



A STUDY ON CO- EXISTENCE OF PRI (LOCAL SELF GOVERNMENT) AND 'SHALISHI SABHA' (TRADITIONAL VILLAGE ADMINISTRATION), SAGAR BLOCK, SOUTH 24 PARAGANAS DISTRICT, WEST BENGAL

Amitava Dutta* Aritri Pal**

**Assistant Professor, Integrated Rural Development Faculty Center, Ramakrishna Mission Vivekananda University, Narendrapur*

M.Sc. Student, Integrated Rural Development Faculty Center, Ramakrishna Mission Vivekananda University, Narendrapur.

Abstract

The present study was conducted at Sagar Island, Sunderbans deltaic region of West Bengal with the objective of identifying the reasons for co-existence of PRI and Shalishi Sabha- the traditional village administration, with respect to access, acceptance and importance of it.

The present investigators mostly adopted participatory research methods for unfolding the realities through active participations, involvement and sharing of views of the rural folks. Interestingly it was found that the villagers liked to depend more on Shalishi Sabha with compared to PRI. It was found that in spite of being an arbitrary and mock institution, Shalishi Sabha has done a lot of welfare activities in the village. At the end the researchers became confused about the continuation of such institution as they perceived that Shalishi Sabha was considered to be malevolent village administration. More academic input like research work or scientific investigation is required for finding out the impact of such institutions, in the lives of the rural mass and to provide support on behalf of the government for its continuation.

Keywords-Panchayati Raj Institution, Shalishi Sabha, Village Administration.

Introduction

The Panchayat Raj is a South Asian political system mainly in India, Pakistan, and Nepal. It is actually the oldest system of local government in the Indian subcontinent. The word "Panchayat" literally means "assembly" (ayat) of five (panch) wise and respected elders chosen and accepted by the local community.

Traditionally, these assemblies settled disputes between individuals and villages, and have other discretionary and obligatory duties. Modern Indian Government has decentralized several administrative functions to the local level, empowering elected gram Panchayats. Gram Panchayats are not to be confused with the unelected caste Panchayats found in some parts of India.

Whereas, Khap Panchayats are mostly quasi-judicial & political in nature and are generally being used as a tool to consolidate the power in region. It is because of their powerful political stronghold that they overrule, with impunity, the constitutionally mandated administration of equality in favour of women, poor, powerless, by using extra constitutional, oppressive methods of punishment.

History of Khap Panchayat says, ancient society had organized itself into clans or under Panchayat system. A clan at that time was based on one large gotra or a number of closely related gotras. Decisions relating to the activities of these social groups were made under the aegis and with the consensus of a Council of five elected members. In time of danger, outside invasion, or other kinds of crises, the whole clan rallied under the banner of the Panchayat and a leader would be chosen by the Assembly. A number of villages grouped themselves into a Guhaand. A number of Guhaands formed a 'Khap' (covering an area equal to from a Tehsil to a District) and a number of Khaps formed a 'SarvaKhap' embracing a full province or state.

Reasons for Dominance of Khaps and Kangaroo Courts are many like, weakness of the elected Panchayati Raj Institutions, political failure, judicial delays and distrust of system, socio economic factors.

Panchayati raj Institutions have been the backbone of rural development from its history that plays an important role for the economic development as well as social transformation. But malfunctioning of this system leads to emergence of kangaroo court in villages in the areas which ripped the fruit of modernization and access to various educational institutions health center and modernized roads, there still exist a gulf between the modernization and the mind of people like the kangaroo court believe.

Rationale

In Recent days a lot of news came on television or in newspaper regarding the verdicts of *Shalishi Sabha* against the offenders who were accused by the villagers in different parts of rural India. In most of the cases, general people perceived



the idea that the existence of such *Shalishi Sabha* hardly goes for welfare to villagers rather it always acted as a people's machinery which always dealt with social boycott, physical punishment, social humiliation and psychological torture against poor, depressed and under privileged class of society. The present researchers were interested to understand the reason for existence of such traditional institute which hardly has any positive impact in society. Here lies the importance of conducting an exploratory research work for unfolding the realities and reasons behind the existence of such institutions along with PRI by the so called rich and powerful higher caste people.

