

Khap Panchayat: Self Proclaimed Adjudicating Mechanism in Case of Honour Killings in India

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Abstract

Any civilization has recognised the significance of administering justice, even though different cultures have different ways of doing so. The Khap Panchayats have played a significant role in the administration of justice in several regions of India, including Haryana, Punjab, and Rajasthan. The establishment of Khap Panchayats has drawn criticism for a variety of reasons, though. It is seen by a select minority as being male-dominated and patriarchal ideology, that is, pro-men and anti-women. Despite the fact that there have been several occurrences, such as honour killings, which blatantly demonstrate the Khap Panchayats' patriarchal mindset. The Panchayati Raj System was implemented in India with the intention of democratising and decentralising government. As "custodians of honour," Khap Panchayats are fully legitimate and powerful. The most retrograde ideas are sought to be implemented through them. In nature, khap adjudications are exclusively feudal and patriarchal. The mediaeval remains of backward tribal civilizations that have endured for far too long into the modern liberal era are honour killings, brutal murders carried out for the purpose of upholding the honour of a family, a clan, or a village by encouraging criminal culture for future generations, in the name of others. The majority of these actions, which the outside community sees as being exclusively Arab in origin, were and still are largely caste Panchayats made up of higher and middle class people who have grown powerful by dominating the lower caste hierarchies. The once trustworthy, socially conscious Khap Panchayats and Caste Panchayats have become very politicised. They are active across the nation at a time when the shameful rulings of the so-called courts of the caste lords would undoubtedly ruin the nation's reputations. The Indian court has gone a long way, but there is still much that needs to be done to free society from the grip of illegitimate and unconstitutional justice-dispensers. The study makes an effort to draw attention to the pattern of criminality that is promoted by the so-called keepers of honour against this background.

Key Words: Honour killings, Khap Panchayat, Human Rights, Caste panchayats, Sagotra inter-caste marriages

Introduction:

We, the people of India, assert that we are the biggest democracy in the world and that we respect people's human rights, yet on the other hand, barbaric customs like female infanticide, rape, and honor killing are pervasive in our culture. If we take into account the ancient traditions and customs, India is going through a period of transformation. It implies that we are making an effort to advance and desire to alter our long-standing traditions. However, not everyone is on board with this transformation. Some communities or groups of individuals are still unable or unwilling to undergo change. The recent PIL before the Delhi High Court about the change to the Hindu Marriage Act to ban same-gotra marriages, which was overturned by the Delhi High Court, serves as the best illustration of this.

The phrase "honour killings," which chills the spine, refers to a terrible and pervasive social problem that cuts across barriers of geography, culture, and religion. These acts, which are often referred to as "honour crimes" or "shame killings," are committed against people, primarily women, who are thought to be causing shame or dishonour to their families or communities. Despite the progress made in the areas of gender equality and human rights, honour killings are a dark reflection of deeply rooted patriarchal standards, societal expectations, and cultural prejudices that still exist in our world.

Honour killings have historical roots that are deeply ingrained in customs and culture that frequently take precedence over established laws. The victims, are men as well as women. But typically women, become entangled in a web of

social and familial expectations, and the idea of honour is exploited as a justification for heinous acts of violence. In understanding the honour Killing as crime it is important to examine the various facets of honour killings, analyzing the psychological, sociological, and cultural elements that contribute to this horrible practice.

There are several reasons for Honour Killing like stratification, mentality, lack in governance, illiteracy, sex ratio, inter and intra caste marriages, prestige of caste etc. Other than this reasons one more factor is responsible for honour killing cases in India is interference of self proclaimed judicial system i.e Khap Panchayat.

Khap Panchayats are illegal panchayats which are are brutally governed in the absence of formal institutions such as panchayat Smiti or a constitution gathering.

