



# The Goba of Ladakh

*Current Relevance of a Traditional Governance System*

Kalpavriksh, Snow Leopard Conservancy – India Trust,  
Nature Conservation Foundation, Local Futures and Ladakh  
Arts and Media Organisation

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## Foreword



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### Forward

It is heartening that Kalpavriksh has undertaken a case study on the “Goba” system in Ladakh as a part of the Project-“Alternative Practices and Vision in India” to understand the system’s resilience in addressing issues and its relevance to the modern system of governance, through systematic documentation. The governance system during the reigns of Ladakhi rGyalpos (Kings) was hugely dependent on the village headman and the system continued to play its role even after Ladakh fell to the Dogra rule around the middle of the 19<sup>th</sup> century. However, in earlier times, the heads of the villages were known as “Mi-dpon” (human-leader) or even “Dong-dpon” (village-leader).


The Goba designation seems to be a later development. This position is not hereditary but genuinely selected through voice vote in village gatherings or even through a roster appointment amongst families. The system proved so effective that no village and villager violated the decisions of the Goba. The system resides in the psyche of an average Ladakhi. Even now, the Goba is a very formidable link between the government and the governed. The relevance and the vitality of the Goba system has grown even more resplendent through trials and triumphs of its history.

The present case study throws sufficient light on the multifarious roles that the Goba played in the past and continues to play in the present. The case study has sought to document a system for posterity. its functioning is altogether a knowledge bank to share with outsiders for improvement of the modern doctrines on public administration. Our villages are, now, governed by the laws of the land but the customary rules and social regulations can only be implemented under the Goba system of governance. The Gobas are the custodians of these social

traditions which are so essential to the smooth functioning of the village systems. The Rarez, Ba-rez, Chu-dpon, Lora and many other traditional village duties, for efficient use of communal assets, are fundamental to the governance under Goba system.

The present case study, however, covers a limited area. Being vast, many Ladakhi areas bring into use a variant of the system and hence we can assume that the study leaves space for further research on the entire gamut of a traditional system of governance. The role of a Goba in Koyul, on the border with Tibet, can hugely vary from that of a Goba in the Aryan belt of Ladakh. The role of a Goba on the silk route in Nubra was a shade different from a Goba in Zaskar without differing in the essence of their roles. The study fills a vital gape in providing young Ladakhis and outsiders a consolidated summary of how the system worked efficiently in Ladakh, to the well-being and benefit of its people. It gives an insight of what modern day thinkers can learn from this wonderful land to innovate and improve their own modern systems of democratic governance.

It is my hope and belief that this case study would lead to a deeper understanding of a facet of our intangible heritage/knowledge asset and would inspire others, especially youngsters from my own land, to go to further depths through credible research. The Ladakh Buddhist Association, has been striving hard to have a separate department for Ladakhi language, Culture and Ladakh studies, set up, under Ladakh University so that the huge knowledge system of Ladakh and its intellectual property is further shared by the world.

  
Thupstan Chhewang

## **Glossary**

*Amchi*- practitioner of Tibetan medicine

*Begar*- tax in the form of labour

*Bhunglut*- procedure of transferring livestock and human manure from pens and toilets to the fields using donkeys and horses

*Chhi*- outside

*Chorten*- stupa (Buddhist monument)

*Chu*- water

*Churpon*- water manager at village level

*Do*- lower

*Dral*- sitting arrangement

*Garba/Gara*- blacksmith

*Gharjamai*- son-in-law who comes and stays with wife's family (*magpa*)

*Gram panchayat*- village council

*Gram sabha* - village assembly

*Goba*- headman

*Gompa/gonpa*- monastery

*Gonrdak*- monastery in-charge

*Gyalpo*- king

*Halqa panchayat*- village level council

*Kardar*- a person in-charge of an office

*Khangba*- main household of older brother

*Khangu/khangbu*- smaller household of younger sibling

*Kutwal / kutiyal*- messenger

*Lama*- monk

*Lambardar*- a term used for landed elites in the villages of Indian subcontinent

*Lha*- spirit or deity

*Losar*- new year festival

*Lorapa*- a person appointed for catching stray domestic animals and to fine their owners

*Lok Adalat*- people's court

*Lhu*- water spirit

*Maney*- an annual prayer gathering

*Membar*- village official, an assistant to *goba*

*Meme*- grandfather

*Mohalla*- hamlet/ward

*Mon*- musician

*Nang*- inside

*Nautor* - common lands allocated for new purposes

*Nyerpa*- village official in charge of festivals

*Onpo*- astrologer, ritual specialist

*Panchayat*- village council

*Pani Panchayat* -water council

*Patwari*- revenue office  
*Phaspun*- group of households doing collective activities over a period of time, or worshipping the same deity  
*Phu*- upper  
*Shugyen*- dice game  
*Thal/thral*- tax, or obligation  
*Thang*- land / plateau  
*Thims*- customs and rules  
*Tsogspa*- group or association  
*Tongspun*- a village family appointed to represent it, with a room in the monastery  
*Yul*- place of belonging - village, land, country  
*Yulpa*- citizens of village, also used to refer to village assembly  
*Zila Parishad*- district committee

## **Abbreviations**

ADC: Assistant District Commissioner  
ADC: Autonomous District Councils BRO: Border Roads Organisation  
BDO: Block Development Officer  
DC: District Commissioner / Divisional Commissioner  
J&K: Jammu and Kashmir  
LBA: Ladakh Buddhist Association  
LAHDC: Ladakh Autonomous Hill Development Council  
PRS: Panchayati Raj System  
NCST: National Commission of Scheduled Tribes  
NOC: No-objection certificate  
TR: Tibetan Refugee  
UT: Union Territory

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*Changthang landscape*



# Summary

## Background

Indigenous and other local communities across India have had traditional systems of local governance as unwritten or sometimes written codes of conduct and decision making. Many such systems are still being followed in parallel with the *panchayat* systems, or getting re-invented by combining the modern forms of governance with the traditional ones, especially in the case of communities still practising traditional occupations and ways of life (forest-based, pastoral, fishing, and/or farming). There are, however, very few studies of these systems interacting with modern state institutions, their current or continuing relevance, and their role in achieving goals of justice, well-being, and ecological sustainability.

## The study: why and what

This study focuses on documenting the present status of the traditional governance system of Ladakhi villages, with a focus on the *goba* (or *lambardar/nambardar*), and understanding the current relevance of the system in the context of socio-cultural, economic, ecological and political transformations taking place in the region. For this, the study also looked at the interface between the local/traditional and new/modern governance systems, viz. the *goba* with the *panchayat*, Ladakh Hill Council and UT Administration.

The study was carried out in four parts of Leh district: the Sham region, the Gya-Rumtse area, Leh town and surrounds, and Changthang. Changthang region was

especially chosen as an ecologically, culturally unique landscape (due to its predominantly nomadic pastoral nature) within Ladakh, where local governance has its unique features. We highlight key learnings from the above, for governance, democracy and autonomy specifically in Ladakh. Crucially, we ask: if the *goba* system continues to have relevance, what can be done to sustain it, clarify its role and strengthen its functioning?

This study is a collaborative effort between Kalpavriksh and local partner organisations Snow Leopard Conservancy – India Trust (SLC-IT), Nature Conservation Foundation (NCF), Ladakh Arts and Media Organisation (LAMO), and Local Futures. Over the course of two years, the authors conducted semi-structured one-to-one or group interviews or open conversations with *gobas* (current and former), *membars* (a specific role assisting the *goba*), *sarpanches*, *panches*, councillors, bureaucrats of relevant departments and senior officials of the UT Administration, researchers, academics, and activists, head of the Ladakh Buddhist Association, and the Lt. Governor of Ladakh.

## Findings

While its origins are not clear, the *goba* appears to be an old system that was recognised formally under the Jammu and Kashmir' Lambardari Act, in 1972 (with rules promulgated in 1980) which mandated elections of *nambardars* (a term used more than *lambardar*, in Ladakh) along with a 5-year tenure, and provided for

their remuneration. The *goba* came under the revenue department, and the *goba* and *patwari* (revenue officer) worked very closely together authenticating the village level information on land, population, livestock and other matters. The *goba* is a village headman who acts as a representative of the village with social and cultural-ritual responsibilities. Being an important authority in the village, traditionally, a well-respected person with a good comprehension of local history, communication skills and good relationships with people was usually considered for selection to the post of the *goba*. In some places it was a hereditary position.

Along with the *goba*, *membar* (*goba*'s assistant), *kutwal* (*goba*'s messenger) are also selected by the village. Importantly, the *goba* has not been an authority unto himself, but rather in consultation with the village assembly (the *yulpa*), though the extent and kind of consultation is likely to have varied considerably across Ladakh.

Some of the key functions of the *goba* (currently carried out in varying degrees and combinations in different villages and regions within Ladakh):

1. calls for all village level meetings and coordinates various cultural, ritual and other social gatherings
2. plays a significant role in conflict resolution within the *yulpa*, along with ensuring the internal flow of information and communication.
3. maintains the general demographic details like number of houses, females, males, animals, deaths and

births. He also issues death, birth, and character certificates.

4. keeps records of government schemes and maintains liaison with the administration on matters not covered by the *panchayat* and/or the council.
5. presides over the harvesting and cultivation timings in the village, and the cycles and distribution of irrigation water; keeps a check on the rotation cycle for hosting the ceremonial feast as well as ensuring that all the families get water for irrigation (at times in association with a *churpon*, specially designated for this purpose); and ensures upkeep and maintenance of irrigation canals.
6. maintains, in Changthang, the list of pasture lands, number of livestock with individual families and boundaries to be adhered to by herders, conducts meetings to decide on migration timings, vests the power to allocate or withdraw access to pasture lands, and resolves conflicts between two herder communities regarding such access.
7. ensures compliance with customary norms, *thims*.

## Analysis

1. *Strengths of goba system as it was and is:*
  - a. Almost universally at our study sites, people recognise it as a crucial and continuing part of their 'way of life' or 'being', and stress that its continuity is essential even where *panchayats* are active.

- b. The *goba* system displays some elements of ‘direct democracy’, in that it enables the village (with high degree of household participation) to take crucial decisions regarding natural resources, livelihoods, and socio-cultural aspects. This is especially so in many ‘interior’ villages (far from Leh town) where traditional livelihoods are still practised, appear to have been and still remain relatively autonomous, for many crucial aspects of life.
- c. It is a place-based process of decision making that is often (though not necessarily) cognizant of the importance and limits of local ecological contexts, including pastures and waterbodies.
- d. A relatively apolitical (i.e., independent of political parties) position, seen as more neutral than the *sarpanch*.

## 2. Weaknesses of *goba* system as it was and is

- a. One of the major limitations of the *goba* system is its gender one-sidedness, with almost no examples of women *gobas* (and where examples exist, it is because of non-availability of men in households designated to take on the *goba* role in a particular year).
- b. Other inequalities related to traditional structures and relations, like class, caste, age, also limit participation.
- c. Lack of incentive to become a *goba* due to several changes in modern times.

3. *Goba and other (new) institutions* - Given that *goba*'s societal functions and importance do not have adequate acknowledgement in the Lambardari Act, and no mention in the J&K Panchayati Raj Act 1980 and the Ladakh Autonomous Hill

Development Councils Act, 1997, there is confusion about their inter-relationship. In many areas, there are considerable overlaps in key functions between the *goba* and the *sarpanch/panchayat*, or the Councillor. Hence, in case of overlapping functions such as agriculture, water management, livestock maintenance, management of rituals and festivals, there is no clarity whose jurisdiction counts, or whether there needs to be mutual consultation and joint decision-making in some or all these issues.

4. *Party politics and the goba* - the *goba*'s role is assumed to be devoid of any individual and political interests, hence is said to be a more trustworthy representative of people's voice. However, increasingly over the last decade or so the presence of political parties has really intensified in Ladakhi society, and several people reported conflicts in case the *goba* had leanings for a particular political party (though he would not have been chosen because of this), while the *sarpanch* and/or the Councillor of the constituency were more aligned with a contending party.

5. *Relevance and role: decline or continued importance?* *Goba* is still seen by many as not only a cultural but also an administrative and political head of the village, who is (or should be) now supported by the *panchayat* and the Council through funds and other government schemes. In several conversations it was evident to us that the *sarpanch*'s position is important but he cannot replace the *goba*, as was the common refrain across all the respondents. This is especially so for the *goba*'s role in cultural and spiritual matters that are quite essential for maintaining village order; in matters of land and water;

and in Changthang, in matters related to pastoralism. We also see that wherever people's traditional livelihoods of herding and farming continue, the *goba* remains highly relevant, but this is not the case with the villages closer to Leh or Leh city itself where there has been an increasing loss of traditional livelihoods.

A recent development of concern is official imposition of an age limit of 60 for *namdardars*, considered by nearly all respondents as unfair.

6. *Sought-after position, or a burden?* Across all the regions, the role of the *goba* is perceived as burdensome now, because his own livelihood responsibilities have grown (and are not necessarily being shared by the village as was earlier the case), along with all the *goba* functions. Another reason for this lack of interest is also very meagre salaries for the *goba*, i.e., Rs. 1500/month, which is reportedly not enough even to cover expenses of carrying out the *goba*'s essential roles. Due to this, many villages have switched to rotational or lottery system for choosing the *goba*, which means that every once in a while, a person without adequate knowledge or not having everyone's trust, may get designated; the tenure is also now too short (one to two years) for the *goba* to settle in properly.

## **Recommendations**

1. *Greater recognition of and incentives/facilities for the goba:* an increase in the *goba*'s salary/compensation for expenses should be considered. We would suggest from the current Rs. 1500/month to at least Rs. 5000/month; and that this should be paid promptly every month.

Importantly, this should not be used as a reason to think of the *goba* or *nambardar* as a 'government employee' any more than a *sarpanch* is; he is first and foremost a representative of the people, and the salary or compensation for expenses is a recognition of the services he also provides to the government. Additionally, in some form, *gobas* need to be accorded explicit social recognition and benefits, like being rightfully acknowledged for their work by the UT administration and the Council. This would also call for the communities to revive their traditional practices to figure out internal ways to support serving *gobas*. Also, *gobas* should be provided office space, and better communication facilities where these are inadequate.

2. *Tackling internal inequities:* steps are needed to transform the *goba* system on the basis of values of equality, justice, inclusiveness and fairness, especially regarding gender and caste exclusion. One possibility is a set of rules or guidelines under the Lambardari Act, to open up and incentivise the position to women, youth, and marginalised castes.

3. *Clearer lines of governance between goba and other governance institutions:* All relevant laws, including the LAHDC Act, J&K Panchayati Act, and rules of procedure under which the UT Administration work, would need amendments or subsidiary rules/guidelines to ensure that the *goba* is consulted by the Council, *panchayats*, and the UT Administration in relevant community matters. The Lambardari Act could also be amended, or rules or guidelines issued under it, to clearly list out the functions of the *goba* beyond what is already listed

(including the socio-cultural ones). This should include full participation in development planning, and in the use of natural resources in the jurisdiction of the village. These measures could also be introduced for the Leh Municipal Corporation, such that the corporation and the city's ward members need to consult the *goba* for relevant matters, and the *goba*'s role in urban and peri-urban areas is clarified (as recommended in the Leh Vision 2030).

4. *Age limit*: The age limit of 60 should be immediately withdrawn, and either kept open or replaced by an age limit of 70.

5. *Ladakh level goba association*: A Ladakh level *goba* association should be formed along with regional associations, with a structure and rules as considered appropriate by *gobas*; *this is essential for collective voice and advocacy, and sharing of good practices*. If formed, this should be formally recognised by the Hill Council and UT Administration.

6. *New norms / rules around current issues*: The customary rules, *thims*, do have some measures around maintaining clean water, not littering, etc, but these are not enough in light of drastic changes in recent times, or have themselves become weak. For instance, they have not yet been adapted to cope with the problem of solid waste, or with challenges created by mass tourism and climate change. Some discussions and changes around these are important, and could be initiated by *gobas* themselves, youth and women's associations, or relevant religious institutions.

7. *Constitutional status of Ladakh*: It is important to consider granting the status of

6th schedule in the Constitution of India to Ladakh, because of its unique socio-cultural and ecological character. If such a recognition is given, Ladakh's governance institutions including the Hill Council would be able to provide Constitutional recognition to the *goba* system to strengthen grassroots governance.

8. *Role of yulpa*: The spirit of the 73<sup>rd</sup> Constitutional Amendment, and in particular of the *Panchayat* (Extension to Scheduled Areas) Act is to enable the village assembly to be the most powerful and basic unit of decision making. For this reason, bringing Ladakh under the 5<sup>th</sup> Schedule of the Constitution, providing for self-governance of scheduled tribes (and specifying that the *yulpa* is the equivalent of the *gram sabha*), could be considered; or alternatively, such formal strengthening could take place under the 6<sup>th</sup> Schedule.

9. *Awareness building*: In several conversations with *gobas*, *sarpanches*, councillors, officials, civil society groups, among others complained about lack of awareness and clarity of various roles and functions of various positions in traditional and modern institutions. It is recommended to undertake awareness programs to various sections of society, systemically explaining relevant laws and customs, and various institutions and their functions.

10. The selection and role of the *goba* needs to remain apolitical (i.e., independent of political parties), and any procedures of selection or election that are adopted, should not be along party lines.

11. Many large villages with multiple hamlets, and new settlement areas around Leh town, have multiple *gobas* for

efficiency. Some of these are not registered. Where chosen through due process and not overlapping with jurisdictions of registered *gobas*, these should be recognised and registered.

12. *Further studies*: this study needs to be extended to different parts of Ladakh, including Kargil district, and Nubra in Leh

district, to bring out and highlight the importance of place-based, local governance practices. Also, studies are needed to get a better understanding on traditional or ongoing forms of discrimination (gender, caste, class, age, religion) in the selection and functioning of *gobas*. Ladakhi students could be involved in such studies.



*Gathering of gobas to discuss this study, September 2022*

An aerial photograph of a vast mountain range. The peaks are covered in snow, while the lower slopes are rugged and brownish-grey. A river valley is visible in the lower part of the image, with a winding river and some small structures. The sky is clear and blue.

# **Introduction and background**

## 1.1 Structure of the report

The first section of the report introduces the general background of traditional governance in India and Ladakh, along with the study's objectives, methodology, limitations and overview of the rapidly changing ecological and livelihoods landscape in the region. The second section details the history of the *goba* system<sup>1</sup>, general village organisation, *goba*'s role and functions (traditional, modern, informal and legal), and relevant decision-making processes. This section also describes the relationship of the *goba* with new or modern<sup>2</sup> institutional structures such as the *Panchayat*, the Hill Council and the Union Territory Administration. The

third section presents the analysis of the findings, including the relationship between the *goba* and *panchayat*, *goba*'s relevance in contemporary governance scenarios, strengths and weaknesses of the institution, impact of decline in traditional livelihoods and institutions, and modernisation of *goba*'s role. The fourth and the last section chalks out a set of recommendations emerging from the study to strengthen the *goba* system. The annexures provide a list of people spoken to, and dates of visits to various field sites.



*Oracle in action, Rumtse village*

<sup>1</sup> We use the term 'system' to denote the institution of the *goba*, mindful of the fact that it is an element within the broader self-governance system of villages in Ladakh, including the *yulpa* or village assembly.

<sup>2</sup> We realise the terms 'traditional' and 'modern' are loaded, but use them here to distinguish between systems having evolved locally over significant time (but not static) and those introduced from wider contexts in recent times.



