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Traditional Elites and Role of *Khumli* in Caste Divided society in Giripar Region of District Sirmaur

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Abstract: -In Himachal Pradesh various communities belongs to scheduled tribes. Recently The Lok Sabha passed the Constitution (schedule tribe) order (third amendment) bill 2022 and The Rajya Sabha passed it on 26 July 2023 which gives the scheduled tribe (st) status to the Hattee community in district Sirmaur of Himachal Pradesh[1]. In this study the researchers had made attempt to pinpoint the Khumli system, function of Khumli, structure of Khumli. Researcher also try to understand their power structure and role of Dalit and Women in Khumli. This research study is being conducted in Giripar Region of District Sirmaur in order to evaluate the contradictory nature of Khumli System.

Keywords: - ***Khumli*, *Siyana*, *Dhimdar*, *Chinga*, *Banda***

Introduction: -

The tribal communities of India are deep rooted with the nature, indigenous livelihood, oral tradition, folk culture and are mostly confined to their own people. Compared to other countries India is a diverse form of many ethnic groups. All religions, castes and tribes are included in India. More than seven hundred tribes have been identified in India. Orissa has the maximum of sixty-two tribes. There are no tribe exists in Haryana, Punjab, Chandigarh and Delhi[2]. Himachal Pradesh there are more than ten tribes which are listed in the Indian constitution. Now the Hattee is one of them. The word tribe is derived from the *Latin* word *tribus*[3], which means a typical villager or

[1] Times of India 5 August 2023
[2] Kumar, Ramesh, Mokta, Prof. Mamta, (2023) The politics of reservation: A case study of Hatte community of District Sirmaur in Himachal Predesh
[3] ibid

shepherd. The Lokur Committee in India in 1965 laid down five criteria to be declared a tribe. In which there is *backwardness, primitive characteristics, different culture, geographical isolation and shy nature*.[4] Lokur committee had suggested to declare any group as a tribe on this basis. There are many tribes in India which have their own customs and culture, which is still live your life in the jungles away from the glare of the cities. In the early references of Indian history, we get to see the glimpse of rural administration. In the Vedic and post-Vedic period, we get the description of Sabha Samiti and institutions like Ur, in which we get to see the glimpse of the local administrative work there. Sabha is a village institution. and the Samiti was a central body. In Vedic literature, Sabha is mentioned as a village institution and samiti as a political institution. The king used to participate in the meetings of the committee. There was also a debate on the problems of the state in the committee. After that, in the Chola society, we get the mention of village administration clearly in Uttarmerur inscription.[5] The main feature of the Chola administration was local self-government. Ur was a committee of general leagues, whose task was to acquire village land for the construction of ponds and gardens for public welfare. Its member was called Peru Makkal. This assembly used to conduct its work through committees named Variam. The assembly used to meet under a tree near the village temple or on the banks of a pond. The assembly of merchants was called Nagaram. Similarly, local administration gradually developed in India. In modern India Ripon is considered to be the father of Panchayati Raj system in India. Ripon had given his democratic structure to the local institutions in 1882[6]. If the condition of any village in the country is bad, then the Gram Panchayat takes appropriate steps to make that village strong and developed. Ripon is also considered the father of local self-government in India during the British rule. In the year 1882, he made a proposal related to local self-government, under the Government of India Act of 1919, dual government was arranged in the provinces and local self-government was kept in the list of transferred subjects. After independence, 'Balwant Rai Mehta Committee' was formed by the Planning Commission (now NITI Aayog) in the year 1957 to study the Community Development Program (year 1952) and the National Extension Service Program (year 1953). In November 1957, the committee submitted its report, which suggested the implementation of a three-tier Panchayati Raj system - village level, intermediate level and district level. In the year 1958, the National Development Council accepted the recommendations of the Balwant Rai Mehta Committee and on October 2, 1959, the country's first three-tier panchayat was inaugurated by the then Prime Minister Jawaharlal Nehru in Nagaur district of Rajasthan[7]. In the year 1993, through the 73rd and 74th Constitutional Amendments, the three-tier Panchayati Raj system got constitutional status in India. The three-tier Panchayati Raj system consists of the Gram Panchayat (at the village level), the Panchayat Samiti (at the intermediate level) and the Zilla Parishad (at the district level)

[4] The report of the committee on the lists of Scheduled casts and Scheduled tribes, Government of India, Department of social Security (1965)

[5] Sharma. R.S.(2006) Ancient history of India,

[7] Census of India,1971, Reports of Census of India New Delhi: Registrar General and Census commissioner of India

Methodology

Present research is a descriptive type. The study is descriptive in nature and based on primary and secondary data. The secondary data for the purpose of present study was collective various books, journals, articles, newspaper and website. The primary data has been collected from the scheduled caste people of Giripar region of district Sirmaur. There are 100 respondents have been interviewed. These all respondents have been chosen through purposive representative sampling. Historical descriptive comparative and analytical approaches have also been applied by the researcher for this study.