Objectives of the Study

This paper has the following objectives,

- To know about the activities of *Shalishi Sabha*.
- To trace out the reason for existence of *Shalishi Sabha*.
- To judge whether it is favouring development or against development?
- To trace out the gap between *Shalishi Sabha* and PRI in relation to their access, acceptance, importance and affectivity. And finally in broader aspect;
- To suggest some meaningful measures for either continuation or discontinuation of *Shalishi Sabha*

Literature Review

Local Self-Government

(Manoj Rai)-The literal meaning of self-governance is governing oneself rather than being governed by others. Local self-governance thus connotes a process of collective discussions, collaborative learning and collaborative actions by the local community and its leadership on the basis of their collective knowledge. Here, citizens are not just subjects but also the actors and the decision-makers.

ShalishiAdalat

DFID Briefing (2004) has defined the '*Salishi*' as a means of dealing with disputes within the community and generally take the form of public event in which civil disputes are resolved through arbitration and/or mediation, by people with some standing in the community.

Mahmud (1987) - mentioned that the '*Salishi*' is a lingering legacy of the fast disappearing feudal system.

A study of **UNDP (2002)** - pressed the view that about two- thirds of disputes do not enter the formal court process; instead, they are either settled at the local level, through informal settlement by local leaders or a village court or remain unsettled.

Research Design

Locale of the Study-West Bengal is one of the 28 states where the Panchayati Raj Institution has been the role model. The three-tier PRI structure has set an example of perfect decentralization. Still it is heard that dominance of *Shalishi Sabha* still exists in the state.

Selection of district-Among the 19 districts of West Bengal, the South 24 Paraganas district was selected purposively. The reason behind selection of this district is due to its social vulnerability of the place.

Selections of Block- There are 32 blocks in the South 24 Paraganas district. Out of these 32 blocks, present researcher selected the isolated block in Sundarban delta, Sagar because it was one of the developing blocks of West Bengal. Moreover, the present researcher came to know about this place during field study where researcher observed the presence of traditional village administration in this place along with the presence of PRI.

Selection of Villages-From 49 villages of Sagar block 2 villages have been chosen, Beguakhali, Mahisamari. These two villages are chosen as one village (Beguakhali) is near the state highway and still experienced some development in past but the other one (Mahisamai) is located at the remotest part of the Island. This village is fated by calamities and fear of waterlogging almost every year.

Nature of the Study-The present study is an explorative, participatory and descriptive one. The methods of data collection are both quantitative and qualitative in nature and are aimed at seeking certain research questions which will be deduced from various studies, researches and during field study.

Sampling Design-The study was undertaken with the *ShalishiSabha* present in the villages. The sample included council members of *Shalishi Sabha* and the villagers. Besides, other Government Officials & bearers, SHG members and others (van puller, opinion leader and other influential personalities etc.) have also been included in the study.

Sampling Frame-2 Gram Panchayat of Sagar Block- elected representatives of PRI, village council members, villagers, NGO worker, Police officers, others.



Sampling Size

Table 1. Table Showing the Sample Size

	No. of Sample
PRI members	2
Representatives from Shalishi	10
Villagers	25
Police officer	2
NGO worker	1
SHG members	15
Others	8

Total Sample size: n = 64

Data Collection- Data was collected by the method of observation, personal interview, case study, participatory rural appraisal, focus group discussion, non-participant observation.

Data Analysis

The present study involves both quantitative as well as qualitative analysis Data collected from the respondents were put on complex tables.

Findings and Analysis

Several participatory methods were followed to collect information from the villages. The results are discussed below:-

Participatory Rural Appraisal(PRA)

It is participatory research methods (R.Chambers is responsible for its genesis), which is widely used by the researchers to evoke meaningful and pertinent in-depth information from the rural community members within a culturally acceptable context. It has got varied number of tools viz. problem tree, seasonality diagram, timeline and its significance is contingent on the context of the study.

Several PRA tools were used to gather information about the *Shalishisabhaits* access, acceptance and importance to the villagers of Sagar Island. Following are the results drawn from the tools.

TIME-LINE- This tool shows the trend of the problem from past years to present. Where, the history of the problem is also highlighted. This is totally done by the villagers with their best knowledge.

