayat obstruct progress and good government. The residents of the particular territory or community in which 'Khaph' exists praise the dictates of Khaph Panchayat; this is the most significant hurdle to Khaph Panchayat's elimination. This study attempts to answer the question, "Why do Khaphs still exist in India?" What is Khaph's source of strength? It provides a thorough examination of the problem and attempts to propose a solution.

Keywords-- Honour Killing, Khaph, Panchayat, Inter-Caste Marriage

I. INTRODUCTION

Khaph Panchayats have recently been in the headlines, either for their diktat rulings or for excusing atrocities in the name of preserving the 'honour' of families and the community as a whole. These socio-cultural standards are enforced disproportionately on young people, particularly young women, mostly in Haryana and areas of Western Uttar Pradesh. Despite the increased global attention on "honour crimes," some delegations are worried that focusing on crimes against women committed in the name of honour is selective rather than comprehensive in its treatment of violence against women. Khaph and Sarv are a couple. Since ancient times, Khaph has been a system of social administration and organisation in the republics of Northwestern India, such as Haryana, Rajasthan, and Uttar Pradesh. People who have lived in its village units since the time of the Rig Veda, around 2500 BCE, have been referred to as Khaphs. A republican society

led by a council of five formed their social, administrative, and organisational structure. It is also known as Panchayat, or 'Sabha' or 'Samiti,' and is led by an elected Sabhapati. As a result, Khaphs are a social-political grouping of people who live in a certain geographical area, which today stretches from Madhya Pradesh and Malwa through Sindh, Punjab, and Multan.

The name Khaph is most likely derived from the Latin word corpus, which refers to a group of people.

Pal, Ganas, Janpada, and republic are other synonyms. The political entity of Khaph was defined as a group of 84 villages for whatever reason. This unit of measurement dates back to the Saka migrations/invasions into the Indian subcontinent around 500 BCE. 4Khaphs have proved their social endurance and political adaptability of their organisation for the masses controlled by moving from tribal to village to monarchical and then modern republican modes of governance. Market-oriented propagandists and popular political strategists may query if such a historical institution can be wished away. The caste system, which can be considered as an expanded hierarchy of birth-based groupings, is a unique and fundamental basis of stratification in the Indian subcontinent. Looking back in history, these status groups were intimately related to resource management and hence largely corresponded to class. According to Uma Chakravarti, "honour" is one of the most prized concepts in subcontinental patriarchies, with most societies striving to achieve and retain it. The contributions of Dina Siddiqui and Hanana Siddiqui also show that the paradigm of 'honour' interferes with the right to choose in marriage in South Africa. 6 Izzat, or status, according to Chakravarti, is a broad male notion that underpins patriarchal traditions in India, and it is perceived as an attack on marriage by all castes.

These extra-constitutional Khaphs bodies are not only putting moral pressure on young people by restricting their ability to marry the person of their choice, but they are also instilling dread in them and their families. Not surprise, police protection fails to assist the poor victims, as police officers and politicians completely agree to and openly promote the ideals that underpin hostility to such unions. As a result, they permit retaliation and condone the punishment of so-called transgressors. Khaphs are not limited to a certain place, religion, or society. It can be found in practically every region or community in

Haryana, Uttar Pradesh, at various times. As an example, Ahlawat Khap, Rathi Khap, Balyan Khap, Gurjar Khap, Bhadana Khap, Kalsiyan Chauhan Rana Khap, Kasana Khap, Khatana Khap, Bainsla Khap, Bhati Khap, Karhana Khap, Panwar Khap, Batar Khap, Chhokar Khap, Rawal Khap, Nagar Khap, Dedha Khap, Tomar Khap It should be emphasised that in places administered by Khap Panchayats, love marriages are deemed forbidden. If a married couple's gotras are the same, or if they married in the same or nearby village, they are ordered to stop being husband and wife and start living as brothers and sisters. It makes no difference to the Khap Panchayats that their parents may have arranged the marriage, that a child may have already been born from the union, or that they have done nothing illegal in the eyes of the law. However, the same law fails to safeguard them and instead submits to what are ostensibly sacred social standards. Local law enforcement officials provide legitimacy and support to parents, brothers, and cousins who seek retribution for "wrong" weddings. The rhetoric of citizenship, modernization, development, and gender equality is buried in Haryana's dust.