Khap Panchayats were mostly consulted by upper caste and rich individuals who wanted to strengthen their status and authority. Khaps can use different forms to exert their power. They can demand money from couples, put them under social or economic pressure, order a boycott against them or their family, take away any land or property they own, harass, threaten, or even kill them.¹

It is not a group of people's unexpected action or unrest that occurred in a single day; rather, it is a well-planned activity from the Jat community, which is a staunch supporter of Khap Panchayats and who has rigid views on Same Gotra marriages. The Jat community believes that sagaotra marriage should be illegal since boys and girls from the same gotra are siblings who are unable to get married.

The operation of the Khap Panchayats has gained attention during the past few years. These khap Panchayts have declared themselves to be Panchayati Raj.²

When India gained independence and enacted its constitution, we advocated and safeguarded the Panchayti Raj concept and system as a crucial component of self-government. Unfortunately, these self-proclaimed panchayats, known as Khap panchayats, have begun to assert their control in various regions of the country, particularly Haryana and Western Uttar Pradesh. The caste system is the foundation of the traditional institution known as Khap Panchayat. It mostly deals with resolving conflicts within the communities of the village. The Khap Panchayats attempt to legitimize and defend their activities by referencing some dubious historical incidents.³ Understanding the mechanism used by these self-declared Panchayats is crucial, this article wilto throw light on over all structure, function and role of Khap panchayat in Honour Killing cases in India.

Emergence of Khap Panchayat

These Khap Panchayats claim that they have a very ancient basis and origin. We must first realize that the pachyat based on caste and the panchyat raj systems are completely different. It is not the Panchayat Raj system. Panchayat denotes the selection of five members from a village. Without an election, the influential members of the village who saw themselves as the leaders of their caste or group are typically appointed Panch. Every village traditionally has a Pancayat to settle conflicts within its communities. However, the Panchayt and Khap Panchayat are completely different. The constitution does not grant the Khap Panchayats the authority to enact laws or settle disputes devoid of a foundation in law.⁴

Origin of Khap Panchayats is dictatorial and not at all democratic. There laws are not specific or certain. Their laws are unwritten. They function unconstitutionally. The decisions taken by these Khaps are based on their wishes and thoughts and not by applying any law. They consider themselves as the protectors and preservers of the morals, ethics and traditional values of their community.

The founding of Khap Panchayats was not democratic in the least. The laws lack precision and certainty. They have unwritten laws. They operate against the law. These Khaps make their decisions based on their desires and ideas rather than by following any specific laws. They see themselves as the defenders and keepers of the morality, ethics, and cultural norms of their neighborhood. The majority of Khap Panchayats believe they are a centuries-old institution with roots in the early medieval era.⁵

¹ <https://abhimanuias.com/blogs/Important-Issues-DetailedArticle/10997/Honour-Killing-Polity-Uttar-Pradesh-States->

² <https://www.mukpublications.com/resources/vol15-1-2>

³ <https://journals.sagepub.com/doi/pdf/10.1177/0257643013477250>

⁴ <http://www.ijaprr.com/download/1440420838>

⁵ <https://journals.sagepub.com/doi/pdf/10.1177/0257643013477250>

The idea of a Khap Panchayat existed in the 14th and 15th centuries, according to history. Jats were referred to be Saka people, according to certain writings. The Saka word Satrapy or Khatrapy, which denotes a region that has been settled by a particular clan, is where the word Khap also originates. They have had a strong belief in the Sagotra community since its inception. People from the same gotra used to live in the same village while others lived on the community's edges.

The unpublished "pothi" record by Pandit Kanha Ram contains some information about the history of the Khap Panchayats. However, there is no evidence to support the veracity of this Pandit Kanha Ram writings. According to this, Pothi Khap Panchayats were established to combat the brutality of medieval kings.⁶

However, there is little evidence to support when or how the term "Khap" came to be associated with a local level political and administrative organization. The Khap Panchayats are political social organizations. The senior upper caste Jat community members that join the Khap are of the Jat community. Naturally, they are part of the caste that predominates in that region.⁷

The districts of Rohtak, Jhajjar, Sonipat, Bhiwani, Karnal, Jind, Kaithal, Western Uttar Pradesh, and Eastern Rajasthan are the main locations of Khap Panchayats. Although there have been incidences of honor killing in other states as well, Khap Panchayat is most well-known in the North.