Tool Used	Date	Place	Participants	Male	Female
Timeline	12.05.2015	Youth Corner, Beguakhali	6-Beguakhali, 4- Mahisamari	7	3



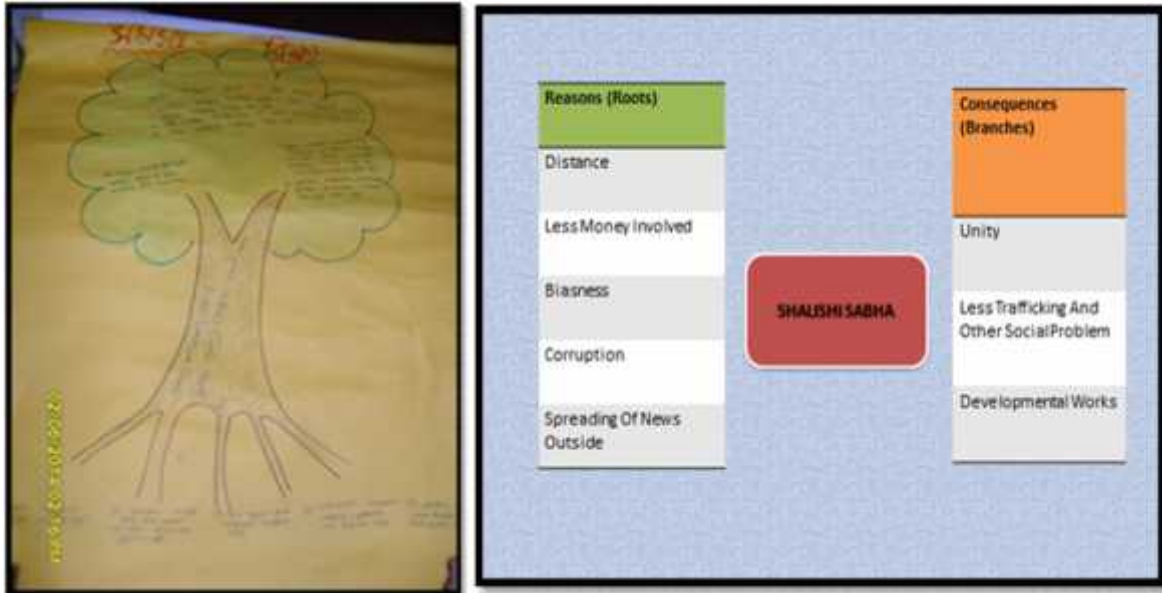
Time	Trend	Reasons
1960	People migrated	People from Midnapore
1970	Local leaders were made	No PRI system
1980	Development of shalishi	Faith and Believe on shalishi
1990	Strong shalishi parallel to PRI	Faith and Believe on shalishi
2000	Power of shalishi reducing	Believe on PRI
present	People giving parallel importance to both	More concern for own benefits



From these PRA tool, we came to know about the history this village administration. These gave us a clear picture of its genesis and where it is standing now at the present time. Here the result depicts that it started long back in 1970s and continuing till present, but not much active now a days.

Problem Tree -These tools are used for finding the causes and consequences of a problem.

Tool Used	Date	Place	Participants	Male	Female
Problem Tree	12.05.2015	Youth Corner, Beguakhali	6-Beguakhali, 4- Mahisamari	7	3



By the use of this problem tree the researchers have found out *Shalishi Sabha* to be a very important institution in the village. The reasons for its existence are mentioned in the roots, and the outcomes as well as the consequences are mentioned in its branches.

Seasonality Diagram - These tools shows occurrence of a particular event or occasion during different seasons throughout the year long. It also helps the scholars to gather other relevant information from the villagers. The seasons are classified by the villagers and they have suggested various events during different seasons

Tool Used	Date	Place	Participants	Male	Female
Seasonality Diagram	13.05.2015	ManasaMandir, Mahisamari	5-Beguakhali, 5- Mahisamari	6	4





It have been found from these diagram that there are 6 prominent seasons in these Island, but based on the festive and cropping season ,*ShalishiSabhas* are conducted, as these event are directly linked with the availability if the villagers in the village.

Social Mobility Map- This map depicts the important institutions along with their distance from a particular point. These can give us the clear idea about people's dependency on a particular institution.

Tool Used	Date	Place	Participants	Male	Female
Social Mobility Map	13.05.2015	ManasaMandir, Mahisamari	5-Beguakhali, 5- Mahisamari	6	4



Institution	Distance (Km)
Youth Corner	0
Shalishi	0.25
Hospital	3.5
Mandir	3
School	1
Bank	0.75
Post Office	1.5
Panchayat	4
Police Station	10

This diagram is based on the connectivity of the important institutions of the village from a important point in the village of Beguakhali. The centre point is the Youth corner. This is a very important part in the village for the villager.

Now the findings from different methods of data collections are culminated together to form a graphs to show the important findings graphically. The graphs are based on mainly the findings derived from PRA, Focus Group Discussions, Non participant Observation, case studies etc.