II. KHAP PANCHAYATS ROLE: PAST AND PRESENT

In agrarian societies, the Khap Panchayats have served as a social system maintenance mechanism. They are the offshoots of tribal councils, which are founded by tribes to deal with tribal matters. Once upon a time, these khap panchayats were caste bodies, with distinct castes representing them. The current situation, on the other hand, is completely different. His khap institutions are now only working as a jat institution. 5 The term "panchayat" refers to a group of five elders in a society who are elected by the village's residents. These panchayats are made up of powerful and dominating persons from a certain caste, who are usually senior folks. The members of the panchayat are charged with safeguarding the religion's standards, culture, and morals. In today's world, a khap panchayat is a body that has extra constitutional powers. Furthermore, because of their significance in inter-caste weddings, khap panchayats have been the subject of press reports. They've been chastised for their role in inter-caste weddings, which includes the execution of death warrants as a form of retribution, dubbed "honour killings." Inter-caste marriages are deemed a "offence" by the khap panchayats, and violators are punished accordingly. The most surprising aspect is that even police officers fail to assist those who become victims of the khaps.

The Khap Panchayats have a long history of resolving conflicts and controlling a variety of issues, including caste marriages. These village courts were responsible for the amicable resolution of disputes before

to the formation of an effective legal system in India, but with the establishment of statewide rule of law, many of them lost their relevance.

Only in the post-colonial period did these institutions begin to have a political role. They've run candidates and offered electoral support to a variety of leaders and parties. Furthermore, they have recently gained notoriety for some of their choices, such as annulling marriages and penalising individuals who defy so-called custom. Khap Panchayats use a variety of methods to enforce their judgements and verdicts, including social boycotts, fines, and violence. Their status as a nonformal justice system takes precedence over their other functions.

The unbridled power that Khap Panchayats wield without any legal basis, the obstructionist and dogmatic attitude of the general public in villages, the shocking inaction of the police, and the state government's reluctance to seize the proverbial bull by the horns all show that Haryana and other states with Khap Panchayats still have a long way to go in dismantling outdated caste marriage and gender-based violence beliefs.

III. PANCHAYATS VS. KHAP PANCHAYATS

The Panchayati Raj Act provides for the adjudication of local issues by the "Panchayat," an early Indian concept that is now constitutionally recognised in the democratic state, as well as the election of Panchayat representatives and the formation of panchayats. Panchayat proceedings begin at the village level, when a group of men, regardless of race or caste, assemble to settle any problem. Those who attend a meeting that affects a certain group are those who are threatened by the crisis or feel uneasy about it, as well as those who believe they will be affected by it. The traditional panchayat collected a significant number of individuals from beyond the local area on the basis of communities, families, gotra, kin, castes, and religion to make a declaration. As draught approaches, issues such as defying social supremacy, rituals, conventions, and breaching the hierarchy are used. They are successful in unifying people and gaining respect in rural life, where peasants are inspired by sentiments rather than common sense, thanks to their highly emotive approaches.

In pre-colonial periods, these Khap panchayats were also a branch of rural communities' social-political life. They were essentially familiar decision-makers, groupings of 'men' of the aged wise people, who were represented from their respective castes or from a foreign caste group, and who were in charge of the community's traditional values. They did not elect themselves as members; instead, they were members by consent and, on rare occasions, by heredity. The village panchayat, which

is discussed for a wide range of concerns, both criminal and civil in nature, makes decisions about cross caste marriages.

Members of the Panchayat are elected by the village's leaders, who come from several caste groups. According to available evidence, these gatherings have been severely commanded by the heads of governing caste group members; the former (because to the coordinated idea of the monetary framework and the virtual imposing business model over land) can control and sanction decisions on the latter. This is usually accomplished through the threat of monetary endorses, as well as the use of or weakening of physical violence. The quality of the customary caste Panchayat is determined by two factors: first, they belong to a specific caste in large numbers, and second, they are directed by landowners.

