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## FDI AND BANKING

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### ABSTRACT

*India, a South Asian nation, ranks third in terms of purchasing power parity, preferred destination for FDIs and second-most populous country with over 133 crore people, and finally the largest democracy in the world. The country holds its uniqueness in its diversity and hence has adapted itself to international changes with poise and comfort. The economy has welcomed international companies to invest in it with open arms since liberalization in 1990s. Since liberalization, the government has approved significant banking reforms. While some of these relate to nationalized banks, like encouraging mergers, reducing government interference and increasing profitability and competitiveness, other reforms have opened up the banking and insurance sectors to private and foreign players. Due to Unique Economic, Social and Geographical features India's Banking System is completely different compare to other Asian countries. Thus, the country is attracting many global majors/partners for strategic investments owing due to supportive government and investments avenues. The present paper focuses on Foreign Direct Investment in Indian Economy during post Liberalization period especially in Banking Sector and the needs of FDI is not only for Indian Banking Sector but overall economic development as well.*

**KEYWORDS:** *FDI, Economic growth, banking sector.*

### INTRODUCTION

India, a South Asian nation, ranks third in terms of purchasing power parity, preferred destination for FDIs and second-most populous country with over 133 crore people, and finally the largest democracy in the world. Generally Foreign Direct Investment is an investment in a business by an investor from another country for which the foreign investor has control over the company purchased. The broad definition of foreign direct investment includes "mergers and acquisitions, building new facilities, reinvesting profits earned from overseas operations and intra company loans" While in narrow sense, foreign direct investment refers just to building new facility, a lasting management interest in an enterprise operating in an economy other than that of the investor.

To boost economic development and includes all the sections of society into economic mainstream a country needs a very strong banking system. FDI have helped India to attain a financial stability and economic growth with the help of investments in different sectors. FDI has boosted the economic life of India and on the other hand there are critics who have blamed the government for ousting the domestic inflows. After liberalization of Trade policies in India, there has been a positive

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GDP growth rate in Indian economy. Foreign direct investments helps in developing the economy by generating employment to the unemployed, Generating revenues in the form of tax and incomes, Financial stability to the government, development of infrastructure, backward and forward linkages to the domestic firms for the requirements of raw materials, tools, business infrastructure, and act as support for financial system.

### OBJECTIVE

- To focuses on Foreign Direct Investment in Indian Economy during post Liberalization period especially in Banking Sector.
- To focuses on the needs of Foreign Direct Investment in overall Economic Development.

### OVERVIEW OF FDI IN INDIA

“No power on earth can stop an idea whose time has come,” said by the Ex. Finance Minister Dr. Manmohan Singh quoted Victor Hugo while presenting the Union Budget on 24<sup>th</sup> July 1991. The economic reforms initiated in 1991 introduced, with the aim of accelerating the speed of economic growth and removing the poverty, and it also changed the working and machinery of the economy. The reforms have unlocked India's enormous growth potential and unleashed powerful entrepreneurial forces. Since 1991, Government of India has successfully carried forward the country's economic reform agenda. (Times, 2016)

Before 1991, foreign investment was negligible. The first year of reform saw a total foreign investment of only \$74 million. However, investments have steadily risen since then, except for occasional glitches between 1997 and 2000 and 2008 and 2012 due to the global economic slowdown. India has already marked its presence as one of the fastest growing economies of the world. It has been ranked among the top 10 attractive destinations for inbound investments. Since 1991, the regulatory environment in terms of foreign investment has been consistently eased to make it investor-friendly. The measures taken by the Government are directed to open new sectors for foreign direct investment, increase the sectorial limit of existing sectors and simplifying other conditions of the FDI policy.

FDI policy reforms are meant to provide ease of doing business and accelerate the pace of foreign investment in the country as of 31 March 2016, the country has received total Foreign Direct Investment \$371 billion, since 1991. The year 2008 recorded the highest FDI inflow of \$43.40 billion. The biggest spurt in inflow was between 2005 and 2006, I.e.175.54%. As of March 2016, India has attracted \$10.55 billion worth of Foreign Direct Investment. In 2015, India received \$63 billion, I.e. Approx. Rs. 4.19 lakh crore and replaced China as the top Foreign Direct Investment. In India Foreign Direct Investment is entered by two ways one is through automatic route where FDI is allowed without prior approval and the another one in through government route where prior approval is needed and the Foreign Investment Promotion Board is responsible agency to oversee this route.

The Government of India has amended Foreign Direct Investment policy to increase inflow. In 2014, the government increased foreign investment upper limit from 26% to 49% in insurance sector. It also launched Make in India champion in September 2014 under which FDI policy for 25 sectors was liberalized further. As of April 2015, FDI inflow in India increased by 48% since the launch of "Make in India" initiative. India was ranking 15th in the world in 2013 in terms of FDI inflow; it rose up to 9th position in 2014 while in 2015 India became top destination for foreign direct investment. (Deptment of Financial Service)

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## SOME REFORMS IN BANKING

1) Last year in 2015, RBI took unprecedented step by opening up the much anticipated 'payment bank' sector. It awarded payment bank licenses to 11 entities. Along with redefining consumer experience, these 11 payment banks are expected to give further boost to growth of financial sector as well as to overall Indian economy.

2) To make banks more 'credit friendly', RBI has allowed banks to raise funds via long-term bonds for financing the critical infrastructure sector. This means banks no longer have to meet cash reserve ratio, statutory liquidity ratio or priority sector norms to disburse credit for big infrastructure projects.

3) In a welcome step, in 2015 Indian government raised the cap of FDI in insurance sector by 49%. There by making way for more foreign direct investment in insurance as well as financial sector. Following this decision, many foreign insurance companies operating in India have already raised their stake to 49% in their joint venture with Indian insurance companies.

4) In 2015, Indian government started Mudra Scheme, under which Indian banks will be providing cheap and affordable credit to new & small entrepreneurs.

## FDI POLICY FOR INDIAN BANKS

**Definition of FDI:** Investment made to acquire lasting interest in enterprises operating outside of the economy of the investor.

Maximum FDI permitted in Indian private sector banks is 74 percent, under the automatic route which includes Portfolio Investment i.e. FII's and NRI's, Initial Public Issue (IPO), Private Placements, ADR/GDRs; and Acquisition of shares from existing shareholders; Maximum FDI permitted in Indian public / nationalized banks is 20 percent; Automatic route is not applicable to transfer of existing shares in a banking company from residents to non-residents. This category of investors require approval of FIPB, followed by "in principle" approval by Exchange Control Department of the RBI. The "fair price" for transfer of existing shares is determined by RBI, broadly on the basis of the Securities and Exchange Board of India guidelines for listed shares and erstwhile CCI guidelines for unlisted shares.

After receipt of "in principle" approval, the resident seller can receive funds and apply to RBI, for obtaining final permission for transfer of shares. A foreign bank or its wholly owned subsidiary regulated by a financial sector regulator in the host country can now invest up to 100% in an Indian private sector bank. This option of 100% FDI will be only available to a regulated wholly owned subsidiary of a foreign bank and not any investment companies. The third quarter of 2008 saw the beginning of negative net capital inflows into the country. Notwithstanding this bleak scenario, the investment pattern with regard to foreign direct investment (FDI) and inflows from non-resident Indians remains resilient and FDI inflows into the country grew by an impressive 145% between fiscal 2006 and 2007 and by a respectable 46.6% between fiscal 2007 and 2008. However, owing to the economic downturn, the growth in FDI inflows in fiscal 2009 slowed to 18.6% from the previous fiscal. Despite the surge in investments, the stringent regulatory framework governing FDI has proved to be a significant hindrance. However, FDI norms have been relaxed to a considerable extent with respect to certain sectors. Private banks, for instance. At the same time, it is important to recognize that FDI in banking can address several issues pertaining to the sector such as encouraging development of innovative financial products, improving the efficiency of the banking sector, better capitalization of banks and better ability to adapt to changing financial market conditions.

### **MAJOR CHALLENGES FACE BY BANKS**

- Increased competition from domestic and international markets;
- Transaction costs of carrying non-performing assets and substandard assets in its books;
- Frequent changes in key policy rates and reserve requirements by the Reserve Bank of India.
- Maintaining sufficient liquidity.

### **IMPACT OF FDI ON BANK**

Industry experts anticipate that India will become the world's third-largest banking market by 2025 and the third-largest life insurance market by 2015. India's vast potential in financial services, and particularly in insurance, will increasingly attract investors as the GOI relaxes restrictions on investment. According to our survey, 38% of financial services companies believe that relaxing Insurance Regulatory and Development Authority (IRDA) caps on marketing commissions will attract more foreign participation in the sector, while 26% feel that it will be made more attractive by relaxing FDI caps. According to joint report prepared by KPMG-Confederation of Indian Industry (CII), Indian banking sector is poised to become fifth largest by 2020. The report also states that bank credit is expected to grow at a compound annual growth rate of 17 per cent in coming years. As for insurance sector, it is expected to touch US\$ 350-400 billion by 2020. India's life insurance sector will continue to remain world's largest life insurance sector in coming decades. In the midst of all these bright projection, there is a growing concern about increasing NPAs in banking sector. Many analysts, however, feel that some tough steps by RBI coupled with 'special financial stimulus' to banks is necessary to overcome the incremental issue of NPAs. Over all, the impressive figures and projection highlighted above only means that financial services contribution to Indian economy is going to improve in coming years, thereby adding to India's GDP growth rate. (Industry, 2016)

### **BENEFITS OF FDI IN INDIAN BANKING SECTOR**

- i. FDI in the banking sector benefits the host country's economy through funds transfer of capital. This also leads to efficiency in resource utilization along with access to the local market by the parent organization which ultimately leads to better capitalization and diversification.
- ii. FDI also leads to better customer services. Competition in the banking sector benefits the borrowers the most as there are a wide variety of schemes which can be availed. The focus on customer satisfaction is a paradigm shift in the creation of better and beneficial services to the customers.
- iii. A healthy and robust banking sector is important for the economic growth and development of any country. The strength of the financial institutions is a major parameter for judging economic growth in the world. More banks leads to more investments within the country in important sectors like infrastructure development, mining, real estate and construction, etc.
- iv. Another benefit of foreign investment in the banking sector is the transfer of technology and best management practices. Advanced technology with regard to credit management, market dynamics, lending and transfer, etc. have all been absorbed by Indian banks as well in the quest to keep up with the major foreign players.

### **SUGGESTIONS AND CONCLUSION**

Inclusion of Foreign Direct Investments brings prosperity for any developing and emerging nation. The study of FDI in India should welcome since it has huge benefits for the nation. Being

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politically controversial, FDI has to be accepted in India, to overstep the sluggish growth. As FDI will always provide long term benefits, the public should hold their patience to encase them, and utilize it for their profit. The International Monetary Fund (IMF) and the Moody's Investors Service have forecasted that India will witness a GDP growth rate of 7.5 per cent in 2016, due to improved investor confidence, lower food prices and better policy reforms. Besides, according to the World Bank, the Indian economy will likely grow at 7.6 per cent in 2016-17, followed by further acceleration to 7.7 per cent in 2017-18 and 7.8 per cent in 2018-19.

According to Minister of State for Finance, Indian economy would continue to grow at 7 to 9 per cent and would double in size to US\$ 4–5 trillion in a decade, becoming the third largest economy in absolute terms.

The road ahead for other sectors like pension funds, mutual sector, non-banking financial etc. looks equally very promising. Furthermore, initiatives like **Make in India** and **Digital India** will play a dynamic role in driving the Indian economy.

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## INDEPENDENT THOUGHT CASE: A VERDICT ON MARITAL RAPE OF MINOR GIRLS

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### ABSTRACT

*India a country where the social structure prominently stands upon the foundation of marriage that in turn is not a contract but a sacrosanct eternal alliance of two. Still our women are being raped everyday not only on the roads but also in their bedrooms by their husbands. These rapes behind the walls are the worst as they are believed to be part and parcel of marriage leaving behind, no scope for redressal. Women of all ages face this but when a minor girl is raped in the glorified context of marital text the situation gets alarming and demands immediate cognizance. The hon'ble Supreme Court in the matter of Independent Thought case (2017 (7) Supreme 673) not only triggered the dialogue about marital rape but also protected the minor girls from it making it part of the offence of rape punishable under Indian penal Code. The case is a mile stone in the journey against marital rape and a step that needs to be applauded aloud.*

**KEYWORDS:** Independent Thoughts, Marital Rape, Minor, Girls, Sexual Intercourse, Constitution.

### INTRODUCTION

India is a country that has witnessed the most heinous, callous and vicious rapes in recent years wherein infants of few months of age to the women of 90 years of age were assaulted and rape. When such type of rapes is happening every moment and the rapists are roaming around freely nobody even feels that sexual intercourse between husband and wife should be a matter of discussion or debate. One of the common contention is that sexual relationship between a husband and wife, whether forced or consensus is a matter that must be resolved behind the four walls of bedroom instead to bringing in it for the discussion in public forum. This shows how misinformed people are about the menace of marital rape. Only because this rape happens between husband and wife, such rape gets sanctity? What redressal or remedy a raped wife would have when society is not ready to call such rapes as rapes? The ordeal of marital rape is never ending as wife is treated as commodity over which the master husband can establish his authority and use her for his pleasure with or without her consent. Of late society and courts have started taking cognizance of marital rape and recent judgements are rays of hope for those who had believed rape by husband to be part of their lives.

Independent Thought v. Union of India<sup>1</sup> (the Independent Thought Case) was one of such case we amended not only the law on rape but also altered the dimensions of the institution of marriage of minor girls. The case is the example of how our courts working in the capacity of guardians of law can guard lives of ordinary citizens and grant them a right to life, a life full of dignity and self-respect without any submissions to rape in the name of marital sex.

### **MARITAL RAPE: CONCEPTUALISATION OF THE WRONG**

Marital Rape is an intercourse by a man with his wife for which the consent is obtained by force or coercion or the consent was not otherwise a free or valid consent. It is a non-consensual act of sexual violence by a husband against the wife where she is physically and sexually abused. The parlances of marital rape can be many from forcing the wife to have unnatural sex to forcibly having intercourses or penetrations or perversions of the nature resulting into injuries, infections, STD's and many other emotional traumas. In *Bodhisattwa Gautam v. Subhra Chakraborty*<sup>2</sup> the Supreme Court observed that rape is a crime against basic human rights and is also violative of the victim's most cherished of the Fundamental Rights, namely, the Right to Life contained in Article 21. The elements of marital rape being same must suffer the same contempt from all the law enforcing institutions in India.

The Gujarat high court, when called upon to decide a question of utmost public importance that whether a wife can initiate prosecution against her husband for unnatural sex punishable under section 377 of the Indian Penal Code? The court opined that Marital rape is in existence in India and is a disgraceful offence that has scarred the trust and confidence in the institution of marriage. A large population of women has faced the brunt of the non-criminalization of the practice.

The court defined marital rape as an unwanted intercourse by a man with his wife obtained by force, threat of force, or physical violence, or when she is unable to give consent. It is a non-consensual act of violent perversion by a husband against the wife where she is abused physically and sexually. Further the court categorised the marital rape, generally prevalent in the society as given below:

- Battering rape: In this type of marital rape, women experience both physical and sexual violence in the relationship and in many ways. Some instances are those where the wife is battered during the sexual violence, or the rape may follow a physical violent episode where the husband wants to make up and coerces his wife to have sex against her will. In most cases, the victims fall under this stated category.
- Force only rape: In this type of marital rape, husbands use only that amount of force, as it is necessary to coerce their wives. In such cases, battering may not be a characteristic and women who refuse sexual intercourse usually face such assaults.
- Obsessive rape: In obsessive rape, assaults involve brutal torture and/or perverse sexual acts and are most commonly violent in form.<sup>3</sup>

Marital rape is particularly complicated because the complex, personal nature of marital relationships makes it hard for the victim to even see herself as a victim, let alone reporting the offending act to the authorities, which is why Marital Rape is one of the highly under-reported violent crimes. Even the women who do consider themselves victims are disinclined to approach the authorities because they are financially dependent upon their husbands and reporting the matter could very well result in withdrawal of financial support leaving them and their children without food and shelter.

This section consists of the following:

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<sup>1</sup> Independent Thought v. Union of India, W.P. (Civil) No. 382 of 2013, decided on October 11, 2017 (Madan B. Lokur and Deepak Gupta JJ), 2017 (7) Supreme 673.

<sup>2</sup> AIR 1996 SC 922.

<sup>3</sup>Honourable Mr.Justice J.B.Pardiwala, In The High Court Of Gujarat At Ahmedabad In The Criminal Misc.Application (For Quashing & Set Aside Fir/Order) No. 26957 Of 2017 In The Matter of Nimeshbhai Bharatbhai Desai V. State Of Gujarat, on 6 November, 2017

1. Sexual intercourse by a man with a woman.
2. The sexual intercourse must be under the circumstances falling under any of the seven clauses of section 375.