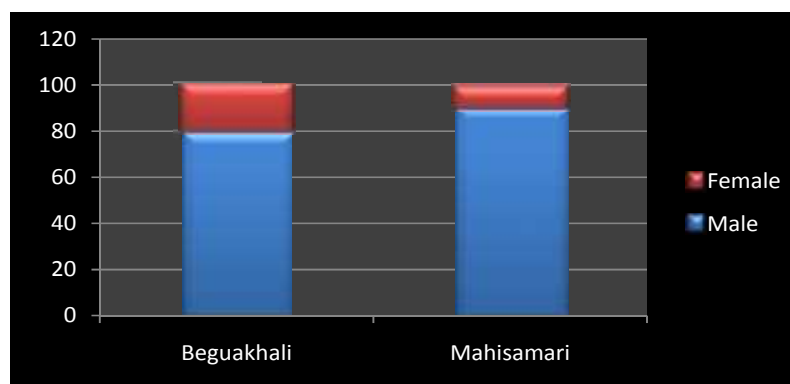
General Profile

Village a –Beguakhali

Village a – Mahisamari

1. Existence Of The *Shalishi Sabha* in Village(Objective)

Figure 1.Bar diagram showing the participation of the villagers in the *Shalishi Sabha*, according to their gender

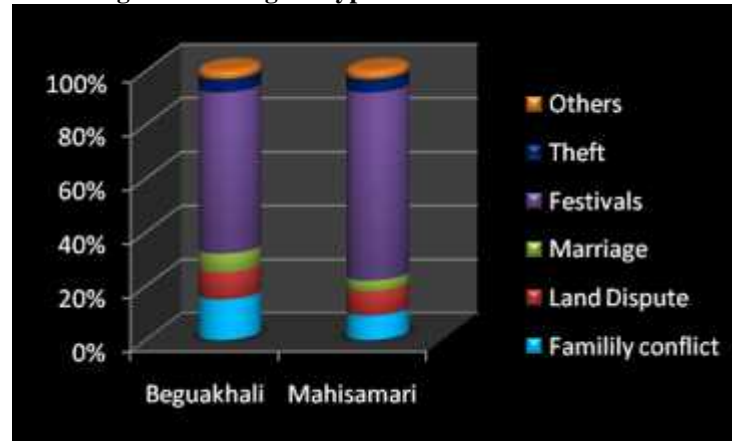


Analysis- The figure shows a comparative analysis of male and female participating in *Shalishi Sabha*. In village a 80% participation is seen from male whereas only 20% Female participate in *Shalishi*. Whereas female participation is poorer in village b, i.e. only 10% female participate and rest 90% males participate.



From the finding it is clear that females are less participating in *Shalishi* and dominance of male is seen in respect to participation in *Shalishi*. Generally female are not allowed in the *Shalishi* meeting. Only if some problems are related to them, they are allowed to participate, that too for a very short time.

Figure 1.2.Column diagram showing the types of cases discussed and solved by the *Shalishi*

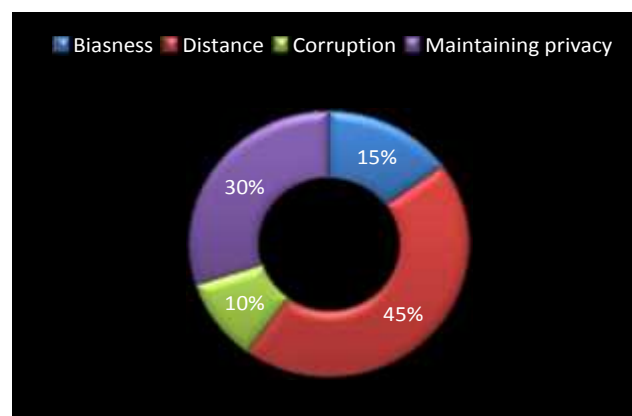


Analysis-The figure shows a comparative diagram in which both *village a* and *village b* shows almost same result. In *village a* family conflict cases are 15%(in blue), land related disputes are 10%(in red), marriage related *Shalishi* are about 7%(in green), 60% of the *Shalishi* are regarding organising festivals (in violet), and rest 5% are theft and 3% others i.e. in deep blue and orange respectively. The trend is same in *village b* but the major difference is found in organising festivals which is much more in *village b*.

This shows that people of *village b* have more discussions on festivals, whereas family conflict is much less there in *Salishi*. Another striking finding shows that discussion of marriage related issues are relatively less in this village. This leads to marriage in wrong places. As a result more vulnerable girls are trafficked from this area to other states, as there is a trend that the girls of this village are trafficked in name of servile marriage.