The actual origin of the khap Panchayats is largely unknown. In the north-western states of Haryana, Punjab, Rajasthan, and Madhya Pradesh, there is undeniably a dispersed social order. A Khap Panchayat is a tribal organisation. It's a common and unspoken association. It is both a social and political organisation. It guides not just the social customs of the Khap's dominating tribe of jaats, but also the jaats of many families who live in the area. In order to manage intra-caste disputes and social standards, the Khap Panchayats must be distinguished from the Biradari Panchayats or Caste Panchayats of various castes. Inside and out, Khap is a different unit. It is known as a Khap Panchayat 89 because it is not made up of a single gotra, but rather of more than three or four gotras gathered together to discuss a few issues. As a result, Khap is distinct from a traditional Panchayat.

IV. GENDERED BALANCE AND KHAP PANCHAYATS

Traditional Panchayats, such as caste Panchayats, village multi-caste Panchayats, farmer-retainer Panchayats, and single-purpose Panchayats, characterised rural North India in antiquity. As previously described, these old Panchayats dealt with the four cornerstones of rural life, namely "aikya" (unity), "izzat" (honour), "biradari" (community), and "bhaichara" (brotherhood)⁷. The 'Khap Panchayat' was one such traditional panchayat. The word 'Khap' comes from the word 'faank,' which means 'off-shoot,' and it refers to a collection of 84 villages or 12 'thambas' (one thamba is a group of seven villages). A 'Sarv Khap Panchayat'⁸ or All Caste Council, consisting of 300 khaps from Haryana, Western Uttar Pradesh, Punjab, Madhya Pradesh, and Rajasthan, is organised at a higher level. The 'Gotra' system is an important feature of this panchayat. In a Rig Vedic civilization, the term 'Gotra' means for 'gaushala'⁹ or 'cow pen,' and members of a

single 'gaushala' were of a single common gotra, according to R S Sharma. As a result, a 'Gotra' is an exogamous patrilineal clan whose members share a patrilineal progenitor (In Kerala, it is matrilineal). These gotras determine an individual's familial heritage as well as his or her marital possibilities. The following are the three guiding concepts in this regard:

- Because people from the same lineage are considered siblings, 'sagotra,' or marriages within the same gotra, are outlawed. 'Dhatu,' or bride adoption by a family from a different gotra, such as a maternal uncle, is frequently permitted for her 'Kanyadaan,' or virgin gift.
- Marriages between different gotras are forbidden if the boy and girl are from the same village or villages that are physically adjacent.
- Inter-caste marriages are a unthinkable.

According to the Supreme Court, Khap panchayats are extra-constitutional and 'illegal' organisations that rely on a male-dominated or patriarchal organisational framework and philosophy. These traditional adjudicating bodies have the responsibility of upholding and propagating the community's honour by ensuring that inhabitants adhere to unwritten social standards and conventions. Any infringement of these traditions is greeted with harsh and regressive punishments in order to secure justice through vengeance, as well as to set an example for others to learn a valuable lesson and be deterred from defying in the future. There's more to it than just the exercise of authority in the form of sanctions for those who transgress the rules. This shall be referred to as the 'Politics of Control' from now on. The community's gendered prism frequently sees women as the bearers of 'izzat,' as well as shame and dishonour. As a result, the onus of maintaining social order is placed on women and their actions, while men assume the role of protectors. On the basis of their assumed physical and mental weakness, the latter exert control over women's lives and habits. This leads to their view as weak, dependent beings who are readily persuaded by natural bonds of affection, therefore questioning the cultural codes of both clan and caste and driving the male to prevent and repair these follies by excommunicating or annihilating the wrongdoers entirely.