### **SECTION 375: RAPE AND RELATED AMENDMENTS**

Indian anti-rape law incorporated in Indian Penal Code, 1860 were the reflection of the patriarchal mindset which was the reason that the Rape provision of IPC was challenged in the matter of Sakshi v. Union of India<sup>4</sup>. A demand was voiced contending that the words "sexual intercourse" occurring in Section 375 IPC must be given a larger meaning than as traditionally understood having regard to the monstrous proportion in which the cases of child abuse have increased in recent times. Sakshi claimed that the current interpretation of the law, limited rape to forcible penile/vaginal penetration only. The prosecution submitted that Section 375 IPC should be interpreted in the current scenario, especially in regard to the fact that child abuse has assumed alarming proportion in recent times. The words 'sexual intercourse' in Section 375 IPC should be interpreted to mean all kinds of sexual penetration of any type of any orifice of the body and not the intercourse understood in the traditional sense. The words 'sexual intercourse' having not been defined in the Penal Code, there was no impediment in the way of the Court to give it a wider meaning so that the various types of child abuse may come within its ambit and the conviction of an offender may be possible under Section 376 IPC. Sexual abuse of children, particularly minor girl, children by means and manner other than penile/vaginal penetration is common and may take the form of penile/anal penetration, penile/oral penetration, finger/vaginal penetration or object/ vaginal penetration. The Court upheld the existing definition of rape as forcible penile/vaginal penetration only, refusing to include other forms of penetration within the ambit of rape as defined under IPC. The Court's decision called on the Parliament of India to change the law, stating,

"The suggestions made by the petitioners [Sakshi] will advance the cause of justice and are in the larger interest of society. The cases of child abuse and rape are increasing at alarming speed and appropriate legislation in this regard is, therefore, urgently required. We hope and trust that the Parliament will give serious attention to the points highlights by the petitioner and make appropriate legislation with all the promptness which it deserves."

During the Sakshi case, the Court ordered the Law Commission of India to examine and respond to the issues that Sakshi raised. This exercise culminated in the 172nd Report of the Law Commission of India (on review of rape laws, March 2000). The Report suggested that the offence of "rape" be substituted by "sexual assault," making the offence gender-neutral and applicable to a range of sexual offences other than forcible penile/vaginal penetration.

The court held inter alia,

"...The writ petition is accordingly disposed of with the following directions :

(1) The provisions of sub-section (2) of section 327 Cr.P.C. shall in addition to the offences mentioned in the sub-section would also apply in inquiry or trial offences under sections 354 and 377 IPC.

(2) In holding trial of child sex abuse or rape :

(a) a screen or some such arrangements may be made where the victim or witnesses (who may be equally vulnerable like the victim) do not see the body or face of the accused;

(ii) the questions put in cross-examination on behalf of the accused, in so far as they relate directly to the incident, should be given in writing to the President Officer of the Court who may put them to the victim or witnesses in a language which is clear and is not embarrassing;

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<sup>4</sup> 2004 Supp (2) SCR 723

(iii) the victim of child abuse or rape, while giving testimony in court, should be allowed sufficient breaks as and when required.

These directions are in addition to those given in *State of Punjab v. Gurmit Singh*<sup>5</sup>.”

Accordingly, the rape law was amended<sup>6</sup> still leaving the marital rape untouched and ignored identified or may be, it was appealing to let the institution of marriage be ensconced in the fancy wrap of an eternal alliance of man and woman instead of questioning its chastity on the grounds of lust generated coercions and perversions of the nature of sexual assault to wife.

The denial to submission to such a patriarchal law was asserted with so much vigour that it became unavoidable for the judiciary to not get involved in the issue of marital rape in which the court earlier was reluctant to interfere. That was the time when the elusive battle against the wrong of marital rape crossed the doorstep of the bedrooms and entered the court room.

### **MARITAL RAPE: AS INTERPRETED IN INDEPENDENT THOUGHTS CASE**

After the matter of *Independent Thought v. Union of India*, Exception 2 to Section 375, Indian Penal Code, 1860 stands altered as; “Sexual intercourse by a man with his wife, the wife not being less than 18 years of age, is not rape”.

However, the Supreme Court was categorical against applicability of the decision to marital rape of adult women. The Court clearly stated,

“We make it clear that we have refrained from making any observation with regard to the marital rape of a woman who is 18 years of age and above since that issue is not before us at all. Therefore, we should not be understood to advert to that issue even collaterally<sup>7</sup>.”

<sup>5</sup> 1996 SCC (2) 384

<sup>6</sup> Section 275 of Indian Penal Code, 1860.

A man is said to commit “rape” if he—

penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman or makes her to do so with him or any other person; or inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of a woman or makes her to do so with him or any other person; or manipulates any part of the body of a woman so as to cause penetration into the vagina, urethra, anus or any of body of such woman or makes her to do so with him or any other person; or applies his mouth to the vagina, anus, urethra of a woman or makes her to do so with him or any other person, under the circumstances falling under any of the following seven descriptions:—

First.—Against her will.

Secondly.—Without her consent.

Thirdly.—With her consent, when her consent has been obtained by putting her or any person in whom she is interested, in fear of death or of hurt.

Fourthly.—With her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly.—With her consent when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

Sixthly.—With or without her consent, when she is under eighteen years of age.

Seventhly.—When she is unable to communicate consent.

Explanation I.—For the purposes of this section, “vagina” shall also include labia majora.

Explanation 2.—Consent means an unequivocal voluntary agreement when the woman by words, gestures or any form of verbal or non-verbal communication, communicates willingness to participate in the specific sexual act: Provided that a woman who does not physically resist to the act of penetration shall not by the reason only of that fact, be regarded as consenting to the sexual activity.

Exception I.—A medical procedure or intervention shall not constitute rape.

Exception 2.—Sexual intercourse or sexual acts by a man with his own wife, the wife not being under fifteen years of age, is not rape.’

<sup>7</sup> *Supra note. 1*

At the same time court highlighted clearly that the exception carved out in the IPC creates an unnecessary and artificial distinction between a married girl child and an unmarried girl child and has no rational nexus with any unclear reason. The court further said inter alia;

“The artificial distinction is arbitrary and discriminatory and is definitely not in the best interest of the girl child. The artificial distinction is contrary to the philosophy and ethos of Article 15(3) of the Constitution as well as contrary to Article 21 of the Constitution and our commitments in international conventions. It is also contrary to the philosophy behind some statutes, the bodily integrity of the girl child and her reproductive choice. What is equally dreadful, the artificial distinction turns a blind eye to trafficking of the girl child and surely each one of us must discourage trafficking which is such a horrible social evil.<sup>8</sup>”

A two Judge Bench of Supreme Court finally concluded that sexual intercourse with minor (below 18 years) wife is rape by stating, “we are left with absolutely no other option but to harmonize the system of laws relating to children and require Exception 2 to Section 375 of the IPC to now be meaningfully read as, “Sexual intercourse or sexual acts by a man with his own wife, the wife not being under eighteen years of age, is not rape.”

Justice Lokur said in his Judgment, “It is only through this reading that the intent of social justice to the married girl child and the constitutional vision of the framers of our Constitution can be preserved and protected and perhaps given impetus<sup>9</sup>”.

The court while declaring the exemption to marital rape declared unconstitutional based its findings on the international legal framework to which India is a signatory, ie. the Convention on the Rights of the Child (CRC) and the Convention for the Elimination of all forms of Discrimination against Women (CEDAW). The court also highlighted how the Exception was derogatory of Article 14 and 21, and therefore, unconstitutional. The exemption was also questioned on the ground of being inconsistent with other laws in force, and also created internal contradictions within the IPC. The court talked about the social impact of child marriage, which was legitimized by the marital rape exemption.

#### **CLAUSE SIXTHLY OF SECTION 375 OF IPC VIS-À-VIS CONSTITUTION AND OTHER LAWS**

While discussing the relevant provision<sup>10</sup> being unconstitutional the court limited the findings to the inconsistent nature of the provision with Art 14 and 21 of the Constitution said,

“In this case, we are concerned mainly with Article 14 and 21 of the Constitution of India. The legislative history given above clearly indicates that a child has universally been defined as a person below 18 years of age in all the enactments. This has been done for the reason that it is perceived that a person below the age of 18 years is not fully developed and does not know the consequences of his/her actions. Not only is a person below the age of 18 years treated to be a child but is also not even entitled to deal with his property, enter into a contract or even vote.<sup>11</sup>”

The court clearly distinguished the issue of child marriage from the issue of the marital rape of the minor and held,

“The fact that child marriage is an abhorrent practice and is violative of human rights of the child is not seriously disputed by the Union of India. The only justification given is that since a large number of child marriages are taking place, it would not be proper to criminalize the consummation of such child marriages. It is urged that, keeping in view age old traditions and evolving social norms, the practice of child marriage cannot be wished away and, therefore, legislature in its wisdom has thought it fit not to criminalize the consummation of such child marriages.<sup>12</sup>”

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<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> Clause sixthly of Section 375 of the Indian Penal Code, 1860.

<sup>11</sup> Independent Thought Case, Para 67.

<sup>12</sup> Independent Thought Case, Para 68.

The court took a stern view to the contention raised by the Union of India and said that merely because something was going on for a long time was no ground to legitimise and legalise an activity which was per se illegal and a criminal offence agreeing to the fact that it was the realm of Parliament to decide what should be the age of consent under clause Sixthly of Section 375 IPC. Court observed,

“It is also within the domain of the Parliament to decide what should be the minimum age of marriage. The Parliament has decided in both the enactments that a girl below 18 years is not capable of giving consent to have sex and legally she cannot marry. Parliament has also, in no uncertain terms, prohibited child marriage and come to the conclusion that child marriage is an activity which must come to an end. If that be so, can the practice of child marriage which is admittedly “an evil”, and is also a criminal offence be set up as an exception in a case of a girl child, who is subjected to sexual intercourse by her so called husband. Shockingly, even if this sexual intercourse is forcible and without the consent of the girl child, then also the husband is not liable for any offence. This law is definitely not right, just and fair and is, therefore, arbitrary.<sup>13</sup>”

The hon’ble court asserted that it is well settled by a catena of judgments of this Court that the “right to life” envisaged in Article 21 of the Constitution of India is not merely a right to live an animal existence.

The court while emphasising on the specificities of the health issues of a minor girl held, “ In the case of a minor girl child good health would mean her right to develop as a healthy woman. This not only requires good physical health but also good mental health. The girl child must be encouraged to bloom into a healthy woman. The girl child must not be deprived of her right of choice. The girl child must not be deprived of her right to study further. ....In fact, in my view, because of the patriarchal nature of our society, some extra benefit must be showered upon the girl child to ensure that she is not deprived of her right to life, which would include her right to grow and develop physically, mentally and economically as an independent self-sufficient female adult<sup>14</sup>.”

Finally, in order to protect minor girls, the court said,

“When a girl is compelled to marry before she attains the age of 18 years, her health is put in serious jeopardy. As is evident from various reports referred to above, girls who were married before the age of 19 years are likely to suffer medical and psychological problems. A 15 or 16 year old girl, when forcibly subjected to sexual intercourse by her “husband”, undergoes a trauma, which her body and mind is not ready to face. The girl child is also twice as more likely to die in child birth than a grown up woman. The least, that one would expect in such a situation, is that the State would not take the defence of tradition and sanctity of marriage in respect of girl child, which would be totally violative of Article 14, 15 and 21 of the Constitution. Therefore, this Court is of the view that Exception 2 to Section 375 IPC is arbitrary since it is violative of the principles enshrined in Article 14, 15 and 21 of the Constitution of India.<sup>15</sup>”

The Supreme Court highlighted that the marital rape exemption was also inconsistent with other laws such as the Protection of Children from Sexual Offences Act, 2012 and the Protection of Women from Domestic Violence Act, 2005, which criminalise non-consensual sexual intercourse with a minor, and sexual abuse, respectively.

### **SOCIAL IMPACT OF THE VERDICT**

In England, there was never any such statutory exception granting immunity to the husband from the offence of marital rape based on the following principle:

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<sup>13</sup> Independent Thought Case, Para 69.

<sup>14</sup> Independent Thought Case, Para 70.

<sup>15</sup> Independent Thought Case, Para72.

“But the husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife hath given up herself in this kind unto her husband which she cannot retract.<sup>16</sup>”

In India women from ancient times are given a status not more than a chattel<sup>17</sup>. Women are supposed to be submissive to the commands and wills of her guardian i.e. father and brother before marriage and husband being her master after marriage. The patriarchal set up of Indian society gave the husband an absolute authority over his wife including right over her sexuality which he could explore as and when he wishes to, without considering her disposition or consent. Marital rape of any form needs condemn but in case of a minor girl it needed a quick and immediate action and Indian minor girls would be eternally indebted to the hon'ble Supreme court to uphold their dignity and to give them a protection against the marital rape. A large part of the judgement in Independent Thought is dedicated to child marriage and its resultant evils. The Supreme Court observed that the amended exception, condones the negative effects child marriage has on the girl child, on any prospective children, and on society at large.

Criminalising marital rape was questioned on the ground that it would ‘destroy the institution of marriage’. The Supreme Court categorically rejected this contention with the following observations, “The view that marital rape of a girl child has the potential of destroying the institution of marriage cannot be accepted. Marriage is not institutional but personal – nothing can destroy the ‘institution’ of marriage except a statute that makes marriage illegal and punishable.”

It is clear that the question before the Supreme Court was not the recognition of marital rape simpliciter as a crime. However, in deciding the constitutionality of Exception 2 to Section 375, IPC as applicable to minor girls, the Court has inevitably made observations, or relied on grounds, which are applicable to the larger problem of marital rape.

The question is whether the institution of marriage above, the lives of the people whose alliance make the marriage possible and sacrosanct? Irrespective of her age, a woman who is raped by her husband may suffer serious mental and emotional trauma. If she were also forced to bear his child, her trauma and injury would certainly reflect in the way the child is reared. Still, we cannot deny the advancement Indian legal justice system has made after the case of Independent Thought v. Union of India<sup>18</sup>, where judiciary in true sense exhibited the role of guardian of law and protected the minor girls of the country from getting raped in the name of marital sex.

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<sup>16</sup> The principle, commonly known as Hale’s principle (as it was given by Sir Mathew Hale, who was Chief Justice of England), was recorded in the History of the Pleas of the Crown and was followed in England for many years. Under Hale’s principle a husband could not be held guilty of raping his wife. This principle was based on the proposition that the wife gives up her body to her husband at the time of marriage. Women, at that time, were considered to be chattel. It was also presumed that on marriage, a woman had given her irrevocable consent to have sexual intercourse with her husband.

<sup>17</sup> “Dhol Gavar Shudra Pashu Nari Sakal Tadna key Adhikari”, a “chaupai” (quatrains) cited in Sundarkand where Tulsidas ji compared women with poor people, animals, drum and illiterates, as all of them did not have say over their wishes and destiny. But lot of the modern people would not be happy with Tulsidas ji’s example, but we should keep in mind that the society in 15th century was not what we see today and woman did not have same rights as man

<sup>18</sup> Supra Note. 1



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## PERCEPTION OF MIDDLE CLASS PEOPLE OF SOME SELECTED DISTRICTS OF GUJARAT STATE TOWARDS SHOPPING MALLS AND NEARBY GROCERY SHOPS – A STUDY

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### ABSTRACT

*Across the globe, for any country whether it is developed or developing, retailing activities contribute lots to the economic growth and prosperity. Retailing business is gaining the attention of people across the globe and today it is recognized as an industry which is divided into organized retailing and unorganized retailing. The behavior of customers differs from area to area and class to class and situation to situation. Normally people buy different items from traditional retail shops and shopping malls. This research paper concentrates on the perception of middle class people of Anand, Vallabh Vidya Nagar, Kheda and Nadiad of Anand and Kheda districts of Gujarat state towards shopping malls and nearby grocery shops.*

**KEYWORDS:** Middle Class People, Organized Retailing, Unorganized retailing, Retailing Industry, Consumer Behaviour

**INTRODUCTION:** Retailing Industry is divided into two sectors: Organized Retailing Sector and Unorganized Retailing Sector.

**Organized Retailers** - Organized Traders/Retailers are those who are licensed for doing trading activities and registered to pay different taxes to the government.

**Unorganized Retailers** – Unorganized Retailers are those consisting of unauthorized small shops - conventional Kirana shops, general stores, corner shops among various other small retail outlets selling different items in small quantity, normally not paying tax to the government and majority of them are managed or controlled by the local government authorities. India has been a nation of ‘dukandars’ – around 12 million retailers – consisting of more retail shops than those in the rest of world put together. Retailing has been in our blood - as shopkeepers or as shoppers. But things are changing in the country in the way shopping is done, the way retailing is getting modernized and organized, and the way people

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are viewing this industry – as students, as shoppers and as academicians. -----**Kishore Biyani**--- CEO  
**Future Group**

**OBJECTIVE:** The broad objective of this research paper is to get the idea about perception of middle class people of selected district towards shopping malls and nearby grocery shops.