## 1.2 Traditional or customary governance in India

Indigenous (adivasi/tribal)<sup>3</sup> and other local traditional communities in India have had their own systems of local governance, which have informed people's interaction with fellow community members as well as the rest of nature. These include village assemblies, councils and headpersons (usually elder men) who would form the key institutional pillars of self-governance. Broadly, these institutions and individuals are responsible for internal conflict resolution, management of village commons, liaising with government agencies, livelihood activities, religious/spiritual ceremonies and other cultural relations. They are in turn based on or guided by principles or norms, handed down over generations, that govern those specific communities<sup>4</sup>. Maintaining these rules and customs are crucial for the continuation of spiritual & cultural life, community identity and knowledge, the management of land and natural resources, and the use and protection of the rest of nature. The customary governance systems draw their legitimacy from their rootedness in customs, traditional practices, ways of being and living. In parts of India, especially in the case of communities still practising traditional occupations and ways of life (forest-based, pastoral, fishing, and/or farming) many such systems are still being followed in parallel with the formal governance systems brought in by the state,

or getting re-invented by combining the modern forms of governance with the traditional ones.

During the drafting of the Indian constitution, 'tribal' areas and their governance by the newly formed independent Indian State was an important topic of deliberation. The constituent assembly held several debates and conducted surveys for various regions to draft relevant provisions and ensure safeguards. Under the chairmanship of Gopinath Bordoloi, a sub-committee found and recommended that the local institutions for administration of hill tribes especially in Assam which were well-structured, should be recognised under the provisions of the Sixth Schedule to maintain their relative autonomy.<sup>5</sup> Under the special provisions of Article 244(2) and Article 275(1) of the Constitution, Autonomous District Councils "are empowered to make laws in respect of areas under their jurisdiction, which cover the land, forest, cultivation, inheritance, indigenous customs and traditions of tribals, etc. and also to collect land revenues and certain other taxes". Subsequently, in the 1970s, several provisions of the 6th Schedule were also implemented in the states of Mizoram, Meghalaya, and Tripura, forming Autonomous District Councils (ADC).<sup>6</sup>

The case of Nagaland is also worth mentioning. Here, the traditional system consists of unwritten laws and customs that

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<sup>3</sup> The term 'indigenous' is not used officially in India, but many communities do identify themselves as such or as *adivasis* (original inhabitants); the term more commonly used for official purposes is Scheduled Tribes, denoting those peoples who are listed in the relevant list of the Constitution of India.

<sup>4</sup> Bhaskar, P., Ghosh, P., Chaudhuri, D. (2021). Collapse of Adivasi self-governance system in Jharkhand: Need to implement PESA in letter and spirit. *Down to Earth*, 3 August.

<https://www.downtoearth.org.in/blog/governance/collapse-of-adivasi-self-governance-system-in-jharkhand-need-to-implement-pesa-in-letter-and-spirit-78260>

<sup>5</sup> <https://www.mea.gov.in/Images/pdf1/S6.pdf>; Baro, A. (2017). 'Sixth Schedule and its implementation: Understanding the case of Bodoland (BTAD) in Assam'. *Journal of Humanities and Social Science*. Volume 22, Issue 12, PP 05-09

<sup>6</sup> <https://had.assam.gov.in/portlets/sixth-schedule>

are orally passed down through generations as a way of life. The encounter with colonial rule in the 19<sup>th</sup> and 20<sup>th</sup> centuries impacted the local systems, and after getting statehood under the Union of India in 1963, the village council system was introduced. Some authors have examined the emergence of the state of Nagaland along with the decline of indigenous systems for maintaining law and order<sup>7</sup>, while others have looked at “how the different Naga communities have, instead of adjusting themselves to the ideals and practices of modern democracy, adjusted these to the traditional systems or integrated the two”.<sup>8</sup> Also in North-east India, in north Sikkim, the villages Lachen and Lachung still maintain their traditional governance system of *Dzumsa* despite the introduction of modern governance institutions. This system was officially recognised through an Act passed in 2001<sup>9</sup> by the Sikkim government, enabling traditional institutions to continue to exist in accordance with traditional and customary laws<sup>10</sup>.

However, many of these traditional systems have been oppressive towards or marginalising women and/or ethnic minorities, young people and marginalised castes. It has been an important criticism of

traditional systems that they may internally compromise basic principles of equity, justice and wellbeing for all, even as they may be crucial for sustaining community life as a whole, and for sustainable relations with surrounding natural ecosystems and resources. This was discussed in a consultation paper prepared by the National Commission<sup>11</sup> in 2001 to review the working of the Constitution.<sup>12</sup> The paper focused on North-east India but gave some important general directives on respecting the traditional governance systems as a potent mode of self-governance, while also stressing that the traditional practices shouldn't deny legitimate democratic rights to any section of society.

Among many communities and regions in central India, local self-governance is being reinvented through the learnings of traditional systems, understanding their own limitations as also the limitations of the Indian state and the governance institutions it has introduced at local to national levels.<sup>13</sup> In Korchi *taluka* of Gadchiroli district of Maharashtra, the move towards direct democracy and greater economic, social, ecological and political well-being is facilitated through the negotiations with the Indian state as well as the parallel emergence of alternative

<sup>7</sup> Zhimo, Avitoli. (2020). 'Indigenous System of Governance and its Implication: The case of Nagaland'. *Indian Anthropologist* 49, 41-56. [https://www.researchgate.net/publication/342919783\\_Indigenous\\_System\\_of\\_Governance\\_and\\_its\\_Implication\\_The\\_case\\_of\\_Nagaland](https://www.researchgate.net/publication/342919783_Indigenous_System_of_Governance_and_its_Implication_The_case_of_Nagaland)

<sup>8</sup> Wouters, J. J. P. (2014). 'Performing Democracy in Nagaland: Past Politics and Present Politics'. *Economic and Political Weekly*, 49(16), 59–66. <http://www.jstor.org/stable/24480156>; Pathak, N. (2014). *Communitisation of Public Services in Nagaland: A step towards creating an alternative model of delivering public services*. Kalpavriksh, Pune.

<sup>9</sup> Sabatier, S. B. (2004). 'The Dzumsa of Lachen: An example of a Sikkimese Political Institution'. *Bulletin of Tibetology*, 40(1), 92–104.

<sup>10</sup> Chhetri, D. (2013). 'Preserving cultural identity through tribal self-governance: The case of Lachenpa and Lachungpa

Tribes of Sikkim Himalaya (India)'. *American International Journal of Research in Humanities, Arts and Social Sciences*, 205(1), 23-28. <http://iasir.net/AIJRHASSpapers/AIJRHASS13-205.pdf>

<sup>11</sup> <https://ncst.nic.in>

<sup>12</sup> National Commission to Review the Working of the Constitution. (2001). *Empowering and Strengthening of Panchayati Raj Institutions/ Autonomous District Councils/ Traditional Tribal Governing Institutions in North East India*. <https://legalaffairs.gov.in/sites/default/files/EMPOWERING-AND-STRENGTHENING-OF-PANCHAYATI%20RAJ.pdf>

<sup>13</sup> Pathak Broome, N. (2018). 'Mendha-Lekha- Forest Rights and Self-Empowerment'. In Lang, M., Konig, C., and Regelman, A. (eds.). (2018). *Alternatives in a World of Crisis*. Global Working Group Beyond Development. Rosa Luxemburg Stiftung, Brussels Office and Universidad Andina Simon Bolivar, Ecuador.

democratic processes.<sup>14</sup> Crucially, women who have traditionally been kept out of community-level decision-making processes, began questioning the internal injustices and transforming the community from within<sup>15</sup>. Other recent initiatives at innovative local institutions of governance like *Pani Panchayats* (Water Councils), have attempted equitable sharing of resources and benefits such as irrigation water, particularly arguing for allocation of water even to the landless, in collaboration with the *gram sabhas* and *panchayats*.<sup>16</sup> There are other examples in several parts of India, where communities are struggling to re-appropriate direct decision-making, questioning internal injustices and establishing systems for the generation of relevant knowledge and capacity<sup>17</sup>.

In many of these examples, we see the assertion of people's ideas of what makes meaningful lives, instead of being told how to live their lives by the ones allegedly 'more equal' than them (from within or outside their communities). Opposite to that, though, we see the hegemonic 'development' discourse and the 'nation-state' model, that despite India's federal and decentralised democratic system still

retains strong political, administrative, and economic centralisation in its spirit and functioning.

As elsewhere in the world, India is seeing the many failures and undelivered promises of such centralised decision-making, and of economic growth-centred development models that create havoc by uprooting and destroying local communities and their ways of life (at times with their own involvement), especially those most dependent on natural ecosystems<sup>18</sup>. Nation-state and political borders in various parts of the world have created conflict situations, or disrupted ancient cultural and ecological flows and relations such as along rivers and nomadic territories. They have enabled the spread of a hegemonic system asserting that capitalist modernity is the only way to organise lives, and that this justifies taking over territories of Indigenous peoples and local communities for 'national' goals like development and security<sup>19</sup>. In India, attempts at political and administrative 'decentralisation' (importantly, through the 73<sup>rd</sup> and 74<sup>th</sup>).

Constitutional amendments<sup>20</sup> providing powers to institutions of self-governance at

<sup>14</sup> Pathak Broome, N., Bajpai, S. and Shende, M. (2020). 'On the Cusp: Reframing Democracy and Well-Being in Korchi, India'. *Global Working Group Beyond Development*. Rosa Luxemburg Stiftung, Brussels Office.

<https://beyonddevelopment.net/on-the-cusp-reframing-democracy-and-well-being-in-korchi-india/?print=print>

<sup>15</sup> Pathak Broome, N., Bajpai, S. and Shende, M. (2018). 'Reimagining Wellbeing: Villages in Korchi taluka, India, Resisting Mining and Opening Spaces for Self-Governance'. *WRM Bulletin* 241.

<https://www.wrm.org.uy/bulletin-articles/reimagining-wellbeing-villages-in-korchi-taluka-india-resisting-mining-and-opening-spaces-for-self-governance>

<sup>16</sup> Dharmadhikary, S, and Thakkar, H. (2017) 'The Future of Water in India', in Ashish Kothari and K. J. Joy (eds), *Alternative Futures: India Unshackled*, AuthorsUpFront, New Delhi.

<sup>17</sup> Kothari, A., and Das, P. (2016) 'Power in India: radical pathways'. In *State of Power 2016*, Transnational Institute, 18th

January. <https://www.tni.org/en/publication/power-in-india-radical-pathways>; Broome, N., Bajpai, S. and Shende, M.

(2020). 'On the Cusp: Reframing Democracy and Well-Being in Korchi, India'. *Global Working Group Beyond Development*. Rosa Luxemburg Stiftung, Brussels Office.

<https://beyonddevelopment.net/on-the-cusp-reframing-democracy-and-well-being-in-korchi-india/?print=print>

<sup>18</sup> Shrivastava, A and Kothari, A. (2012). *Churning the Earth: The Making of Global India*. Penguin India.

<sup>19</sup> Bajpai, S., Kothari, A. and Crespo, J. (2022). 'Nation-states are destroying the world. Could 'bioregions' be the answer?'. *Open Democracy*, 7th March.

<https://www.opendemocracy.net/en/oureconomy/nation-states-are-destroying-the-world-could-bioregions-be-the-answer/>

<sup>20</sup> <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-seventy-third-amendment-act-1992>; <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-seventy-fourth-amendment-act-1992>

village, district, and urban levels), have provided some counter trends to this but they mostly remained half-hearted in both concept and implementation.<sup>21</sup>

Examples of extant traditional governance systems are important to be understood, articulated, highlighted, re-asserted and learnt from (while understanding and dealing with their inherent problems as well), as counters or balancing forces to the modern governance discourse and institutions. This is not to deny that modern institutions of democracy have their own benefits, including the possibility of going beyond traditional power elites, or spaces created for women, youth, marginalised castes due to reservation. But communities also find them problematic in many ways, such as the introduction of divisive politics from outside, strengthening existing elites or creating new ones. What is striking is that there has been limited work to understand the working of traditional systems in practice while they interact with the modern systems of governance, and what kinds of conflicts and complementarities emerge between traditional norms and modern constitutional values<sup>22</sup>. Many of the traditional systems are rooted in a region, embedded within community life, non-party political in nature, and challenge the dualist ontology of the modernist discourse which enforce a clear and distinct separation between human and non-human worlds<sup>23</sup>. In most of

these traditional systems, the lifeworlds of Adivasi or Indigenous peoples and other local communities living alongside nature, follow a sophisticated set of customs, rules, and practices to look after and care for their lands and waters, built on the idea of a 'mutual and reciprocal relationship with nature'<sup>24</sup>. But as mentioned above, they can also marginalise and oppressed sections of the community. The real challenge is thus to truly understand these systems, their evolving nature to suit contemporary societies, their interface with modern governance institutions, and how overall governance can be strengthened for the objectives of justice and sustainability.

### 1.3 Ladakh: a brief profile

Ladakh, meaning the "land of high passes" in Ladakhi, is one of the highest plateaus (3000 msl and higher) of India, with part of its north-western and north-eastern territory bordering Tibet and Pakistan.<sup>25</sup> It is a very sparsely populated region including parts of the Karakoram and Himalayan Mountain ranges and the upper Indus River valley formed over a period of 50 million years. The total area is around 59,146 square kilometres excluding the Aksai Chin, which is claimed by China. The population of Ladakh as per 2011 census was 274,289 with Muslims (predominating in Kargil district) constituting 46%, Buddhists (forming the majority in Leh district) 40%,

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<sup>21</sup> Bijoy, C.R. (2021). 'Democracy in the forests: Governance as it is to be'. *Law, Environment and Development Journal*, 17/1: 20. <http://www.lead-journal.org/content/a1702.pdf>

<sup>22</sup> Baruah, A.K. (2003). 'Tribal traditions and crises of governance in north-east India, with special reference to Meghalaya', Working Paper 22, DESTIN, London.

<https://www.lse.ac.uk/international-development/Assets/Documents/PDFs/csdc-working-papers->

[phase-one/wp22-tribal-traditions-and-crises-of-governance-in-ne-india.pdf](#)

<sup>23</sup> Escobar, A. (2020). *Pluriversal Politics: The Real and the Possible*. Duke University Press, Durham. .

<sup>24</sup> Plumwood, V. (1993). *Feminism and the Mastery of Nature*. Routledge, London

<sup>25</sup> Kothari, A, Bajpai, S, and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune.

Hindus 12%, and others 2%.<sup>26</sup> The region's unique topography includes snow-capped and rocky mountains, high-altitude lakes, alpine steppe/meadows, grasslands, sand dunes, hot springs and mighty rivers like the Indus and Zaskar, fed mostly by winter snowfall and glacial melt. This diverse landscape is also home to a diversity of mammals, such as the Asiatic ibex, blue sheep, Tibetan gazelle, Tibetan wild ass, Tibetan wolf, red fox, snow leopard, Pallas's cat and over 318 species of birds including the highly threatened Black-necked Crane<sup>27</sup>.



*Black-necked cranes in Hanley*

Ladakh was an independent kingdom for about a millennium<sup>28</sup>, till 1834, when it was invaded by General Zorawar Singh on behalf of the Dogra king of Jammu<sup>29</sup>. In 1846, with the creation of Jammu and Kashmir (J&K) as a separate state, Ladakh was made a part of it (constituting 70% of

its geographical area). This is said to have initiated a history of subjugation, marginalisation and cultural exclusion, which has continued ever since. In spite of being an 'integral' part of the Union of India, Ladakhis have felt excluded from policy planning especially in terms of disregard for their unique geo-climatic conditions, lack of fair disbursement of economic resources from J&K and India, inadequate Ladakhi representation in state and national institutions, and poor recognition of their unique cultural identity. With hardly any Ladakhi representatives in the State's bureaucracy, the region felt severely neglected for decades. This resulted in a vociferous demand for effective local institutional arrangements which can help promote people-centred development. A long campaign was led by the Ladakh Buddhist Association (LBA) seeking regional autonomy for Ladakh by demanding Union Territory (UT) status<sup>30</sup>. In 1995, after several decades of struggle, Ladakh Autonomous Hill Development Council was formed, offering several benefits to the local people.<sup>31</sup> Autonomy however was and remains severely constrained in administrative, financial and legal powers. This is the backdrop of the demand, for being granted a Union Territory (UT) status.<sup>32</sup> With the UT status granted in 2019, Ladakhi's long standing

<sup>26</sup> The estimated population in March 2022, as per Unique Identification Authority of India, is 2,99,000 ([https://uidai.gov.in/images/Aadhaar\\_saturation\\_report-as\\_on\\_31-03-2022.pdf](https://uidai.gov.in/images/Aadhaar_saturation_report-as_on_31-03-2022.pdf)).

<sup>27</sup> Padmanabhan, S and Kundaji, Y. (2014). *Ri Gyancha: A biodiversity resource kit for educators in Ladakh*. Kalpavriksh, Pune and Snow Leopard Conservancy – India Trust, Leh.

<sup>28</sup> <https://leh.nic.in/about-district/history/>

<sup>29</sup> Van Beek, M. (2000). 'Beyond Identity Fetishism: "Communal" Conflict in Ladakh and the Limits of Autonomy'. *Cultural Anthropology* 15(4): 525-569.

<sup>30</sup> Kothari, A, Bajpai, S, and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune.

<sup>31</sup> Ladakh Autonomous Hill Development Councils Act 1997. Government Gazette, October 8. Jammu and Kashmir State Legislature, Ladakh, Jammu and Kashmir, India; Ladakh Autonomous Hill Development Council (Amendment) Act, 2018. The Jammu and Kashmir Government Gazette, October 6. Jammu and Kashmir State Legislature, Ladakh, Jammu and Kashmir, India. Hereafter referred to as 'the Council' or 'the Hill Council'.

<sup>32</sup> Kothari, A, Bajpai, S, and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune.

demand was met with the potential for political and economic emancipation.<sup>33</sup>

However, UT status without legislature, or adequate constitutional safeguards, largely controlled by the Central government, doesn't offer the autonomy that the people of Ladakh were looking for. Many civil society groups<sup>34</sup> in Ladakh have demanded that the Government of India include Ladakh in the Sixth Schedule of the Indian Constitution (with the Ladakh Autonomous Hill Development Council also having control over land, natural resources including minerals, tourism, and development policy), so that the land,

environment and the economic interests of the local people can be safeguarded for current and future generations to ensure sustainable economic processes for genuine well-being<sup>35</sup>.

The UT of Ladakh comprises two districts, Leh and Kargil. In the Leh District (where this study is located), there are 6 Sub-Divisions, 8-Tehsils, 16 Blocks, 95 *Panchayats* and 113 villages.<sup>36</sup> Since its formation as a UT, Ladakh is under overall governance of appointees from New Delhi, as part of the Administration headed by a Lt. Governor.



*Saspotsey village*

<sup>33</sup> The Jammu and Kashmir Reorganisation Act, 2019. Ministry of Law and Justice (Legislative Department). New Delhi, India.

<sup>34</sup> Tiwary, D. (2021). 'Explained: What is the Sixth Schedule, and can Ladakh be included under it?'. *Indian Express*, 23 December. <https://indianexpress.com/article/explained/ladakh-sixth-schedule-constitution-explained-7675082/>

<sup>35</sup> HIAL. (2019). *Report on the Findings of In Depth Study in On-Ground Implementation of tribal Safeguards and Administrative Model of Union Territories*. Prepared by a 21-member delegation, 3-12 September 2019. Himalayan Institute of Alternative Learning, Ladakh

<sup>36</sup> <https://ladakh.nic.in/about-department/administrative-setup/>

While there is enormous ecological and socio-cultural diversity in Ladakh, one region worth special mention is Changthang (which part of this study focused on). This high-altitude plateau (ranging from 4000 to 7000 msl) extending upto (and being essentially the same bioregion as) Tibet, is a bio-culturally unique region comprising vast grasslands and high-altitude lakes, inhabited by a predominantly nomadic pastoral community. *Chang* meaning north and *thang* meaning land; the region experiences short summer time and long winters with temperatures going down to -35°C accompanied by strong winds and heavy snowfall.<sup>37</sup> The region occupies the upper reaches of the Indus and Shayok rivers while their tributaries flow across the plateau. The region is divided into two blocks i.e., Nyoma and Durbuk. Unlike the rest of Ladakh, Changthang consists of large swathes of rangelands which are wet and marshy meadows<sup>38</sup> as extensions of lakes, wetlands and other water bodies. The ecological conditions of the region accompanied with arid climate supports high-altitude pastoralism, and are not conducive to extensive cultivation. The *Changpas*, residents of Changthang, have traditionally been primarily nomadic pastoralists rearing yak, sheep, goat, horse, etc. for their sustenance and livelihoods, though this is now rapidly changing under external economic, social and cultural influences. The region also supports a unique biodiversity of animals and plants.