The Khap Panchayats, particularly in Haryana, are calling for a change to the Hindu Marriage Act of 1955, which allows both Sagotra and inter-caste weddings. Incestual marriages, defined as sexual connections between close family members such as parent-child and brother-sister, are only appropriate to creatures without higher cognitive abilities and developed language, according to the Khaps.

In 2004, Sia Dulari, the mother of Chetan, who eloped and married Pinky of the Yadav community, was gang raped and burned alive by the latter in order to rectify

the dishonour brought to their clan as well as to s, and to ensure that the punishment acts as a deterrent, its intensity and severity were often off limits. As a result of the transcendence of biological kinship standards, all females and males in the community are embraced into one generation and lineage, and they are referred to as 'bhai-behan' (brother-sister), giving the former the right to control the latter 'weaker sex' by taking on a protective role. The victims are frequently incited to self-inflict violence by committing suicide in order to achieve spiritual and eternal liberation as a result of this enormous magnitude of control through continual domination. As a result, control politics operates on two levels: protection and retribution or punishment. Women's sexuality is also an important topic, which will be discussed later in the paper under the heading 'politics of progress.'

The 'Politics of Honour' is a remarkable feature of the Khap Panchayats' mechanism of retributive and reparative justice. As previously noted, the biradari's izzat is violated on a variety of instances, the most notable of which are 'sagotra' and 'runaway weddings.' The Jat society forbids marriages within the same partilineal clan and observes the 'Four gotra rule,'¹⁰ which states that no boy and girl can marry if their father, mother, father's mother, and mother's mother have the same gotra. As a result, the couple frequently elopes. The caste panchayats issue irregular diktats and savage fatwas against violators in order to put a stop to their behaviours. Fines, ritual expiation, public humiliation (blackening of face, rubbing of victim's nose in dust, stripping, shaving of head, dipping victim's nose in urine, forcing them to host a grand feast in order to exhaust their resources and wealth), physical and verbal abuse, banishment or social ostracism from the community, and most ruthlessly, annihilation or execution, often referred to as 'honour killing,' are all The exercise of control by senior male members over younger males and girls in these caste panchayats prevents traditional value systems from crumbling. Miscegenation (caste mixing) and hypogamy (union between a high caste lady and a low caste man)¹¹ are both harshly banned under the guise of guardianship. As a result, upper caste politics ensures that women's sexuality is controlled in the guise of preserving their honour. Runaway marriages are generally type-cast as kidnapping, abduction, and forced or compelled marriages by the state, which colludes with patriarchy in controlling females and enforcing cultural codes. This connection fully negates the women's consent and allows the male guardian to decide whether these marriages are legal or not. Apart from that, harsh statements implying that the girl's purpose is to satisfy her sexual lust lead to her being labelled as promiscuous and lustful. These examples highlight the illegality of women's sexuality outside of marriage, and they call into question their sovereignty over their lives and bodies. The judicial and

extrajudicial protection is a shield to protect the woman and her family from the so-called dishonour that would be brought upon them.

On the one hand, the 'politics of honour' promotes the concept of 'izzat' by outlawing 'sagotra' and inter-caste marriages, but on the other, dishonourable behaviours are used to ensure that these standards are not broken. Other unusual procedures or techniques for restoring honour have been devised, such as whipping the couples and forcing them to tie 'rakhi' (a symbol of being siblings) and live as siblings, as well as selling their child to a childless couple. According to the Indian population data study, honour killings account for 35% of all instances in Haryana, with over 1000 incidents occurring each month.

The 'Politics of Progress' is a third way of looking at the link between gender and the Jat group, which is governed by the Khap Panchayats. Haryana's chief minister dubbed the state a "happening state" because of its efforts to promote inclusive growth and socio-economic development. However, removing the curtain reveals that the community is loaded with retrogressive ideals that have been adequately sanctified by the Khaps. With the goal of elevating societal ideals above individual rights, the Khap enacted cruel restrictions that degraded the status and position of women and girls. It shifted its authority from the public to the private sphere in order to include both productive and reproductive labour in its domain. The sons were seen as future financial support, old age security, property inheritors, dowry accumulators, family lineage, upholders of prestige and power, performers of birth and death rituals, and believers and followers of religious rituals and salvations through the patriarchal lens of these traditional organisations. In contrast, the girl child was viewed as a liability, leading to a variety of brutal methods to relieve this burden. Three measures in prenatal diagnostic tests for pregnant women have been developed as a result of medical advancements:

- Chorionic Villus Sampling (10th week of pregnancy)
- Amniocentesis (normally performed after 15 weeks of pregnancy)
- Ultra sound (12th week of pregnancy)

Despite the Medical Termination of Pregnancy (MTP) Act of 1972, equipment that was designed to detect genetic defects was now being used to illegally detect or determine the sex of the unborn. As a result, Haryana now has a clandestine selective abortion practise and an unfavourable sex ratio of 879 girls for 1000 males (2011).

Rural Haryana's lopsided development in gender equality is seen in the 'double prejudice' experienced by women with disabilities as a result of conventional gender roles and expectations. According to Nihila Mehlotra, disability is a cultural construct in the village society, and people with disabilities are stigmatised as irritable,

impatient, sexually impotent, and unreliable. Verbal insults such as 'Surdas' (visually impaired), 'langdi' (limb deformity), and 'bawali'13 (mentally impaired) are employed, and these have detrimental consequences in their life. The parents of the crippled female child's desire to anticipate her death since she is a double burden: first, she is a liability, and second, she is functionally disabled, exemplifies the anti-women mentality and strong male preference. The gender-based functional distribution of labour in the household, in the context of familial responsibility to the disabled member, is another important patriarchal set up. The child's physical and emotional needs are met by the mother and female relatives, while medical treatment is handled by men. Because women are socialised into traditional gender roles, some accommodations are made for the disabled in terms of heavy labour, but no special consideration is given to their physical and mental problems. The issue here is that disabled people are treated equally without considering that equal treatment of unequal people can lead to inequity. The community has already established an image of these women as unfit for marriage and motherhood, so their chances of marrying and having children are bleak. These women are married off to males who are either very old, unemployed, or already married in order to relieve the family of its 'burden.' The marriage of a crippled woman in the same household as her sister¹⁴ is an interesting practise in this domain of marriage. However, due to a lack of foresight, the family overlooks areas that result in two disadvantages: persistent dependency and loss of self-respect for the former, and a multiplication of work for the latter, with no significant aid from the in-laws.

In addition to this misogynistic mentality, the Khap Panchayats, under the pretence of encouraging girls' education, issue diktats to try to curb it. One such law is that co-education, or females and boys studying together within the same institute, is prohibited. Apart from that, the arguments and justifications offered by Khap panchayats against the use of mobile phones and the wearing of Western attire by girls are strategically rudimentary, as they establish a link between progress (which they perceive to be undesirable and degrading) and the girl's purity and chastity. Furthermore, they employ threats such as social boycotts and excommunication to guarantee that women are subjected to checks and virtual 'ghunghats' in all sectors. Because of the persistence of these activities, the literacy rate for men is 85.4 percent and for women is 66.8 percent, according to the 2011 census, with a literacy difference of 23 percent, which is higher than the national average of 21.68 percent. As a result, under the 'politics of progress,' attempts at development are made, but they are threatened by retrogressive ideas in the background, depriving the former of any significant advance.

V. HONOUR' THROUGH VIOLENCE

Honour-killing is the assassination of a family or clan member by one or more family members for bringing a stain on the family or clan's honour. Refusing to enter into an arranged marriage, being a victim of sexual assault, supposedly committing adultery, or having an affair with someone from another caste are some of the reasons. The frequency of such instances is steadily increasing on a national and worldwide scale. "The behaviour of the Khap Panchayat has progressed from the ludicrous to the scandalous." Honor killing is classified as "homicide" and "murder" under the law (Justice Mazida Rizivi: Treat honour killing as homicide, n.d.). The honour crime also breaches Articles 14, 15, 1, and 3 of the Indian Constitution, as well as Articles 19, 21, and 39 (f) of the Indian Constitution. It goes against India's multiple international commitments. It is against the spirit of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Unfortunately, there is no legal definition of honour crime in India today. Sections 299-304, 307, 308, 120A and B, 107-116, 34 and 35 of the Indian Penal Code provide penalties for such crimes. This massive number of punitive laws, however, has been ineffective in combating this social scourge. Murder, torture, and legal violations are more frequently ignored by the offenders. And they continue to do so without consequence. Surprisingly, the National Crime Records Bureau does not keep track of honour killings separately. The magnitude of the crime is underestimated. It is rendered invisible, and victims vanish without a trace, as if they had never existed.