**REVIEW OF LITERATURE:** Extensive research has been carried out in the area of consumer behavior and retailing industry at different levels.

**Adil Zia, Khalid Mohammad Azam (2013)** in their research has explored fifteen dimensions and from this eleven have optimistic impact on shopping experience. In the opinion of Ms. **Monika Talreja and Dr. Dhiraj Jain (2013)**, modern and traditional retailers will co-exist in India in years to come as they have their own competitive advantages. Traditional Retail shops have low- cost structure, location advantage, and customer familiarity and on the other side shopping malls offer combination of product width and depth and excellent buying / shopping experience. Modern retailing is becoming a mart to shop for buying fresh fruit and vegetable. **Mitul Deliya ,Bhavesh Parmar and Dr. K. K. Patel(2012)** have carried out the research study on the impact of organized retailers on unorganized retailers and concluded that there is a decline in footfall of the customer visiting unorganized retail due to emergence of more organized retailers. **U. Dineshkumar and P.Vikkraman (2012)** are of the opinion that shopping malls offer better value added services as compared to the traditional retail outlets. According to **Panneerselvam S (2012)**. Indian organized retail sector is rising and the role of supply chain becomes more important because the retailing activity is possible if the product has reached to the shelf. Growth of the organized sector is also improving the supply chain of our country. **Kushwaha(2011)**, compared the perception of consumers in both local retail shops and modern shopping malls and realized there are several factors that affect traditional retailing shops. **According to Dr. Ramnathan V. and Dr. Hari K.(2011)**, customers prefer to buy products both from organized and unorganized retailers due to changes in the demographic system of customers and the awareness of quality consciousness consumption and retailers provide various value added services to customers for their pleasant shopping experience. **Goswami& Mishra (2009)**, tried to know whether consumers are probable to move from Kirana shop to shopping malls for buying groceries. The research finding highlighted that both local retail shops and modern shopping malls have some competitive advantages over other. In the opinion of Piyush **Kumar Sinha & Sanjay Kumar Kar (2007)**, India's retail development is inevitable. Most of the organized retailers in India are harping on quality, service, convenience, satisfaction and assured benefits to lure shoppers into the store. Retailers should create value for the consumer and must decide suitable vehicle to deliver desired consumer value. **Kalhan (2007)**, analyzed the effect of shopping malls on nearby grocery shops and there is downfall in the turnover of traditional retail shops due to superior shopping environment, convenience, availability of variety, ambience of shop, and availability of parking space and perception of quality of products sold in shopping malls. **According to Dholakia(1999)**, The justification for shopping is making visit in person to a shopping site. It is presumed to be as a household task as well as a form of recreation, relaxation and entertainment. Shopping is most positive attribute of being a leisure activity along with work.

**RESEARCH METHODOLOGY:** The research methodology of this paper includes the following.

**PRIMARY AND SECONDARY DATA COLLECTION:** Primary data are collected through structured questionnaire having close ended answer. Secondary data are collected from the various on line and of line sources in the area of consumer behaviour and retailing.

**POPULATION:** Researcher has used target population in form of middle class people visiting unorganized retailing shops / traditional retail shops / grocery shops / kirana shops.

**GEOGRAPHICAL AREA FOR RESEARCH / SAMPLING AREA:** Selected city like Anand and Vallabh Vidya Nagar and Nadiad and Kheda of Anand and Kheda district of Gujarat state.

**RESEARCH INSTRUMENT:** Questionnaire

**SAMPLING UNIT:** Middle class people who are engaged in job or they are professional or house wife.

**SAMPLE SIZE:** For collecting data for the research work, 730 numbers of respondents were considered. The sample is divided into four different groups for four different cities namely Nadiad, Kheda, Anand and Vallabh Vidya Nagar.

Table Sample Size of Respondents

Sr. No	City	Number of Respondents
1	Nadiad	215
2	Kheda	130
3	Anand	175
4	Vallabh Vidya Nagar	210
Total		730

**STATISTICAL TOOLS USED FOR DATA ANALYSIS:** The statistical package for social sciences (SPSS) has been utilized to analyze the data collected through survey work. Chi-square test, Factor Analysis has been used for proper presentation of the findings.

**LIMITATIONS OF STUDY:** This study cannot be applied to other area due to difference in demographic, economic and social factors and shopping preference of middle class people. The sampling procedure is non-probability convenience sampling and thus it inherently brings all the limitations of it. Sample size of 730 respondents is acceptable size but for any consumer research like this, using a larger sample size will be preferable and more representative of the whole population of retail customers in this area or elsewhere. The findings of the research cannot be generalized for entire state or nation.

**DATA ANALYSIS:** In the data analysis hypothesis were tested and factor analysis was carried out to get the idea about perception of middle class people towards shopping malls and nearby grocery shops.

**FACTOR ANALYSIS:** Factor analysis was carried out to know the perception of middle class people of selected cities towards shopping malls and nearby grocery shops. The analysis is as under.

#### 1) FACTOR ANALYSIS OF PERCEPTION RESPONDENTS REGARDING SHOPPING MALLS.

No	Factors
1	One Stop Shopping.
2	Shopping from an organized retail outlet/Mall is a Status symbol.
3	Multiple brands under one roof helps comparison and ensures best buying.
4	Cater to the needs of all income groups.
5	Excellent Customer Services by Professionally qualified and knowledgeable sales people.

6	Ample, Convenient and free parking facilities for vehicles.
7	Wide range of products.
8	Sales Promotion Schemes like special offers discounts on bulk buying.
9	Whole family entertainment along with shopping and opportunity to meet friends.
10	Availability of all necessary goods under same roof or umbrella.
11	Longer Opening and Convenient working hours.
12	Superior Quality of Products.
13	Honoring credit/debit cards.
14	More than one counters for billing or checkout.
15	Relaxation & pleasure, Time pass, leisure, spending time.
16	Trial rooms.
17	Nearer to residence or office.
18	Customer Loyalty Cards or Loyalty Programmes.
19	Self Pick-up of products.
20	Goods return policies.
21	Larger inventories of groceries than small grocery shop.

**List of Extracted Factors**

Factor Extractions				
Factor Number	Factor Designation	Maximum Variance	Eigen Value	Variables Included
F1	Family Expediency And Entertainment while buying	23.009	5.126	Whole family entertainment (Variable 11)
				Availability of all necessary goods under same roof or umbrella. (Variable 10)
				Honoring credit/debit cards. (Variable 13)
				Longer opening hours (Variable 9 )
				One Stop Shopping (Variable 1 )
				Trial rooms. (Variable 16)
F2	Value for Money For Customers	12.078	2.660	Customer Loyalty cards (Variable 18)
				Near to residence (Variable 17 )
				Return Policy (Variable 20 )
				Excellent service by salesmen (Variable 5)
				Sales promotions schemes (Variable 8 )
F3	Pleasure While shopping	8.932	1.872	Wide range of products (Variable 7)
				Relaxation, pleasure, time pass (Variable 15 )
F4	Hassel Free Shopping	7.470	1.207	Many billing counters (Variable14 )
				Ample, free parking (Variable 6)

F5	Self service while buying	5.349	1.114	Self pickup of products (Variable 19)
F6	Larger options while shopping	5.002	1.007	Larger inventories of groceries (Variable 21)

### Factor Loading of Variables

Factors	Variables	Factors					
		F1	F2	F3	F4	F5	F6
F1	V 11	0.933					
	V10	-0.925					
	V13	-0.913					
	V9	0.910					
	V1	0.850					
	V16	-0.818					
F2	V18		0.717				
	V17		0.665				
	V20		0.658				
	V5		0.636				
	V8		0.516				
F3	V7			0.964			
	V15			0.964			
F4	V14				0.734		
	V6				0.615		
F5	V19					0.793	
F6	V21						0.912

### ANALYSIS AND INTERPRETATION

The results of factor analysis expose the following parameters about perception of customers about Shopping Malls.

**Parameter 1: Family Expediency and Entertainment while Buying:** The factor with maximum variance of 23.009 percent of total variance with Eigen value of 5.126 is named as ‘**Family Expediency and Entertainment while Buying**’. Six variables has high factor loading on this factor. First one is V11: Longer Opening Hours with highest factor loading of 0.933. This implies that consumers expect that the shopping mall should be opened even at night 10–00 o'clock and those who are busy during the day because of one or another work can go to shopping malls at night and can buy.

The second highest factor loading under this factor is V10: Availability of all necessary goods under same roof or umbrella with a factor loading of – 0.925. It means that consumers will prefer to go shopping malls only if whatever products they want to buy from the shopping malls is available.

The variable with third highest factor loading is V13: Honoring credit/debit cards with a factor loading of –0.913. It means that customers will prefer to buy from shopping malls only if facility of honoring Debit Card or credit card is provided by shopping malls.

The fourth highest factor loading under this factor is V9: Whole Family Entertainment along with shopping and opportunity to meet friends with a factor loading of 0.910. It means that consumers feel that going to shopping malls is entertainment to all family members while shopping and opportunity to meet friends.

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The variable with sixth highest factor loading is V16: Trial Rooms with a factor loading of  $-0.815$ . It means that shopping malls can attract the customers only if there is facility of trial rooms for those customers who want to buy readymade garments.

**Parameter 2: Value for Money for Customers'** The next factor with maximum variance of 12.078 percent of total variance with Eigen value of 2.660 is named as '**Value for Money for Customers'**. Five variables has high factor loading on this factor. First one is V18: Customers Loyalty card or Loyalty programmes with highest factor loading of 0.717. This implies that consumers expect that the shopping mall should offer customer loyalty cards to the customers that can attract more customers to visit the shopping malls to buy their required products.

The second highest factor loading under this factor is V17: Near to Residence or Office with a factor loading of 0.665. The consumers feel that the shopping mall should be near to residence or office.

The variable with third highest factor loading is V20: Good Return Policy with a factor loading of 0.658. It means that customers prefer that shopping malls which have good return policy. If customers buy any product from the shopping malls and not satisfied, shopping mall should take it back if customer wants.

The variable with fourth highest loading is V5: Excellent customer services provided by professionally qualified and knowledgeable sales persons with a factor loading of 0.636. Customers expects that the salesman in shopping malls should be professionally qualified and knowledgeable who can provide excellent customer services to customers that satisfy in best way.

The variable with fifth highest loading is V8: Sales Promotion Schemes like special offers discounts on bulk buying with a factor loading of 0.516. It means that Customers expecting that the shopping malls should offer various sales promotion schemes to attract customers.

**Parameter 3: Pleasure while shopping:** The next factor with maximum variance of 8.932 percent of total variance with Eigen value of 1.872 is named as **Pleasure while shopping**. Two variables has high factor loading on this factor. First one is V7: Wide Range of Products with a factor loading of 0.964. It implies that customers of shopping mall expecting that shopping malls should provide wide range of products. Second one is V15: Relaxation & pleasure, Time pass, leisure, spending time with a factor loading of 0.964. It implies that Shopping malls are for the purpose for relaxation and pleasure and place for time passing for the customers while shopping.

**Parameter 4 Hassel Free Shopping** – The next factor with maximum variance of 7.470 percent of total variance with Eigen value of 1.207 is named as **Hassel Free Shopping**. Two variables has high factor loading on this factor. First one is V14: More than one counter for billing or checkout with a factor loading of 0.734. It implies that customers of shopping malls expecting that shopping malls should provide more than one billing counter while shopping so that the shopping may become hassle free. Second one is V6: Ample, Convenient and free parking facilities for vehicles with a factor loading of 0.615. It implies that while going to shopping malls there should be Ample, Convenient and free parking facilities for vehicles.

**Parameter 5– Self service while buying** The next factor with maximum variance of 5.349 percent of total variance with Eigen value of 1.114 is named as **Self service while buying**. One variable has high factor loading on this factor is V19: Self Pick-up of products with a factor loading of 0.793. It implies that customers of shopping malls expecting that buying should be totally different. There should be facility of self pick up of products.

**Parameter 6– Larger options while shopping:** The next factor with maximum variance of 5.002 percent of total variance with Eigen value of 1.007 is named as **larger options while shopping**. One variable has high factor loading on this factor is V21: Larger inventories of groceries than small grocery

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shop with a factor loading of 0.912. It implies that customers of shopping malls expecting that while shopping there should be large options.

## 2) FACTOR ANALYSIS OF PERCEPTION RESPONDENTS REGARDING NEARBY GROCERY SHOPS.

No	Factors
1	Does not encourage Impulse Buying
2	Low Price
3	Loyalty to the Traditional Shops / Outlet
4	High Quality products
5	Good Store / Shop Image
6	Availability of Credit Facility
7	Positive attitude of sales personnel
8	Near to residence
9	Home delivery of products
10	Return facility
11	Availability of preferred brands
12	Due to habit (Habitual)

### List of Extracted Factors

Factor Extractions				
Factor Number	Factor Designation	Maximum Variance	Eigen Value	Variables Included
F1	Preference While buying	25.537	4.193	High Quality products (Variable 4)
				Low price (Variable 2)
				Loyalty to local shop (Variable 3)
				Availability of preferred brands (Variable 11)
				Positive attitude of salesmen (Variable 7)
				Good shop image (Variable 5)
F2	Value Added facility for customers	18.819	1.129	Return facility (Variable 10)
				Near to home (Variable 8)
				Home delivery of products (Variable 9)
				Does not encourage impulse buying (Variable 1)

### Factors loading of variables

Factors	Variables	Factors	
		F1	F2
1	V 4	.778	
	V2	.683	
	V3	.682	
	V11	.599	
	V7	.555	
	V5	.550	

2	V10	.715
	V8	.698
	V9	.589
	V1	.536

### ANALYSIS AND INTERPRETATION

The results of factor analysis expose the following parameters about preference of customers about shopping from Traditional Retail Shop.

**Parameter 1: Preference while buying:** The factor with maximum variance of 25.537 percent of total variance with Eigen value of 4.193 is named as '**Preference while buying**'. Six variables has high factor loading on this factor. First one is V4: High Quality Products with highest factor loading of 0.778. This implies that consumers prefer traditional retail shop because of availability of high quality products.

The second highest factor loading under this factor is V2: Low Price with a factor loading of 0.683. It means that consumers prefer going to traditional retail shop as products are available at low price.

The variable with third highest factor loading is V3: Loyalty to Local Shop with a factor loading of 0.682. It means that customers prefer to buy from local shop because of loyalty to local shop.

The variable with fourth highest factor loading is V11: Availability of preferred brands with a factor loading of 0.599. It means that the customers prefer to buy from the traditional retail shop if their preferred brands are available'

The variable with fifth highest factor loading is V7: Positive attitude of sales personnel with a factor loading of 0.555. It means that the customers prefer to buy from the traditional retail shop if there is positive attitude of salesman while dealing with customers whether customers visiting the shop for the first time or they are regular customers of the shop.

The variable with sixth highest factor loading is V5: Good Image of the shop with a factor loading of 0.550. It means that the customers prefer to buy from the traditional retail shop if the image of retail shop is good in the mind of common people in surrounding of the shop.

**Parameter 2: Value Added Facility for Customers:** The next factor with maximum variance of 18.819 percent of total variance with Eigen value of 1.129 is named as '**Value Added Facility for Customers**'. Four variables has high factor loading on this factor. First one is V 10: Return Facility with highest factor loading of 0.715. This implies that Customers will prefer to buy from traditional retail shop because of return facility offer by traditional retail shop.

The second highest factor loading under this factor is V8: Near to residence with a factor loading of 0.698. The consumers prefer to buy from traditional retail shop as it may near to residence.

The variable with third highest factor loading is V3: Home delivery of Products with a factor loading of 0.589. It means that customers prefer to buy from nearby shop because of value added service like free home delivery of products purchased from the nearby retail shop.

The variable with fourth highest factor loading is V1: Does not encourage Impulse Buying with a factor loading of 0.536. It means that customers prefer to buy from nearby shop because it does not encourage impulse buying.

**FINDINGS:** The following are the major findings of the study.

- **Wide range of products, relaxation, pleasure, time pass, many billing counters, ample, free parking, self pickup of products and larger inventory of groceries motivate middle class people to visit shopping malls.**

- **Factors like whole family entertainment, availability of all necessary goods under same roof or umbrella, honoring credit/debit cards, longer opening hours, one stop shopping and trial rooms attract the middle class people to visit shopping malls.**
- **Factors like customer loyalty cards, near to residence, return policy, excellent services by salesmen and sales promotions schemes encourage to visit shopping malls instead of nearby grocery shops.**
- Middle Class people prefer traditional retail shop because of availability of high quality products.
- Middle Class people prefer going to traditional retail shop as products are available at low price.
- Loyalty to nearby grocery shop encourage middle class people to give preference while buying.
- Good return facility offered by traditional retail shop attracts middle class people.
- Middle Class people prefer to buy from traditional retail shop as it may near to residence.
- Value added service like free home delivery of products purchased from the nearby retail shop catch the attention of middle class people.
- Middle Class people prefer to buy from nearby shop because it does not encourage impulse buying.