<sup>37</sup>Dolker, P. (2020). 'Nomadic pastoralism of Changthang, Ladakh, at a crossroads: changing socioeconomic characteristics, livelihood and livestock composition'. *Centre for the Study of Regional Development (CSR)*, Jawaharlal Nehru University (JNU), New Delhi., India

<sup>38</sup>Namgyal, S. (2016). *Dialectics of Tribal Ecology and Modernisation: Change and Development among Changpa*

For example, it is the only known breeding site in India for Black-necked Crane and Bar-headed Goose, and home for species like snow leopard, Pallas's cat, Tibetan grey wolf, wild ass (*khang*), Tibetan gazelle, argali, woolly hare, Tibetan Lark, among others.

## 1.4 Rapidly changing ecological and livelihoods landscape

But this has also been internalised by many Ladakhis, including many members of the LAHDC. Around 70-80% of district planning is focused on infrastructure, and very little on reviving local crafts like woollen textiles, or local food like barley and wild foods, or new opportunities linked to traditional skills and resources. The 'developmentalist' mindset has opened up many ecologically and culturally fragile regions for tourism or other forms of exploitation, and the army has taken over huge territories, both of these bypassing traditional decision-making systems and ignoring the local community's livelihood and cultural-spiritual connections with the rest of nature<sup>39</sup>.

There are several factors leading to substantial transformations<sup>40</sup> in the conditions in which pastoralism works in Changthang and elsewhere in Ladakh:

1) *Climate change*: Many herders have reported massive changes in the weather patterns resulting in adverse impacts on

*Tribe in Ladakh*. Phd Thesis. Department of Sociology. University of Jammu.

<sup>39</sup>Kothari, A. (2019). 'Envisioning Ladakh's future as UT'. *The Hindu*. August 15. <https://www.thehindu.com/opinion/op-ed/envisioning-ladakh-future-as-ut/article29094930.ece>

<sup>40</sup>Sabharwal, A. (1996). *Changpas, the nomads of Rupshu: A study of ecology, economy and exchange*. MPhil dissertation. Department of Anthropology, University of Delhi, India.



*Traffic jam at Shanti Stupa (Leh)*

pasturelands and water availability. The glaciers have been receding, water springs are drying up, the marshes are not dense enough and the quality of pastures is not as good, they say.

## *2) Border conflict and presence of army:*

The geopolitical instability between India and China in the 1960s and 70s made the once-porous borders more rigid, restricting or preventing access to pastures and trade which was otherwise fluid, and causing changes in the pastoral practices and migration routes<sup>41</sup>. Over the last few decades, by providing alternative livelihoods like road construction and also occupying large swathes of pasturelands,

the army is inadvertently displacing herding. Families that simply don't have enough herders left, are now hiring herders (*rarzee*) from outside, paying salaries of up to Rs. 25,000/month, but even then it is difficult to find such people because they get competitive salaries from agencies such as the Border Roads Organisation (BRO).

*3) Outmigration:* Many young *Changpas* complain that the Changthang region has not benefited from 'development' and their standard of living has not improved in comparison to that in Leh. Due to urbanisation and modernisation, reduced interest in continuing traditional livelihoods, lack of alternative livelihood

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<sup>41</sup>Namgyal, S. (2016). *Dialectics of Tribal Ecology and Modernisation: Change and Development among Changpa Tribe in Ladakh*. Phd Thesis. Department of Sociology. University of Jammu.



sources, restrictions imposed by wildlife conservation policies (much of Changthang being a Wildlife Sanctuary), and inadequate education facilities in villages, a lot of youth are migrating to Leh or outside Ladakh for work or education, resulting in less working hands and nuclearisation of rural families.

4) *Reduced diversity and changing composition of livestock*: An increasingly heavy focus on Pashmina goat because of external market incentives, has also impacted the herding practices. “Pashmina goats are preferred more by people because of the income but this has resulted in higher mortality during severe winters. They are not as resilient as sheep and yaks. People do not any more keep yaks whose manure is so essential for maintaining the pastures. Diversity in livestock is like a jewel in the herding practice of Changthang, but we have lost the diversity” says Phunsok Rabgais, a herder whom we met at the Zara herding base camp. The reduction in pastures is also impacting the agriculture practices as pointed out by Sonam Dolma, herder woman from Korzok, “I don't really know what to do about the reducing pastures but I know one thing - if the pastoralism vanishes then so would agriculture because there won't be enough good manure”. Film-maker Stanzin Dorjai Gya remarked, as we were observing the annual *bhunlut* procedure of transferring livestock and human manure from pens and dry composting toilets to the fields using donkeys and horses in the village of Gya: “with declining use of livestock, this practice will also die out, then what will happen to our barley fields?”

Among the communities, most of the traditional local practices have been inter-

connected and intertwined. However, top-down planning by the government often ignores these interconnections, which results in massive disruptions to local environment and livelihoods as we see in many instances across India, not just in Ladakh. The problem with mainstream development is given a local cosmological explanation in these words of Smanla Tundup, ex-*goba* of Saspotsey village “the temperatures are rising, snowfall is much less and all you can see are JCB earthmovers digging up the earth everywhere. We have disturbed the spirits of the land, of mountains, of snow. If the spirits of nature are not happy, how can we humans be so?”. These words eloquently point to the impact of climate change and the perils of top-down, human-centred decision-making that ignores the imperatives of living in harmony with the rest of nature.

### **1.5 The study: Objectives, research questions, methodology and limitations**

The *objectives* of this study were:

1. To document the present status of Ladakh's traditional governance system with a focus on the *goba*
2. To understand the current relevance of the system in the context of socio-cultural, economic and political transformations taking place in the region
3. To understand the interface between the traditional and new or modern governance systems, viz. the *goba* with the *panchayat*, Hill Council and UT administration
4. To understand the relevance of placed-based governance by

examining the *goba* system in Changthang region, an ecologically, culturally unique landscape within Ladakh.

The broad *research questions* asked were:

1. How does the *goba* system function, and what changes have taken place in this in recent times? What is its current social, political, economic and cultural role and relevance?
2. How has the *goba* system been impacted by the changing macro/micro-governance scenario of Ladakh, including the introduction of the *panchayat* system, the continuing role of the LAHDC, and the new role of the UT Administration?
3. If the *goba* system continues to have relevance, what can be done to clarify its role and strengthen its functioning, if necessary?

The *methodology* included different tools and techniques. This case study builds on existing literature available on the *goba* system (very limited), as also the authors' previous engagements in Ladakh, including in a limited way a study of the Ladakh Autonomous Hill Development Council-Leh<sup>42</sup>. For our primary fieldwork, we covered Sham Valley, the Gya-Rumtse area, the Changthang region, and Leh town and surrounds, in the periods August-September 2021, and March, May, and July 2022. In these visits, we conducted semi-structured one-to-one or group interviews or open conversations with *gobas* (current

and former), *membars* (a specific role assisting the *goba*), *kutwals* (messengers), *sarpanches*, *panches*, councillors, bureaucrats of relevant departments including the Principal Secretary, researchers and activists, head of the Ladakh Buddhist Association, and the Lt. Governor of Ladakh (see Annex 1 for full list of people spoken to). We visited the villages of Saspotsey, Hemis Shukpachan, Rumtse, Gya, Sasoma, Chumathang, Korzok, Thukjey, herder settlements in Kharnak, Tegazong and Zara, and the hamlets Khaldo, Punguk and Buk Shado in Hanley (see Annex 2 for dates of visits). Discussions were also held with one of the Leh town *gobas*, and *sarpanches* of Chushot and Choglamsar villages adjacent to Leh, *panch* of Stok village and BDO Kharu. In Saspotsey, a full village level meeting was also organised though not exclusively for this study.<sup>43</sup> On each of the trips to the villages, one interpreter accompanied the team.

Additionally, four meetings were organised to discuss initial findings of the study as well as to discuss the next steps - one with civil society groups in Ladakh in March 2022; second with the *gobas* of Kharu division, who have an informal *goba* association, in April 2022; third with the *gobas* of Leh area in May 2022; and fourth with the *gobas* of entire Leh district, addressed by the Chief Executive Councillor and Vice President of Ladakh Buddhist Association, in September 2022. The discussions and recommendations from the meetings have been included in this study.

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<sup>42</sup>Kothari, A, Bajpai, S, and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune

<sup>43</sup>Organised by partner group Snow Leopard Conservancy – India Trust, for multiple purposes including some of its own work on conservation and livelihoods.

The visits and discussions were organised by Kalpavriksh in association with partner organisations Snow Leopard Conservancy – India Trust (SLC-IT), Nature Conservation Foundation (NCF), Ladakh Arts and Media Organisation (LAMO), Local Futures, and Students’ Educational and Cultural Movement of Ladakh (SECMOL). Informal discussions and participation in relevant workshops during the course helped in gaining some further understanding. The study report, drafted by Kalpavriksh, has been discussed and commented on by the collaborating organisations and individuals.

The study has various limitations. It builds on very limited literature available on the *goba* system. Unless attributed to a secondary source, all the information presented in this study is from primary sources, i.e., statements by respondents, or our own observations. Given the brief period of directly meeting people in Ladakh (about 35 days, spread over several villages and settlements), and the lack of direct observations on the *goba*’s work and village level meetings<sup>44</sup>, the case study is necessarily preliminary and likely misses a number of complexities and nuances that a more detailed and longer-term engagement will bring out. This would also need to involve a more representative sample of various sections of the community, especially women and people from marginalised castes. The study also focused primarily on the *goba* system, and only peripherally other local governance structures like the *yulpa* (village assembly). Additionally, the team could visit only Leh

district, hence the perspective from Kargil region is missing (except some casual conversations in Zaskar)<sup>45</sup>. Finally, many of the respondents spoke in Ladakhi, and while we had very competent interpreters with us, it is possible that some nuances and information may have got missed out in the translation.



*Study team at field sites*

<sup>44</sup>We did attempt this, for instance in Hemis Shukpachan, but a couple of scheduled meetings were cancelled.

<sup>45</sup>All information on the *goba* system is from Leh district unless otherwise stated.

An aerial photograph of a vast, mountainous landscape. In the foreground, a river with a distinct turquoise hue winds through a valley. To the left of the river, a small settlement or industrial site is visible, featuring numerous buildings and organized structures. The surrounding terrain is rugged and brownish, with deep gullies and ridges. In the far distance, a long, continuous range of snow-capped mountains stretches across the horizon under a clear blue sky.

# The *Goba* System

## 2.1 Brief history

There seems to be little clarity on how old the *goba* system is; many reported that it came in with the Dogra rulers, and others said it was much older. According to anthropologist Fernanda Pirie, whose study of a single village in Ladakh is one of the few with details and analysis of the *goba* system, historical land records suggest that until around 1901, *gobas* were selected by the villagers themselves every year.<sup>46</sup> In the 19th century, when the region came under the Dogras, they tried bringing in a new administrative setup but were unsuccessful, so they stuck to the old administrative system with new names to these administrative positions<sup>47</sup>. Official recognition of the *gobas'* role came with a new term *Lambardar*. They were responsible for the collection of land revenue, the provision of *begar*<sup>48</sup>, and the supply of provisions to visitors. They were under the supervision of *kardars*<sup>49</sup> who represented 'gentry and in some cases nobility'<sup>50</sup>. Various accounts by scholars on administrative governance in Ladakh before India gained independence from British rule, paint a rather bleak picture,<sup>51</sup> describing it as despotic and harsh. Peoples' main interaction and experience with the government was around tax collections and doing enormous amounts of *begar*. However, the village level

governance and the *goba* worked autonomously and officials remained distant from village level organising<sup>52</sup>.

G.M. Shaikh, a senior social activist based in Leh, told us that the *goba* is a very old system and the Ladakhi kings gave a lot of freedom to the *gobas*. Kings had the system of revenue collection and till the time that was ensured, *gobas* could exercise their freedom fully. During our discussions with several *gobas*, some also recalled that there was a system of *tongspoon*, a family from the village who had a room in the monastery and would act as a representative of the village. This system may have started during the reign of king Singge Namgyal<sup>53</sup> (though some oral accounts suggest that it might pre-date this also<sup>54</sup>), under Stagtsang Rimpoche who would delegate the work to the *tongspoon* to manage the monastery's affairs in the village. But that system lost its relevance in more recent times as *goba* acquired more formal tax-collector position<sup>55</sup>. In Changthang region, the tales of the Rupshu *goba* during King Singge Namgyal's time are recounted until now. It is said that this *goba* rose to prominence after getting married to the King's daughter, and had the power to allocate and withdraw pasture lands, resolve territorial conflicts, determine movement through different pastures, among others<sup>56</sup>. His family held this as a hereditary position for

<sup>46</sup>Pirie, F., (2007). *Peace and Conflict in Ladakh*. BRILL, Boston

<sup>47</sup>ibid

<sup>48</sup>Compulsory labour

<sup>49</sup>An administrative officer whose primary duty was to be a link between the village and central administration

<sup>50</sup>Muhammad. (1908). Preliminary Report of Ladakh Settlement, cited in Pirie, F., (2007). *Peace and Conflict in Ladakh*. BRILL, Boston

<sup>51</sup>Pirie, F., (2007). *Peace and Conflict in Ladakh*. BRILL, Boston

<sup>52</sup>ibid

<sup>53</sup>Singge Namgyal of the Namgyal Dynasty ruled Ladakh in 16th century and built the famous Leh palace

<sup>54</sup>One of the study team members (Tashi Morup) has heard of this, and is trying to locate the sources

<sup>55</sup>Mentioned in the meetings with the civil society in March, 2022 and by Nawang Choldan, ex *goba* for nine years in Khaldo settlement in Hanley

<sup>56</sup>Dolker, P., (2020). 'Nomadic pastoralism of Changthang, Ladakh, at a crossroads: changing socioeconomic characteristics, livelihood and livestock composition'. *Centre for the Study of Regional Development (CSR)*, Jawaharlal Nehru University (JNU), New Delhi., India

a long time. Interestingly also, the *goba* of the Tibetan Refugee (TR) community in Hanley told us that they brought this governance system from Tibet, which indicates that it may be much older than the Dogra rule.

The *goba*'s role was recognised formally under the Jammu and Kashmir Lambardari Act, in 1972<sup>57</sup> (with rules promulgated in 1980) which mandated elections of *nambardars*<sup>58</sup> along with a 5-year tenure and a remuneration of 81 rupees per month. The *goba* came under the revenue department, and the *goba* and *patwari* (revenue officer) worked very closely together authenticating the village level information on land and other matters. The *gobas* knew all the village boundaries and would map the entire village boundaries along with the *patwari* each year<sup>59</sup>. Additionally, the *goba* remained an important authority to get no-objection certificates for any land allotment and/or land distribution in or for the village.

Post-Independence, especially in the early 1980s and 90s, many economic and social developmental transformations took place in Ladakh. These were particularly in the context of agricultural interventions, the maintenance of paths and bridges and the provision of food and fuel at village level by the government. These encompassed arduous tasks as well as a skilled mediator between the villagers and the administration, who would have to have the

knowledge of schemes and to deal with the officials who often didn't speak Ladakhi (as they were appointed by the J&K government). This role was played by the *goba*<sup>60</sup>.

As of early 2022, there are around 113 registered *gobas* in Leh district. It is important to note that there are also many unregistered *gobas*, people who have been recognized by residents of respective villages, but are not registered under the Lambardari Act.

## 2.2 General village organisation

In a Ladakhi village, the *yulpa* (*yul* = village and *pa* = person) is a crucial unit of decision making consisting of the individual and the community, in all their sacred, material and cultural sense<sup>61</sup>. Most of the decision making happens at the level of *yulpa*, including those regarding taxes, water distribution, festivals among others; in effect, *goba* is a delegate of *yulpa*<sup>62</sup>. Everyone in the village is part of the *yul*, though the forum of the *yulpa* is attended mainly by adult men (women are beginning to break through this in some villages now). In Ladakhi villages it is the household that is the bearer of rights and responsibilities, not individuals in relation to their membership in *yulpa*.

The villages are divided into *khangba* and *khangu*. In most villages, the households of all generations live together in the *khangba*,

<sup>57</sup> <https://www.ielrc.org/content/e8004.pdf>

<sup>58</sup> *Lambardar* and *Nambardar* have been used interchangeably. Usually appointed from powerful families of *zamindars* of the village revenue estate, it is a state-privileged status which is hereditary and has wide-ranging governmental powers, involves collaboration with the police for maintaining law and order in the village, and comes with the associated social prestige.

<sup>59</sup> Interview with Tsewang Dorjey, ex-tehsildar 16.03.2022

<sup>60</sup> Pirie, F. (2007). *Peace and Conflict in Ladakh*. BRILL. Boston

<sup>61</sup> Sharma, A. (2020). *Between the Borders and the Spirits - a historical political ecology of water from the perspective of a Himalayan village community*. University of Virginia, USA.

<sup>62</sup> Pirie, F. (2007). *Peace and Conflict in Ladakh*. BRILL, Boston. Information in the rest of this paragraph and the next paragraph are all from this source.

but in some others the older generation or two move into an independent house, the *khangu*, with younger children, leaving the eldest son and his family in the *khangba*. *Khangba* is an important unit in the larger decision-making of *yulpa*. It is the *khangba* that takes turns to assume the periodic obligations to provide the *goba* and his assistants, to host the ceremonial gatherings, guard the fields from livestock, to provide the participants in the new year festival, to contribute materials or services for performing rituals, as well as a host of other village duties. The *khangu* have a right to participate in the village gatherings as well as have some village obligations but not as much as *khangba*. The general village organisation has evolved in a way to enable cross-cutting alliances between different households, with some managing ceremonial events for the whole community, others herding, others ploughing & harvesting, others managing the irrigation, and so on, to avoid oppressive domination of any one household (though hierarchies relating to class, social status, etc do exist). This also creates networks of work that help avoid burdening a few.

The general maintenance of village order is through *thal* (or *thral*), collective obligations imposed on all households by the *yulpa*. The obligations range from small contributions for festivals to a family fully hosting the festivals as well as taking up the position of *goba*, *membar* (*goba*'s assistant), or *kutwal* (*goba*'s messenger)<sup>63</sup>. Some villages also have a *churpon*, who manages the water distribution and overall irrigation system. There are other positions

too like *lorapa*, for catching stray domestic animals and fining their owners; *nyerpa*, responsible for the collective fasting in the first month of the Tibetan calendar and playing a role in organizing *maney*, annual event of sacred text recitation and chanting of mantra. These positions are adapted based on the situations in different villages. For example, the *churpon* is usually appointed in villages where there is a scarcity of water; water abundant villages don't necessarily have such a position.

The powers, functions, and modes of functioning of these positions are usually guided by *thims*, i.e., the customs of the village that are orally passed down and collectively decided. These *thims* are also ways of limiting the authority of the *goba* and the *yulpa* to make decisions. They are unique to each Ladakhi village and there is no special teaching of them; rather they are learned by each generation through ways of being, living and practising. In case of violation of *thims*, the violator is levied with fines or other penalties. Some examples of *thims* include: no washing of clothes in the streams and main water channels, no loose cattle once the fields are sowed, wearing traditional dress as far as possible, ensuring rotation of irrigation cycles, no cutting of trees near the streams, no harvest before the stipulated date and no cutting of grass by outsiders. *Thims* also differ based on the different bioregions; for example, in Changthang, *thims* are also around grazing practices, time of herding livestock in different pastures, boundaries to be respected during grazing, fines and punishments in case of violations, and other such norms and rules that are specific to the

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<sup>63</sup> based on the interviews conducted by the authors in Saspotsey village, 2021

nomadic pastoralism prevalent in the region.