2. The Reasons For Existence Of *Shalishi Sabha*(Objective)

Dough-nut diagram showing the reasons of existence of *Shalishi*



Analysis-The figure shows a doughnut diagram where reasons of existence of *Shalishi Sabha* are picturised. There are certain reasons like biasness in PRI and other Governmental bodies, distance from the village to the important institutions, corruptions in the organisation and other reasons like that of maintaining the privacy and security of the cases wanted by the villagers.

People of both the villages have a major problem of distance and maintaining privacy & secrecy (do not want the personal matters to be disclosed to others) which represents 47% and 32% respectively in the figure.



3. Whether the *Salishi Sabha* is benevolent or malevolent?(Objective)

Pie-diagram showing the use of money in different ways, derived from penalties paid at the *Shalishi Sabha*



Analysis-From the figure it is observed that the penalties derived are used in different ways like building religious institution, construction of road, celebrating festivals etc. Spending the money of *Shalishi* (29%) on building mandirs, 23 % on celebrating festivals, 22% of the money is spend on road construction, 16% on helping the needy and rest 10% for other works.

It depicts that that the place is very religious and most of the money is spend in construction of religious institutions as well as organising festivals. The developmental works which are done are related to all religious purposes. As such developmental works are done less in these two villages. Some tube wells have been dug and some roads are reconstructed but maximum cash is spending in religious rituals.

Case Study Case 1

Name- *Swapna Das* (name changed)

Age- 30 years

She was resident of Beguakhali village, who have been socially boycotted by the *Shalishi Sabha* members 3 years back. Her fault was that she was the younger wife (second) of Mr. Kanchan Das (name changed). Her husband was 50 years old and had sons and daughters elder than her. The elder wife (first) along with her paternal family members complained against her that, she forcibly married her husband. This was not the case at all. Her husband paid her (*Swapna*) parents and married her when she was 16 years old. Every day her husband used to beat her and practised marital rape with her. She was helpless. She approached the *Shalishi Sabha* for justice. But Sabha went against her, as her husband was an influential person of the village. Ultimately the verdict was passed in the *adalat* of *Shalishi*, the Sabha members socially boycotted her and sent her out of the village. Now she is living alone, away from her family as well as her own children. She was deserted and faces various social problems in her life.

Case 2

Name- *Minati Dolui*

Daughter's Name- (*Malena Dolui*) *Das*

Age- 40 years

Daughter of *Minati Dolui* was almost to be trafficked as a victim of servile marriage. But due to the intervention of the village *Shalishi* member the trafficking was stopped. *Minati* was a poor lady, and she did not have enough amount of money to give dowry and marry her daughter. A marriage proposal came for her daughter from Rajasthan and wanted to marry her daughter. The groom's family was eager to give bride price to marry her daughter. She was clever enough at that time to go the *Shalishi* to seek help whether to finalise the deal or not. Than the *Shalishi* resumed and decision was given that, the groom was not reliable and marriage should not be given. *Minati* listen to the words of the members and was saved from the trap of the trafficking. Later it was heard that the same groom married another girl from the next village and now the girl could not be traced now after 2 year of their marriage.

Overall Findings

Fig 3(a) The figure shows the basic differences pointed out by the villagers in respect to their opinion about malevolent and benevolent nature of *Shalishi Sabha*.



Against the development	Favouring the development
<ul style="list-style-type: none">Penalties depend on the crime and its impact of it on the victimsNo definite code of law is followedNo record of the name of the victims, convicts and penal proceduresGenerally the judgements are done in terms of monetary penalties, social boycotting and even physical punishmentsAll villagers are obliged to attend the Shalishi Sabha	<ul style="list-style-type: none">The money paid as penalties are used for digging wells, constructing road, development of schools and even for helping needy poor in the villageA greater amount of money is spend for religious purposeHelps to settle petty matters without complicating the caseSettlement of every interpersonal disputes are done within a short span of timeNo question of political favours and every one can opt for justice

Fig 4 (a) These are the basic point of difference, pointed out by the villagers in respect to PRI and *Shalishi Sabha*.