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## A DIAGNOSTIC STUDY OF ERRORS IN MATHEMATICS COMMITTED BY SR.SECONDARY SCHOOL STUDENTS IN RELATION TO THEIR INTELLIGENCE.

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### ABSTRACT

*The aim of this paper is to identify the different types of errors difficulties committed by XI&XII standard students in solving algebra problem and its relation to intelligence. A standardized mathematics diagnostic cum achievement test constructed by the investigator was used for identifying the common errors. Ravens Standard Progressive Matrices test was used to divide the students in three sub groups (Above Average, Average &Below Average). In the present study descriptive survey research method was mainly adopted. Data was collected from 300 class XI &XII students. . Two way analysis of variance (ANOVA) was employed in the commission of errors on the diagnostic test committed by boys and girls of secondary school students. Girls committed more errors than boys in selected topics .significant variations existed in the commission of errors at different levels of intelligence. Common pattern of errors differed at different levels of intelligence.*

**KEYWORDS:** Mathematical Error Analysis, Intelligence, Sr.Secondary School Students, Mathematics, Gender

Error analysis is the study of errors in learners' work with a view to looking for possible explanations for these errors.

Swan (1983) concluded that error-specific remediation is more effective than reteaching over a period of one-hour lessons in which there was extensive class discussion of students' errors. Kelly Sleeman, (1986); Martinak, Schneider, & Sleeman, (1987); Putnam,( 1987) found the need to precede remediation with detailed diagnosis also cast doubt upon the need for detailed diagnosis. It was found that teachers generally do not adopt the role of a diagnostician, even when in a tutorial situation. Hackworth (1985) identifies three school mathematics topics seem to be "stumbling blocks" (p. 8): fractions, algebra or geometry, and calculus

Mathematics occupies an important place in the life. Algebra is an important branch of mathematics which not only dominates/influence the learning of the mathematics in schools and higher studies, but also each and every human beings life.

Radatz (1980); suggested that Student's errors in mathematics learning are worldwide phenomenon, and there is a long history for error analysis in mathematics education

Dutta(1990) has discussed diagnosis and prevention of learning disabilities in the reasoning powers of the students in geometry. Gurusamy(1990), Kasat (1991) found circles arc and area were difficult in geometry. Rachana (2005) studied the learning difficulties in Geometry of 94 grade VIII students of Vadodara city using self-constructed diagnostic test and parallel test. Similarly Parekh Jigisha (2008) diagnose learning difficulties in Geometry of standard IX students and in the same way Chatiwala (2009) studied errors committed by 200 ninth standard students in trigonometry from four schools of Bharuch city by lottery method e. It was found that concept of right angle was not understood properly. Majority of students do not know how and when to do apply mathematical symbols.

Jayasree (1994), studied the difficulties experienced by the pupils of standard III in computation, by a Diagnostic test. The study revealed that the level of attainment of students was very poor for the division of four digit numbers with one digit number.

Dhanya (1999) conducted a diagnostic study to identify the difficulties experienced in learning Algebra at the Secondary Level. The study revealed that the majority of the students faced difficulties in the case of items having more than one variable. Majority of the students had not understood the meaning of like terms and errors in concepts of like and unlike terms.

Vijayalakshmi(2010) construct an achievement test for finding errors committed by 154 students studying in students VIII std grant-in –aid English medium schools in the selected chapters of algebra The major findings of the study reveals that students are very weak in expansions, factorization, division of polynomials , concepts of L.C.M and distributive law which are taught in IV standard and then the most difficult concepts found were basic operations of polynomials, binomials and monomials which are the topics taught in the class VI and VII.

Sindhu (1996) studied the difficulties experienced by the fifth standard pupils in learning fractions. The study revealed that many of the common errors made by pupils were due to lack of understanding of principles involved in the addition, subtraction and multiplication with fraction and inadequate practice in doing problems in fraction

Student's errors in mathematics education are not simply a result of ignorance and situational accidents. Most student mistakes are not due to unsureness, carelessness, or unique situational conditions but Kabiri, & Kiamanesh's, 2004; Kiamanesh, Hejazi, & Esfahani, 2004 revealed that some variables mediated the effect of math attitude and mathematics achievement.

Ceci, 1991 concluded that there is an association between enhancement of cognitive skills related to IQ and schooling .Bull & Scerif, 2001; Evans, & et. al, 2002; McGrew & Hessler, 1995; McLean & Hitch, 1999 indicated that the importance of fluid cognition and intelligence for math ability.

Detterman (2003) tested the hypothesis that the correlation between psychometric 'g' and academic achievement was in large part associated with a mental speed component. Initially, the shared variance between general intelligence and academic achievement was approximately 30.

From this perspective, Radatz's (1980) analysed that error analysis gains importance in two respects First, to diagnose learning difficulties, as a method of developing criteria for differentiating mathematical education, and as a means to create more awareness and support for the performance and understanding of individual students. Second, error analysis seems to be a remarkable starting point for research on the mathematical teaching-learning process error analysis must be considered a promising research strategy for clarifying some fundamental questions of mathematics learning

It is obvious that in the popular teaching of mathematics, which is highly reliant on the mathematical-logical their mathematical/logical intelligences. Martin, 1998 studied that over 75 percent of students are devoid of high mathematical/logical intelligences.

The aim of mathematical education is surely success for all pupils, yet it seems to be a fact of life that whilst a few prosper in mathematics, a much greater number find mathematics difficult. Thus it is that, however successful a course may appear to be, there are students who begin to struggle and who will need appropriate help to be able to pursue mathematics further. In this paper we will discuss research into the diagnosis of the difficulties experienced by students and propose a theory which

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suggests a continual divergence in performance between those who succeed and those who fail, exacerbated by qualitative differences in their thinking processes

### **OBJECTIVES**

The study was designed to attain the following objectives

1. To diagnose the type of errors committed by XI and XII grade boys and girls.
2. To diagnose the type of errors committed by XI and XII grade students in relation to intelligence.

### **HYPOTHESES**

The study was designed to test the following hypotheses:

1. There exists no significant difference in the commission of errors on the diagnostic test committed by boys and girls of secondary school students.
2. There exists no significant difference in the commission of errors on the diagnostic test at different levels of intelligence of secondary school students.
3. There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic.
4. There exists no significant difference in the commission of errors on the sub score of diagnostic test (set theory) committed by boys and girls of secondary school students.
5. There exists no significant difference in the commission of errors on the sub score of diagnostic test (set theory) at different levels of intelligence of secondary school students
6. There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (set theory).
7. There exists no significant difference in the commission of errors on the sub score of diagnostic test (Functions) committed by boys and girls of secondary school students.
8. There exists no significant difference in the commission of errors on the sub score of diagnostic test (Functions) at different levels of intelligence of secondary school students.
9. There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Functions).
10. There exists no significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) committed by boys and girls of secondary school students
11. There exists no significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) at different levels of intelligence of secondary school students.
12. There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Differentiation)).

### **METHOD OF INVESTIGATION**

#### **Sample**

Keeping in view the objectives and the hypotheses formulated for the present study a Sample of 300 students at the sr. secondary level are randomly selected from six schools belongs to four different Categories .Three topics of algebra was selected. The topics were Set Theory, Function s& Differentiations

#### **Procedure**

Ravens standard progressive Matrices is a culture fair test and nonverbal intelligence test consisting of five subtests of 12 items and having of 60 items. The intelligence Test was administered on the selected students.

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Further the sample has been segregated under three groups on the basis of mean intelligence test scores. viz-a-Viz Above Average, Average & Below Average. The diagnostic test was prepared keeping in view the global importance of the topics. Teachers teaching mathematics in the schools were consulted and all of them reported poor understanding of these topics. Also investigator self-checked the exercise books of the pupils. The preliminary draft of the test was given to randomly 75 students of XI & XII classes. The first draft consists of 37 items. A careful scrutiny was made for the functioning of various distractors, dead distractors were modified and replaced with new ones. The final test comprised of 31 items. Having finalised the diagnostic test it was administered to the randomly selected sample of 300 students which was categorized in three sub groups on the basis of intelligence.

Further 2x2 Analysis of Variance (ANOVA) has been employed on the score of errors committed by students in the diagnostic test as statistical techniques

### RESEARCH METHODOLOGY

The present investigation falls in the domain of survey research as it intends to explore the existing status of the understanding of the concepts of modern mathematics.

### DESCRIPTIVE ANALYSIS

The data obtained has been analyzed under the following headings.

### ANALYSIS OF VARIANCE, 2X3 ON THE SCORES OF ERRORS IN RELATION TO SEX AND INTELLIGENCE

In order to analyse the variable, the obtained scores were subjected to ANOVA. The result have been presented below in table

**Table 1: Summary of ANOVA for 2x3 Factorial Designs of Error Scores in Whole Test in Relation To gender and Intelligence**

SOURCE OF VARIANCE	SS	df	MSS	F value
Gender( A)	39.013	1	39.013	6.30*
Intelligence (B)	1072.75	2	536.375	86.61**
Gender and intelligence	358.36	2	179.18	28.93**
Error	408.75	66	6.193	
Total	31878.875	71		

\*Significant at 0.05 level of confidence

\*\*Significant at 0.01 level of confidence

### DISCUSSION

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 6.30 (39.013/6.193 df 1/66) the df between means is 1 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 6.30 > 3.98 at .05 level so F-ratio for the difference between the means of two groups of Sec. School students in the

commission of errors on the diagnostic test committed by boys and girls, was found to be significant at 0.05 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the diagnostic test committed by boys and girls of secondary school students.

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 86.61 (536.375/6.193 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 86.61 > 7.01 at .01 level so F-ratio for the difference between the means of three groups of Sec. School students in the commission errors on the diagnostic test at different levels of intelligence was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the diagnostic test at different levels of intelligence of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 28.93 (179.18/6.193 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 28.93 > 7.01 at .01 level so F-ratio for the interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic test was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic.

So it suggest that gender and intelligence are potential factor conjointly for causing variations in the commission of errors in the diagnostic test. In order to further probe in to the direction of difference the mean differences were subjected to t test of significance the results of which are reported in the table

**TABLE:1A**

**t- Ratio for the difference in the mean of boys and girls of secondary school students on the diagnostic test**

Dimensions	Mean	SD	SEd	t-ratio
Boys	16.93	4.82	1.76	3.16*
Girls	22.50	6.21		

The results reported in table clearly indicate that girls commit more errors as compared to boys in the topics (set theory, functions, differentiation of modern mathematics which is supported by t of magnitude 3.16.

Further for the depth analysis of errors, the total scores were trifurcated in to three sub scores representing set theory, functions, differentiation separately.

The results are in tune with

Some studies have attention to gender differences in math motivation, attitude towards math and math achievement. Mullis et al. (2000) found that there was a significant gender difference in math motivation and attitudes towards mathematics internationally, but that gender was not related to math

performance. Also Um, Corter, & Tatsuoka (2005) indicated that there is difference between females and males in math motivation, attitude towards math and math achievement

**Table 2: Summary of ANOVA for 2×3 Factorial Designs of Error Scores in Set Theory in Relation to gender and Intelligence**

SOURCE OF VARIANCE	SS	df	MSS	F value
Gender( A)	.34	1	.34	.180
Intelligence (B)	130.19	2	65.095	34.53**
Gender and intelligence	101.7	2	50.85	
Error	124.42	66	1.885	
Total	356.65	71		

\*Significant at 0.05 level of confidence

## DISCUSSION

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is .180 (.34/61.885df 1/66) the df between means is 1 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude .180 < 3.98 at .05 level so F-ratio for the difference between the means of two groups of Sec. School students in the commission of errors on the diagnostic test committed by boys and girls, was found not to be significant at 0.05 level of confidence. Hence, the data could not provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (set theory) committed by boys and girls of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 34.53 (65.095/1.885 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 34.53 > 3.98 at .05 level so F-ratio for the difference between the means of three groups of Sec. School students in the commission errors on the diagnostic test at different levels of intelligence was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (set theory) at different levels of intelligence of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 25.42 (50.85/1.885 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 25.42 > 7.01 at .01 level so F-ratio for the interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic test was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant

interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (set theory).

Khana (1999) conducted a Diagnostic study to identify the difficulties experienced in learning Algebra at the Secondary Level. The study revealed that the majority of the students faced difficulties in the case of items having more than one variable. Majority of the students had not understood the meaning of like terms and errors in concepts of like and unlike terms.

So result indicate that the interaction effect is too actively responsible for the commission of errors. The inference which logically follow from this discussion that sex differences are not significant for (set theory) however at different levels of intelligence the variations in the commission of errors are significant. Gender and intelligence interact to cause variations in the commission of errors.

**Table 3: Summary of ANOVA for 2×3 Factorial Designs of Error Scores in sub topic (Functions) in Relation to gender and Intelligence**

SOURCE OF VARIANCE	SS	df	MSS	F value
Gender( A)	188.22	1	188.22	78.09**
Intelligence (B)	151.01	2	675.505	31.33**
Gender and intelligence	160.56	2	80.28	33.31**
Error	159.33	66	2.41	
Total	338	71		

\*Significant at 0.05 level of confidence

## DISCUSSION

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 78.09(.188.22/2.41df 1/66) the df between means is 1 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98and at .01 level is 7.01.It may be observed from the table that F of magnitude 78.09>7.01 at.01 level so F-ratio for the difference between the means of two groups of Sec. School students in the commission of errors on the diagnostic test committed by boys and girls, was found to be significant at 0.05 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis H<sub>1</sub> viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (Functions) committed by boys and girls of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 31.33 (75.505/2.41 df 2/66) the df between means is 2and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98and at .01 level is 7.01.It may be observed from the table that F of magnitude 31.33 >3.98 at.05 level so F-ratio for the difference between the means of three groups of Sec. School students in the commission errors on the diagnostic test at different levels of intelligence was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis

$H_1$  viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (Functions)) at different levels of intelligence of secondary school students.

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 33.31 (80.28/2.41 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude 33.31 > 7.01 at .01 level so F-ratio for the interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic test was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Functions)).

So it can be concluded that gender wise significant difference exist in the commission of errors, whereas gender and intelligence interaction is also significant in the commission of errors.

In order to further probe in to the direction of gender differences the mean differences were subjected to t test of significance the results of which are described in the table

**TABLE:3A)**

**t- Ratio for the difference in the means of boys and girls of secondary school students in sub topic (Functions) of diagnostic test**

Dimensions	Mean	SD	SEd	t-ratio
Boys	2.71	2.06	1.75	.59
Girls	3.74	2.35		

The results reported in table clearly indicate t of magnitude .59 (df 298,  $P > .01$ ) is insignificant. It reveals that girls in general commit more errors as compared to boys in the topics of functions.

**Table 4: Summary of ANOVA for 2×3 Factorial Designs of Error Scores in sub topic (Differentiation) in Relation to gender and Intelligence**

SOURCE OF VARIANCE	SS	df	MSS	F value
Gender( A)	34.72	1	34.72	10.65**
Intelligence (B)	115.75	2	57.86	17.75**
Gender and intelligence	24.2	2	12.1	3.71
Error	214.83	66	3.26	
Total	389.5	71		

\*Significant at 0.05 level of confidence

## DISCUSSION

- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 10.65(.34.72/3.26 df 1/66) the df between means is 1 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude  $10.65 > 7.01$  at .01 level so F-ratio for the difference between the means of two groups of Sec. School students in the commission of errors on the diagnostic test committed by boys and girls, was found to be significant at 0.05 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) committed by boys and girls of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 17.75 (57.86/3.26 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 2 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude  $17.75 > 7.01$  at .01 level so F-ratio for the difference between the means of three groups of Sec. School students in the commission errors on the diagnostic test at different levels of intelligence was found to be significant at 0.01 level of confidence. Hence, the data provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) at different levels of intelligence of secondary school students.
- From the results inserted in the table 1 (B) revealed that the variance ratio or F is 3.71 (80.28/2.41 df 2/66) the df between means is 2 and among groups is 66. Entering table F with these df's we read that the column 1 and row 66 the value at .05 level is 3.98 and at .01 level is 7.01. It may be observed from the table that F of magnitude  $3.71 < 3.98$  at .05 level so F-ratio for the interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic test was not found to be significant at 0.01 level of confidence. Hence, the data could not provide sufficient evidence to reject the hypothesis  $H_1$  viz., "There exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Differentiation)).