The degree of checks and balances against over-reach of or abuse of power by village functionaries seems to differ from place to place. As we will describe later, the *goba*, for instance, tends to take decisions in consultation with the *yulpa*, but we also heard of places where *gobas*, especially if a hereditary position handed down generations, have assumed overarching power.

### 2.3 The cosmological order<sup>64</sup>

Many writers and thinkers have suggested that a sense of cosmological order underlies the social and political structures of

Ladakhi communities<sup>65</sup>. Within the village, the *lhas* and *lhus* (spirits) are a ubiquitous presence. They are responsible for the physical security of both people and livestock. All the acts ranging from the snowfall in the mountains, to agriculture and land related activities, to livestock herding, to management of pasture lands, to birth and death are to appease the spirits and seek penance for past unwholesome actions. Pirie notes that village organisation and governance is separated from how villagers organise to protect themselves from supernatural harms; the latter may involve separate institutions.

However, in our conversations with several people, it emerged that though social organising is separate from spiritual



*Village meeting, Saspotsey*

<sup>64</sup> This is not an aspect we went into in any depth; the observations in this section are therefore only skimming the surface of this complex topic.

<sup>65</sup> Pirie, F. (2007). *Peace and Conflict in Ladakh*. BRILL. Boston



organising, all governance is very much informed by the spiritual connections with the earth, thus forming a collective sacred order. The relationship between humans and the rest of nature is mediated through the guardians of the ecosystems. The words of village elder Smanla Tundup of Saspotsey regarding disturbing the spirits of the land, etc., cited above, give us a glimpse of how that separation is blurred.

In Changthang, where pastures and snowfall are reported to be declining significantly, many herders spoke to us about disturbing the guardians of the land, and in turn disturbing the cosmological balance. “There is some discussion at the village level regarding drastic weather patterns like less snowfall/rains, etc. We feel it is because we have disturbed the guardians. We are living in the age of ‘Kaliba- Garpa’ which was predicted by Guru Padmasambhava as an age that will see major destruction”, said Jigmet Yangdol, a shepherdess from Thukjey village, Tsokar. This gives us a sense of how the presence of more-than-human beings in many ways influences the order of the village. They collectively define the ownership, purpose, dialogue, decision-making and reproduction of norms.

## 2.4 Who is a *goba*?

“Just like a salt goes with everything, *goba*’s role is present in every collective activity of the village” says Tsering Dorjey, ex-*tehsildar* who served for 35 years in J&K state’s Revenue Department. The *goba* is a village headman (very rarely, a

woman)<sup>66</sup> selected by the entire village periodically and found in every Ladakhi village (or cluster of villages). The term itself may be a derivation of *gopa* (go=head; pa=people of an area). In the past, the *goba* belonged to the landed elite, that usually comprised only a few families who had the wherewithal and means to represent the village and spend the time necessary to perform all the functions allocated to this position. This meant that they could host officials from outside in their houses, had their own land and could pay taxes on behalf of the rest of the village in case of defaults. In regions like Changthang, high livestock holdings accounted for a rich family along with other qualifications such as being older and well respected by the *yulpa*, as an experienced and a knowledgeable man. “Around 50-60 years ago, the *gobas* were very well respected and their selection was based on their experience, knowledge, and their livestock holdings. He was offered livestock of around 30 animals (a mix of goat, sheep, etc.) by the rest of the village as a mark of respect. Additionally, the community would help him with his work whenever he would travel out for village work. The *goba* was almost like a father, taking care of his children and people would be scared to raise their voice against his decision. The *gobas* were also very committed and did a lot of work voluntarily for the village” says Nawang Tharchin, an elder from Thukjey village in Changthang. “The *goba* can’t be too strict nor can he be too lenient; he must find the right balance” says Tashi Namgyal of Tagmachik village.

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<sup>66</sup> For this reason, we use ‘he/him’ when talking about the *goba* in this report, except where specifically referring to a woman *goba*; no sexism is implied.



Nawang Tharchin, Thukjey

In many (perhaps most) parts of Ladakh, even though the *panchayat* system has been introduced (on which we will say more below), the *goba* continues to act as an interface between the Councillors, government officials, and *sarpanches* on one hand, and the villagers on the other. In Changthang, the *gobas* traditionally played and still play quite a crucial role in the pasture management. “The *goba* is still very important without whom no meetings can happen. He has to decide the dates based on the traditional Tibetan calendar which is then informed by *kutiyal*<sup>67</sup> to the entire village. If people happen to miss the meetings, then they are fined” said herder Tsering Dorjey of Tegazong, Changthang. The *goba* also has a role in liaising with

<sup>67</sup> *kutwal* but pronounced *kutiyal* in Changthang

<sup>68</sup> “The *mon* (musicians) and *garba* (ironsmiths) families are excluded from being *gobas*. *Goba* has a special social status in the village and sits on the top row in any ceremony, which

the government for various schemes and services other than what the *sarpanch* coordinates, or all schemes and services where the *panchayat* is not yet active.

## 2.5 Selection and tenure of the *goba*

Being an important authority in the village, traditionally a well-respected person with a good comprehension of local history, communication skills and good relationships with people was usually considered for selection to the post of the *goba*, where it was not a hereditary position. Usually, he was selected from the *khangba* i.e., the bigger household. The *goba* was to be a person with knowledge of land registrations, local domicile, without any loans, and generally one of the upper castes<sup>68</sup>. Earlier it was not important for him to be formally educated. “I studied up to 3<sup>rd</sup> standard as my father passed away quite early and I had to take on family responsibilities. I became *goba* at the age of 45 and was selected 9 times subsequently” says Smanla Tundup, a former *goba* of Saspotsey village. But now the situation has changed because of increased interaction with the government departments in Leh requiring some level of literacy; most of the *gobas* we met had done enough formal education to at least do basic paperwork.

The traditional selection-based process where the *yulpa* would choose someone based on above-mentioned criteria, has now been transformed into a rotational or lottery system and in some places into formal

wouldn't have been appropriate for certain lower castes” said one of the villagers of Hemis Shukpachan, confirmed by the elder *goba* of the village. This is however now changing: we come back to this in chapter 4.

elections. In villages of Sham valley, the *goba* changes every year. For example, in



Sonam Dolma, Korzok

Hemis Shukpachan, one of the biggest villages in the valley with 150+ families, the selection is based on a lottery system. From a total of 4 hamlets in the village, each hamlet conducts its own lottery process except the hamlet whose *goba* might be currently serving. All the families in the hamlet are supposed to participate and a record is maintained of who has already served. Such details are reported by each hamlet through their members to the existing *goba*. The male head of the family selected through the lottery system becomes the *goba*. If eligible males are out for work in Leh or some other place, the woman of the house has to take on that role. The selected person is then presented to the entire *yulpa*, and there is a ceremonial or formal handing over process.

In some parts of Changthang region, selection is done through the system called the *shugyen*, or rolling the dice; whoever rolls the lowest number is selected as a *goba*. Only men become *goba*, no woman. Once selected for a year, the respective household will not participate next year. Earlier, only a herder could be a *goba* but now even agro-pastoralists and/or sedentary farmers are *gobas*. “The *goba* was selected based on experience, wealth, livestock holdings and out of 15 traditional landed families, but over the last few years, youth demanded that they want to enable everyone to become *goba*. The discussion went to *gompa* and we reached a decision that each hamlet sends nominations for *goba* which are consolidated in a container. On an auspicious date as per the Tibetan calendar, a ceremony is held in the monastery where monks shake the container with all names and a slip comes out with a name of a next *goba*”, explained Sonam Dolma, President of Young Drukpa Women's Association, Korzok, Changthang.

In some areas of Changthang like Korzok, the communities have also appointed what they call ‘*chhota goba*’ (small headman) or an assistant to the *goba*. The jurisdiction of the *goba* here includes many settlements spread out over a vast area, and for one person it gets unwieldy to coordinate all activities. For each of the five settlements, these *chhota gobas* help coordinate & manage locally, but they can't take decisions of their own; they have to follow the directions of the area's *goba*.

In some villages, the decision on selection of the *goba* is also based on religious lines. For instance, Chushot village near Leh

town has a Muslim majority; if the *Sarpanch* is Muslim then the *goba* is to be a Buddhist and vice-versa. Ranbirpur near Leh also has such a tradition.

It is interesting that both traditional and current selection systems for the *goba*, as also the length of their term, do not for the most part follow what is laid down in the Lambardari Act. This specifies that the *goba* has to be chosen through formal elections for a term of 5 years. The Act also mandates:

“Elections

*(1) A general Election of Lambardar shall be held in accordance with these rules, within such time and within such areas as may be prescribed by the Revenue Minister by a Notification in the Government Gazette.*

*(2) Till a general election is held the existing Lambardars appointed against the permanent posts shall continue. The vacancies, if any, may be filled by nomination.*

*(3) Where a vacancy is ordered to be filled by election, such election shall take place in accordance with these rules and the Revenue Minister may, in respect of the vacancy so filled by selection, order, that no fresh election shall take place till the next election or till the constituency again fall vacant.*

*(4) Subject to the provisions of sub-rule (2) where the vacancy is not filled by the election, the appointment to a vacant post of Lambardar shall be made by the Revenue Officer not below the rank of Tehsildar subject to confirmation by the collector.”*

In present times, the duration of the post varies greatly in the regions we visited. In some villages such as Hemis Shukpachan, Saspotsey and Chumathang, it is only for a year, whereas in some parts of Changthang it is for 3 years. The 2017 notification mentioned above, reiterates 5 years as a serving period. This notification also limits the maximum age of a *goba* to 60. For unclear reasons, this notification is only now being implemented by the administration. “In January, 2022, the SDM along with BDC<sup>69</sup> and *sarpanch* held a meeting with the *gobas* and gave us the guidelines that the *goba* has to be educated, not older than 60 and younger than 25, and can’t be a son-in-law (*gharjamai*) who comes and stays with wife’s family” said Sonam Phunsok, Headmaster, Hemis Shukpachan. The last point regarding son-in-law is not mentioned in the notification of 2017, but was reported by several villages as being conveyed to them by government officials.

In Changthang, apart from the local community, Tibetan Refugees (TRs) have also settled here for several decades. After Tibet’s occupation by China, many Tibetans escaped to India with their livestock and took refuge here. They first

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<sup>69</sup>Sub-Divisional Magistrate and Block Development Chairperson

came in 1959 and then again in 1962 after the India-China war. His Holiness the Dalai Lama urged that the TRs be accepted as one's own people, and lands should also be given to them for pasturing. Hence, the native *gobas* earmarked for them land to live and for grazing. Government facilities were also made available. TRs have their own *gobas* (having reportedly brought such a system from Tibet), and they have to pay the grazing tax to the local community. However, TRs reportedly do not play any role in the overall governance and decision-making of the villages. According to Tashi Norbu, Punguk TR *goba* in Hanley, Changthang, TR settlement in Hanley has 85 households. They also select their *goba* through a lottery system, and appoint 2 *members* and 2 *kutwals*.

The *goba*'s position has traditionally been held only by elderly men. There have traditionally never been women *gobas*, and perhaps no youth *gobas*. The traditional *thims* don't have any rules against their selection, but general cultural and patriarchal systems did not allow for women or younger men to take on the position. While the latter are now able to (or have to, based on the rotation system), women are still very rarely chosen. "In our village a woman was appointed once, but only because there was no male member in that family" recalls Sherab Dolma of Saspotsey village and member of *Ama Tsogspa* (women's association). When we met the ex-woman *goba* of Chumathang village, Palzes Angmo, she also told us she had to take up the position as her husband was away in Leh (we return to this gender dimension in later sections).



*Sherab Dolma, Saspotsey*



*Palzis Angmo, ex-Goba, Chumathang*

Once the *goba* is selected, he has to visit the village monastery to make offerings. He then visits each household, distributes offerings and informs them about his selection. Officially, the revenue department along with the UT administration needs to be informed about the newly appointed *goba* and he has to be registered as a *nambardar*. He subsequently maps the entire boundary of the village with the revenue officer, so that the common knowledge of village boundaries is reaffirmed, and changes, if any, are recorded.

## 2.6 Functions of the *goba*

### A. *Traditional role of goba*<sup>70</sup>

Traditionally, the *goba* was supposed to have substantial knowledge of issues relating to land, water use, agricultural and pastoral cycles, socio-cultural aspects including customs, rituals and festivals, and other relevant details of the village. He thus played an important role in maintaining the revenue records, collecting taxes, managing cultural and social ceremonies, overseeing water distribution, deciding about sowing and harvesting times or (in the case of seasonally migrant pastoralists) migration times; and in more recent times, keeping the village clean, managing government supplied seeds, manure, kerosene, etc., and sharing information from the government departments with villagers. He was and continues to be a recognised signing authority for the village, including for providing character certificates to villagers applying for educational institutions or jobs outside. In present times, the *goba* no longer plays the role of tax collector.

Reportedly, about five decades ago, the *goba* would get grains from the government and would distribute those in the village. We got an account of the *goba*'s role in pre-Independence times from Tsering Angdus, an 81 year old resident of Hemis Shukpachan and ex-*goba* for 9 times. He says "the *goba* would travel on horseback to Leh and pay taxes to the British in the form of grains and fuel. Though, after independence, it was the Telsildar's

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<sup>70</sup>Much of what we report below sounds rather rosy; we did hear murmurs of how the *goba* could also be biased or because of his hereditary/class/caste position, not entirely fair ... but due to the limitation of time and resources we couldn't get into the details of this.

(administrative tax officer) responsibility to decide the rate of taxes ... in those days, *goba* was the most important person in the village for various kinds of roles including land, water and agricultural issues, liaison with government, and much else".

Subsequently, the *goba*'s official role was limited to maintaining land and revenue records, and in the present times it has reduced further. Especially with the emergence of new, statutory institutions of governance, the traditional system has adapted itself to people's needs and contextual realities.

### B. *Duties of a Lambardar as per the Act*

The 1980 Act stated that the Lambardar makes collection of land revenue, maintenance of common lands and irrigation systems, reports to tehsildar as his assistant and supplies local information to the government as required, among others (the detailed list is mentioned in section 3.2). However, historically and culturally, the *goba*'s role was, and in many ways remains, more diverse than what is given in the Act, as we describe below. The Act was amended in 2017 with newer notifications limiting the age of *goba* to 60 years and several other clauses<sup>71</sup>. The implications of these would be discussed in later sections.

### C. *Modern-day functions of goba*

In all settlements, the *goba* maintains the general demographic details like number of houses, females, males, animals, deaths and

<sup>71</sup>2017 notification, Jammu and Kashmir Lambardari Act, Government of Jammu and Kashmir and Revenue Department, Srinagar. (attached in Annexure 3)



(From left to right) Phunsok Tashi (*kutwal*, *Sasome*), Phunsok Dorje (*goba*, *Gya*), Jigmet Phunsok (*goba*, *Thukjay*)

births. He keeps records of government schemes and other liaisons possibilities with the administration, which are not covered by the *panchayat* and/or the Council. He also issues death, birth, character certificates and no-objection certificates in case of land transfer.

Additionally, he presides over the harvesting and cultivation timings in the village, and the cycles and distribution of irrigation water. In *Gya* village, every year before irrigating the fields, the *goba* collects a box filled with barley seeds from each household and hands it over to the family that declares that it is ready to initiate the opening of irrigation canals and/or to repair them. The family then hosts the entire village for a barley meal and *chhang* (traditional barley beer). After the ceremonial feast, the rest of the families irrigate their fields by turn. The *goba* keeps a check on the rotation cycle for hosting the ceremonial feast as well as ensuring that all the families get water for irrigation. The planning for upkeep and maintenance of irrigation canals before the season is also done by the *goba* along with the *membars*. “Water distribution between *Gya* village and *Sasoma* hamlet was done by the *goba* so that each household gets a fair share of water” said Phunsok Tashi, *kutwal* from *Sasoma*. The role of the *goba* for this

specific activity varies based on the availability of water in the village. In case of scarcity of water, an additional position is appointed called the *churpon*, who oversees the water distribution and overall irrigation system. The *goba* also keeps an eye out for families that have members with special needs, e.g., a widow, or one with disability, who may need to get priority in the irrigation cycle.

In *Saspotsey* village, the *goba* is bestowed with the authority to stop hunting and to



Tashi Phunsok, *goba*, *Khaldo*, *Hanle*

fine people who do so. He is responsible for permitting harvest of medicinal plants, allocating seasonal pasture lands for grazing, monitoring the overgrazing of lands, restricting grazing by livestock of herders from outside, and monitoring the type and the number of livestock that are allowed grazing in the community's allocated pastures. This last role may be less important in recent times, though, especially in areas where agriculture takes greater precedence. "Earlier grazing used to happen on a rotational basis, but since a lot of people have moved to the cities grazing has reduced. Many people have also returned back to the villages after Covid so that might impact the decisions around grazing now," said Smanla Tundup, a Saspotsey village elder. Being a representative of the village, the *goba* has to also interact with any tourists who come to villages. He introduces them to the village and also collects the environment fees<sup>72</sup> from them.

In Changthang, where the communities are largely nomadic pastoralists, the core traditional functions of *goba* are still intact. He plays a significant role in pasture management and territorial governance. He maintains the list of pasture lands, number of livestock with individual families and boundaries to be adhered to by herders, and vests the power to allocate or withdraw access to pasture lands. The *goba* in consultation with his *membar* and *kutiyal*, and with members of the herding group, decides the time of departure and finalisation of the movement from one

pasture to another (though this is often only a function of some fine-tuning, since various herds have a long-established cycle of migration and rotation of pasturing areas). He heads all the important meetings including the ones where the sturdy animals like horses and yaks have to be moved from one winter pasture to the other. The *goba* is also responsible for coordinating *gompa*'s pasture and appoints a '*korva*' who is designated every year to graze the *gompa*'s livestock<sup>73</sup>. The families who graze *gompa*'s livestock get good grazing lands for their own livestock. This position also rotates every year but the overall management and decision making is made by the *goba* along with the *gompa*<sup>74</sup>. Crucially, as Sonam Deldan, *goba* of Kharnak herder community says, "*gobas* of various herder communities also help collectively resolve disputes regarding access to grazing lands that may arise between the communities."



Sonam Deldan, *goba*, Kharnak

<sup>72</sup>This fee was instituted by Snow Leopard Conservancy -India Trust in collaboration with the villagers in some villages, such as those of Sham valley. Earlier, the money was divided among the villagers, to be used for environmental management, but now it is managed by Ridzong monastery.

<sup>73</sup>Gompa is a Buddhist monastery

<sup>74</sup>Based on the conversations with Thukjay *goba* Jigmet Phunsok, and elders in Korzok village, Changthang, 2022.



According to Tsering Dorjey of Tegazong, Changthang, “it has been decided long back that the individual households cannot decide about herd movement on their own. It has to be a collective decision which is convened and facilitated by the *goba* with the entire *yulpa*. If anyone sends livestock in advance before the decision is made, they are fined. Two people from the village are sent in advance to check the status of the pasture & water availability. They bring relevant information (such as, if snow and rain are not on time or too much or too little, and if pasture is not ready) back to the *goba*. They also check that no one has taken their livestock there in advance. If there is not enough grass or fodder when migration time comes, the *goba* on behalf of the entire village seeks help from the government to get the fodder for animals by submitting applications, for which he travels to Leh.”