Honour killings, often known as "horror killings," are one of many atrocities that stem from wicked customs that thrive on the blood of the innocent. Anyone who is unconcerned about honour killings should get their head tested. What gives a small noisy minority the authority to keep the country hostage? "What is this 'honour' that these Caste Panchayats are trying to 'save,' and what is so important about it that they openly profess pride in it?" And what on earth drives them to commit such heinous acts of violence, killing people, in the name of defending this honour?" Is it true that these assassinations are carried out for the sake of honour or ego? Isn't it only in the name of a community attempting to assert its social dominance? "It is a travesty that a rightful and legal citizen of the country is still denied the chance to exercise his or her fundamental rights in the world's largest democracy." The continuation of such actions is completely unethical. It is an affront to Indian social traditions and customs. Indian culture can never be a criminal culture.

India is known around the world for its diverse culture and traditions. "However, it has been forgotten that in the name of customs and traditions, one cannot oppress

and impose." Being a secular and democratic nation, it must be infused (by force if necessary) with honour, respect, and the ability to adjust with the times" ("Killed in the name of family honour!", n.d.). The ancient upholders of caste rules, Khap Panchayats, have been in the news for all the wrong reasons. These bodies have been asserting ideas from a bygone era, and they stand in the way of the Indian Constitution's values of liberty, equality, and fraternity (Puniyani, 2010). Most Panchas are pig-ignorant peasants: guys whose thoughts are as black as the bottom of the village well and overflowing with feudal notions that haven't been reexamined in years; men who feel their honour is based on their wife's crotch rather than their own outstanding behaviour. These strict people operate like the Taliban: they constantly engage in inhumane acts while claiming to be the saviours of their tradition and culture. Caste and gotra are more important to them than human life. They oppose a society that is progressive, non-segregated, open, and egalitarian.

Khaps have undoubtedly split Indian society, particularly in North India. People are enslaved by their dread. When human rights are inherent rights, when the right to life also entails a life of dignity and freedom, when equality and justice are prime virtues, and when the rule of law is supreme, the ruthless techniques used by these judges to administer justice are terrible. As India attempts to soar with its nuclear accords, claims to a permanent place on the UN Security Council, and condemns human rights abuses around the world, such heinous acts would only damage its worldwide image. Murders, human rights violations, atrocities against women, denial of an individual's freedom of choice, and a demonstration of the country's law and order condition are all examples of "honour killings." India cannot claim to be a democracy if its citizens' fundamental rights to live on their own terms, as provided by Article 21 of the Constitution, are not protected. "Such actions are not honourable; rather, they are barbaric and despicable crimes performed by brutal, feudal-minded individuals who deserve terrible punishment." Only in this way will we be able to put an end to such barbarism."

However, it is disheartening to discover that, despite these optimistic remarks, the evil has not been effectively curbed. Some learned people and politicians questioned whether it was even necessary to do so! In reality, the system is complicit in the cruelty. Because these self-styled Panchas have a working relationship with the police, the administration frequently shares the sense of (dis)honour, making it incredibly difficult to even register a complaint. Such undemocratic bodies are strengthened even more by political favours for the goal of vote bank. The law has a long history of failing to prevent such heinous behaviour. Despite the fact that the judiciary has

taken an active role, there have been times in the past when court orders have been disobeyed and protested.