Logically, it can be inferred that gender differences are not significant, however, the variation in commission of errors are significant at different levels of intelligence.

Summing up the results of table 4, it can be concluded that boys and girls differ significantly in the whole test. However subtopics wise analysis of results revealed that they differ significantly in the II sub topic, but do not differ in the I and III topics. Variation exist in the commission of errors at different levels of intelligence.

## FINDINGS OF THE STUDY

1. It was found from the statistical evidence that there exists significant difference in the commission of errors on the diagnostic test committed by boys and girls of secondary school students.
2. It was found from the statistical evidence that there exists significant difference in the commission of errors on the diagnostic test at different levels of intelligence of secondary school students.
3. It was found from the statistical evidence that there exists significant interaction between gender and intelligence of Sec. School students in the commission errors on the diagnostic test..

4. It was found from the statistical evidence that there exists significant difference in the commission of errors on the sub score of diagnostic test (set theory) ,committed by boys and girls of secondary school students.
5. It was found from the statistical evidence that there exists no significant difference in the commission of errors on the sub score of diagnostic test (set theory) at different levels of intelligence of secondary school students
6. It was found from the statistical evidence that there exists significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (set theory).
7. It was found from the statistical evidence that there exists significant difference in the commission of errors on the sub score of diagnostic test (Functions) committed by boys and girls of secondary school students.
8. It was found from the statistical evidence that there exists significant difference in the commission of errors on the sub score of diagnostic test (Functions)) at different levels of intelligence of secondary school students.
9. It was found from the statistical evidence that there exists significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Functions)).
10. It was found from the statistical evidence that there exists significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) committed by boys and girls of secondary school students
11. It was found from the statistical evidence that there exists significant difference in the commission of errors on the sub score of diagnostic test (Differentiation) at different levels of intelligence of secondary school students.
12. It was found from the statistical evidence that there exists no significant interaction between gender and intelligence of Sec. School students in the commission errors on the sub score of diagnostic test (Differentiation)).

## CONCLUSION AND SUGGESTIONS

Diagnosis is an integral part of instructional decision-making. As the bridge between identification of students who may be at-risk for failure and delivery of carefully designed supplemental interventions, diagnosis provides valuable information about students' persistent misconceptions in the targeted domain A diagnostic test followed by an appropriate teaching and learning strategy can help to combat the inherent difficulties that are associated with teaching mathematics A diagnostic test could also provide teachers with more nuanced indications of the mathematical concepts a student has not yet mastered. New strategies being employed in teaching mathematics to different groups of mixed ability. Difficulties that are faced by a teacher with a mixed group that has variable mathematical ability include, Identification of those students that are struggling, finding an appropriate level at which to pitch a lecture, provision of useful feedback to all students, and a mismatch between the teachers' expectations and the students' actual capabilities can be resolved with diagnostic test. But the purpose of the test should be clearly defined in order that the students gain a true reflection of their ability. The results from the test should be used by the teacher to best design a course that will ensure all students achieve the learning outcomes. The students should use their personal result to evaluate their own capabilities, and to gain an insight into the level of knowledge that is expected of them within each course. Immediate feedback and anonymity reduce the feeling of failure of each student, as they may be able to visualise their weaknesses and concentrate on areas where they need to improve. Rapid analysis by the teacher is often essential due to timetabling issues whereby the next session may be scheduled within the same week. Ideally a series of lectures may be devised to specifically tackle aspects of the course, based

on the results of the diagnostic test. Students can choose to attend sessions on the basis of their own score within the diagnostic test; this should reduce student numbers within teaching sessions and enable easier identification of those students that are struggling. Additional material should also be made available for students that is relevant and may easily be matched to their weaknesses. A significant advantage of diagnostic assessment includes rapid evaluation of knowledge base for both students and lecturers. Although students' entry grades are available, differences in examination boards and dates that the qualifications were obtained mean they are often not a true representation of the mathematical ability of a student (White, 2002).

There is urgent need to construct more diagnostic tests in mathematics and suitable remedial measures should be adopted.

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## કઠોપનિષદમાં આધ્યાત્મિક મૂલ્યો-એક અભ્યાસ

પ્રણવકુમાર રોહિતકુમાર ઉપાધ્યાય

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### સારાંશ

ભારતીય આધ્યાત્મિક પરંપરા મનુષ્ય ઈતિહાસની એવી પરંપરા છે, જેણે માનવના વ્યક્તિત્વને સર્વોત્તમ શિખર સુધી ખીલવ્યું છે. ઋષિઓના ચિંતનના પરિપાક સમા ઉપનિષદો ભારતીય દર્શનશાસ્ત્રના મહત્વના ગ્રંથો છે. પ્રધાન ઉપનિષદો પૈકીનું કઠ-ઉપનિષદ એક મહત્વનું ઉપનિષદ છે. પ્રસ્તુત સંશોધનપેપરમાં સંશોધકે આ ઉપનિષદનો અભ્યાસ વિષયવસ્તુ વિશ્લેષણ પદ્ધતિથી કર્યો અને તેમાં રહેલ શ્લોકોના અર્થઘટન દ્વારા વ્યક્તિત્વના વિકાસ માટે જરૂરી આધ્યાત્મિક મૂલ્યો જેવાકે, સત્ય પરાયણતા, શુદ્ધ અંતઃકરણ, કાર્ય કરવાની ધગશ, ઈશ્વરની સર્વવ્યાપકતાનો સ્વીકાર વગેરેને તારણ સ્વરૂપે તારવ્યા છે.

ચાવીરૂપ શબ્દો: સત્ય પરાયણતા, શુદ્ધ અંતઃકરણ, કાર્ય કરવાની ધગશ, ઈશ્વરની સર્વવ્યાપકતાનો સ્વીકાર

### 1. પ્રસ્તાવના :

માનવ વ્યક્તિત્વનો સર્વોત્તમ શિખર સુધી વિકાસ કરવો એ જ ભારતીય દર્શનશાસ્ત્રનો એક હેતુ રહ્યો છે. અને હંમેશા શિક્ષણનો હેતુ પણ એજ હોવો ઉચિત છે. આજના શિક્ષણમાં પણ આધ્યાત્મ જ એક એવી ખૂટતી કડી છે જેણે જોડી દેવામાં આવે તો મૂલ્યોના ત્રાસને અટકાવી શકાય. આ માટે સંશોધકે પ્રધાન ઉપનિષદો પૈકીનાં એક એવા કઠોપનિષદના વિષયવસ્તુને વિશ્લેષણ કરી સમજવાનો પ્રયત્ન કરી તેમાંથી કેટલાક આધ્યાત્મિક મૂલ્યોને તારવ્યા છે.

## 2. અભ્યાસના હેતુઓ:

❖ આ સંશોધનનો હેતુ કઠોપનિષદમાં રહેલ આધ્યાત્મિક મૂલ્યો તારવવાનો છે.

## 3. અભ્યાસની પદ્ધતિ :

❖ આ સંશોધનમાં વિષયવસ્તુ વિશ્લેષણ પદ્ધતિનો ઉપયોગ કરવામાં આવ્યો.

## 4. કઠોપનિષદનો પરિચય:

કૃષ્ણયજુર્વેદની તૈત્તિરિય શાખાનું આ ઉપનિષદ કાઠક તરીકે પણ ઓળખાય છે. તેના બે અધ્યાયો છે. જે દરેકમાં ત્રણ-ત્રણ વલ્લીઓ છે. જેમાં નાચિકેતની કથા છે. તેમજ પરમ પદની પ્રાપ્તિ અર્થે સાધન તરીકે યોગનો ઉપદેશ છે. પ્રથમ અધ્યાયમાં નાચિકેતાને મળેલા ત્રણેય વરદાનો અને યમ દેવતા દ્વારા સમજાવવામાં આવેલા આત્મા-પરમાત્મા સંબંધી વિવિધ પક્ષોનું વર્ણન છે. બીજા અધ્યાયમાં પરમેશ્વરની પ્રાપ્તિમાં પડતી મુશ્કેલીઓ અને નાચિકેતાને બ્રહ્મપ્રાપ્તિનું વર્ણન છે. “एकमेवाद्वितीयम्” એ આ ઉપનિષદનો શંખનાદ છે.

## 5. કઠોપનિષદમાં આધ્યાત્મિક મૂલ્યો:

કઠોપનિષદમાં યમદેવતા અને નાચિકેતા વચ્ચેનો સંવાદ છે. જેનો વિષયવસ્તુ વિશ્લેષણ પદ્ધતિ દ્વારા અભ્યાસ કરતાં સંશોધકને નીચે મુજબ શ્લોકો અને તેમાં રહેલ આધ્યાત્મિક મૂલ્યો પ્રાપ્ત થયા :

ક્રમ	શ્લોક	અર્થ	અર્થઘટન	આધ્યાત્મિક મૂલ્ય
1.	एतच्छ्रुत्वासम्परि गृह्यमर्त्यःप्रवृह्यध र्म्यमणुमेतमाप्य। समोदतेमोदनीयँ हिलब्ध्वाविवृतँस द्धानचिकेतसंमन्ये ॥१३॥	હે નાચિકેતા! તમારા જેવા સાધક, આ આધ્યાત્મિક જ્ઞાનને સાંભળીને, એને સારી રીતે ગ્રહણ કરી તથા વિવેકપૂર્વક તેની ઉપર ચિંતન કરી, ધારણ કરવા યોગ્ય, આ સૂક્ષ્મ આત્મતત્વને સમુચિત રૂપે જાણી લે છે. એ આ આનંદ સ્વરૂપ આત્માને મેળવીને ચિરંતમ આનંદમાં લીન બની જાય છે. તમારા માટે તો બ્રહ્મપ્રાપ્તિના દ્વાર હંમેશા ખુલ્લા જ છે, એવું મારું મંતવ્ય છે. 1.2.13	આ શ્લોકમાં જ્ઞાનપ્રાપ્તિનું ફળ દર્શાવેલ છે. આ ઉપરાંત આ જે ફળ છે, તે જ જીવનનું ધ્યેય છે. તે દર્શાવેલ છે.	શુદ્ધ અંતઃકરણ

2.	उत्तिष्ठतजाग्रत प्राप्यवरान्निबोधत । क्षुरस्यधारानिशि तादुरत्यया दुर्गपथस्तत्कवयो वदन्ति॥१४॥	(हे मनुष्या!) जागो, ઊઠીને ઊભા થઈ જાઓ અને શ્રેષ્ઠ તેમજ જ્ઞાની પુરુષો પાસેથી જ્ઞાન મેળવીને પરમાત્મ તત્વને જાણો. વિદ્વાન લોકો કહે છેકે, આ માર્ગ એટલો જ મુશ્કેલ છેકે, જેટલું ઇરાની ધાર ઉપર ચાલવું. <b>1.3.14</b>	અહીં ગુરુ શિષ્યને પોતાના ધ્યેય પ્રત્યે જાગરૂક બની તેને પ્રાપ્ત કરવા માટે સતત તત્પર રહેવાનું કહે છે.	કાર્યને કરવાની ધગશ
ક્રમ	શ્લોક	અર્થ	અર્થઘટન	આધ્યાત્મિક મૂલ્ય
3.	मनसैवेदमाप्तव्यं नेहनानाऽस्तिकि चन। मृत्योःसमृत्युगच्छ तियइहनानेवप श्यति॥११॥	સત્ય અથવા શુદ્ધ મનથીજ પરમાત્માનું તત્વ જાણી શકાય છે. આ જગતમાં ઈશ્વર સિવાય બીજું કશું પણ છે નહીં, પરંતુ જે વ્યક્તિ એમાં ભિન્નતા જુએ છે, એ મૃત્યુથી મૃત્યુનું વરણ કરે છે. <b>2.1.11</b>	ઈશ્વર પ્રાપ્તિ માટે સત્ય અથવા શુદ્ધ મનની આવશ્યકતા અહીં શ્લોકમાં દર્શાવી છે.	શુદ્ધ અંતઃકરણ
4.	यथाऽऽदर्शे तथाऽ ऽत्मनियथास्वप्ने थापितृलोके। यथाऽऽप्सुपरीवदद् शे तथागन्धर्वलोके छायातपयोरिव ब्रह्मलोके॥५॥	જે રીતે દર્પણમાં વસ્તુનું સ્વરૂપ સ્પષ્ટ જણાઈ આવે છે, એજ રીતે નિર્મળ (વિશુદ્ધ) અંતઃકરણમાં આત્માનું સ્વરૂપ સ્પષ્ટ જણાય છે. જેમ સ્વપ્નમાં એમ પિતૃલોકમાં અને જેમ જાગમાં એમ ગંધર્વલોકમાં એનું (અસ્પષ્ટ) ભાન થાય છે, પરંતુ બ્રહ્મલોકમાં તો છાયા અને પ્રકાશની જેમ આત્મા અને પરમાત્માનું સ્વરૂપ સ્પષ્ટ રીતે જણાય છે. <b>2.3.5</b>	આત્માના શુદ્ધ સ્વરૂપને જાણવા શુદ્ધ અંતઃકરણ એ આવશ્યક મૂલ્ય છે, તેને જાણનારો જ્ઞાની પુરુષ શોકમુક્ત બની જાય છે.	શુદ્ધ અંતઃકરણ
5.	नित्योऽनित्यानां चे तनश्चेतनानाम् एकोबहूनांयोविद धातिकामान्। तमात्मस्थंयेऽनुप श्यन्तिधीराः तेषांशान्तिःशाश्व तीनेतरेषाम्॥१३॥	જે સમસ્ત ચૈતન્યોમાં ચૈતન્ય અને નિત્યોમાં નિત્ય છે, જે એકાકી હોવા છતાંય સમસ્ત જીવોને એમના કર્મ અનુસાર ફળ આપનારા છે, એ આત્મસ્થ પરમેશ્વરનું બુદ્ધિમાન લોકો, હંમેશા દર્શન કરતાં રહે છે. એવા મેઘાવી પુરુષ જ શાશ્વત શાંતિ પ્રાપ્ત કરે છે, બીજા નહીં. <b>2.2.13</b>	સર્વ જીવોમાં આત્મસ્થ પરમેશ્વરનું બુદ્ધિમાન લોકો દ્વારા હંમેશા દર્શન કરતાં રહેવું, એ જ પરમ અધ્યાત્મિક મૂલ્ય છે.	ઈશ્વરની સર્વ વ્યાપકતાનો દૃષ્ટિકોણ

## 6. શૈક્ષણિક ફલિતાર્થ :

- હૃદય શુદ્ધ હોવું જોઈએ તેમાં નિર્મળતા હોવી જોઈએ.
- હંમેશા સત્યનું પાલન કરવું જોઈએ અને સત્ય આચરણ કરવું જોઈએ.
- જ્ઞાનપ્રાપ્તિ વખતે પોતાનું સંપૂર્ણ ધ્યાન ભણવામાં જ રાખવું જોઈએ.
- પોતાના કાર્યો પ્રત્યે ધગશ રાખવી જોઈએ.
- સર્વત્ર ભગવદદૃષ્ટિ રાખવી જોઈએ.