Meaning and Concept of Khap Panchayat

The word "Khap" comes from the Saka word "khatrap," which designates a region inhabited by a particular clan. The Rig Veda contains a reference of the word Khap. The history of Khap may be traced back to 600 AD, a time when people lived nomadic lives and worked as hunters and gatherers. Within the clan, a group of knowledgeable and elderly men was chosen to administer justice. Later, this tradition persisted and developed into a formal structure known as Khap Panchayat. But the Jodhpur census report from 1890–90 has the first use of this phrase. A traditional group of elders known as a "Khap Panchayat" establishes laws and settles disputes for a particular region, which often consists of one or more villages. Caste and geography are used to organize these Khaps.

It is an extra-constitutional institution that first appeared in north India in the 14th century. It's not a component of the Gram Panchayat system. States like UP, Rajasthan, and Haryana are rife with these social institutions. Khap Panchayat leadership is frequently an inherited job. A village elder may occasionally be invited to preside over the Khap meeting. Other elderly men serve as judges, or "Panches." Overall, Khap Panchayats lack: a clearly defined structure, formal membership, and an electoral principle for its constitution.⁸

Source of tenacious existence of Khap Panchayat

Khap Panchayats have been around for a while, dating back to the British era. The nation was divided up into various provinces during the British era, each of which had its own distinct set of laws. There was no centralized legal framework for the entire nation. Khap may have had some justification at the time, but considering the current context of education, individual and fundamental rights, state-directed programs, Panchayati Raj institutions, etc., it is questionable if they should have persisted even after independence. As a result, it is essential to examine the philosophical foundation of Khap Panchayat. The concept of a khap panchayat and cultural relativism are closely intertwined. Khap Panchayat-based civilizations' inhabitants think their culture is superior to all others.

They are motivated by this belief to defend and preserve their culture by their own decisions and means. Because of this, the civilizations where the Khap live accept its decisions without protest.

Since the Khap System is supported by the public's common conscience, laws or other punitive actions cannot end it. If we aim to enhance the logic and effectiveness of this dispute resolution system, the members of Khap must seek to add some fundamental moral principles that are compatible with national laws. This societal evil spreads because there isn't enough political will to end it. Therefore, it is essential to spread knowledge within the Khap society in order to

⁶ <https://www.mukpublications.com/resources/vol15-1-2>.

⁷ <https://www.anthropologyindiaforum.org/post/khap-panchayats-tentacles-of-traditional-institution>

⁸ <https://www.iasexpress.net/in-depth-khap-panchayat-in-india-functioning-pros-cons-in-depth/>

discourage the public from supporting the Khap Panchayat in order to abolish it. It is imperative to make them understand that their society lacks some essential moral principles, dispositions, and ideals.⁹

The following are a few reasons why Khap Panchayats are highly influential:

- The sensation of belonging that members of the same caste experience.
- The parties' political opportunism and vote-bank techniques to create instability; the problems and shortcomings with the legal execution of the 73rd and 74th Amendments that further contribute to the dominance of these informal social organizations that engage in illegal moral policing.
- They are strengthened and supported in their unlawful actions by the caste-based Khaps and their brotherhood.

Khap panchayats have power because rural Panchayati Raj institutions are ineffectual. Due to the state of Haryana's Jat population's staunch support for Khap Panchayats, the threat they pose is also worse there. About 29% of the people of Haryana are Jat. The government also regularly chooses to disregard the Khaps' immoral and criminal activities out of concern for losing the favor of the populace. The Khap Panchayat's power and authority so remain uninterrupted throughout the hinterland.¹⁰

Functions of Khap Panchayat

The Khap Panchayats can be dated back to the Vedic Period, as we described earlier. Initially, the Khap Panchayats worked to improve, elevate, and secure the community's way of life. Their principal responsibility was to ensure that justice was administered swiftly and fairly. The community would not have trusted these Panchayats otherwise.¹¹

The Khap Panchayat typically has 10 to 15 members. These individuals have the authority to make decisions on the lives of local youth. Based on their ancient rituals, these Khaps regulate people's lives, especially the lives of the young. Despite the fact that such unlawful entities' decisions lack any legal standing, people continue to trust them. The fact that these panchayats swiftly resolve cases is yet another reason to trust and believe in the Khap panchayats. We are all aware that the regular courts are already overworked and that they suffer sometimes prohibitive legal costs. The position and responsibilities of Khap Panchayats have evolved over time.