The *goba* plays a significant role in conflict resolution within the village, along with ensuring the internal flow of information and communication. Conflicts would generally be pertaining to land disputes, inheritance of properties, divorce, domestic violence, among others. First, the family will try to resolve disputes internally, then the neighbours will get involved. If it gets complicated the parties approach the *goba*, who depending on the complexity of the matter, calls the *membars* and *kutwal* to resolve the matter together. And if they cannot solve it, the case will go to a full village (*yulpa*) meeting. The *yulpa* prefers to resolve all the conflicts within the village, if not then they approach the village *gompa* or religious institutions like the

Ladakh Buddhist Association. Only when the issue seems absolutely unresolvable that the police or block officer is called for<sup>75</sup>. “The *goba* calls both the aggrieved parties and tries to help the ones who are financially or socially weak, and try to arrive at a solution amicably” says Smanla Tundup of Saspotsey. Hence, it is crucially important that the *goba* is well respected, compassionate, and is proactively taking up village issues. Internal conflict resolution is also the way that the autonomy of the village social order is maintained. The external control of internal matters is avoided by the use of *thims*, for maintaining the community’s autonomy and defining clear customs of decision making. These are not written and clearly laid out guidelines, but they are instructive of basic customs to be kept in mind while making decisions.

The *goba* coordinates, along with the *yulpa*, the formulation of *drabs* i.e., an annual plan of activities for the village, guided by *thims*. The *goba* also facilitates village meetings where annual plans are discussed and recorded, with the Block Development Officer (BDO) being present.

Importantly, because the *goba* is also supposed to work within the bounds of *thims*, decided on by the entire village, there is a check on any concentration of power that may otherwise take place in the position of the *goba*. “With the advent of modern dispute resolution institutions, *goba*’s role has definitely reduced but despite that, if there is a conflict, people would still go to the *goba* and not *panchayat* and/or the Council or Lok

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<sup>75</sup>Pirie, F. (2007). *Peace and Conflict in Ladakh*. BRILL, Boston; Study respondents

Adalat. They are only the last resort” says Tashi Phunsok, *goba*, Khaldo (Hanley). We will return later to the relations between the *goba* and these new institutions.

These qualities of the *goba* are also important for his crucial role in planning social activities like village festivals, ceremonies, rituals and (in some places) marriages and funerals<sup>76</sup>. He helps in coordinating and distributing tasks among the community, maintaining a calendar of events, keeping check on expenses and ensuring that the meals are cooked together and collaboratively, and in simple ways. This is done to maintain equity in the village, such that any ostentatious displays by richer families do not create pressure on the poorer ones. The *goba* along with the *membars* maintains the calendar of wedding dates and other cultural programs to avoid any possible date clashes.

The *goba* also has an important spiritual role to perform, such as coordinating functions organised by the monastery, including the one where rituals are performed to appease the guardians/deities of lands, waters, mountains and in general nature. In Changthang, the *goba*'s cultural functions include organising two very important annual festivals (*losar*, the new year celebration, and horse racing). He collects barley, butter, wild incense plants and other materials from all households for collective offerings and meals, and distributes work in each household to help in organising these festivals. The *gonrdak* (monastery in-charge) contacts the *goba* for general coordination of these rituals with

the rest of the *yulpa*. The *goba* is additionally responsible for dealing with natural disasters that happen in the village, with a host of spiritual and ritual ceremonies as also more physical tasks to deal with impacts of the disasters.

All the village level associations like the *Ama Tsogspa* (women's association), youth association, shepherd association, education committee among others approach the *goba* for the planning and execution of any proposed activities. Once approved and after consultations with the *yulpa*, the activities are permitted to be taken forward. “The *goba* involves *Ama Tsogspa* in planning the annual meetings. We usually participate to listen but also share our own thoughts with the *goba* and the rest of the *yulpa*” says Tsetan Dolma, president of the *Ama Tsogspa* of Rumtse village. “Most decisions on commons are taken by the *goba* but *Ama Tsogspas* are now more active, hence there is more consultation and involvement in decision-making” says Tashi Gyalsen, *panch* of Chushot Village. But the level of consultations with the women's group varies in different regions. For example, in Changthang, the *Ama Tsogspa* banned alcohol in the Khaldo village (Hanley), and also urged to reduce corruption. However, “women meetings are organised separately and women don't speak of their issues in the bigger village meetings. Talking about women's issues with the *goba* is kind of a taboo, so we usually speak through a *sarpanch*. *Sarpanch*'s position is socially lower than the *goba*'s, hence more

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<sup>76</sup>In most villages, *gobas* have less of a role in these and are mostly looked after by other functionaries called *Spunlas* or *Phaspuns*.

approachable” says Tsering Lamo, President, Ama Tsogspa, Khaldo, Hanley. The handing over of tasks to the new *goba* is done by the existing *goba*. Information on land records, unfinished tasks, any remaining funds, and a register of all works happening in the village are passed on. In Hemis Shukpachan, we witnessed this handover, which took place in a temple, and involved some brief rituals. In villages where the *panchayats* are still not active (e.g., in some parts of Changthang), the information on development schemes/planning of road construction and development works is also done by the *goba*. Every time a new *goba* is appointed, the boundary of the village is mapped along with the revenue officer to reconfirm the revenue records. Earlier, all the government's funds sanctioned to the village were allocated by and/or through the *goba* (though he would never directly get the funds to manage), which has changed after the introduction of the Panchayati Raj system, to which we come back below.

## 2.7 Decision making by the *goba*

Though the *goba* is clearly a powerful position, most respondents told us that he does not take decisions for the village on his own. The *goba* takes decisions after consulting the *yulpa*, functionaries like the *membar*, *kutwal*, and where relevant, *gompas*, *churpon*, *lorapa* or other institutions. Earlier, he was also responsible for drafting village-level plans and deciding the allocations of government funds.

In Changthang, “the *goba* doesn't decide on behalf of the village but rather facilitates the discussions. He organises a full village-level meeting on pasture issues which every

herder in the region must attend. Through the toss system, we decide pasture lands for all the households. The highest number on the toss gets the best pasture” says herder Tsering Dorjey of Tegazong. The *goba* along with the *membars* is also responsible for conveying all the final decisions to the entire village. In the past, decision-making was centred around only the *goba* but in the last couple of decades, that has changed with *panchayats* and Councillors also having a role in local decision-making.



*Goba handover, Hemis Shukpachan*

An aerial photograph of a massive mountain range, likely the Himalayas, covered in snow. The mountains are rugged and layered, with deep valleys and ridges. The sky is a clear, pale blue. The text is overlaid in the lower-middle section of the image.

**Relationship with new or  
modern institutional  
structures**

### 3.1 Brief context of the Panchayati Raj System in India and Ladakh

Under the federal structure of Indian governance, many states began to recognise the *Panchayat* system from the 1950s, based on a governance model with ancient roots in traditional systems. In 1957, the Balwant Rai Mehta Committee, constituted by the Government of India, recommended ‘democratic decentralisation’ in the form of a 3-tier Panchayati Raj System (PRS) across India. This meant that the first level of decentralised decision-making would be the Gram *Panchayat* (village council) at the village level, followed by the *Panchayat Samiti* (committee) at the block level, and Zila Parishad (district committee) at the district level. This was implemented in many parts of India, but not uniformly so, and there was a demand to give it a Constitutional status to ensure its country-wide implementation. This came in 1992, with the 73rd Constitutional Amendment<sup>77</sup> and related laws. Through this, some governance and management powers and

responsibilities devolved from state governments to the *panchayats*, including preparation of economic development and social justice plans along with implementation of 29 subjects listed in the Constitution.

### 3.2 Relation between the *goba* and *panchayat*

The Jammu and Kashmir (J&K) Panchayati Raj Act was promulgated in April 1989 and followed the three-tier system of Panchayati Raj namely, Halqa *Panchayat* (village level)<sup>78</sup>, Block Development Council and District Arranging and Advancement Board<sup>79</sup>. But the first *Panchayat* elections in Ladakh were held only in May 2001, and only in 2003 were detailed directions issued regarding transferring 15 areas of decision-making to the *panchayat*. The Act was last amended in 2011<sup>80</sup>. There are 95 *panchayats* in Leh district, now under the Union Territory administration.

#### Functions of *Sarpanch* and *Goba* in respective Acts

<p><b><i>Sarpanch</i>'s role under the J&amp;K Panchayati Raj Act 1989 (Amended in 2011)</b></p> <p>Functions: (i) to prepare the plans for the development of the Halqa;</p>	<p><b><i>Goba</i>'s role under Lambardari Act 1980<sup>81</sup> (Notification 2017)</b></p> <p>Functions: (i) Make collection of land revenue, arrears of land revenue, cesses or other sums recoverable as arrears of land revenue under</p>
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<sup>77</sup> <https://www.india.gov.in/my-government/constitution-india/amendments/constitution-india-seventy-third-amendment-act-1992>

<sup>78</sup> Kousar, S (2020). ‘Panchayati Raj Institutions (PRI’s) in Ladakh: With Special Reference to 73rd Constitutional Amendment Act’. *Department, Sociology and Social Anthropology*. Central University Himachal Pradesh.

<sup>79</sup> <https://www.ijirmf.com/wp-content/uploads/IJIRMF202003005.pdf>

<sup>80</sup> Panchayati Raj Act, 1989 and Panchayati Raj Rules, 1996 (Amended up to April, 2011). Rural Development Department Jammu and Kashmir, India. <http://drdk.nic.in/J&K%20Panchayati%20Raj%20Act%201989%20and%20Rules%201996.pdf>

<sup>81</sup> The Jammu and Kashmir Lambardari Rules. (1980). Government Gazette, July 10th. Revenue Department, SRO 363 of 1980. Jammu and Kashmir, India.

<p>(ii) to undertake measures for the implementation of the developmental plans;</p> <p>(iii) to specifically deal with the problems of soil conservation, water management, social forestry, rural industrialisation, agriculture, sheep and animal husbandry, sanitation, health and other welfare programmes;</p> <p>(iv) regulations of buildings, shops and entertainment houses and checking of offensive or dangerous trades;</p> <p>(v) construction and maintenance of slaughter houses, regulation of sale and preservation of meat and processing of skins and hides;</p> <p>(vi) regulation of sale and preservation of fish, vegetables and other perishable articles and food;</p> <p>(vii) regulation of fairs and festivals;</p> <p>(viii) preparation and implementation of special developmental plans for alleviating poverty and employment generation through and besides programme, like Integrated Rural Development Programme, National Rural Employment Programme, Rural Landless Employment Guarantee Programme and Housing of Scheduled Castes and Backward Classes</p> <p>(ix) all matters involving regulation, supervision, maintenance, and support, incidental to, or necessary for the more efficient discharge of the above functions and those which may be entrusted to Halqa <i>Panchayat</i> under the provisions of the Act.</p>	<p>any law;</p> <p>(ii) make collection of produce of the land belonging to the Government within the constituency;</p> <p>(iii) acknowledge every payment receipt;</p> <p>(iv) report to the Tehsildar about the death of any assignee of land revenue to the Government, residing in the constituency;</p> <p>(v) report to the concerned authority about the marriage or re-marriage of any person drawing family pension and his absence for more than a year from the constituency;</p> <p>(vi) report to the Tehsildar about all the encroachments on common lands including roads, grazing ground or Government lands and damage to the Government Property, such as Electric Transmission Lines, etc.;</p> <p>(vii) carry out to the best of his ability about a lawful order that he may receive from a revenue officer;</p> <p>(viii) assist in such manner as the Revenue officer, may from time to time, direct in crop inspections, mutation proceedings, survey, preparation of records or other Revenue Department business within the limits of constituency;</p> <p>(ix) attend the summons of all authorities, having jurisdiction in the constituency, and assist them in the discharge of the public duties;</p> <p>(xi) supply to the best of his ability about any local information which may be required by an authority and generally act</p>
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<p>(x) The Halqa <i>panchayat</i> shall be involved in the implementation of the scheme of universalisation of elementary education and other educational programmes.</p> <p>(xi) The Halqa <i>Panchayat</i> shall also perform such other functions and duties as may be assigned or entrusted to it by the Government, the District Planning and Development Board and the Block Development Council within the area of which Halqa <i>Panchayat</i> is constituted.</p>	<p>for the inhabitants of the constituency in their dealings with the Government;</p> <p>(xii) report to the local Revenue officer as well as to the nearest Police and Medical officer about out-breaks of any disease among human-beings and animals;</p> <p>(xiii) report about any breach or break-down in the irrigation system within his jurisdiction; and</p> <p>(xiv) report to the Tehsildar or any concerned officer about any extraordinary event of public importance.</p>
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“Every village has three heads namely a *goba*, *sarpanch* and a councillor and we need clarity on the roles of each of these positions” said Tsewang Stobdan, *Goba* of Alchi<sup>82</sup>. The context of these remarks is the fact that the *goba*’s societal functions and importance do not have adequate acknowledgement in the Lambardari Act and none at all in J&K Panchayati Raj Act, while there are considerable overlaps in key functions. For example, the *sarpanch* is responsible for ensuring the planning and implementation of development plans in relation to water, agriculture, infrastructure, pastoralism, etc. but traditionally many of these functions were divided among the villagers and the *goba* would be the authority to take or facilitate decisions. As we see in previous sections, the *goba* continues to perform many of these to varying degrees. Most of the state

departmental work is primarily being facilitated through the *sarpanch*, except the revenue and some aspects of the agriculture department which still continue to work through the *goba*. However, his traditional function of organising festivals and cultural gatherings, agricultural sowing and harvesting regulations, irrigation & water supplies come under the *sarpanch*’s functions too. The Panchayati Raj Act doesn’t acknowledge the *goba*’s role except mentioning that the existing *goba* cannot stand for Halqa *panchayat* elections<sup>83</sup>.

In many villages such as Chushot and Stok near Leh, during the village level consultations around government schemes, the *sarpanch* along with *gram sabha* or *yulpa*, *goba*, and the BDO is usually present for the planning. In many villages it is an informal arrangement for the *goba* and

<sup>82</sup> Stated at a gathering of *gobas* of Leh district that was organised in September 2022 by the five civil society organisations (CSOs) who have coordinated this study. The Chief Executive Councillor and the Vice president of Ladakh Buddhist Association along with 40 *gobas* from Leh district and CSOs, attended this meeting.

<sup>83</sup> J&K Panchayati Raj Act, 1989 and Panchayati Raj Rules, 1996 (Amended up to April, 2011). Rural Development Department, Jammu and Kashmir, India.

*panchayat* to coordinate with each other. In many, this seems to be happening smoothly, with each keeping the other informed or consulting them while making decisions. For example, in Saspotsey where there is no *sarpanch* (this position is located in the *panchayat* HQ at Saspol), it is the *goba* who takes most decisions and for relevant matters consults the local *panch* who is in touch with the *sarpanch*. However, in Saspol and Hemis Shukpachan, where the *sarpanch* is present and is quite active, it is the *sarpanch* who

According to Tsewang Rigzin, *sarpanch* of Hemis Shukpachan, “the division of roles between *goba* and *sarpanch* are made quite clear by the village. The *panchayat* looks over developmental work and *goba* takes on revenue, cultural, social and conflict resolutions work. Hence, there is no scope of any dispute.” Further, “we don't have to consult the *goba* in the developmental activities as it is not mandated in the Act” he adds, when asked if the *goba* participates in *panchayat* meetings. In relatively bigger villages like Hemis Shukpachan, each



Tsewang Rigzin (*Sarpanch*) & Tsewang Jigmet (*Goba*) with research team, Hemis Shukpachan

convenes meetings to discuss development plans which the *goba* also attends.

There seem to be differences across Ladakh in whether the division of roles and responsibilities of the *panchayat* and the *goba* is clear or not, and whether these roles are complementary or conflicting.

*panch* plans for the ward involving the ward members, and this is presented to the *panchayat* in October every year, along with *drabs* (annual plans). The *panchayat* approves the plans, and once approved by it, higher authorities cannot change it. In the meanwhile, the *panchayat* consults the *goba* in *panchayat* meetings and the *goba* is



responsible to inform the rest of the village of the decisions made. There are *panch* coordination committees at district level as well as *panch* and *goba* coordination committees at block level<sup>84</sup>. Both are meant to raise collective issues regarding demands and implementation of government schemes, discrimination in land prices, and other local issues. An overwhelming number of respondents in villages preferred the continued role and position of a *goba*, rather than these being taken over by the *panchayat*; but also appreciated that the *panchayat's* role in development is important.

In some areas, such as villages near Leh town, the division of roles is not so clear. "The confusion between *goba's* functions and *sarpanch's* role erupts often. If one reads *panchayat* rules then some of its functions (e.g., regulation of fairs and festivals, soil conservation, water management, social forestry, rural industrialisation, agriculture, sheep and animal husbandry, sanitation, health and other welfare programmes<sup>85</sup>) were earlier with the *goba*, who is now often bypassed. Hence, we need clarity on it. "The all-India *panchayat* system model cannot be applied as such in Ladakh " says Tashi Norbu, *Sarpanch* of Stok village. The BDO of Kharu Block (which includes the villages Gya, Sasoma, and Rumtse that we visited) told us that "prior to formulation of the UT, the *goba's* signature would still be required in some documents related to land and others, which is not the case anymore, but

we still consult the *goba* in local village-level matters since he knows these the best". According to Tashi Gyalsen, *panch* of Chushot<sup>86</sup> village, after Ladakh got the UT status, the *panchayat* gets more funds (around rupees one crore, 10 million, per *panchayat* per year) in which the *goba* has no role to play. The *sarpanch* does most of the planning after having *panchayat* level meetings, and gives the plan to BDO. The *goba* may or may not be consulted in this.

"Earlier the no-objection certificate (NOC) for allotment of lands used to be through the *goba*, revenue officer and *sarpanch* but now it goes through the District Commissioner (DC) too. Hence there is more centralisation of decision making" says Tashi Yakzee, Councillor, Nyoma Subdivision.

This side lining of the role of the *goba* is more pronounced in villages near Leh and Leh city. There could be many factors behind this, such as less need for land/agriculture related functions as urbanisation increases, active resident associations or units of religious institutions that take up cultural and dispute resolution matters, and greater power of the *panchayats*. All planning/allocations are now done by the *panchayat*, not necessarily even in consultation with *goba*. In our discussions with the *panches* of Stok and Chushot villages, we gathered that the *panchayat* works mostly independently on the matters of developmental projects and

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<sup>84</sup>We have not managed to get deeper into this aspect.

<sup>85</sup>Panchayati Raj Act, 1989 and Panchayati Raj Rules, 1996 (Amended up to April, 2011). Rural Development Department Jammu and Kashmir, India.

<sup>86</sup>Chushot is 17km long which makes it Asia's longest village. It is closer to Leh and has around 6 *sarpanches*, 50 *panches* and 3 *gobas*. It has a Muslim majority. There was an agreement earlier that if *sarpanch* is a Muslim then *goba* has to be a Buddhist. But since the last few years, this arrangement is not operational.

doesn't necessarily consult the *gobas* on state-sponsored schemes and programs.

### **3.3 Goba, the Hill Council and the UT Administration**

In relation to the Ladakh Hill Council, there is no legal mandate in the LAHDC Act for any consultation with the *goba* as well as the *sarpanch*. But conversations with some councillors seem to suggest that they do consult them. “We have 232 crore (23.2 million) rupees in the council funds which we should allocate based on the consultations with the *goba*. We have to consult the *goba* because he has a good understanding of local issues” said Smanla Dorje Norbu, Councillor of Likir Constituency. At a gathering of *gobas* organised in Leh city in September 2022, the CEC, Advocate Tashi Gyalsen, remarked that *gobas* should be included in all decision making at the local level by panchayats and councillors, because they perform such crucial functions.