VI. CASE STUDY: HONOUR KILLING

Ved Pal Maun (22) was a medical practitioner from Mataur village in Haryana's Kaithal district. He was on his way to his wife Sonia's (parental) home on July 22, 2009, to return her. He was slain in the Jind area of Singhwali village in the middle of his journey. Sonia and Ved Pal were married under the Hindu Marriage Act, which the community did not recognise as valid. He was escorted by a police bodyguard and the Punjab and Haryana high court warrant officer when he was lynched by a mob at his in-laws' village. He was first dragged to Sonia's house's terrace and stripped naked. Later, he was assaulted with sticks in the chest and face. His shoulders and neck were ripped open with sickles and scythes. They had pummeling him till they were certain he was no longer alive. Ved Pal Maun was killed because, despite belonging to separate gotras (Sonia was from the Banwala gotra), they were both Jats. The Banwala khap claims that the newlyweds' gotras were distinct, that they came from different villages, and that their marriage was not inter-caste. However, they defied the village's standards. Because the 'bhaichara' (village fraternal neighbourhood) between the two villages had been questioned. The khaps is based on the concept of 'brotherhood,' and advocates that cross-caste marriages be prohibited. People from the same gotra and caste should not marry each other, and so forth. Marriage inside the adjacent villages must likewise be prohibited, even if the gotras differ. Such unions are considered incestuous by nature. Due of a scarcity of ladies from certain gotras, khaps do approve weddings. Traditional weddings, according to Prem Chowdhry, are governed by cultural concepts like as izzat, aika, biradari, and bhaichara. If somebody violates these rules, traditional methods such as khaps are used to regulate such deviant behaviour and maintain the patriarchal-caste bound community's demands (p.49). For example, Paramjit Banwala, one of the khap panchayat's leaders, stated, "... (we) would never allow any dishonour or violation of caste norms." Sonia and Ved Pal, according to the khap panchayat, broke community rules because they were "siblings." It is even forbidden for members of the same clan, such as Sonia and Ved Pal, to engage in such immoral behaviour. The khap also came to the conclusion that such an association had an impact on the families. As a result, marriages that occur outside of the khap norm are considered illegal. 'If young people live in our society, they would have to subscribe to and follow our age-old difficulties,' said Paramjit Banwala. Such relationships must be avoided at all costs. The Jat honour is paramount and must be protected at all costs.'

VII. CONCLUSION

The caste system is deeply rooted in Indian culture, and it has resulted in a slew of social ills. It has brought harm to both the country and the people. One such evil is khap panchayats, a community-created entity that deals with concerns like as norms, conventions, and societal interactions. In states like Haryana and western Uttar Pradesh, khap panchayats are common. The villages observe the law of endogamy, which means that everyone in the society believes they are related by blood. As a result, inter-caste marriages are prohibited. If a person marries someone from another caste, the couple is slain by their own family members in accordance with the khap panchayats' orders, which is known as "honour killing." The reason for this is that the panchayats feel that inter-caste weddings bring dishonour to the society and hence they must be slain. There is no specific law in place to regulate or punish the conduct of honour killing. Honour killings, on the other hand, are punishable under Section 300 of the Indian Penal Code, 1860. At the same time, the government passed the Special Marriage Act of 1956 to address the issue of inter-caste weddings. The ordinance was enacted with the goal of protecting and legitimising inter-caste marriages that do not fall under the forbidden degrees. The government intends to alter Section 300 of the Indian Penal Code, 1860 by adding a fifth section due to a lack of laws. The section makes acts of honour killing illegal. Similarly, a modification to the Special Marriage Act is proposed since the section relating to 30 days' notice and 45 days for marriage registration is a loophole that exposes couples to different threats from family and khaps panchayats.

Different jurists have proposed theories that are directly related to khap panchayats. To sum up, khap

panchayat is a deplorable practise that must be eradicated quickly. In terms of the sovereign and the laws, it is necessary to pass laws over which the sovereign can exercise direct command and ban khaps from acting. At the same time, the laws must be such that the majority's interests are not jeopardised. It should also accomplish the most good while causing the least amount of harm.

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