Due to the social boycotts and fines used to enforce Khap Panchayat's writ, the victims of their writ are frequently either killed or forced to commit suicide. All of this is carried out in the spirit of fraternity. Due to the inherent weakness of democratically elected Panchayati Raj institutions, Khap panchayats have been influential. Even the government hasn't done anything to curb their power.

Unfortunately, Khap Panchayats have recently started to impose arbitrary punishments and decisions, particularly in cases of intercaste marriages. Unfortunately, these Khap panchayats have encouraged families to kill their loved ones to preserve the honor in numerous cases of honour killing.

These Panchayats have occasionally forced members of the society to commit suicide. Many young couples suffer as a result of these poor and unconstitutional choices. Numerous instances demonstrate that if a family violates a community norm or does something that Khap Panchayat finds unacceptable, they would levy severe sanctions and force the other members of their clan to boycott that family. These Khap Panchayats in India abuse and kill several defenseless girls and boys.

When discussing certain regrettable Khap decisions in India, we must disregard a few instances where these Panchayats have resolved disputes that occasionally the courts have not accepted as their responsibility to resolve.¹²

⁹ <http://www.ijaprr.com/download/1440420838.pdf>

¹⁰ <https://knowlaw.in/index.php/2021/03/13/khap-panchayat-wits-end/>

¹¹ <https://www.azadindia.org/social-issues/khap-panchayat.html>

¹² Jat community from Haryana was asking reservation in education and government job which turned to be riot in the state and police also lost their control. Then Chief Minister Mr Bhupinder Singh Hooda solicited the Khap panchayat to intervene and settle the dispute.

Political parties and Khap Panchayats :

Political parties do not wish to ban the popular caste organisations known as khap panchayats since they have sizable voter bases. But regardless of the support political parties give them, they must be ruthlessly destroyed since they are prohibited by law.

A few examples of statements made by well-known politicians that are similar to those made by the infamous khap panchayats in north India include: Boys will be boys and will make mistakes (referring to the Delhi gang rape), an old wife loses her charm, mobile phones, and women wearing jeans are against Indian culture.

The Supreme Court slammed these so-called kangaroo courts, declaring: "If people decide to marry, they are adults and you are nobody to interfere." As a result, they will now need to use their words carefully. Although the court's opinions are great, it will take much more to convince the khaps to share them because they are secure in their political patronage. Two things form the basis for this support. One is that many politicians, including some women leaders, fiercely oppose inter-caste and inter-religious marriages.

The other is that the khaps can organize voters during elections since they have sizable vote banks under their control. The supreme court has already stated that it strongly disagrees with these khaps because it believes that they have the power to decide a person's fate when they come into contact with them. Some young couples have been evicted from their houses and even murdered under the pretense of upholding the family's honor.¹³

The major parties are in favor of the Khaps and its judgements. The Khaps also support political organizations. The vote bank is crucial to the survival of parties, and a large component of it is made up of Khaps. Because of this, they do not disrespect or oppose the Khaps. According to which parties they support, Khaps has also divided the regions under his rule into other factions. The Khaps of Bhiwani, Rohtak, Jhajjar, and Sonapat have always supported the Congress.

The Khaps in these areas supported the former C.M. Devi Lal in the 1980s. The Khaps reconsidered their decision to back Om Prakash Chautala in the 1989 assembly elections, though. The INLD continued to get backing from the Khaps of Jind and Hissar.