For the UT Administration, the *goba* seems to be mainly the village level contact for the Revenue Department, including for responsibilities like allocation of common land or use of *nautor* land. Though officials recognise that there are many other functions that he performs (“he plays”, one official said, “a pivotal role”), these are not formally recognised in the UT Administration’s structure or functioning. One senior official said, “for us, the *namdardar* is an employee, at our disposal”; he also said there has been no discussion in the UT Administration on recognising functions other than those required by the Revenue Department. There

is no mandate for the Administration to consult *gobas* in the planning and execution of developmental works.

### **3.4 Goba and the Leh Municipal Corporation**

In Leh city, it works rather differently where the *gobas* interact with ward members and Leh municipal corporation for planning and allocations. Until recently, Leh town had only one *goba* but in January 2022, four *gobas* were appointed for 4 parts of Leh city by the UT administration. These registered *gobas* have been coordinating with the 6 ward representatives and a councillor for planning and implementation of schemes along with coordinating cultural and religious events. However, the lack of clarity between *goba*’s role and ward members’ role persists here as well. “Councillor, ward members, *gobas* all exist in leh city but there is no clarity on how their roles, functions and jurisdictions relate to each other. Sometimes ward members consult us and sometimes they don’t. The municipality law doesn’t mandate them to do so” says Sonam Paldan, *Goba* of Skara in Leh city. Another relevant body is a registered society for *Phudo* (*phu* meaning upper Leh and *do* meaning lower Leh) for the entire Leh which is involved in cultural as well as development related planning. With 1113 households in the entire Leh city and several new settlements on its periphery, there are also several unregistered *gobas* in the city which according to them is for better coordination and management. “For our *mohalla* and community we are still important, many get their important papers like character, birth & death certificates signed by us. Once

even the army got an NOC from the unregistered *goba*. We fear that we might get into legal trouble if not registered” says Sonam Rigzin, one of the unregistered *gobas*. However, the UT administration doesn’t see it like that, but rather as an illegal process in which people appoint *gobas* on their own. The registered *gobas* too don't agree with the demand for registration of unregistered *gobas*, arguing that as they temporarily settled here with home base in their respective villages, they don't have a local base (including that of traditional livelihoods) to perform the functions of the *goba* adequately, and that the registered *gobas* can manage the whole city.

There is no legal mandate for the municipality to consult *gobas*, but according to some ward members they do at times involve them in decision making or in consultations because they remain relevant to the people. But this is not consistent “The city administration and the government rarely consult the *goba* on matters such as water, land and power. In some areas they started digging trenches to deal with flooding issues but actually by removing boulders (that slow down the water flow), which created more problems. Now they will be building check-dams to slow the water flow. They never consulted us in this planning” says Sonam Paldan, *goba* of Skara region in Leh city. In addition, vote-bank politics also determines the flow of funds to certain specific regions. Usually, allotment of funds by the councillor or the wards is to the newer

settlements who have requirements of electricity, housing, water and other modern-day amenities, rather than going to the regions that would need support with agriculture, drying up water sources or maintenance of pastures. There have been several requests, filed by the *gobas*, to fence some of remaining pasture lands in the city to protect them from being used as garbage dumps; however, the city administration is reportedly not paying heed to it. “*Goba* is specifically needed in the regions where the role is still socially & culturally relevant. In newer settlements of the city, Municipal Corporation is equipped enough to provide for basic amenities” adds Sonam Paldan. Largely, it seems, that though the *gobas* are informally recognised by the municipality in Leh, there are very few efforts to consult the *goba* or to ensure that the position remains relevant<sup>87</sup>. This is despite a clear recommendation in the Leh Vision Plan 2030, prepared in 2020 by LAHDC<sup>88</sup>, to involve *gobas* in the formal and legal decision-making processes, recognising that they have a better hold with the citizens and can help resolve issues more effectively.



Sonam Paldan, *goba*, Skara (Leh)

<sup>87</sup>Leh *goba* meeting organised by Ladakh civil society, SECMOL, 25.05.2022

<sup>88</sup>LAHDC. 2020. *Leh Vision (2030): Path to Our Shared Happiness*. Ladakh Autonomous Hill Development Council, Leh <https://ladakh.iisdindia.in/fd/Leh%20Vision%202030%20Final%20Dec2020.pdf>



# Analysis

This section elaborates on key analytical points that emerge from the narrative above. It looks at various issues emerging in the relationship of the *goba* with the *panchayat*, *goba's* relevance in contemporary governance scenarios, strengths and weaknesses of *goba's* position, impact of decline in traditional livelihoods and institutions, and modernisation of *goba's* role, among others.

#### 4.1 *Goba* and other modern institutions

While introducing the *panchayat* system in Ladakh, or the Hill Council, it does not appear that the *goba* or other self-governance mechanisms were taken into account. Such neglect of traditional local governance institutions, and lack of clarity regarding their relationship with *panchayat* raj institutions (PRIs) or other bodies of government, are common phenomena across India<sup>89</sup>. The J&K Panchayati Raj Act 1980 and The Ladakh Autonomous Hill Development Councils Act, 1997, don't mention the role of *goba* anywhere<sup>90</sup> and so in case of overlapping functions such as agriculture, water management, livestock maintenance, managing festivals, there is no clarity regarding jurisdiction or joint decision-making. So far, we don't know of major conflicts because locally, people have been trying to manage, with some division of the functions, but it is part of the confusion, and may already have created conflicts in some places and could create more in the future.

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<sup>89</sup>Kothari, A, Bajpai, S, and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune.

#### 4.2 Party politics and the *goba*

One crucial element of *goba's* role is his non-party political position. The village focuses on party affiliation, educational qualification and other such criteria of the candidates when electing the representatives of the *panchayat*, while the criteria for selecting *goba* is (or was, till recent changes in selection procedures took place in some areas) that the person needs to have a good grasp of the village customs and traditions, and be widely respected. In several villages as well as in the *goba*-level joint meetings in Leh, the rifts being caused due to party affiliations (in *panchayat* elections or other formal governance processes) at a village level was repeatedly narrated. The *goba's* role is assumed to be devoid of any individual and political interests, hence is said to be a more trustworthy representative of people's voice. The *goba* is expected to have only the village's interests as his top or essential priority, which cannot be expected of a *sarpanch* or *panches* as they have political party affiliations that pressure them in various ways. "*Goba* is a non-political position selected by all the villagers and non-conflictual; on the other hand, *sarpanch* is a political position laden with party politics and other conflicts. Hence, *goba* must remain", said Tashi Gyalsen, the current *panch* of Chushot village, when asked about the relevance of the *goba*.

While the above was widely mentioned in our conversations, there were also some counter-narratives. In some villages, like Hemis Shukpachan, people reported conflicts in case the *goba* had leanings for a

<sup>90</sup> The only exception being the ineligibility of *nambardars* for the position of *sarpanch*

particular political party (though he would not have been chosen because of this), while the *sarpanch* and/or the Councillor of the constituency were more aligned with a contending party<sup>91</sup>. In one village, this narrative by a youth association member brought out such issues clearly: “last time, the *goba* supported a political party that the serving *sarpanch* didn’t belong to, but the Councillor did, and that resulted in conflicts. For example, the Councillor had given Rs. 15 lakhs (1.5 million) for the *losar* festival to be handled by the *goba*. The *sarpanch*, along with some other villagers, visited his office and asked to take the money back, and transfer it to the *panchayat*. The councillor had to be pleaded with till he agreed, and then the *goba* went to the office asking why the money was transferred into the *sarpanch*’s account, creating further complications”. This indicates that the issues of party politics are impacting the village level decision-making and dynamics<sup>92</sup>.

Several observers and analysts have noted and documented the challenging issues of party politics in India. Despite the promise of strengthening democracy, party politics has often compromised its basic tenets. Especially starting from the 1970s and 80s, it took a massive competitive turn that was imbued with intra and inter-party conflicts that have significantly eroded its legitimacy<sup>93</sup>. The emergence of a number of local and national level political parties was hailed as a significant pillar of representative democracy, but with this also

came issues of factionalism, corruption, lack of internal democracy, evasion of accountability or transparency and corporate control. Most political parties have not necessarily acted as effective agents in evaluating and resolving policy level problems<sup>94</sup>, and have rather reduced democracy to elections only<sup>95</sup>. The rifts have seeped deep into many villages across India, further complicated by the dynamics of caste, class, gender, religion, and ethnicity. While Ladakh was relatively immune to political party-related problems till recently, the advent of the Hill Council whose elections have also tended to be along party lines, and infusion of such divisions into *panchayats*, means it is no longer so.

As we note above, *gobas* are selected in many villages either through rotation or through a dice system, but it is still through consensus in contrast to a competitive electoral position of a *sarpanch*. “Even your own brother has become your enemy because of allegiance with different political parties”, says a *yulpa* member in Saspotsey. Party politics has even been undermining development work and intra-village relationships. “A *panchayat* often has more than one village or hamlet; if a *sarpanch* happens to be of a different party than what one of the villages or hamlets supports, the *sarpanch* does not allocate funds and village people also don’t cooperate with him” says Urgain Norbu, president of the Youth Association of Gya Miru (YAGM) in Rumtse village. “This

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<sup>91</sup>In Ladakh, the two dominant political parties are Congress (I) Party and Bharatiya Janata Party.

<sup>92</sup>This is not an aspect we went into in detail.

<sup>93</sup>Hasan, Z. (2004). *Parties and Politics in India*. Oxford University Press, USA.

<sup>94</sup>ibid

<sup>95</sup>Kothari, A. (2020) ‘The problem and promise of democracy’. *The Wall-Street International Magazine*. 13 November. <https://www.meer.com/en/64064-the-problem-and-promise-of-democracy>

could also be because of general cultural change in Ladakh, as we have become more individualistic, unlike earlier when we were more cooperative” adds Urgain while contemplating on his earlier comment. “As a councillor, I have to balance the relationship between the *goba* and *sarpanch* along with different political party affiliations” says Smanla Dorje Nurbu, Councillor from Likir constituency. All of these articulations bring out the impacts of party politics in on village level dynamics.

### 4.3 Strengths and weaknesses of *goba* system as it was and is

One important element of the *goba* system is that people recognise it a part of their ‘way of life’ or ‘being’. This helps in understanding governance at the local level from a life centred perspective. It is rooted in the Ladakhi cultural values of cooperation, collective well-being, community sharing, respecting the commons, communal harmony, and spiritual guidance, among many others<sup>96</sup>. The system is also place-based, i.e., it responds and adapts to the unique geographical and ecological factors, such as the aspects we highlight above regarding Changthang.

In its conception and functioning, the *goba* system displays some elements of ‘direct democracy’. Direct democracy is based on the recognition of everyone’s fundamental right, capacity and opportunity to participate in decision-making about the

issues that affect and concern them<sup>97</sup>, in spaces far deeper than the very limited act of voting. In the *goba* system, the decisions are taken through or in consultation with the *yulpa*. These consultations hold the potential of decisions involving understanding, adaptability and compromises between various perspectives. In its ideal form, and also in practice to varying degrees, the process respects the views of all the members involved (though with unequal participation of women, and of marginalised castes) rather than arriving at a decision through any top-down approach. “The *goba* system is more democratic as it is never the *goba's* individual decision; rather, the entire village deliberates and only then a decision is arrived at”, says Smanla Dorje Nurbu. This makes the process grounded, transparent, well-informed, and respectful. Hence, there is generally greater ownership and better local participation. Many senior officials concurred with this view.

“The *goba* system worked well pre-*panchayat*. Now there is another person (the *sarpanch*) contesting for the same position of power with government funds and hence has more control” says Tsering Angdus, an elder and former *goba* of Hemis Shukpachan village. He adds, “earlier, the block officer would specify the work which would be discussed by the *goba* along with *members*, who would then discuss it with all the wards or *mohallas* and the *yulpa*, and only then the allocations would be made. Now with *panchayats*, there is a lot of political favouritism, no discussions at the

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<sup>96</sup> This is not give the impression that the life was all rosy or there were no conflicts within and between communities

<sup>97</sup> Kothari, A. (2020). ‘The problem and promise of democracy’. *The Wall-Street International Magazine*. 13 November <https://www.meer.com/en/64064-the-problem-and-promise-of-democracy>

*mohalla* level and it has become less democratic”. In many villages, it appears that people feel more informed through the *goba* process than the *panchayat*. Their individual as well as collective autonomy was respected in the traditional systems which are now facing the issue of top-down & distanced decision-making.



Tsering Angdus & Lobzang Tsering, Hemis Shukpachan

Importantly, all of the above may not have necessarily applied in situations where hereditary *gobas* were in place for a long time, and where power may have got entrenched in ways that were less democratic. Passing references to more recent ‘corruption’ of the power that *gobas* have were also made to us, but in our field observations we did not come across clear instances of these. Nevertheless, the radical democratic nature of the *goba* system is unlikely to have been universally valid in the past, or be so in current times.

Local governance in many ‘interior’ villages (far from Leh town) appears to have been and still remains relatively autonomous, for many crucial aspects of life. The social and spiritual order is maintained in the villages through collective *thims* and local organising. For example, the pasture management and movement in Changthang, sowing and

harvesting planning, management of commons, cultural & social functions are still under local governance. Modern state institutions like the *Panchayat* or the Council don't interfere or don't have an overbearing presence in day-to-day decision-making, at least as of yet, due to either themselves not being too strong, and/or due to continuing respect for the *goba* (and overall *yulpa*) system. This is not to suggest that there are no impacts of top-down decision making or of the power of other institutions (we have noted some such impacts above), but rather that there is still a sense of preserving the local socio-political and economic space that maintains an independent order, while co-existing with the larger institutions of religion and state.

However, all the above conclusions have to be tempered by a reality we repeatedly came across. One of the major limitations of the *goba* system is its one-sided gendered role. “There has never been a woman *goba* and we are still a very patriarchal society. Korzok has a small *Ama Tsogspa* which discusses women’s issues but the *goba* doesn’t necessarily heed to women's issues and it is still the men who take most decisions” says Sonam Dolma, a woman herder of Korzok, Changthang. Though women have a lot of knowledge about pastoral and other crucial issues, they are not involved in major decisions around choice of pastures, migration, or livestock management (except in the micro-choices they make when out herding, such as which direction to head in within their allocated pastures). They sometimes share their knowledge and opinions on these matters with male members of the family, who may take them to the *yulpa* meetings or sessions





Members of Ama Tsogspa, Rumtse and Saspotsey

with *gobas* and *membars*. In Chumathang, Palzes Angmo served as a *goba* for a year and she says “for women it is difficult to be a *goba* as I have to do household chores, work on the farm as well as perform functions of a *goba*. It is especially difficult if I have to go to Leh or other towns for the *goba* responsibilities. It is a lot of work”. Another dimension to the near-absence of woman *gobas* in Ladakh is that in the past, the need to travel long distances on foot and horseback were a deterrent to women.

In villages relatively closer to or better connected to Leh, the participation of women in decisions seems to be greater<sup>98</sup>. In our conversations, some interesting elements of this emerged. “Men have to accept women as *gobas* as well as *panches* and *sarpanches*. *Goba* doesn’t decide anything on his own, we are very much part of every decision. Then why pretend that it is only the role of men ” say the Ama Tsogspa (women’s alliance) representatives of Saspotsey village. They further added “a woman *goba* would be more vocal. We don’t want to undermine the *goba*’s authority but we can of course change him mid-way if we are not sure of

his capacities to adequately represent us”. Earlier women were not allowed to be in the meetings with *goba* but the situation has changed in many places now. Many more women are participating in the meetings primarily because of workshops on women empowerment over the last two decades, carried out by government or NGOs. “Even though in our village, the *goba* is a man, women are quite active in all village level meetings and local decision-making process” says one of the members of Ama Tsogspa of Saspotsey village. This may be less so in Changthang, where strictly gendered roles still seem to be quite strong.

Other inequalities related to structural and relational aspects of tradition and customary practices, also sometimes limit participation. For instance, for the youth, in many villages it is still a struggle to get heard by the *goba* or other elders in the village. “*Goba* or *sarpanch* and other elders don’t consult us, and when we call them for environment and education meetings they rarely participate in our activities, it is discouraging” says Urgain Norbu, president of the Youth Association of Gya Miru (YAGM). Traditionally, another layer

<sup>98</sup> Possible reasons for this are: access to education facilities, civil society mobilisation, government programs on women

empowerment among others. But we didn’t get deeper into exploring this issue.

of discrimination was that only landed elites of upper castes could be *goba*. The *garba* and *mon* castes (blacksmiths, musicians, etc.) could not be a *goba*. However, in recent times due to the rotational, lottery and dice systems, every family gets the chance, at least on paper; when we spoke to Tsetan Rabgyas from the Garba caste of Hemis Shukpachan village, who is the only ironsmith in the village, he told us that he is ready to be a *goba* whenever his turn comes. No one in the family has ever been one, but that is not because of any caste discrimination, he said. We didn't come across any *goba* who was from marginalised castes to really know their perspectives and how would it be seen in relation to the traditional sitting (*dral*) system that seems to be still quite sacrosanct in the villages. It would be crucial to look at the traditional discrimination within the communities and how inclusion and exclusion were carried out, and what has changed over time.



*Tsetan Rabgyas, Hemis Shukpachan*

In light of the above, this quote by Nawang Tharchin, an elder from Thukjey village, captures many merits and dilemmas within the system well: “Earlier the *goba* would be from the few rich families, and others were all poor so he would be heard. But now everyone is at the same level and there is

more equality which is good, but not everyone is as knowledgeable as the *goba*'s post requires him to be. Hence, in trying to be more equal through a rotation system, some positive aspects of the tradition are also getting lost. Now *goba*'s role is more like a burden as people don't consider it as honourable. People are more self-centred and want to get rid of the work as soon as they can. We are living in a bad age where traditions and norms don't matter that much”.

#### **4.4 Relevance and role: declining or continued importance?**

This brings us to our next analytical point of exploring the relevance of the *goba* system in the present times. In all conversations, be it with present and past *gobas*, *sarpanches* & *panches*, other residents, and most officials, the *goba* was mentioned as still being very relevant. People don't seem to share the same comfort with the *panch* and *sarpanch* as they are not necessarily based in their village (many *panchayats* contain more than one village), or because of party affiliations, and perhaps also because it is a very new and externally introduced system. “There is still a lot of faith in *goba* as one's own system. It is a matter of identity. *Panchayats* are seen as a system brought in and funded from outside. People still go to the *goba* to get their voices heard - grievances, disputes and needs” says Stanzin Dorjai Gya, a film-maker from Gya village. The *sarpanch* deals with *chhi* i.e. outside but *goba* deals with *nang*, i.e., inside. The *sarpanch*'s position is important but he cannot replace the *goba*, was the common refrain in all the



*As Leh town engulfs rural land, goba's role also decreases*

settlements. This is especially so for the *goba's* role in dispute resolution and in cultural and spiritual matters that are quite essential for maintaining village order; or in Changthang, in matters related to pastoralism. Such a widespread view from residents was also confirmed by several senior officials including those dealing with revenue matters.

*Goba* is still seen by many as not only a cultural but also an administrative and political head of the village, who is (or should be) now supported by the *panchayat* and the Council through funds and government schemes. The way they divide the roles, is that the *sarpanch/panch* understands the government schemes better and helps in liaisoning with the relevant departments, while the *goba* continues to

perform functions in relation to land, water, cultural events, and dispute resolution.

“We need a *sarpanch* for bringing in developmental projects and we need a *goba* who understands the village, its history, its people and their customs”, say Ama Tsogspa members of Saspotsey. “When the *panchayat* system came, people did fear that the *goba* would be replaced by the *sarpanch*. Several villages collectively raised it at the block level meetings where all the *gobas* of the block were present”<sup>99</sup> says Sherab Dolma of Saspotsey. “But in our village that has not happened. The *panch* and the *goba* have worked collaboratively and *goba* is still the most important position in the village”.

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<sup>99</sup> We could not find records of such meetings.