## સંદર્ભ

1. શ્રી રામ શર્મા આચાર્ય તથા માતા ભગવતીદેવી શર્મા, 108 ઉપનિષદો, બ્રહ્મવર્યસ, શાંતિકુંજ, હરિદ્વાર, (યુ.પી.), (1998).
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## वर्तमान में हिन्दी भाषा की प्रासंगिकता व अन्तरराष्ट्रीय महत्त्व

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### भूमिका:-

हिन्दी भाषा लगभग एक हजार वर्ष पुरानी है, लेकिन राजभाषा के रूप में इसका जन्म 1949 ई. में हुआ। स्वतन्त्रता के पश्चात संविधान सभा द्वारा यह निर्णय लिया गया कि हिन्दी ही संघ की राजभाषा होगी। उस समय यह निश्चित किया गया था कि अंग्रेजी संविधान के प्रारम्भ होने से केवल 15 वर्षों तक ही बनी रहेंगी, ताकि इस दौरान जिन्हें हिन्दी का ज्ञान नहीं था वे भी हिन्दी सीख सकें। भाषाएँ किसी भी संस्कृति का आईना होती हैं। किसी भी भाषा की समाप्ति का अर्थ है कि एक पूरी सभ्यता और संस्कृति का नष्ट होना। हिन्दी भाषा भारत की सुगन्ध है, क्योंकि अलक से फलक तक तथा कश्मीर से कन्या कुमारी तक अर्थात् पूरे भारत में हिन्दी को ही सर्वाधिक लोग बोलते, समझते एवं पढ़ते-लिखते हैं।<sup>1</sup>

वैदिक संस्कृत, प्राकृत, पाली, अपभ्रंश आदि पड़ावों से गुजरकर हिन्दी भारत-वासियों के दिल की धड़कन बनी। देश की प्रगति के गर्भ में राष्ट्र भाषा हिन्दी का विशेष महत्त्व रहा है। हालांकि सभी सम्मानित भाषाएँ संस्कृत भाषा की ऋण हैं। एक समय था जब देश में संवाद की भाषा संस्कृत थी। यदि इतिहास उठाकर देखें तो पता चलता है कि हिन्दी किसी न किसी रूप में अपनी सहोदर भाषाओं को अपना सहयोग प्रदान करती रही है।

बीसवीं सदी की दहलीज लांघकर आज हम इक्कीसवीं सदी में प्रवेश कर चुके हैं। यह मात्र कैलेण्डर के पन्ने पलटने की क्रिया एवं हमारे नजरिए में चल रही मंचन प्रक्रिया को आधुनिक युग के परिप्रेक्ष्य में बहुआयामी अवलोकन करने का समय है। विज्ञान, तंत्र-विज्ञान तथा वैश्वीकरण के युग में धर्म, समाज, जीवन के मूल्यों, भाषा, साहित्य एवं कला को परखने के दृष्टिकोण में जो परिवर्तन हो रहे हैं, उनकी गति, प्रभावों एवं परिणामों को झेलकर भी इनका अस्तित्व बनाए रखना अपने आप में एक चुनौती है। लंदन में आयोजित विश्व हिन्दी सम्मेलन में एक जर्मन प्रोफेसर ने घोषणा की थी कि वर्तमान में प्रतिमाह दो भाषाओं की मृत्यु हो रही है तथा आज बोली जाने वाले विभिन्न भाषाएँ शीघ्र ही समाप्त हो जाएगी। यह अति गम्भीर चिंतनीय एवं विचारणीय विषय है।<sup>2</sup>

भूमण्डलीकरण, उदारीकरण, उन्नत प्रौद्योगिकी एवं सूचना तकनीक के बढ़ते इस युग में सबसे बड़ा खतरा भाषा साहित्य और संस्कृति के लिए पैदा हुआ है। संयुक्त राष्ट्र द्वारा 2001 में किए गए अध्ययन से पता चला है कि उस समय विलुप्त भाषाएँ लगभग 900 थी, लेकिन यह गंभीर चिंता का विषय है कि तमाम देशों में इस और अपेक्षित ध्यान नहीं दिया जा रहा है। दुनिया भर में भाषाओं की इस स्थिति

के कारण संयुक्त राष्ट्र ने 1990 के दशक में 21 फरवरी को अंतर्राष्ट्रीय मातृभाषा दिवस मनाए जाने की घोषणा की।<sup>3</sup> आधुनिक समय में भी हिन्दी एक ऐसी भाषा है जो विश्व की लगभग सभी भाषाओं में सर्वाधिक बोली जाने वाली तीसरी भाषा है। भारत के अतिरिक्त विश्व के भू-भाग में लगभग 70 करोड़ लोग इसे जानते हैं। हिन्दी भाषा भारत के लगभग सभी विश्वविद्यालयों में पढ़ाई जाती है। विश्व के अनेक देशों में भी इसके अध्ययन-अध्यापन के प्रति रुची लगातार तेजी से बढ़ रही है। भारत में हिन्दी भाषियों की कुल संख्या लगभग 26 करोड़ है।

आज शब्द संख्या की दृष्टि से हिन्दी संसार की सबसे समृद्ध भाषाओं में से मानी जाती है। अंग्रेजी जिसे महत्त्वपूर्ण अन्तरराष्ट्रीय भाषा का गौरव प्राप्त है। उसके मूल शब्द जहाँ मात्र दस हजार हैं वहीं हिन्दी के दो लाख पचास हजार से भी अधिक हैं।<sup>4</sup> हिन्दी तो विश्वास और प्रेम की भाषा है। अन्तरराष्ट्रीय स्तर पर हिन्दी को बढ़ावा देने में विश्व हिन्दी सम्मेलनों का भी अहम योगदान रहा है। इन हिन्दी विश्व सम्मेलनों ने हिन्दी पर लोगों के विश्वास को बनाये रखा है। हमारे देश के नेताओं ने समय-समय पर अंतर्राष्ट्रीय मंचों पर हिन्दी में भाषण देकर उसकी उपयोगिता का उध्दघोष किया है।

यदि श्री अटल बिहारी वाजपयी तथा श्री पी.वी. नरसिंह राव द्वारा संयुक्त राष्ट्र संघ में हिन्दी में दिया गया वक्तव्य स्मरणीय है तो श्रीमति इंदिरा द्वारा राष्ट्रमंडल के देशों की बैठक तथा चंद्रशेखर द्वारा दक्षिण शिखर सम्मेलन के अवसर पर हिन्दी में दिए गए भावण भी उल्लेखनीय हैं। प्रधानमंत्री श्री नरेन्द्र मोदी द्वारा भारत व अन्य देशों में दिए गए हिन्दी भाषण भी सराहनीय हैं। जन संचार माध्यमों, प्रिंट, दृश्य एवं श्रव्य की भूमिका में हिंदी प्रचार-प्रसार में अहम योगदान दिया। यहां के लोक कवि एवं साहित्यकारों ने हिन्दी भाषा में अपनी रचनाएं जन-जन तक पहुंचा कर हिन्दी के विकास में देश के विभिन्न अंचलों से हजारों पत्र-पत्रिकाएं सक्रिय भूमिका निभा रही हैं। अनेक समाचार पत्र जहां लाखों पाठकों के घर-घर पहुंच रहे हैं वहीं एक्सप्रेस मीडिया, दैनिक समाचार पत्रों द्वारा पूरे देश में हिन्दी संवाद को स्थापित करने में सक्रिय भूमिका निभा रही है।<sup>5</sup>

रामधारी सिंह दिनकर ने राज्यसभा में एक चर्चा के दौरान साथी सांसद फ्रेंक एंथोनी की इस बात का कड़ा प्रतिवाद किया था कि हिन्दी हिंदुत्व की भाषा है। दिनकर जी ने हिन्दी के बारे में सारी शंकाओं को दूर करते हुए कहा था कि "हिन्दी संकीर्णता की नहीं, बल्कि उदारवाद की भाषा है। भारत जितना सहिष्णु देश है हिन्दी भी उतनी ही सहिष्णु और उदार भाषा रही है।"<sup>6</sup>

अन्तरराष्ट्रीय स्तर पर अब उसी भाषा को मान्यता प्राप्त होगी जिसका व्याकरण संगत होगा व जिसकी लिपि कम्प्यूटर की लिपि होगी। संस्कृत भाषा की पुत्री होने के कारण हिन्दी को यह आधार मिला है। इसलिए इसमें अंग्रेजी फ्रेंच आदि की अपेक्षा विश्व भाषा बनने की सम्भावनाएं अधिक हैं। विदेशियों के बीच हिन्दी प्रसार का माध्यम इसलिए भी है कि विदेशों में भारतीय मूल के व्यापारी भारतीयों के साथ व्यापारिक संबंध बढ़ाने के लिए हिंदी सीखना चाहते हैं। डैनमार्क, नार्वे, स्वीडन और फिनलैंड आदि में भी हिन्दी बोलने वाले लोग काफी संख्या में मिलते हैं।<sup>7</sup>

इस प्रकार हिन्दी प्रचार की योजना को सफल बनाने की दृष्टि से फिजी, मॉरिशस, स्थित हमारे दूतावासों में राजभाषा अधिकारी नियुक्त किए जाते हैं जिनका हिन्दी के प्रचार-प्रसार में महत्त्वपूर्ण योगदान रहा है। भारत से बाहर 165 देशों में हिन्दी के अध्ययन-अध्यापन की व्यवस्था है और विदेशों का युवा समाज भारतीय संस्कृति एवं हिन्दी को पढ़ने में रुचि लेता रहा है। अमेरिका के अनेक विश्वविद्यालय जैसे कैलिफोर्निया, शिकागो, कोलम्बिया आदि में भी हिन्दी के अध्यापन की व्यवस्था है। हिन्दी का रूसी भाषा में जितना अनुवाद प्रकाशित हुआ उतना शायद ही संसार की किसी भाषा में हुआ है। आस्ट्रेलिया के भी दो विश्वविद्यालय में हिन्दी पढ़ाई जाती है। अमेरिका में विश्वविद्यालयों के अतिरिक्त अनेक स्वयं सेवी संस्थाएँ हिन्दी के प्रति पूर्ण समर्पित भाव से कार्य कर रही हैं। पिछले कुछ वर्षों के दौरान मैक्सिको तथा

अनेक लातिनी अमेरिकी देशों में हिन्दी का विस्तार हुआ है। क्यूबा, वेनेजुएला, कोलंबिया, पैरू, अजैण्टीना आदि इसके जीवंत उदाहरण हैं।

फिजी, मॉरीशस, केनिया, युगांडा आदि देशों में तो हिन्दी चलन-चित्र खूब देखे जाते हैं क्योंकि यहाँ भारतीय मूल के लोग रहते हैं। हिन्दी भाषा स्वयं में एक अंतरराष्ट्रीय जगत को समाहित किए हुए है।<sup>8</sup>

### निष्कर्ष

सही अर्थों में कहा जाए तो अगर हम अपनी मूल भाषा हिन्दी का प्रचार-प्रसार करें तो निश्चित ही विविधता वाले भारत को अपनी हिन्दी भाषा के माध्यम से एकता में जोड़ा जा सकता है। खुद हिन्दी भाषी बने और राष्ट्रभाषा को उचित सम्मान दिलाएं। भारतेन्दु जी ने ठीक ही कहा है।

“निज भाषा उन्नति अहै, सब उन्नति को मूल।

बिन निज भाषा ज्ञान के मिटै न हिय को शूल”।।

हिन्दी हमारी राष्ट्रभाषा है। अतः प्रत्येक नागरिक का कर्तव्य है कि वह राष्ट्रभाषा का सम्मान करें। राष्ट्रभाषा राष्ट्र की आत्मा होती है जिसके माध्यम से पूरा देश संवाद करता है। भारतीयों को चाहिए कि वे दोहरी मानसिकता को छोड़कर पूरे गर्व के साथ हिन्दी को अपने जीवन में अपनाने की शपथ मन से लें। तभी सही मायने में हिन्दी का गौरव बना रहेगा।

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## राजस्थानी नीतिकाव्य पर संस्कृत नीतिकाव्य का भावगत प्रभाव

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**सारांश** – 'नीति' से तात्पर्य ऐसी क्रिया से है, जिसके माध्यम से किसी भी व्यक्ति को अनुचित मार्ग से उचित मार्ग की ओर चलने के लिए प्रेरित किया जाए। नीतिकाव्य का प्रमुख उद्देश्य मानव को नैतिक शिक्षा प्रदान करना है। राजस्थान के जीवन की समस्त मान्यताएँ एवं आदर्श राजस्थानी नीतिकाव्य में सन्निहित हैं। संस्कृत नीतिकाव्य में जीवन के समस्त क्षेत्रों से सम्बन्धित नीति तत्त्व विद्यमान हैं। इस नीतिकाव्य ने प्रत्यक्ष एवं परोक्ष कारणों से राजस्थानी नीतिकाव्य को भाव एवं विचार क्षेत्र में व्यापक रूप से प्रभावित किया है। इस विषय की महत्ता एवं उपादेयता से प्रेरित इस शोध पत्र में राजस्थानी नीतिकाव्य पर संस्कृत नीतिकाव्य के भावगत प्रभाव का विवेचनात्मक अध्ययन प्रस्तुत किया गया है।

**मूल शब्द** : नीति, नीतिकाव्य, राजस्थानी नीतिकाव्य, संस्कृत नीतिकाव्य, भावगत प्रभाव

**प्रस्तावना** – 'नीति' से तात्पर्य ऐसी क्रिया से है, जिसके माध्यम से किसी भी व्यक्ति को अनुचित मार्ग से उचित मार्ग की ओर चलने के लिए प्रेरित किया जाए। द्वाद्विवेद की रचना 'नीतिमंजरी' के अनुसार –

**एवं कर्त्तव्यमेवं न कर्त्तव्यमित्यात्मको यो धर्मः सा नीतिः।'**

अर्थात् जो कर्त्तव्य एवं अकर्त्तव्य को स्पष्ट करे वही नीति है।

अन्य विद्वानों एवं मनीषियों ने भी 'नीति' को परिभाषित किया है। उनके विचारों से स्पष्ट होता है कि 'नीति' के फलस्वरूप मानव को धर्म, अर्थ, कामादि पुरुषार्थों की प्राप्ति होती है<sup>2</sup> तथा मानव-जीवन के लक्ष्य की सिद्धि हेतु उचित मार्ग का निर्देशन होता है।

नीतिकाव्य का प्रमुख उद्देश्य मानव को नैतिक शिक्षा प्रदान करना है। अन्य शब्दों में नीतिकाव्य नैतिकता के प्रतिष्ठापन द्वारा व्यक्ति और समाज को सन्मार्ग की ओर चलने के लिए प्रेरित करता है। नीतिकाव्य की पुनीत परम्परा संस्कृत, पालि, प्राकृत एवं अपभ्रंश से प्रवाहित होती हुई राजस्थानी में भी प्रवहमान रह कर संवर्द्धित हुई है।

राजस्थान के जन-जीवन में नीतिपरक आचरण का विशेष महत्त्व रहा है। राजस्थानी नीतिकार्य में इस प्रदेश की सभ्यता और संस्कृति का उज्ज्वल स्वरूप प्रतिबिम्बित होता है। संक्षेप में राजस्थान के जीवन की समस्त मान्यताएँ एवं आदर्श राजस्थानी नीतिकार्य में सन्निहित हैं।

संस्कृत नीतिकार्य भारतीय संस्कृति के भव्य विचारों का दर्पण है। यह अत्यन्त विस्तृत एवं समृद्ध है। इसमें जीवन के समस्त क्षेत्रों से सम्बन्धित नीति तत्त्व विद्यमान हैं। ये नीति तत्त्व परम्परागत अनुभवों पर आधारित होने के कारण मार्गदर्शक हैं तथा सद्जीवन की प्रेरणा प्रदान करने वाले अक्षय स्रोत हैं।

संस्कृत और राजस्थानी का दीर्घकाल से प्रगाढ़ सम्बन्ध चला आ रहा है। इस कारण भाव एवं विचार क्षेत्र में राजस्थानी नीतिकार्य पर संस्कृत नीतिकार्य का व्यापक प्रभाव पड़ा है। इस विषय की महत्ता एवं उपादेयता से प्रेरित इस शोध पत्र में राजस्थानी नीतिकार्य पर संस्कृत नीतिकार्य के भावगत प्रभाव का विवेचनात्मक अध्ययन प्रस्तुत किया गया है, जो एक नवीन प्रयास है।

**भावगत प्रभाव** — भाव का सम्बन्ध मानव मन की सूक्ष्म चित्तवृत्तियों से है। भाव मन में विद्यमान रहते हैं और समय पाकर उद्बुद्ध हो उठते हैं तथा अर्थवान् वाणी का आलम्बन पाकर अभिव्यक्त हो जाते हैं। भाव से ही कविता का जन्म होता है। भाव को ही अलंकार की उत्पत्ति एवं रस की निष्पत्ति का कारण माना गया है।

संस्कृत नीतिकार्य का भाव पक्ष उच्च कोटि का है तथा इसने राजस्थानी नीतिकार्य को व्यापक रूप से प्रभावित किया है।

इस प्रभाव के मुख्यतः — प्रत्यक्ष एवं परोक्ष, दो कारण रहे हैं।

**प्रत्यक्ष कारण** — संस्कृत का विशाल ज्ञान-भण्डार विद्वानों को अपनी ज्ञान-पिपाशा शान्त करने हेतु सदैव ही आकर्षित करता रहा है। राजस्थान के अनेक कवियों ने समय-समय पर संस्कृत के प्रमुख नीतिकार्यों का अध्ययन किया। इस अध्ययन के फलस्वरूप संस्कृत नीतिकार्य की उज्ज्वल भाव सम्पदा का उनके चिन्तन-मनन पर गहन प्रभाव पड़ा तथा उससे प्रभावित होकर इन कवियों ने राजस्थानी में अनेक नीतिपरक रचनाओं का सृजन किया। इस प्रकार प्रत्यक्ष रूप से राजस्थानी नीतिकार्य पर संस्कृत नीतिकार्य का भावगत प्रभाव पड़ा।

**परोक्ष कारण** — भावगत प्रभाव के परोक्ष कारण दो प्रकार से रहे हैं —

(अ) साहित्यिक परम्परा (ब) सांस्कृतिक पृष्ठभूमि

**(अ) साहित्यिक परम्परा** — राजस्थानी नीतिकार्य की परम्पराओं का निर्माण संस्कृत, पालि, प्राकृत एवं अपभ्रंश की क्रमिक परम्पराओं के आत्मसात एवं विकास से सम्भव हुआ है। इस कारण राजस्थानी नीतिकार्य पर भावगत तथा शिल्पगत प्रभाव पड़ा है। इस प्रकार भाव, शैली, अलंकार, भाषा एवं छन्द विधान सभी प्रभावित हुए हैं। अतः राजस्थानी नीतिकार्य का वर्तमान स्वरूप अनेक अंशों में इन्हीं परम्पराओं की देन है।