There has been one unique Khaps practice reported. The candidate put out by Khap leaders always finishes last in elections, despite having the support of both the general population and political parties. But if they support any of the political parties' candidates, he will undoubtedly win. This demonstrates the absence of coordination within Khap Panchayat. Additionally, the Khap Panchayats compete with one another. While Khap may tolerate political parties in power, it cannot tolerate one Khap Panchayat in authority of another. Everything is infused with the "Power Game of Chaudhar" (dominance). Khaps are able to agree on social and political issues because of their close coordination, but as far as dominance is concerned, Khaps have chosen to remain independent of one another.¹⁴

Khap Panchayats and Honour Killings in India

The Theory of the Honor Killing There is no official definition of "honour killing" anywhere. However, once the concept is understood, honor killing is understood to be any murder that is carried out by a member of the victim's family or by another member of the same caste or social class, with the khap panchayats enforcing the death penalty. The justification is that the perpetrators have dishonored or embarrassed the family, caste, or class. The word "dishonour" or "shame" has a broad definition. It involves a variety of behaviors, including: wearing or clothing in a way that is not acceptable to society; refusing to engage into an arranged marriage or expressing a desire to wed someone of one's own choosing; and engaging in sexual activity with either the same sex or the opposite sex.¹⁵ Simply said, the shift in thoughts brought about by old beliefs and modern thinking is what leads to honor killing.

The institution known as khap panchayats is one that the panchayats and its members believe to be in their constituents' best interests. However, in practice, khap panchayats is an institution that is challenged by the judges, public, and khap panchayat constituents. The khaps' goal in this situation is to uphold the honor of their people, and they do so by issuing a number of execution orders. Other than khaps, every institution and society expresses widespread condemnation of these

¹³ <https://www.hindustantimes.com/editorials/why-political-parties-are-reluctant-to-ban-khap-panchayats/story-QRTcp7SxNtUpHW8dhqZabN.html>

¹⁴ <http://ignited.in/l/a/304744>

¹⁵ Vipin Kumar Singhal, Honour Killing in India: An Assessment.

executions. Ihering contends that the interests of the khaps must be sacrificed in order to advance the interests of the general public and the welfare of society, and that this additional constitutional institution must be abolished.¹⁶

Due to their seniority and authority over the upper caste, Khap Panchayats believed themselves to be the rulers and more knowledgeable members of humanity to decide on instances involving intercaste marriages, kinfolk, and other issues. They acknowledge the violation of caste-related social taboos and other occurrences of a same nature.

In India, the idea of an honor killing is not new. It is a type of old-fashioned crime. It is a murder committed in order to preserve one's honor. To preserve the family's reputation, a person's life is taken. In India, honour killings occur for a variety of causes, including inter-caste marriage, pregnancy before marriage, divorce, and others. It is unfortunate that these Khap Panchayat currently condone and promote honor killing. To preserve the family's honor in the community, members of this family either kill or coerce the other member to commit suicide.

Khap Panchayats are collective patriarchal organizations that serve as extrajudicial authorities and have sway over local politics. In the northern states of India, there has existed a system of social structure and administration known as the Khap.¹⁷

The Khaps decision was declared unlawful and unconstitutional by the Supreme Court. However, the Khap Panchayats continue to exist and are also well-liked.¹⁸ The Supreme Court has absolutely forbidden the Khap Panchayats because they discriminate against the community's younger generation by taking illegal actions.¹⁹ 2015 was a terrible year for honor killing incidents in India. In India, there were 251 reported occurrences of honour killings in 2015, a frightening number.²⁰

It is distressing to note that women make up the vast majority of honor killing victims in India. Living in a culture where their human rights are not only not protected, but also where they are not considered to be full members of society, presents significant difficulties for women. It is difficult to understand why women in a country like India, which boasts the greatest democracy in the world, are victims of horrible crimes like honour killings. Khap Panchayats have long promoted this terrible crime. Despite being considered manslaughter in Indian courts, the crime of an honor killing is regrettably not covered by a particular IPC provision.