*Goba report release by LBA Vice-President Tsering Dorje Lakrook (2nd from left)*

In some settlements, LBA's strong presence has also reduced the *goba's* role. For example, according to Stanzin Namgail of the Ladakh University campus in Nubra, in the Durbuk region of Changthang, LBA's local volunteers are quite active in local management of issues. They banned liquor sale and tobacco sale in marriages, among other social management decisions of the kind that were earlier taken by the *goba*. He is reportedly merely a messenger of these decisions now, conveying them to villagers. When we enquired about this to LBA's president, Thupstan Chhewang, he said that as an institution it recognises the continued relevance of the *goba* system, but if somehow some of its interventions have resulted in undermining it, they are willing to review this. LBA Vice President, Tsering Dorje Lakrook also reiterated, at a gathering of *gobas* in Leh in September

2022, that LBA respects *goba* as an institution and that they try to ensure that everything that they do locally involves *goba*.

The reduced relevance of the *goba* in some regions is also closely related to the loss of traditional livelihoods. We see that wherever people's traditional livelihoods of herding and farming continue, the *goba* remains relevant and performs his designated functions, like in Changthang and relatively far off villages from Leh. "We don't really have any mandate to consult *goba* but if we don't consult the *gobas* at village level then it creates internal conflicts and confusions and we find it difficult to work in that region. We make sure to consult the *goba* along with the *panchayat* and BDO " says Tashi Yakzee, Executive Councillor of eastern Ladakh

(including Changthang). However, as we move closer to Leh city, *panchayats*, councillors, municipal corporations and now UT administration are playing a much more active role, and none of these institutions have any formal mandate or requirement to involve or consult *gobas*, though as mentioned above, some still do it in recognition of their importance for the people. The role of the *sarpanch* and *panch* is definitely more active and assertive in the villages closer to Leh as compared to those that are far from the town.

Another reason for the reduced importance of the *goba* is the technological revolution in communications. Whereas earlier the *goba* was the main bridge between villagers and the government, many people can now directly reach relevant officials and Council members using better communications and transportation connectivity. Also, all government departments now have frontline workers posted in villages, so accessibility is easier.

Another factor to be considered regarding relevance of the *goba* is how burdensome it is now perceived to be. Almost everyone we spoke to said that no one in the community wants to pursue the *goba's* role voluntarily. This has been the reason that in many places, the rotation or dice system has been introduced. All households are told that they have to participate in nominating someone for the role. This is also the reason why the tenure has come down to one year in many villages (we discuss this below). Tsering Dorjey from Tegazong, Changthang, pointed to some crucial factors: "Earlier, the entire village used to help the *goba* with his livestock and farming but now that has stopped. Now the

*yulpa* collects some money and gives it to the *goba* but he still has to perform all the functions along with his own work. The work too has changed a lot, with many trips outside the village if the person is in government service, trade, or other such occupations. There is no specific incentive to be a *goba*." One exception pointed out by revenue officials, is where new land allocations are ongoing for some time, since the *nambardar* has to give a NOC for these. But this is limited to a few areas.

Another reason for this lack of interest is also the meagre salary for the *nambardar* from the government, Rs. 1500/month. This too does not necessarily come on a monthly basis; some *gobas* said they only get it after serving for a year. "We get 1500 rupees/month, that much amount is spent in a couple of trips to Leh city if we are called for any meeting by the administration. Half that amount gets spent if we have to convey government decisions to all the villagers using our cell phones! We get no reimbursements for travel expenses nor any other expense budget. Some money is provided by the *yulpa* for collective functions, but for phone calls and attending official meetings we end up spending from our own pockets. Who would want to or can spend from their pockets?" asks Tashi Phunsok, currently serving as *goba* of Khaldo in Hanley, Changthang. Another element that Palzes Angmo, the woman ex-*goba* from Chumathang added was "if we travel alone, we cannot claim the expenses, only when we travel with the *sarpanch* we get reimbursed. Maybe if they increase the salary and cover the travel expenses that might help in incentivising *goba's* role". Interestingly, in Chushul village which is close to the sensitive Indo-Tibet border, the

army is reportedly paying Rs. 30,000 a month to the *goba* because there have been too many conflicts with communities regarding army access to pastures, which the *goba* helps in resolving<sup>100</sup>. So, if the adjustments can be made such as these for strategic reasons, then why not at the places where communities would also benefit, asked some respondents in Korzok.

The length of the *goba*'s tenure also helps in understanding its relevance. The Lambardari Act mandates 5 years, but traditionally, it was often much longer and now, in many villages, it is only one year (sometimes extended to two on popular demand). As noted above, this is due to its burdensome nature; but such a short tenure is not good for local decision-making. "One year is too little for us to be able to do any significant work. By the time one understands the work, it's time to change " says Tsewang Dorjay, the new (mid-2022) *goba* of Hemis Shukpachan village.

The 2017 notification under the Lambardari Act set the *goba*'s maximum age limit to be 60. Currently, the UT administration is zealously implementing this notification as was reported by many villagers. However, this age limit was strongly objected to by almost all the villagers we spoke to, because of the traditional nature of the role as well as its current relevance. These days, many men under 60s are out of villages for government, army or other jobs and/or business. They don't have the time and/or capacity, or are located too far away, to look into day-to-day village matters which is essentially the *goba*'s role. They can't adequately represent the village if they are

located somewhere outside. Secondly, traditionally, the role was played by men with experience and knowledge of the village, the younger folks wouldn't have that knowledge and respect. "If our prime minister can be above 60, why can't *gobas* be above 60?" asked the Kharu-level *goba* association during a collective meeting organised as part of this study. Several senior officials of the UT Administration also concurred with the view that such an age limit is problematic; one of them pointed out that in Ranbirpur, there is a tradition of having the *sarpanch* and the *goba* from different religions, which has helped maintained communal harmony, but because of the age limit, this could not be maintained anymore.

The larger cultural changes in Ladakh have also been a reason for reduced relevance of the *goba* system in places nearer to Leh and in relation to changing aspirations of young people. Nowadays young people are beginning to become *gobas* due to the rotational system, and they have very little experience/knowledge of traditions which is leading to many internal conflicts.

Some of the educated young may also see the *panchayat* as more democratic than the *goba* system. "I would like to contribute as a *sarpanch* and not as a *goba* because I want to truly serve my village rather than enjoy social status" says Namgail Dolma, a young woman from Hemis Shukpachan village when asked if she ever wants to be a *goba*.<sup>101</sup> In villages closer to Leh, the young are more drawn towards the modern institutions of governance because they offer the assurance of government jobs,

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<sup>100</sup>We could not confirm whether this.

<sup>101</sup> Some months after we met her, she tragically passed away in an accident.

have greater power or finances, seem more democratic because of elections (though this is often illusory, as mentioned above), appear more open to listening to evolving needs of the youth, and have better social status in larger society beyond one's own village. Whatever the reasons and factors, the decline in incentives and desire to be a *goba* is one of the biggest challenges the system faces.

#### 4.5 Lack of formal recognition of multiple *goba* roles

The *goba* is recognised under the Jammu and Kashmir Lambardari Act, 1972<sup>102</sup> which still remains applicable to Ladakh as a UT<sup>103</sup>, but there is confusion on the relative scope and the powers of the *goba*, *panchayat* and the Hill Council. Some of the key functions listed under the Lambardari Act for the *goba*, such as the collection of taxes, are not operational anymore, and many continuing roles in social, cultural, agricultural, pastoral and maintaining other commons related matters are not listed in it or any other law.

In 2019, when Ladakh was granted the UT status without a legislature, and without any special constitutional status, it gave the UT administration overriding powers over all local institutions including the LAHDC. Virtually all Ladakhi respondents stated that there is a need for LAHDC and the *goba* system to be strengthened, including

through legal means. One widespread demand to this end, is to provide Ladakh powers under the 6th Schedule<sup>104</sup> of the Constitution, especially in respect to the issues of land and property.

The 6th Schedule provides for the creation of Autonomous District Councils, and Regional Councils endowed with certain legislative, executive, judicial and financial powers. Under these comes the power to make laws on certain specified matters like land, forests, canal water, shifting cultivation, village administration, inheritance of property, marriage and divorce, social customs and so on. They need to be accepted by the Governor of the state. In addition, they have various judicial, financial and administrative powers. At the moment, Meghalaya, Assam, Tripura and Mizoram come under the 6th Schedule. The important legislative power in the context of this study is the recognition of the traditional village level governance under the 6th Schedule, which if applied in Ladakh would give it significant autonomy, and enable formal and legal recognition of customary laws including the *goba* system.

Keeping in mind that 98% of Ladakh's population is tribal, the demand for 6th Schedule status made by the local people seems to be legitimate<sup>105</sup>. In 2019, even the National Commission for Scheduled Tribes recommended the inclusion of Ladakh under the Sixth Schedule<sup>106</sup> for democratic devolution of powers, preserving the

<sup>102</sup> <https://jk.gov.in/jammukashmir/a/default/files/2198.pdf>

<sup>103</sup> <https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2019/10/2019102914.pdf>

<sup>104</sup> <https://www.mea.gov.in/Images/pdf1/S6.pdf>

<sup>105</sup> HIAL. (2019). *Report on the Findings of In Depth Study in On-Ground Implementation of Tribal Safeguards and Administrative Model of Union Territories*. Prepared by a 21-member delegation, 3-12 September 2019. Himalayan Institute of Alternative Learning, Ladakh.

<sup>106</sup> Tiwary, D. (2021). 'Explained: What is the Sixth Schedule, and can Ladakh be included under it?'. *Indian Express*, 23 December. <https://indianexpress.com/article/explained/ladakh-sixth-schedule-constitution-explained-7675082/>

cultural heritage of the region, ensuring agrarian rights of local people, and enhancing transfer of funds for regions development needs<sup>107</sup>.

LAHDC, an important component of Ladakh's governance, is not a constitutional body but just a development body, with limited powers.<sup>108</sup> In turn, the LAHDC has itself ignored traditional decision-making institutions like the *goba*.

However, continuing to ignore the traditional governance systems in Ladakh could be detrimental for its local ecological, social and economic harmony. As noted, in other states where 6th Schedule is applied, there is no conflict between powers and functions of *Panchayats* and local & traditional institutions as they can continue to function in a complementary role. In 2019, various study groups convened by the Himalayan Institute of Alternative Learning after reviewing the implementation of 6th Schedule in North-East India, recommended reviving old traditional systems of *goba*, *churpon*, and others in

Ladakh<sup>109</sup>. In our conversations, many people asserted that such a Constitutional status will help Ladakh in many ways. "We fear massive environmental damage and breaking of social fabric if no safeguards are applied. The 200,000-300,000 population is already very stressed with regard to basics like adequate water, local food. etc. Additional population from outside, with no local knowledge of water conservation and living in the cold desert with drastically changing climate patterns, will make the region dangerously stressed. We need Constitutional protection against this" says Tashi Norbu of Stok village.



*Herding in Korzok Phu, Changthang*

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<sup>107</sup> <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1584746>

<sup>108</sup> Kothari, A, Bajpai, S., and Padmanabhan, S. (2019). *Ladakh Autonomous Hill Development Council-Leh (India), How democratic, how autonomous?* Kalpavriksh, Pune.

<sup>109</sup> HIAL. (2019). *Report on the Findings of In Depth Study in On-Ground Implementation of Tribal Safeguards and Administrative Model of Union Territories*. Prepared by a 21-member delegation, 3-12 September 2019. Himalayan Institute of Alternative Learning, Ladakh.





TONG SPON (KHANGBU)  
HIMALAYAN HOMESTAY  
SNOW LEOPARD  
CONSERVANCY INHA TRUST

# Recommendations

Our findings strongly indicate that the role of the *goba* remains crucial in many ways for the people of Ladakh, and there is an overwhelming opinion that it should continue. But simultaneously it is facing several challenges, including lack of clarity in its relationship to other institutions of governance, lack of incentives to revive and/or replace traditional sources of support, inadequate evolution of local rules to deal with new challenges, and the more general decline in traditional livelihoods and cultural patterns of communities impacting local institutions. If indeed it is to continue in some form, providing crucial functions for communities that cannot or should not be performed by *panchayats*, the Council and the Administration, a number of policy measures and institutional actions are needed.

Below are some recommendations that the UT administration, Hill Council, Ladakh civil society, communities and others interested in strengthening local governance in Ladakh for the goals of wellbeing, sustainability and justice for all, could consider. These are based on the analysis above, as also directed questions put to community members, *gobas*, civil society members, state administration representatives, about what their recommendations are.

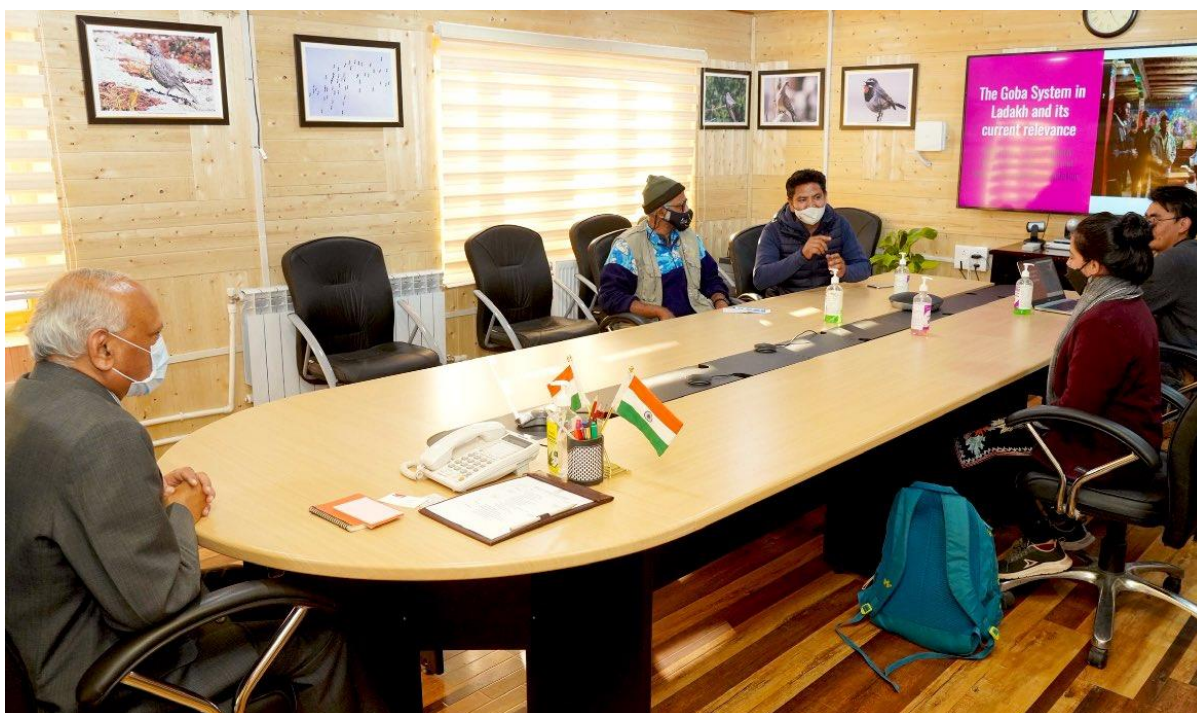
These recommendations are to be seen in the context of the overall transformation of Ladakhi economy, society and culture, including less collective functioning, outmigration of youth from villages, modernisation, ecological issues including climate change, among others. Initiatives to deal with these, through livelihood generation in villages, rebuilding community spirit, tackling ecological

problems such as climate change, strengthening rural economy, and other such actions, are important for the continuation of the *goba* system and the overall strengthening of local governance at *yulpa* and wider levels. In turn, the *goba* system could help in these larger contexts, and the recommendations below are oriented towards this. All these need to be looked at for holistic positive transformations in Ladakh as well as to strengthen local governance. This wider context is of course a vast subject, we mention it only to ensure it is not neglected, not to go into it in detail.

### **5.1 Better recognition of and incentives/facilities for the *goba***

There is a clear need for greater recognition of the *goba's* role through social and financial incentives. Here the UT administration, the Hill Council, civil society organisations and local communities can play a pivotal role.

The *goba* continues to perform several important functions relevant to the community as well as to the state bureaucracy and Hill Council. In many villages, even where the *panchayat* is active and the *sarpanch* is present, he is still the 'go-to' person for many government departments, visiting dignitaries, aspiring politicians, religious institutions, and Council members, for many of their official and informal functions. Because of this, the demands on the *goba* are varied and many. It is therefore only appropriate for the government to provide adequate incentive or 'compensation' for his myriad roles, similar to the position accorded to the *sarpanch*. This should also be in sync with



Meeting between Lt. Governor RK Mathur and case study team

the kind of expenses the *goba* has to incur to perform functions expected of him. In view of all these, **a substantial increase in the *goba*'s salary should be considered; we would suggest from the current Rs. 1500/month to at least Rs. 5000/month; and that this should be paid promptly every month.** This figure emerged from several consultations with the *gobas*, community members as well as Council members. Importantly, this should not be used as a reason to think of the *goba or nambardar* as a 'government employee' any more than a *sarpanch* is; the *goba* is first and foremost a representative of the people, and as such should be more accountable to villagers than to any other body; the salary or compensation for expenses is a recognition of the services he also provides to the government, *not* a means by which he becomes subservient to it.

Additionally, in some form, ***gobas* need to be accorded visible social recognition and benefits**, explicitly acknowledged for their

work by the UT administration, the Council, and civil society organisations. There could be several ways to do so, e.g. by giving awards to the best performing *gobas* (as reported/nominated by respective *yulpas*), inviting them to and giving them positions of status in social/religious gatherings organised by the state administration, facilitating capacity-building workshops and exchange programs, formally recognising their associations (see recommendation below), and giving space in relevant media for their work.

Additional incentives that are important are the **provision of office space and better communication facilities** for *gobas*. Most official positions have spaces from where to conduct their official functions, for meetings, etc. Many *gobas* said that it is awkward for them to always receive people at their homes, for official work. They sought office space in their respective villages, as also an office in Leh where they can collectively meet.

*Gobas* from ‘remote’ locations complained about the lack of proper communication services in their regions. This results in being unable to reach out to the administration or to other *gobas*, as well as difficulties reaching everyone within the village itself where settlements are dispersed. Better communication facilities in such locations are important.

Senior officials including the Principal Secretary and the ADC, in informal discussions, agreed that the *goba* system is still relevant, and needs to be strengthened by the government. This shows that within the government there is recognition of the importance of the *goba* system, as well as a need of intervention from the state's side to give it strength. However, there was also caution by the Lt. Governor, some senior officials, and some civil society organisations, that governmental support should not make the *goba* system dependent on the government, suggesting that if people really feel the position is important, they should prop it up in customary ways.

This view has merit. Indeed, if people do continue to think of the position as being important, they need to find ways to support it. This would also call for the **communities to revive their traditional practices to figure out internal ways to support serving *gobas***, as they used to do, especially to reduce the experience and feeling of the role being a burden. In turn this is also linked to the overall transformations in Ladakhi society, and how much of a community's sense and spirit, and communal ways of working, can be revived in their old or new forms.

## 5.2 Tackling internal inequities

The *Goba* system's own internal limitations need to be transformed, especially the lack of representation of women, marginalised castes, *gobas* and other marginalised members in the community. Appropriate financial and social incentives may also enable greater involvement of women, youth, and marginalised castes. Perhaps like the 2017 rules under the Lambardari Act, **another set of rules or guidelines can specify how to open up the position to all in the community**. This is needed to ensure that the traditional system is responding to its own internal injustices and finding ways to transform based on Constitutional and other values of equality, justice, inclusiveness and fairness. Again, though, we realise that this will be difficult w.r.t. the *goba* system in isolation, and also needs larger social transformations in Ladakhi society as a whole.