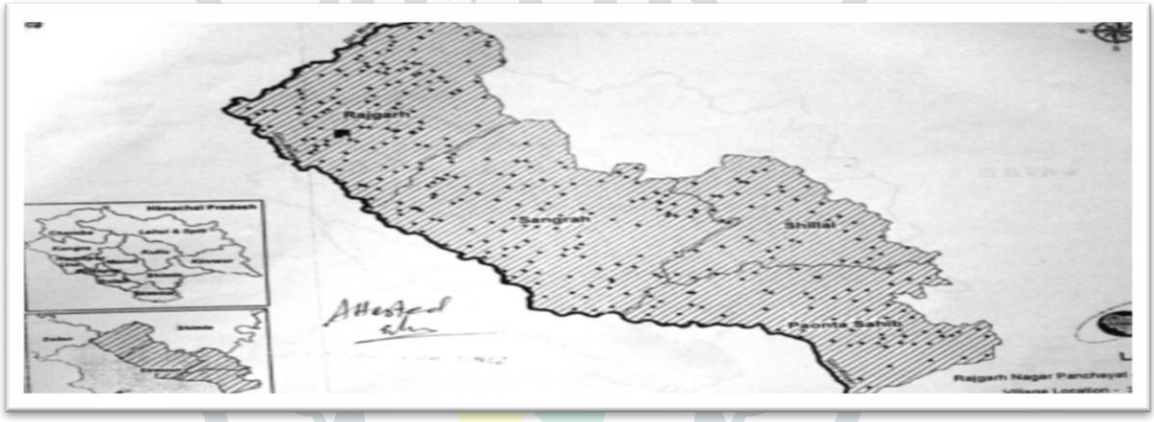
Hattee Community*:* -Hattee is such a group of traders that got its name Hattee from the way they do business. The name Hattee is derived from *Haat* which means *market*. The people of Hattee community used to take the crops grown in ancient times to sell in the nearby markets, which included *Garlic*, *Ginger, Kaljiri*, *Soonth*, *Till*, *Kudo* etc. After sell their crops in *Haat* they bring sugar and salt home for himself from there. Due to lack of road facilities, people used to go to the market on foot. It used to take about two to three days to reach the market, so he used to take food items along with him. On reaching the market, the shopkeeper used to address the people of Giripar as Hattee. On this basis, the people of Giripar today called himself as a Hattee. There are 154 panchayats and 14 castes in Giripar, there are three lakh people lives in Giripar region. Out of three lakh people 40 percent Dalit population is there, however, due to heavy opposition from Dalit castes, the Rajya Sabha passed the Constitution (schedule tribe) order (third amendment) bill 2022 which gives the scheduled tribe (st) status to the Hattee community in district Sirmaur of Himachal Pradesh.[8] At present, roads have been developed in Giripar so this type of system is not in vogue because now Giripar is developed area. The people of Giripar transport their goods to the mandis in vehicles. Talking about the geographical situation, Hattee resides in the south of Himachal Pradesh's district Sirmaur, on the border with Uttarakhand. The area of Sirmaur district is 2825 square kilometers. Giripar area extends from 77.10.00 East to 77.50.00 East longitude and North from 30.30.00 to 31.0.00 North longitude[9]. District Sirmaur is geographically divided into two parts. Giri river divides it into two parts, Giriaar and Giripar. Giripar is spread over an area of 1179 square kilometers and Giriaar is spread over an area of 1546 square kilometers. Giriaar is a little ft and Giripar hilly and a little inaccessible area. Most of the area of Giripar is covered with forests. When Nahan became the capital of the Sirmaur, there was a successful attempt to settle the rural people of Patiala, Jalandhar and Hoshiarpur here for the increase of revenue. That's why even today people of different communities live in this part. They have different languages and traditions. During the Vedic period, in the area of Sirmaur district, Ambala, Saharanpur and some parts of Uttarakhand, we have Kunind, also known as Kulind, we find their mention in the Puranas as well. We get their time around the second century AD. These