The judiciary's role has long been replaced by khap panchayat. They act in this way because they think families and people are taken advantage of during court proceedings and police investigations. In khap panchayat, people think that because everyone knows everyone other and is aware of the situation, they can make informal decisions on their own. In this manner, they can prevent the abuse of the legal system. Additionally, it is simpler to determine the authenticity of the evidence because it may be double-checked by neighbors. In the state of Haryana and other nearby areas, khap panchayats have consistently targeted women and in some cases intimidated, assaulted, and killed girls through judgments. In these situations, the victims' families typically have no objections to giving the victims pesticide pills and then disposing of their bodies by setting them afire without filing a police report. This is because girls are solely responsible for maintaining the honor of the khap or hamlet. It is clear that the regulations are more lenient for guys, and they are frequently spared from harsh penalties, but girls are rarely given any exceptions. If a couple elopes, the family may suffer abuse, be subjected to large fines, and in certain instances, the other women in the family may also experience violence and abuse.²¹

¹⁶ DR. S.N. DHYANI, FUNDAMENTALS OF JURISPRUDENCE, 3rd Ed. Reprint, p. 92, Central Law Agency, Allahabad. (2011).
23 Ibid. pp. 313-315. Published in Articles section of www.manupatra.com Bharati Law Review, Jan. – Mar., 2016 249

¹⁷ Pradhan, M.C., 1965: "The Jats of Northern India Their Traditional Political System I", The Economic Weekly, Vol.17, Issue- No.50, (Dec 11), pp; 18214824

¹⁸ <https://medcraveonline.com/SIJ/honour-killing-a-socio-legal-analysis-with-special-reference-to-district-srinagar-of-jamprk.html>

¹⁹ (2011) 6 SCC 405 Arumugam Servai vs. State of Tamil Nadu

²⁰ <https://iasexamportal.com/current-affairs/khap-panchayat-and-honor-killing>

²¹ <https://blog.ipleaders.in/khap-panchayat-informal-justice-vs-formal-justice/>

Judicial approach towards honour killings in India.

Supreme court in PIL which was filed by an NGO called **Shakti Vahini** filed a PIL to stop honor crimes. According to the Supreme Court, adults have every right to marry the person they want, and no Khap panchayat has the power to impose its whims and preferences on anybody else. The court's three-judge panel, made up of Justices Dipak Mishra, AM Khanwilkar, and DY Chandrachud, declared that anyone can be married, regardless of caste or religion, and that the approval of one's family and community is not required.

In *Lakshmi Kachhwaha v. State of Rajasthan*,²² the court determined in response to a PIL that caste panchayats and maha-panchayats lack the authority to order social boycotts or expulsions since such actions violate the fundamental rights protected by the Indian Constitution.

The court chastised the role performed by the police and bureaucracy in *Sujit Kumar v. State of Uttar Pradesh*²³ for failing to stop the atrocities and violence done by the khap panchayats in the name of customs and honor.

*Bhagwan Das v. State NCT of Delhi*²⁴

In this case, the appellant was very annoyed with his daughter, who had left her husband Raju and was living in an incestuous relationship with her uncle, Srinivas. This angry the appellant as he thought this conduct of his daughter Seema had defiled his family, and hence he strangled her with an electric wire. The court punished the appellant and this judgment was upheld by the High Court also.

The court determined in *Armugam Servai v. State of Tamil Nadu*²⁵ that the khap panchayat's involvement in the honor killing of boys and girls who marry outside of caste or in an interreligious union is very dubious and abhorrent. The judgment spelled quite clearly that these khaps' extrajudicial verdicts are completely unlawful and brutal.

*Murder of Manoj-Babli, 2007*²⁶

This case has significant historical significance for khap panchayats. In this instance, various courts took notice of the honour killing of Manoj and Babi, a newlywed couple. The accused in the case of the honour killing was found guilty by the court. The Karoara village khap panchayat in Haryana, as usual, gave the order to kill. The khap thought the pair to be siblings because they both belonged to the Banwala gotra even though they were of legal age to marry and their union was acceptable under all applicable rules. Despite being aware that getting married might result in khap sanctions, the pair went ahead and got hitched. Later, their family kidnapped and slaughtered them.