## 5.3 Clearer lines of governance between *goba* and other governance institutions

As explained in our analysis above, there is no clarity in governance roles and relationships between the *goba* and other governance institutions, viz. the Council, UT administration, and *panchayat*. **All relevant laws, including the LAHDC Act, J&K Panchayati Raj Act, and rules of procedure of the UT Administration, need amendments or subsidiary rules/guidelines to ensure that the *goba* is consulted and involved by the Council, *panchayats*, and the UT Administration in relevant community matters. The Lambardari Act should also be amended or a new one framed, with appropriate rules or guidelines, to list the full range of**

**functions of the *goba*.** These changes should recognise the socio-cultural-ecological functions that the *goba* performs in general, with provisions for special functions based on the needs of specific bioregions like Changthang.

It is important that for any development work or government schemes coming through the *panchayat* or government departments, in so far as they may involve land, water, agriculture, pastoralism, etc., must involve the *goba* in planning and execution. The same could be for the use of the funds that each Councillor has for use in their constituency. And the access, control and management of local resources (such as extraction of soil, sand, stone and use of pasture lands for non pasture purposes) must also be under the control of the *yulpa* with appropriate role of the *goba*.

These measures could also be introduced for the Leh Municipal Corporation, such that the corporation and the city's ward members need to consult the *goba* for relevant matters, and the *goba*'s role in urban and peri-urban areas is clarified. This would be a step towards implementing the Leh Vision Plan 2030's recommendation, mentioned above, of involving *gobas* in the formal and legal decision-making processes.

In turn, the *goba* could be mandated under the Lambardari Act to keep all these institutions informed, and to consult them in matters that involve their jurisdiction.

It is recommended that the district administration in consultation with the

*gobas* and other experts initiate such a legal and policy review, and bring in the appropriate changes.

#### 5.4 Age limit

There appears to be no justification for the age limit of 60 imposed in the 2017 notification, and being enforced now. **The age limit of 60 needs to be removed immediately; it could either be left open, or if a limit is considered necessary, it could be modified to 70.** While such a change is in process, the UT Administration should stop its current zealous drive to implement this limit.

#### 5.5 Ladakh level *goba* association

Apart from an informal association formed at Kharu block, and reportedly one in Nubra (mentioned during our meeting with the *gobas* in Leh) there is no other *goba* collective that we came across. Such formal or informal associations are important to raise collective voices and make concerted efforts to meet common needs and demands, as also to take up challenges that individual *gobas* face. We recommend that **a Ladakh level *goba* association be formed along with regional associations, as considered appropriate by *gobas*.** This suggestion was made to a meeting of the Leh-level *gobas* in May 2022, and was received positively<sup>110</sup>. Such associations could help in facilitating the flow of conversations amongst *gobas* and between them and other governance institutions, sharing relevant information and experiences, raising demands and concerns with a unified voice, dealing with internal weaknesses & injustices related to

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<sup>110</sup> At the gathering organised on 20-21st September 2022, of *gobas* from Leh district, participants decided to form the

association along with holding consultations with regional *gobas* in October 2022.



Gathering of gobas and civil society organisations, Leh, Sept. 2022

caste, gender and age, and dealing with challenges collectively.

## 5.6 New norms / rules around current issues

As mentioned above, Ladakh is going through massive environmental, economic and socio-cultural changes. The customary rules, *thims*, do have some measures around maintaining clean water, not littering and others which the *goba* along with the rest of the community has to ensure are implemented. But these are not enough in light of recent changes; for instance, they are not relevant to or cannot yet cope with the problem of new kinds and enhanced quantities of solid waste, or with challenges created by mass tourism and climate change. **Ladakh's communities need more serious deliberations around such issues, to come up with some action points and norms that can become part of their *thims*.** There have reportedly been discussions around receding glaciers, drying springs and decreasing quality of pastures, but not around how old or new

*thims* could respond and what communities could do to tackle these issues. The *gobas* could play a crucial role in organising such discussions and actions, along with civil society organisations, *panchayats* and *panchayat* associations, the Hill Council and the UT Administration.

## 5.7 Constitutional status of Ladakh

It is important to **grant the status of 6th schedule in the Constitution of India to Ladakh, or bring in an equally strong Constitutional provision (such as what Nagaland enjoys) to help safeguard its unique socio-cultural and ecological character.** Ladakhi civil society along with several groups like LBA have demanded such a status along with the UT status, as they legitimately fear being swamped by external influences without having the power to protect their own uniqueness and determine a path of development that is in tune with Ladakh's biodiversity, landscapes, peoples and cultures. If such a recognition is given, Ladakh's governance

institutions including the Hill Council would be able to provide Constitutional recognition to the *goba* as appropriate, similar to the recognition that Sikkim is able to provide to the *dzumsa* system, as mentioned above. As noted by the National Commission of Scheduled Tribes in its recommendation cited above, 6th Schedule status will help in “(i) Democratic devolution of powers; (ii) Preserve and promote distinct culture of the region.”

An additional possibility is the application of the 5<sup>th</sup> Schedule<sup>111</sup> relating to the 73<sup>rd</sup> Constitutional Amendment, and the Panchayat (Extension to Scheduled Areas) Act 1996. Since Ladakh has a predominantly tribal population, this is eminently feasible. This Act empowers *gram sabhas* and traditional institutions, and could be used to provide clear recognition and functions to the *goba* and

the *yulpa* and/or other relevant village institutions.

At the time of converting Ladakh into a UT in 2019, the party in power in New Delhi had promised a Constitutional status safeguarding its uniqueness. It must come good on this promise.

## 5.8 Role of *yulpa* /village assembly

While the *goba* has moral and some legal authority in the village for his functions, **it is important to strengthen the role of the *yulpa* or village assembly** in holding the *goba* accountable as also supporting him to carry out his functions. The spirit of the 73<sup>rd</sup> Constitutional Amendment, and in particular of the *Panchayat* (Extension to Scheduled Areas) Act, is to enable the *gram sabha* or village assembly to be the most



CEC Tashi Gyaltsan at Goba gathering, Sept 2022

<sup>111</sup> <https://www.mea.gov.in/Images/pdf1/S5.pdf>

empowered and basic unit of democratic decision-making. This includes being central to any development or village planning, and decisions regarding the use and conservation of nature and natural resources in its jurisdiction. This would also mean that any one person and a group of people representing the village should not have the power to take the decisions on their own. They are merely the delegates or representatives of the *yulpa*, and in many ways that is the spirit and often the practice of the *goba* system, but a legal and Constitutional backing will further ensure it. **For this reason, too, bringing Ladakh under the 5<sup>th</sup> and/or 6<sup>th</sup> Schedule of the Constitution, providing for self-governance, should be considered.**

### 5.9 Awareness building

In several conversations with *gobas*, *sarpanches*, councillors, government functionaries like BDOs, and civil society groups, they complained about lack of awareness about and inadequate clarity of roles and functions of various governance positions. An important exercise to undertake is periodic awareness programs systemically explaining various positions and functions laid out in the existing acts, and discussing the need for greater clarity. **Greater awareness is also needed amongst government officials, especially those from outside Ladakh, of the history and continuing relevance of traditional governance systems.** Modules on this could also be introduced in schools and colleges.

### 5.10 *Goba* to remain apolitical

It was strongly articulated that the position of the *goba* should remain non-political to

maintain its integrity and people's trust in it. Citing several issues (also mentioned in the analysis section) of party politics in the region being a deterrent to truly serve the people, *gobas* strongly recommended that the position should remain detached or uninvolved with party affiliations. It was suggested that the election or selection procedures be clearly laid out in the Lambardari Act, through people's consultation, to avoid any confusion.

### 5.11 About unregistered *gobas*

In some large villages with multiple settlements/hamlets, there are multiple *gobas* for efficient functioning and accessibility to people, but not all are registered as nambardars. In the new settlement areas of Leh town also, this situation exists. Where *gobas* have been selected through due procedure by residents, and where their jurisdiction is not clashing with a registered *goba* (nambardar), such *gobas* should be eligible for being registered.

### 5.12 Further studies

As noted above, there are many limitations to our study. Every region in Ladakh has its own uniqueness that influences its local governance. This study's field sites were in four regions of Ladakh, and in each region we found the *goba's* functions to have evolved based on the geographical, cultural, social and economic contextuality. There were common elements as well as differences amongst these regions. This indicates that local traditional governance is place-based, but may also have some common or universal elements that could be



due to a long history of inter-region connection, common religious or cultural aspects, and/or some homogenisation created by law and policy. Governance is rooted in everyday realities and traditions.

3. Studies to understand how radically democratic the *goba* system was and is, especially in relation to decision-making by the *yulpa*; and in general, on local self-governance through the



*Tsokar route, sheep-goat herd*

Hence, **more studies are needed in different parts of Ladakh, to understand and highlight the importance of place-based, local governance practices, as also elements that may be common across Ladakh.**

We therefore recommend:

1. Extending this study to Kargil district, and areas that we have missed out in Leh district such as Nubra.
2. An examination of the traditional discrimination (gender, caste, class) within the communities and how inclusion and exclusion are working out in relation to the *goba*.

*yulpa* and associated institutions.

4. Studies to understand the role of *Gompa* in the overall governance of Ladakhi villages in relation to the *goba*.

For some of the above, participant observation i.e., spending more time observing the meetings and *goba*'s decision-making process, is very crucial.

**We also recommend that the above aspects become an ongoing subject of study by students of Ladakh University and other institutions like HIAL.** It would help to generate more information and understanding, as well as help keep young people connected to their communities.

## Annexure 1: List of respondents

### i. People spoken to one-to-one or in small groups

1. GM Sheikh, Leh
2. Jigmet Phunsok, Thukjay
3. Sonam Deldan, Kharnak
4. Tsewang Dorjey, ex-revenue officer, Leh
5. Tsering Norbu, Hemis Shukpachan
6. Ishey Namgail, President, Leh Municipality, Leh
7. Sonam Phunsok, Hemis Shukpachan
8. Rigzin Tundup, Hemis Shukpachan
9. Tsewang Dorjay, Hemis Shukpachan
10. Urgyan Tsering, *Sarpanch*, Choglamsar
11. Tsewnag Paldan, BDC Thiksey
12. Tsewang Norbu, *Sarpanch*, Phey and member, Panchayat Coordination Committee
13. Palzes Angmo, Chumathang
14. Karma Dolma, Chumathang
15. Dolma Udon, Chumathang
16. Pawan Kotwal, Principal Secretary, Ladakh
17. Tsering Dorjey, Tegazong
18. Tashi Norbu, Punguk, Hanley
19. Nawang Choldan, Khaldo, Hanley
20. Tashi Phunsok, Khaldo, Hanley
21. Sonam Dolma, Korzok
22. Nawang Tharchin, Thukjey
23. Nawang Dorjey, Korzok
24. Phunsok Rabgais, Zara
25. Jigmet Yangdol, Thukjey
26. Tsering Lamo, Khaldo, Hanley
27. Tashi Wangail, Saspotsey
28. Khigu Tsering, Saspotsey
29. Sherab Dolma, Saspotsey
30. Tsering Dorjay, Saspotsey
31. Smanla Tundup, Saspotsey
32. Tsewang Rigzin, Hemis Shukpachan
33. Tsewang Jigmet, Hemis Shukpachan
34. Tsering Dolkar, Hemis Shukpachan
35. Tsetan Rabgyas, Hemis Shukpachan
36. Namgail Dolma, Hemis Shukpachan
37. Tashi Gyalson, Chushot
38. Tashi Namgait, Choglamsar
39. Smanla Dorje Nurbu, Councillor, Likir

40. Phunsok Tashi, Sasoma
41. Phunsok Dorje, Gya
42. Urgain Phuntsog, Gya
43. Tsetan Dolma, Rumtse
44. Dechen Dolker, Rumtse
45. Jigmet Kitzom, Rumtse
46. Padma Dechen, Rumtse
47. Urgain Norbu, Gya
48. Tashi Norbu, Stok
49. Gulaam Mohammad Mir, Kharu
50. Tashi Namgyal, Tagmachik
51. Stanzin Namgail, Durbuk
52. Sonam Paldan, Leh
53. Thupstan Chhewang, President, LBA, Leh
54. Tashi Yakzee, Councillor, Leh
55. R.K. Mathur, Lt. Governor of Ladakh, Leh
56. Arjun Sharma, Scholar
57. Padma Angmo, Secretary, Leh
58. Tsering Diskit, Saspotsey
59. Yangchen Dolma, Saspotsey
60. Rigzin Angmo, Saspotsey
61. Lobzang Dolker, Saspotsey
62. Deachen Chuskit, Saspotsey
63. Tundup Dolma, Saspotsey
64. Sonam Dolma, Saspotsey
65. Tsering Phuntsog, LBA, Leh
66. Lobzabg Tsering, ward member, Leh
67. Deldan Gawa Otsal, ward member, Leh
68. Tashi Samdup, Buk Shadyo, Hanley
69. Shabbir Hussain, Asst. Commissioner (Rev), Leh
70. Sonam Chosjor, ADC, Leh
71. Rahim Ali, Sardar Qanungo, Leh
72. Phunsok Angdu, Section Officer (Revenue), Leh

## **ii. People spoken to at gatherings**

**Meeting of civil society groups:** Tsewang Namgail, Jigmet Dadul, Karma Sonam, Phunsok Namgail, Stanzin Dorje, Kunzang Deachen, Tsewang Dorjey, Tsewang Rigzin, Tashi Morup, Sonam Wangchuk.

**Leh-level meeting of gobas:** Sonam Paldan, Nawang Tsering, Tsering Tundup, Sonam Rigzin, Tsewang Norbu, Nawang Rigzin, Tsewang Norbu, Sonam Dorjey, Kunzang Deachen, Tsewang Namgail, Tashi Morup

**Kharu-level meeting of gobas:** Stanzin Namgail, Tsering Paldan, Nawang Chospel, Tundup Wangail, Tashi Dorjey, Stanzin Singey, Stanzin Noldar, Phunsok Dorjey, Jigmet Stanzin

**Leh district level meeting of gobas:** Tsering Angchuk, Konchok Stobgayi, Nima Tundup, Tashi Angdus, Tseang Nurboo, Mirza Hussain, Tsulsim Dama, Sonam Paldan, Tundup Tsering, Tsering Krurup, Tsering Dorjey, Jigmet Singey, Tsewang Dorjey, Skarma Rinchen, Rinchen Namgail, Nawang Tamgair, Sonam Dorjey, Tsering Angchuk, Phunstog Angchuk, Tsewang Dorjey, Tsetan Angchuk, Nawang Dorjey, Stanzin Gurmet, Tsering Gurmet, Jigmet Angchuk, Rigzin Paljor, Manzoor Hussain, Nawang Chospel, Jigmet Stanzin, Lobzang Phunsok, Haji Mehsin, Rinchen Wangyu, Tsewang Stobdan, Tsewang Morup, Tsering Multup, Namgail Dorjey, Tsewang Namgail, Skarma Jorgeies, Nawang Tsering, Isha Tsering Malto

## **Annexure 2: List and dates of field visits**

1. Saspotsey: 7-9 August 2021
2. Hemis Shukpachan: 10-11 August 2021; 17-19 March 2022
3. Gya, Rumtse, Sasoma: 13-14 August 2021, 26-27 March 2022
4. Chumathang: 20-21 March 2022
5. Changthang (Kharnak, Thukjey, Korzok, Tegazong, Zara, Khaldo, Punguk, Buk Shadyo): 15-21 May 2022
6. Leh: 16-19 August, 2021; 13-16, 22-25, 28-30 March 2022; 13-16, 22-30 May 2022; 13-23 July 2022

## Annexure 3: J&K Lambardar Act 1972, 2017 Notification



**Government of Jammu & Kashmir  
Revenue Department, Civil Secretariat  
Srinagar/Jammu**

**Notification**

Srinagar, the 29<sup>th</sup>, September, 2017

SRO 412.- In exercise of the powers conferred by Section 6 of the Jammu and Kashmir Lambardari Act, 1972 (Act No. X of 1972), the Government hereby make the following amendments in the Jammu and Kashmir Lambardari Rules, 1980; namely:-

- I. In Rule 3.-
  - (a) for Clauses (i), the following shall be substituted;  
“(i) is under the age of 25 years”.
  - (b) after Clause (xi), the following clause shall be added;  
namely.-  
“(xii) is not Middle pass”.
- II. For Rule 5, the following shall be substituted:-  
“**5.Remuneration of Lambardars:** The remuneration of the Lambardars shall be such as may be fixed by the Government from time to time.”
- III. In sub rule (2) of Rule 11, after the words “**a substitute may be appointed in his place**”, the words “**for a period not exceeding six months. However in exceptional cases, the period of six months can be extended with the prior approval of District Collector**”, shall be added.
- IV. In Rule 14.-
  - a) sub rule (2) shall be omitted.
  - b) in sub rule (4), after the words, “**by the Collector**” the words “**for a period not exceeding six months**” shall be added.

V. For Rule 16, the following shall be substituted;

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**"16. Term of office of the Lambardar.** (1) The term of office for which a Lambardar may be elected shall be 05 years or till he attains the age of 60 years whichever shall be earlier.

(2) An outgoing Lambardar shall, unless the Government otherwise direct, continue in office till election of his successor.

(3) An outgoing Lambardar may, if otherwise qualified, be eligible for contesting the election.

(4) When as a result of any enquiry held under these rules, an order declaring the election of any Lambardar void has been announced, such Lambardar shall forthwith cease to hold his office."

VIII. In Rule 17, the following amendments shall be made:-

- a) "In sub rule (1), for the words **"nomination of a person who is otherwise qualified"**, the words **"nomination of a person for a period not exceeding six months who is otherwise qualified"**, shall be substituted.
- b) "In sub rule (2), for the words **"but he may, if otherwise qualified be re-elected"**, the words **"but he shall be eligible, if otherwise qualified, for re-election"**, shall be substituted.

By order of the Government of Jammu and Kashmir

Sd/-

**Mohammad Ashraf Mir**

Commissioner/Secretary to Government  
Revenue Department


Dated 29.09.2017

No. Rev/LB/98/88-II

Copy to the:-

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1. Financial Commissioner, Revenue, J&K, Srinagar.
2. Principal Secretary to the Chief Minister.
3. Commissioner, Survey & Land Records, J&K, Srinagar.
4. Commissioner/Secretary to the Government, General Administration Department.
5. Divisional Commissioner, Jammu/Kashmir.
6. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs (w7sc).
7. All Deputy Commissioners \_\_\_\_\_.
8. General Manager Government Press, Srinagar/Jammu for publication in the Government Gazette.
9. Pvt. Secretary to the Chief Secretary, J&K.
10. Pvt. Secretary to Commissioner/Secretary to the Government, Revenue Department.
11. Notification file/Stock file.
12. Incharge website, Revenue Department.

  
27/9/2017  
**(Ghulam Rasool) KAS**  
Deputy Secretary to Government  
Revenue Department

This study documents the present status of the traditional governance system of Ladakhi villages in northern India, with a focus on the *goba* (or *lambardar/nambardar*). It attempts to understand the current relevance of the system in the context of socio-cultural, economic, ecological and political transformations taking place in the region. For this, the study also looked at the interface between the *goba* and new/modern governance systems, viz. the *panchayat*, Ladakh Hill Council and UT Administration.

The study found that the *goba* system continues to be crucial in the life of villagers across Leh district of Ladakh, including in relation to the ecological and cultural landscapes in which they are located. But it also faces challenges in relation to the changes mentioned above, and has its own internal weaknesses relating to gender, caste, and age. The study makes several recommendations on how these challenges can be met, if Ladakhi society considers that continuation of the *goba* (and related *yulpa* or village assembly) system is important for its well-being.

This study is a collaboration between Pune-based civil society group Kalpavriksh, and local organisations Snow Leopard Conservancy – India Trust (SLC-IT), Nature Conservation Foundation (NCF), Ladakh Arts and Media Organisation (LAMO), and Local Futures. This report has been published with support of the Ladakh Buddhist Association.