**(ब) सांस्कृतिक पृष्ठभूमि** — अनेक युगों के पश्चात् भी यदि आज भारतीय जीवन की नैतिक, धार्मिक, आचरण सम्बन्धी तथा व्यावहारिक मान्यताओं का विश्लेषण किया जाये तो उसका एक महत्त्वपूर्ण अंश ऐसा

है, जिसके निर्माण में संस्कृत नीतिकाव्य का महत्वपूर्ण योगदान रहा है। परन्तु संस्कृत नीतिकाव्य द्वारा स्थापित मान्यताएँ, सभी अपने मूल रूप में राजस्थानी नीतिकाव्य तक नहीं पहुँची हैं। अपने-अपने समय पर पालि, प्राकृत तथा अपभ्रंश साहित्य के प्रभाव ने, इनमें युगानुरूप परिवर्तन तथा परिवर्द्धन किया है।

इस प्रकार सांस्कृतिक पृष्ठभूमि में राजस्थानी नीतिकाव्य का निर्माण एवं विकास हुआ है। इस दशा में सांस्कृतिक दृष्टि से इन भाषाओं के नीतिकाव्यों का राजस्थानी नीतिकाव्य पर प्रभाव सर्वथा स्वाभाविक है। सांस्कृतिक पृष्ठभूमि से आने वाले प्रभाव, भाव एवं विचार क्षेत्र में ही सम्भव रहे हैं।

इस प्रकार प्रत्यक्ष एवं परोक्ष दोनों ही कारणों से राजस्थानी नीतिकाव्य पर संस्कृत नीतिकाव्य का भावगत प्रभाव पड़ा है।

**izHkko dk Lo:i & jktLFkkuh uhfrdkO; ij laL—r uhfrdkO; ds Hkkoxr izHkko ds fuEufyf[kr pkj Lo:i –f"Vxr gksrs gSa &**

¼1½ Hkkoksa dk v{kj'k% vuqokn ¼2½ Hkkoksa dk iw.kZ izHkko

¼3½ Hkkoksa dk Nk;k xzg.k ¼4½ Hkkoksa dk uO; Lo:i

(1) **भावों का अक्षरशः अनुवाद** – भाव साम्यता की दृष्टि से राजस्थानी नीतिकाव्य पर संस्कृत के नीति ग्रन्थों का व्यापक प्रभाव दृष्टिगत होता है। अनेक स्थलों पर राजस्थानी नीति कवियों ने संस्कृत के नीति श्लोकों से भाव सम्पदा ग्रहण कर उनका राजस्थानी में अक्षरशः अनुवाद कर दिया है। इसके कतिपय उदाहरण दृष्टव्य हैं –

व्यक्ति अपने गुणों से ही ऊपर उठता है, उच्च स्थान पर बैठ जाने से नहीं। राज प्रासाद के शिखर पर बैठ जाने से क्या कौआ गरुड़ बन जाएगा ?

संस्कृत – गुणैरुत्तमतां यान्ति नोच्चैरासनसंस्थिताः।

प्रासादशिखरस्थोऽपि काकः किं गरुडायते।<sup>3</sup>

राजस्थानी – ऊंचौ बैट्यां नीं लहै, गुण बिन वडपण कोय।

बैठौ देवळ सिखर पर, वायस गरुड़ न होय।<sup>4</sup>

दुर्जन मनुष्य से मित्रता एवं शत्रुता दोनों ही दुःख का कारण होती है जैसे कुत्ता प्रसन्न होने पर मुख चाटता है और क्रुद्ध होने पर काट लेता है –

संस्कृत – वर्जनीयो मतिमता दुर्जनः सख्यवैरयोः।

शवा भवत्यपकाराय लिहन्नपि दशन्नपि।<sup>5</sup>

राजस्थानी – स्वानां केरी दोस्ती, दोनों वातां दुक्ख।

खीझ्यां काटे पांवनै, रीझ्यां चाटै मुक्ख।<sup>6</sup>

सभी गुण धन का ही आश्रय लेते हैं। अतः धनी के पास सभी गुण स्वतः ही आ जाते हैं –

संस्कृत – यस्यास्ति वित्तं स नरः कुलीनः,

स पण्डितः, स श्रुतवान्, गुणज्ञः।

स एव वक्ता, स च दर्शनीयः,

सर्वे गुणाः काञ्चनमाश्रयन्ति।<sup>7</sup>

राजस्थानी – धन दौलत जिणरै कनै, वो नर सदा कुलीन।  
वो पंडित वो पारखी, वो बुध ग्यान प्रवीण॥  
वो साचो वक्ता खरो, वो दरसन रै जोग।  
सुवरण में सब गुण बसै, जाणै सगळा लोग॥<sup>8</sup>

विद्वान और मूर्ख की स्वभावगत भिन्नता, उनकी कार्यशैली से प्रकट होती है। जहाँ विद्वान या पंडित अपना समय काव्यशास्त्र के अध्ययन एवं मनोविनोद में व्यतीत करते हैं, वहीं मूर्ख अपना समय व्यसन, नींद और कलह करने में गँवा देते हैं अर्थात् विद्वान समय का सदुपयोग करते हैं, जबकि मूर्ख अपव्यय –

संस्कृत – काव्यशास्त्रविनोदेन कालो गच्छति धीमताम्।  
व्यसनेन च मूर्खाणां निद्रया कलहेन वा॥<sup>9</sup>  
राजस्थानी – पंडित काव्य विनोद रस, काळ गमावै जाण।  
विसन नींद झगड़ा, कळह, करि करि गमै अजाण॥<sup>10</sup>

इसके अतिरिक्त कतिपय ऐसे अक्षरशः अनुवाद भी दृष्टिगत होते हैं, जिनका मूल स्वरूप संस्कृत नीतिकाव्य में मिलता है तथा पालि एवं प्राकृत साहित्य में भी उनका अनुवाद हुआ। ये राजस्थानी नीतिकाव्य पर संस्कृत, पालि तथा प्राकृत नीतिकाव्य के मिश्रित प्रभाव के द्योतक हैं। एक उदाहरण दृष्टव्य है –

संस्कृत – नखीनां च नदीनां च शृंगीणां शस्त्रपाणिनाम्।  
विश्वासो नैव कर्तव्यः स्त्रीषु राजकुलेषु च॥<sup>11</sup>  
पालि – नखीनञ्च नदीनञ्च, सिङ्गीनं सत्थपाणिनं।  
विस्सासो नेवकातब्बो, थीसु राजकुलेसु च॥<sup>12</sup>  
प्राकृत – णखाणं च णईणं च, सिंगीणं सत्थ-पाणिणं।  
विस्सासो णेव कादव्वो, थीणं राय-जणाण वा॥<sup>13</sup>  
राजस्थानी – सस्त्र-जुक्त, सुंगी, नखी, त्रिप कुळ, नदीर नार।  
करणो नहि अेतवार कद, रहणो आप संभाळ॥<sup>14</sup>

इस प्रकार राजस्थानी नीति कवियों ने संस्कृत नीतिकाव्य के विविध विषयक नीति श्लोकों का अपनी भाषा में शब्दशः अनुवाद कर उन भावों को जन-जन तक पहुँचाने का स्तुत्य कार्य किया है।

**(2) भावों का पूर्ण प्रभाव** – भावों के पूर्ण प्रभाव का अभिप्राय है – संस्कृत के भावों को शब्दशः अनुवाद न करके भावों को प्रकट कर देना। राजस्थानी नीतिकाव्य में ऐसे अनेकानेक प्रसंग दृष्टिगत होते हैं। कतिपय उदाहरण दृष्टव्य हैं –

जिसके पास अपनी बुद्धि नहीं है अर्थात् जो शास्त्र को समझने की बुद्धि नहीं रखता, शास्त्र उसका कैसे कल्याण कर सकता है, जैसे दर्पण अन्धे व्यक्ति को कोई लाभ नहीं पहुँचा सकता है –

संस्कृत – यस्य नास्ति स्वयं प्रज्ञा शास्त्रं तस्य करोति किम्।  
लोचनाभ्यां विहीनस्य दर्पणः किं करिष्यति॥<sup>15</sup>

इसी भाव को राजस्थानी में इस प्रकार व्यक्त किया गया है –

राजस्थानी – मूरखकूँ पोथी दिवी वाँचणकूँ गुण-गाथ।  
जैसे निरमळ आरसी दी आँधैकै हाथ॥<sup>16</sup>

संगति के प्रभाव को अधिकांश कवियों ने महत्त्व दिया है। कीड़ा भी पुष्पों की संगति से सज्जन के शिर पर पहुँच जाता है तथा बड़े मनुष्यों द्वारा स्थापित पाषाण भी देवता मानकर पूजा जाता है –

संस्कृत – कीटोऽपि सुमनःसङ्गादारोहति सतां शिरः।  
अश्मापि याति देवत्वं महद्भिः सुप्रतिष्ठितः।<sup>17</sup>  
राजस्थानी – कीट फूल कै साथ, राजा कै मस्तक चढ़ै।  
सज्जन को पा साथ, पापी पुजै रै शेखरा।<sup>18</sup>

दुष्ट या दुर्जन को सुधारने का कितना भी प्रयास किया जाय, वह अपनी दुष्टता का परित्याग कर सज्जन नहीं बन सकता। नीम के वृक्ष को यदि दूध और घृत से सींचा जाय तब भी वह मधुर नहीं बन सकता –

संस्कृत – न दुर्जनः साधुदशामुपैति बहुप्रकारैरपि शिक्ष्यमाणः।  
आमूलसिक्तः पयसा घृतेन न निम्बवृक्षो मधुरत्वमेति।<sup>19</sup>  
गुळपर्वतमध्यस्थं निम्बबीजं प्रतिष्ठितम्।  
पयोवर्षसहस्रेण निम्बः किं मधुरायते।<sup>20</sup>

राजस्थानी कवियों ने इस भाव को व्यक्त करते हुए नीम वृक्ष के स्थान पर आक और बबूल वृक्ष का उल्लेख किया है, क्योंकि मरुप्रदेश में आक और बबूल वृक्षों की बहुलता होती है –

राजस्थानी – पय मीठा कर पाक, जे इमरत सींचीजियै।  
उर कड़वाई आक, रंच न मूकै, राजिया।<sup>21</sup>  
दुरजण रूख बबूल रो, साजन! बार म बोय।  
जै अमरित सींचीजियै, तोय कटीलो होय।<sup>22</sup>

संसार में प्रायः आडम्बर या दिखावा ही पसंद किया जाता है और उसे ही आदर मिलता है। गुणों को नहीं देखा जाता, जैसे पीताम्बर वस्त्रधारी विष्णु को समुद्र ने अपनी कन्या लक्ष्मी प्रदान की, परन्तु दिगम्बर शिव को कालकूट विष दिया –

संस्कृत – पीताम्बराय तनयां प्रददौ पयोधिः, तत्कालकूटगरलं च दिगम्बराय।  
तत्रानयोर्वदत कस्य गुणातिरेकः, प्रायः परिच्छदकृतादर एव लोकः।<sup>23</sup>  
राजस्थानी – लछमी कर हरि लार, हर नै दध दीधौ जहर।  
आडंबर इधकार, राखै सारा राजिया।<sup>24</sup>

उपर्युक्त उदाहरणों से स्पष्ट है कि राजस्थानी नीति कवियों ने लोकहित में संस्कृत नीतिकाव्य की रचनाओं से अनेक भावों का पूर्ण ग्रहण कर राजस्थानी में नीतिपरक रचनाओं का सृजन किया है।

**(3) भावों का छाया ग्रहण** – भावों के छाया ग्रहण का अभिप्राय है, संस्कृत काव्यों के मूल भावों को आंशिक रूप में ग्रहण करते हुए अपने काव्य में स्थान प्रदान करना। राजस्थानी नीतिकाव्य में इस प्रकार के अनेकानेक उदाहरण प्राप्त होते हैं।

दुर्जन और सज्जन के स्वभाव के अन्तर को स्पष्ट करने के लिए स्वर्ण घट और मिट्टी के घट का उदाहरण दिया गया है। स्वर्ण घट तोड़ने में कठिन और जोड़ने में सरल होता है, इसके विपरीत मिट्टी का घट तोड़ने में सरल और जोड़ने में कठिन होता है—

संस्कृत – मृदघट इव सुखभेद्यो दुस्सन्धानश्च दुर्जनो भवति।  
सुजनस्तु कनकघट इव दुर्भेद्यः सौख्यसन्धानः।<sup>25</sup>

राजस्थानी नीति कवियों ने उक्त भाव का विस्तारीकरण करते हुए सोना, सज्जन और साधुजन को टूट कर सौ बार जुड़ने योग्य तथा दुर्जन को कुम्हार के कुंभ के समान माना है, जो दूसरी बार नहीं जुड़ता है –

राजस्थानी – सोनो सज्जन साध-जन, टूट जुड़े सौ वार।  
दुरजण कुंभ कुंभार को, जुड़े न दूजी वार।<sup>26</sup>

‘सत्य’ के महत्व को स्वीकारते हुए कहा गया है कि सब सत्य में ही स्थिर है –

संस्कृत – सत्येन धार्यते पृथ्वी सत्येन तपते रविः।  
सत्येन वायवो वान्ति सर्व सत्ये प्रतिष्ठितम्।<sup>27</sup>

राजस्थानी नीतिकाव्य में उक्त भाव की प्रस्तुति उदाहरणों द्वारा की गई है, किन्तु निष्कर्ष प्रस्तुत नहीं किया गया है। अतः आंशिक प्रभाव अभिलक्षित होता है –

राजस्थानी – सत पर ठहरी मेदनी, सत से होत उजास।  
सतरे कारण ही खड़ो, बिन थम्मे आकास।<sup>28</sup>

लोभ हमेशा त्याज्य है। सोने का मृग होना असंभव है, फिर भी राम सोने के मृग के पीछे लुभा गए। इससे ज्ञात होता है कि विपत्ति काल आने पर महापुरुषों की बुद्धि भी लोभवश मलिन हो जाती है –

संस्कृत – असंभवं हेममृगस्य जन्म तथापि रामो लुलभे मृगाय।  
प्रायः समापन्नविपत्तिकाले धियोऽपि पुंसां मलिना भवन्ति।<sup>29</sup>  
न निर्मितः केन न दृष्टपूर्वः न श्रूयते हेममयः कुरङ्ग।  
तथापि तृष्णा रघुनन्दनस्य विनाशकाले विपरीतबुद्धिः।<sup>30</sup>

राजस्थानी नीतिकाव्य में उक्त भाव को व्यक्त करते हुए कहा गया है कि लोभ का उपचार नहीं है –

राजस्थानी – कंचन मृग रैकाज, सीता दुख झेल्या सकल।  
लोभ तणू न इलाज, रखै धनंतर रूपजी।<sup>31</sup>

किसी भी प्रकार की ‘अति’ अच्छी नहीं होती। अत्यधिक रूप के कारण सीता का हरण हुआ, अत्यधिक अहंकार के कारण रावण मारा गया, अत्यधिक दान देकर बलि वचन में बँधा, अतः ‘अति’ सदा वर्जनीय है –

संस्कृत – अतिरूपेण वै सीता, अतिगर्वेण रावणः।  
अतिदानाद् बलिर्दत्त्वा अति सर्वत्र वर्जयेत्।<sup>32</sup>

पालि – अतिदब्बे हता लङ्का, अतिमाने च कोरवा।  
अतिदाने बलीबद्धो, सब्बमच्चन्त गहितं।<sup>33</sup>

राजस्थानी नीतिकाव्य में उक्त भाव को प्राकृतिक उपादानों के उदाहरण द्वारा पुष्ट किया गया है –

राजस्थानी – अति को भलो न बोलबो, अति की भली न धूप।  
अति को भलो न वरसवो, अति की भली न चूप।<sup>34</sup>

मधुर भाषण से सभी प्राणी प्रसन्न होते हैं, अतः प्रिय वचन बोलने चाहिए, वचनों में दरिद्रता कैसी ?