[8] Times of India 5 August 2023

[9]Verma, Sarita and Sharma, Anurag,(2020) Folk culture and traditions prevalent in the Trans-Giri region of Himachal Pradesh: A case study, Sarita Verma and Anurag Sharma

people used to live around present Uttarakhand and the southern part of Himachal which is today called Sirmour. Its ruler was Amoghabhuti who ruled between Ganga and Yamuna.[10]

Khumli system: **-** Where a man resides, he lives in the form of a family, village and society. Good-evil, peace-unrest are also born with the people in the society, so the methods of solving them also develop. There was also the development of the solution of the agreement. The Indian society has its own culture and traditions which are still alive among us. The judicial system in India came into existence from the Vedic period itself when we see Sabha, Samiti and Vidath which used to establish peace system in the society[11]. Gradually, the Indian society was attacked by foreign invaders and due to these attacks, there was a gradual change in the Indian judicial system. Foreign powers like the British tried to loot India. In this episode, he established his judicial system. Developed the courts, but such a provision was made in the courts that earlier it was difficult for Indians to become judges, but even if one was made, Indian judges could not hear the cases of white people, no action or decision was taken on them.



Giripar Area of district Sirmaur

Being in the remote areas of Himachal, the Hattee community could not become a full participant in the judicial system of the English Raj which was prevalent at that time. The people of this community would hardly ever approach any English court because it was not easy and at the same time and there was less hope of getting justice, because getting justice in the British Raj had become very difficult, so this community had its own developed some judicial system.

Function of khumli

The Hattee community has its own traditional council which solves domestic problems. There are two main characters in this. The first one is Dhimdar. The Dhimdar is the person to whose notice the matter is brought. The

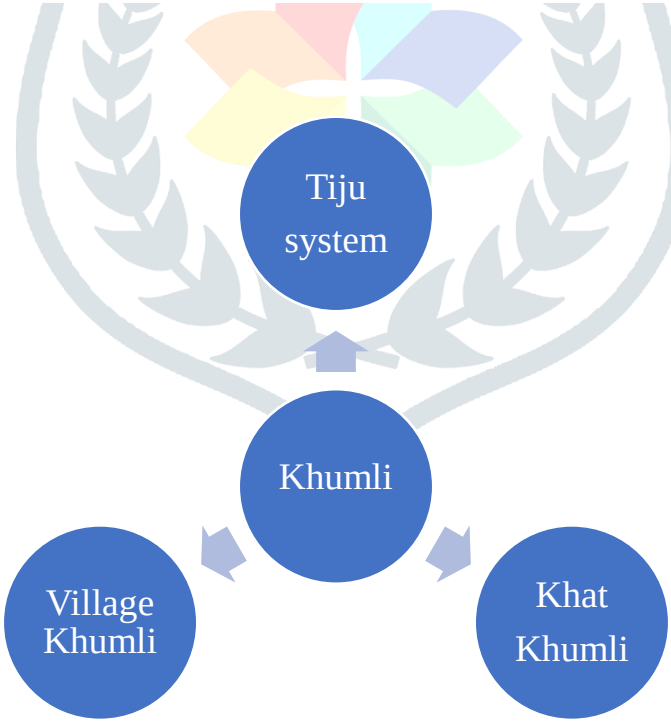
[10] Bakshi, Pawan (2011)Giripar ka Hatti samuday:
[11] Sharma. R.S.(2006) Ancient history of India

complainant first informs the Dhimdar about his problem. He registers his complaint by paying some rupees (ten rupees) which is called *nalas Dena (formal invitation for khumli).* The Dhimdar registers the Nalas (complaint) and informs it to the *Siyana* (head of the village). Khumli is called on a certain day, on that day in the morning the *Dhaki* (Sc cast person) inform all the villagers. It is that everyone should come to Khumli in the evening in Dev Prangan or public place. There, along with the plaintiff and the defendant, the men of the entire village get together and proceed with the Khumli proceedings, in which the arguments of the plaintiff and the defendant are heard, if there is a witness, they are also presented, the opinion of all the people is also there. After that the final decision is taken by the Siyana of the village.