242nd report of law commission

In reference to the scope of the issue and the requirement for a distinct statute, the court requested the statute Commission's report, which contains the following information:

"The evil practise of Khap Panchayats and the like taking the law into their own hands and declaring that Sagotra and inter-caste marriages are invalid and improper, handing down punishment to the couple, and pressuring the family members to carry out their verdict by any means amounts to a flagrant violation of the rule of law and an infringement on the personal liberty of the persons affected."²⁷

Supreme Court has opined that, "It is important to note that the action taken and judgement rendered by the Khap Panchayats do not exclusively involve acts of honour killing. Although grave, it is not the only one. It is an example of an honour crime. Honour killing, while a dangerous subset of honour crime, is the species, and it must be understood as such. However, it can be said without fear of contradiction that any form of torture, torment, or ill-treatment carried out in the name of honour by any assembly, regardless of the nomenclature it uses, is unlawful and cannot be tolerated. This includes treatment that amounts to a person's ability to make choices about their sexuality and marriage.

Supreme Court while delivering judgements on honourkilling gave guidelines to eradicate this evil practice from society.

²²(2018) 7 SCC 192

²³ Wp No. - 19345 of 2019

²⁴ (2011) 6 SCC 396

²⁵ (2011) AIR SCW 2863.

²⁶ Smt. Chandrapati vs State Of Haryana And Others on 27 May, 2011

²⁷ <https://thelawmatics.in/the-supreme-courts-view-on-khap-panchayats/>

Conclusion

A crucial part in sustaining social harmony and order throughout history has been played by the institution known as the khap panchayat. The emergence of the khap panchayat as a social organisation in charge of the governance and security of all the villages within its jurisdiction. As an administrative entity, there were some standards and laws that were established. Because not all rules could be made into laws in the contemporary period, the khap panchayats continue to rule using standards that may or may not be enforceable by law. The most widespread belief in a khap is that because all people in a village or gotra have the same lineage, they are all siblings and cannot enter into a married relationship. These marriage-related offences have frequently resulted in death judgements from the khap panchayats in the past; this practise is known as "honour killing."

The Indian judiciary has frequently displayed its judicial activism by denouncing these behaviours and ordering the appropriate authority to take notice of them. It is recommended that in addition to amending current laws as needed, new legislation may also need to be passed in order to address the existence and barbarous actions of these panchayats. The barbarous nature of this institution is attempted to be demonstrated through the use of a number of case studies.

Despite the existence of a State administrative body and judicial system, khap panchayat is still able to win support from the general public. Khap panchayats are non-political organisations that rely on other political parties for votes and support, hence they are rarely opposed. Therefore, if the public's support for the khap panchayat could be turned against them, we may discover a long-lasting solution to this issue. The violent and aggressive practise of Khap must be abolished, and the public must be made aware of their rights, as doing so in the name of honour and tradition amounts to nothing more than a violation of that person's basic human rights. It is time to put an end to these pervasive misconducts. Honour killings are a breach of several fundamental rights, including the right to equality (Article 14), the right to life and liberty (Article 21), and others.

The criminal justice system must now forbid these humiliating behaviours, and the government must pass laws on such a vital issue as Khap. India has a responsibility to start a system to deal with this problem as a signatory to the Universal Declaration of Human Rights, the ICCPR, and other treaty obligations. Strict legislative restrictions alone, however, are insufficient.

This problem is a result of a long-standing civilisation with an aristocratic and authoritarian structure that can do whatever it wants to preserve its customs and culture. In order to prevent these illegal behaviours, it is important to change people's thoughts today as well as to let go of archaic customs. Due to a lack of adaptation in approach, the leadership of Khap may consist of ignorant senior members of the Khap community.

By teaching them and improving their awareness of current and past legislation, it is feasible to force them to operate in line with the law. At the national level, women's participation should be promoted, and before the Khap Panchayat reaches a decision, everyone should be given a fair hearing. This might help a lot in bringing about social changes in rural areas.