Difference in PRI and Shalishi Adalat		
	PRI	Shalishi Adalat
Tenure	5years	Generally 3 years
Choosing of representative	Election, 1/3 rd reservation for female	Selection on the basis of caste, power, prestige. Females not allowed
Status	Government's body	No governmental recognition
Legal status	Have legal powers	No legal power
Democratic / Autocratic	So called Democratic (Political Biasness)	Mixed
Money involved	No (But in form of bribes)	Yes, as a prayee and also some time in term of penalties
Politics	Members elected as representatives of political parties	Not as such political interference
Infrastructure	Structured infrastructural facilities	No such facilities
Welfare	Development at a large	Only para (community) level development

*** The findings are based on Participatory Rural Appraisal and Focus Group Discussions

Summary and Suggestion

Implications

Shalishi Sabha have been the backbone of villages of this Sagar Island. People had a belief on such institution from past. This type of arbitrary practice has led to certain conclusions. After studying the presence of *shalishi* and its effect on people it can be said that, prevalence of *Shalishi Sabha* is found in all most all the villages of the Island, but the dominance is observed in the remote villages which are situated nearby the coastal side. *Shalishi Sabharuns* parallel to the existing PRI. The system is well established and known by Government officials and people have believed in both the system. The fact is well known to all, but still the system runs in secrecy. The members are selected in these Sabha, sometimes it is done by consensus of thought and sometimes hierarchical in nature. The people with more power, prestige and influence are selected as the members of the Sabha. Generally people from rich economic status are preferred. Only males become the member. The Sabha have three permanent posts (Sampadak, Sabhapati, Dakua), which have selected member for a tenure of three year.

Another striking finding leads that people who are educated believes less in the *Shalishi Sabha* whereas people those who are less educated have more faith in it. A *Shalishi Sabha* encompasses maximum of 50 household in a village, more than 1 Sabha can be there in a single village. The sabha resolves disputes related to family conflict, land issues, petty theft etc. *Shalishi* also discusses on celebration of different festivals and also act as a guardian for permitting marriages taking place in village.



It is conducted in an open space in the village like in any common mandir or under big trees or even in the premises of the Morol's house. Panchayat Office is situated at a distance where as *Shalishi Sabha* settles the matter at villager's own premises. People also don't prefer Panchayat due to political favourism and time taking activity. Moreover going to Govt. offices means more harassment, moreover personal matter gets disclosed to masses.

Generally the judgements are done in terms of monetary penalties, social boycotting and even physical punishments. Sometimes settlements are done by mutual adjustment also. It helps to settle petty matters without complicating the case. The money paid as penalties are used for digging wells, constructing road, development of schools and even for helping needy poor in the village. Penalties depend on the crime and its impact of it on the victims. No definite code of law is followed. No record of the name of the victims, convicts and penal procedures is maintained. A greater amount of money is spend for religious purpose. Settlements of every interpersonal dispute are done within a short span of time. No question of political favours and every one can opt for justice.

Conclusion

The researchers felt very surprised that both the institutions are running parallel. It was also observed that same people sometimes believed in PRI and same times on *shalishi* depending on the need. As both the institutions are simultaneously, it is very difficult to trace out the importance of one. So the researchers are really in dilemma, whether to support the presence of *Shalishi Sabha* or to suggest measure to abolish this system and promote PRI instead. These came to their mind because some people were in favour of the PRI as they said they were deprived of justice. Whereas a quite large number of people said that they were not getting proper support from the PRI for the political biasness and nepotism. The pictures came out in such a way that it is sometimes beneficial for the people but sometimes harmful too. No specific code of conduct is maintained and no proper guidelines are maintained in giving punishment.

Recommendations

At the end, the researchers were happy to investigate about a social issue (*Shalishi Sabha*) which is very much relevant in present time. However they have experienced the coexistence of PRI (Government body) along with presence of *Shalishi Sabhai*.e. The people's body which is running without having any legal status and constitutional recognition. This issue can be said as '*Society in Transition*'.

Surprisingly it was found that the access, acceptance and importance of such courts are still very high where without any definite rules and regulations on guidelines the people pray for the justice and the accused are punished.

It is difficult to understand the contribution of such institution in the modern civilised society and it is also very difficult to ignore the existence of search agencies the so called domination of the higher class people and subordination of lower class people is clearly seen by this institutions. Unfortunately the researchers gathered the information that either the people were compelled to obey the order or voluntarily join these organisations to mitigate their problems.

The researchers want to give a message to the civilized society for expressing their views after understanding the realities and outcome of institutions. They are eagerly requesting the Government to interment in such issues either through extensive research work or social work practices to find out the need and importance of this is institution and then decide to the destiny of such institutions.

The researchers are very much eager for strong and meaningful intervention of Government. Where the government or the civilized society will decide whether to continue such institution or to stop its function. Again she requests the authority to take the decision very carefully so that the sentiments, emotions and welfare of the people will be prioritised.

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