Types of khumli

Tiju system

It is an arrangement in which if a matter arises and, in that matter, the two persons do not come to an agreement, a third person intervenes in it and guarantees that the guilty person by whom a crime or a mistake has been committed. The act will not be repeated again and is forgiven. In this there are minor mistakes like abusing, petty fighting, theft of grass, incidents of crop theft. If there is no solution in the said case, then this matter is taken to the village. In this case, the provision of punishment is mostly not seen.



Village khumli

If any person who is not satisfied with the Tiju system then he complains to a headman of the village called Siyana of the village and pays five to ten rupees as complaint fee. Siyana registers his complaint and decides on the day for the hearing of the complaint, both those plaintiffs and defendants are called in the common courtyard

community space of the village. On that day in the morning a voice is given by Dhaki (Sc person) in the whole village that today there is Khumli in the village and one person from all the houses should come to the common courtyard in the evening. In the same way people gather in the evening and listen to both the sides and decide person who is convicted after listening to both the parties, a decision is taken and the person who is found guilty is fined. A lot of *Dand*(fine) can be in the form of cash or male got to defaulting party, case up to 5000 to 10000 in the present time. The processing fee who fixes by villagers called *vistala* who is 500 to 1000. Where a person has been charged of an offence and if he refuses to confess his guilt Mandir-Neem, Lotta-Noon, system is resorted to and in case a person who would not obey the decision of the Khumli, he is penalized with Chinga/Banda (ostracize of community). Neem is a kind of psychological test to find out the defaulters. Lota-Noon is also a kind of phycological test in which a person is bounded with the majority of people. Generally, such type of test is done with the person of doubtful integrity.

Two village khumli

This arrangement arises in the midst of any dispute between two villages, if due to some work the sentiments of the people of another village are hurt or there is some loss to them, then both the villages together call a khumli at a certain place and settle the scores of both the parties. The intellectuals of both the villages participate and try to solve the problem. If the problem is solved there, then the person who has committed a crime has to pay damages to the other village as a punishment.

Penal law

The Giripar Hattee community has its own penal law, in which it punishes in its own way, but the person who is found guilty is punished in three to four ways. The first one is given a warning and the second one is expelled from the village. Thirdly, he is fined which can be up to 5000 rupees, along with a Goat is given as a gift to the villagers. Which is later consumed by all the villagers as food. Heavy fine can also be imposed under Chinga or Banda and a ban can also be imposed on the guilty for hurting the self-esteem. This means that the people of the village not give any help to that guilty person. The person or family village who goes against the decision, conversation with him is stopped, no man is involved in his marriage, life-death, he is kept alone and separated from other.

Role of Dalit and women in khumli system

The Hattee community in Giripar area has made its identity for its ancient arrangements, recently the Hattee community of Giripar has been included in the Scheduled Tribes. The Hattee community has its own judicial system, but its system revolves only around the upper caste, in which neither Dalits are given importance nor women are included. The main post in Khumli is Siyana and Dhimdar are mostly captured by elites. Because here also the same thing comes up that how can the upper caste people be satisfied with the justice of the lower caste people, as in the British era they were against making judges of the Indian people. Elite class people will do and take the same decision even if the matter is related to upper caste. In this system, Dalits do not have the power to take any decision, on the other hand, even if the matter is related to women, its decision is taken by the male dominated society. Women are prohibited from entering Khumli. Nor can she give her argument in this Khumli because in Khumli, the case involving women is also advocated by her husband or brother and not the woman. If seen in this way, we do not get to see the representation of women even in the 21st century, although women have their own sporadic meetings, but they cannot take big decisions, for that they are obstructed.

Conclusion

In rural Giripari society, the traditional elites still have a dominant position in social as well as political spheres. Most of the Lamberdars, Zaildars and Pujaris are on the chair of formal establishment and control the informal as well as formal structures simultaneously. The objectivity of these khumli is questionable because the decision-making process is controlled by Rajput and Brahmins due to their ascribed castes supremacy. On the other hand, the schedule cast are denied to play any role in the khumli. They are under a state of dominance as their whole socio-economic life is dominated by village Devta. Any violation of rules framed around the Devta institution terns up the *Dev dosh* upon them. The Devta institution also decide the relation between different cast and assigns them work with some promises among different cast which is known is a *Aakhor.* The function of khumli is undemocratic and against the egalitarian social order as the schedule cast and women are excluded from the deity institution due to hierarchical and ritual impurity.

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