संस्कृत – प्रियवाक्यप्रदानेन सर्वे तुष्यन्ति जन्तवः।

तस्मात्तदेव वक्तव्यं वचने का दरिद्रता।।<sup>35</sup>

राजस्थानी नीतिकाव्य में उक्त भाव आंशिक परिवर्तन के साथ वर्णित किया गया है – मीठा बोलने में कुछ व्यय नहीं होता, इससे दुर्जन भी सज्जन बन जाता है –

राजस्थानी – जीभे मीठौ बोलिये, खरच न लगै कोय।

दुरजण भी सज्जण हुवै, जो मुख अमृत होय।।<sup>36</sup>

इस प्रकार भावों के छाया ग्रहण में राजस्थानी नीति कवियों ने संस्कृत नीतिकाव्य के मूल भावों का छाया ग्रहण कर उनका विस्तारीकरण, संक्षिप्तीकरण अथवा कतिपय अन्य बातों को समाहित करते हुए काव्य रचना में अपनी विशिष्टता का परिचय दिया है।

**(4) मूल भावों का नव्य स्वरूप** – संस्कृत नीतिकाव्य में निहित नीति तत्त्वों को राजस्थानी नीतिकाव्य में अनेक स्थलों पर नवीनता के साथ प्रस्तुत किया गया है अर्थात् उन भावों को नव्य स्वरूप में ग्रहण किया गया है। इसके कतिपय उदाहरण प्रस्तुत हैं –

भाग्य की महत्ता को संस्कृत नीतिकाव्य में इस प्रकार व्यक्त किया गया है – भाग्य ही सर्वत्र फलीभूत होता है, विद्या और पौरुष नहीं। तभी तो समुद्रमंथन के पश्चात् विष्णु को लक्ष्मी और शंकर को विष प्राप्त हुआ –

संस्कृत – भाग्यं फलति सर्वत्र न विद्या न च पौरुषम्।

समुद्रमंथनाल्लेभे हरिर्लक्ष्मीं हरो विषम्।।<sup>37</sup>

राजस्थानी नीतिकाव्य में भाग्य के महत्त्व को भिन्न उदाहरण देते हुए अनूठे रूप में प्रस्तुत किया गया है –

राजस्थानी – भाग प्रमाणे ही मिलै, देख दई रो खेल।

लंक विभीषण नै मिळी, हनुमान नै तेल।।<sup>38</sup>

एक अन्य उदाहरण में इसी भाव को अन्य प्रकार से व्यक्त किया गया है –

परालबधका पावणा, देख दईका खेल।

भम्भीखणनै लंक, अरु हड्डमाननै तेल।।<sup>39</sup>

मूर्खों को दिया गया उपदेश क्रोधजनक होता है, उन्हें उससे शान्ति नहीं मिलती –

संस्कृत – उपदेशो हि मूर्खाणां क्रोधायैव शमाय न।

पयः पानं भुजङ्गानां विषायैवामृताय न।।<sup>40</sup>

राजस्थानी नीतिकाव्य में उक्त भाव को इस प्रकार व्यक्त किया गया है – मूर्ख को समझाने से ज्ञान व्यर्थ हो जाता है, जैसे कोयले को सौ मन साबुन से धोया जाय तो भी वह उज्ज्वल नहीं होता –

राजस्थानी – मूरखनै समझांवाताँ ग्यान गाँठरो जाय।

कोयलो होय न ऊजळो, सौ मण साबण लाय।।<sup>41</sup>

संस्कृत नीतिकाव्य के अनुसार भूखा व्यक्ति कौनसा पाप नहीं करता ?

संस्कृत – बुभुक्षितः किं न करोति पापं

क्षीणा जना निष्करुणा भवन्ति।।<sup>42</sup>

राजस्थानी नीतिकाव्य में उक्त भाव को नवीन रूप में प्रस्तुत किया गया है –

राजस्थानी – भूखा मांगै भीख, भूखा ही चोरी करै।

भूखां सैं ल्यो सीख, भूख बुरी है शेखरा।।<sup>43</sup>

‘भायला रा सोरठा’ में उक्त विषय में कहा गया है कि भूख के कारण व्यक्ति कुछ भी अर्थ—अनर्थ कर डालता है। इस प्रकार व्यक्ति भूख का दास है —

भूखो खावै घास, छोड़ा खावै रूख रा।  
जीव भूख रो दास, क्यों भी करदे भायला।<sup>44</sup>

इस संसार में ऐसा कुछ नहीं है जो धन से सिद्ध न हो सके अर्थात् धन से समस्त कार्य सम्भव हो सकते हैं —

संस्कृत — न तदस्ति जगत्यस्मिन्यदर्थेन न सिध्यति।<sup>45</sup>

संस्कृत के उक्त भाव को राजस्थानी में प्रश्न शैली के माध्यम से नये रूप में प्रकट किया गया है — जो मनुष्य को कारागृह के बन्धन से मुक्त करा दे और इच्छित कार्य को सम्पन्न करवा दे, वह रुपये के समान अन्य कौनसी वस्तु हो सकती है ?

राजस्थानी — बंध बांध्या छड़वाय, कारज मनचींता करै।  
कहो चीज है काय, रुपिया सिरसी, राजिया।<sup>46</sup>

‘चाणक्य नीति’ के अनुसार कुमित्र पर तो विश्वास करना ही नहीं चाहिए, पर सुमित्र पर भी विश्वास कर अपने सारे भेद प्रकट नहीं करने चाहिए, क्योंकि यदि कभी वह रुष्ट हो गया तो सारे रहस्यों को उजागर कर देगा —

संस्कृत — न विश्वसेत् कुमित्रे च मित्रे चाऽपि न विश्वसेत्।  
कदाचित् कुपितं मित्रं सर्वं गुह्यं प्रकाशयेत्।<sup>47</sup>

पालि — न विस्ससे अविस्सत्थं, मित्तञ्चापि न विस्ससे।  
कदाचित् कुपितं मित्तं, सब्बदोसं पकासये।<sup>48</sup>

उक्त भाव को राजस्थानी में उदाहरण द्वारा नवीन रूप में प्रस्तुत किया गया है —

राजस्थानी — सब्बे भेद न अप्पियै, जै सयणां सूं प्यार।  
दूधां ही थी पित पड़ै, किणही—किणही वार।<sup>49</sup>

जिस प्रकार जल की एक—एक बूंद गिरने से धीरे—धीरे घड़ा भर जाता है, उसी प्रकार धीरे—धीरे सभी प्रकार की विद्या, धन और धर्म का भी संचय हो जाता है —

संस्कृत — जलबिन्दुनिपातेन क्रमशः पूर्यते घटः।  
स हेतुः सर्वविद्यानां धर्मस्य च धनस्य च।<sup>50</sup>

प्राकृत — जलबिंदु—णिवादेण, कमसो पूरिदे घडो।  
तहेव सब्बविज्जाणं, धम्माणं च धणाण वा।<sup>51</sup>

यह भाव राजस्थानी नीतिकाव्य में पूर्णतः भिन्न रूप में मिलता है — तिनके—तिनके तोड़ने से झोंपड़ी का अस्तित्व ही समाप्त हो जाता है, उसी प्रकार मनका—मनका जोड़ने से माला तैयार हो जाती है। इस प्रकार संस्कृत से गृहीत भाव को नवीन रूप में व्यक्त किया गया है —

राजस्थानी — तिणको—तिणको तोड़ झप रुळ ज्यासी झूपड़ो।  
मिणको—मिणको जोड़, बणज्या माळा, बावळा।<sup>52</sup>

उपर्युक्त उदाहरणों से यह तथ्य स्पष्ट होता है कि राजस्थानी नीति कवियों ने संस्कृत नीतिकाव्य से अनेक भावों को ग्रहण कर उन्हें नव्य स्वरूप प्रदान कर जन—जन के लिए अधिक उपादेय बनाने का प्रयास किया है।

**निष्कर्ष** – राजस्थानी नीतिकाव्य पर संस्कृत नीतिकाव्य के भावगत प्रभाव का अनुशीलन करने से यह तथ्य प्रकट होता है कि राजस्थानी नीतिकाव्य, भाव ग्रहण के क्षेत्र में संस्कृत नीतिकाव्य से पूर्णतः प्रभावित हुआ है। भावों के अक्षरशः अनुवाद के उदाहरणों से यह तथ्य पुष्ट होता है कि राजस्थानी के नीति कवियों ने संस्कृत ग्रंथों को दृष्टिपथ में रखकर उन्हें यथा तथ्य रूप में राजस्थानी भाषा के कलेवर में प्रस्तुत कर दिया। अक्षरशः अनुवाद के अधिकांश उदाहरण व्यावहारिक नीति से सम्बन्धित हैं।

राजस्थानी नीति कवियों ने संस्कृत ग्रन्थों में वर्णित अनेक भावों को पूर्णतः ग्रहण कर उनमें अन्य तथ्यों को समाहित करते हुए भी प्रस्तुत किया है। ऐसा प्रतीत होता है कि उन्होंने वर्ण्य विषय की बहुआयामी रचनाधर्मिता का निर्वाह किया है। राजस्थानी कवियों ने संस्कृत के नीतिकाव्य से कुछ भावों का छाया रूप भी ग्रहण किया है। इसके द्वारा कवियों ने अपने काव्य को निजता एवं लोक्यता प्रदान की है। संस्कृत के अनेक भावों को नव्य स्वरूप में भी प्रस्तुत किया गया है, इससे यह तथ्य उजागर होता है कि राजस्थानी नीति कवि बहुज्ञ होने के साथ-साथ अपने परिवेश, अपनी संस्कृति और अपने अनूठे रचनाधर्मी कौशल के माध्यम से राजस्थानी नीतिकाव्य को जन-जन का कंठहार बनाने की भावना से अभिप्रेरित थे। यही कारण है कि उनकी रचनायें आदर्श समाज की स्थापना के पुनीत उद्देश्य में पूर्णतः सफल रही हैं। राजस्थानी नीतिकाव्य में संस्कृत नीतिकाव्य से जो भी भाव ग्रहण किये गये हैं, उनमें अधिकांश व्यावहारिक नीति से सम्बन्धित हैं।

दोनों नीतिकाव्यों के भावगत साम्य के अवलोकन से यह निश्चित रूपेण कहा जा सकता है कि कवियों की कालगत स्थितियाँ चाहे भिन्न रही हों, अभिव्यक्ति के माध्यम चाहे भिन्न रहे हों, परन्तु जीवन तथा जगत सम्बन्धी उनकी अनुभूतियाँ समरूप ही हैं। इससे यह तथ्य स्पष्ट होता है कि भारतीय संस्कृति अपने मूल रूप में अपरिवर्तनीय है।

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## गंगा-फरक्का जल विभाजन

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भारत-बंगलादेश संबंध में गंगा-फरक्का जल विभाजन संबंधी मुद्दा प्रारंभ से ही विवादित रहा है। गंगा नदी अपने अंतिम पड़ाव में लगभग 129 किमी की सीमा भारत और बांग्लादेश बीच बनाती है और पुनः बांग्लादेश में प्रवेश करती हुई समुद्र में विलीन होने से पूर्व 113 किमी बांग्लादेश में प्रवाहित होती है। बांग्लादेश की सीमा से 10 किमी पहले फरक्का के पास भारत सरकार के द्वारा एक बाँध बनाया गया है जो 1974 में तैयार हुआ ताकि गंगा के पानी को नियंत्रित करते हुए इसके कुछ पानी को एक फीडर कैनल के द्वारा मोड़कर हुगली नदी में प्रवेश कराया जा सके ताकि इस नदी में कलकत्ता बंदरगाह के सुचारु रूप से परिचालन हेतु पर्याप्त जल-बहाव सुनिश्चित किया जा सके, बन्दरगाह गाद-मुक्त रहे और कलकत्ता को ताजे पानी की निरंतर आपूर्ति हो सके।

गंगा सम्पूर्ण रूप से एक भारतीय नदी है। अपने पूर्ण प्रवाह में यह कुल 1275 मील भारत में बहती है और सिर्फ 100 मील बांग्लादेश में बहती हैं।

1972 में दोनो देशों ने एक संयुक्त नदी के पानी को समान रूप से प्रयुक्त करने की योजनायें बनाने का दायित्व सौंपा गया।

सितम्बर 1976 के आरंभ में भारत ने बिना किसी पूर्व शर्त के फरक्का के मामले पर द्विपक्षीय बातचीत के लिए बांग्लादेश को आमंत्रित किया। 8 सितम्बर 1976 को फरक्का पर बांग्लादेश तथा भारत के बीच बातचीत शुरू हुई। बांग्लादेश ने कुछ शर्तें रखी जो निम्नांकित हैं:-

- (क) फरक्का बाँध के नीचे गंगा के पानी के सामान्य बहाव को जारी रखना।
- (ख) नया अन्तरिम समझौता करना।
- (ग) फरक्का बातचीत में नेपाल को शामिल करना।

जाहिर हैं कि ये प्रस्ताव फरक्का समस्या को और अधिक जटिल बनाने के लिए ही प्रस्तुत किये गये थे इसीलिये भारत ने इन्हें अस्वीकार कर दिया।

1977 के समझौते के तहत दोनो देशों के बीच जल विभाजन को निम्न टेबल में प्रदर्शित किया गया है:-

**Table : 1**

Period	Flow Reaching Farakka/based on 75% availability from observed data	Withdrawal by India	Released to Bangladesh	Ratio
	m <sup>3</sup> /sec	m <sup>3</sup> /sec	m <sup>3</sup> /sec	India:Bangladesh
JAN 1 to 10	2789	1133	1657	41:59
11 to 20	2541	1090	1451	43:57
21 to 31	2336	1133	1345	49:51
FEB 1 to 10	2244	934	1310	42:58
11 to 20	2095	892	1204	43:57
21 to 28	1982	871	1111	44:56
MAR 1 to 10	1847	757	1090	41:59
11 to 20	1798	722	1076	40:60
21 to 31	1727	707	1020	41:59
APR 1 to 10	1671	680	991	41:59
11 to 20	1572	588	984	37:63
21 to 30	1570	580	977	37:63
MAY 1 to 10	1600	609	991	38:62
11 to 20	1678	678	998	40:60
21 to 31	1855	757	1097	41:59

दीर्घकालीन समझौते के संदर्भ में यह सहमति हुई कि दोनो ही सरकारें सूखे के मौसम में गंगा के बहाव में वृद्धि करने की समस्या का हल ढूंढने के लिये आपस में सहयोग करेंगी।

संयुक्त नदी आयोग की 14वीं बैठक जनवरी 1978 को ढाका में हुई तथा इसने विभिन्न प्रस्तावों का निरीक्षण किया।

1980 में जिया उर रहमान तथा श्रीमति इंदिरा गाँधी ने यह विश्वास व्यक्त किया कि सभी समस्याओं को द्विपक्षीय बातचीत द्वारा सुलझाया जा सकता है।

भारत ने स्पष्टतया बांग्लादेश के दृष्टिकोण को अस्वीकार कर दिया क्योंकि बांग्लादेश ने नेपाल को अनावश्यक रूप से इसमें घसीट रहा था। बांग्लादेश ने भारत के दृष्टिकोण को इसलिए अस्वीकार कर दिया क्योंकि उनके विचार में सम्पर्क नहर का निर्माण बांग्लादेश के हित में नहीं था।

अक्टूबर 1982 में राष्ट्रपति इरशाद एवं प्रधानमंत्री श्रीमति इंदिरा गाँधी के बीच दिल्ली में शिखर सम्मेलन हुआ। इस सम्मेलन के दौरान 1977 के समझौते के समाप्त हो जाने पर पानी के वितरण पर एक समझौता किया गया।

22 नवम्बर 1985 को दोनो देशों ने दिल्ली में समझौते की एक विवरणिका पर हस्ताक्षर किये। इस बात पर सहमति हुई कि दोनों देशों के लिए साझे जल संसाधनों के वितरण के लिए विकल्प ढूँढे जायेंगे। इस समझौते के पश्चात् दोनो ही देशों में राजनीतिक अस्थिरता का वातावरण आ गया। भारत में गठबंधन सरकारें बनती बिगड़ती रही और बंगलादेश में भी प्रजातंत्र की स्थापना हेतु संघर्ष आरंभ हो गया। शीघ्र ही दोनो देशों में स्थायित्व आया।

सितम्बर 1996 में श्री गुजराल की ढाका यात्रा तथा पश्चिम बंगाल के मुख्यमंत्री श्री ज्योति बसु के प्रयासों ने इस समस्या के स्थायी समाधान का मार्ग अंततः प्रशस्त कर दिया।

इस संधि के तहत निम्नांकित फार्मूला तय किया गया :-

**Table : 2**

Availability at	Share of India	Share of Bangladesh
1982 or less	50 %	50 %
1982 to 2124	Balance of Flow	991 m <sup>3</sup> /sec
2124 or more	40,000 cusec	Balance of Flow

स्पष्ट हैं कि इस संधि से कई वर्षों से चली आ रही जल-वितरण समस्या का निदान हो गया। पुनः अन्य साथी नदियों के जल-वितरण के लिये संधि से नई प्रेरणा मिली। इसके अतिरिक्त सहयोग समन्वय व संवाद का वह ढांचा इस संधि के द्वारा प्रस्तुत हुआ जिसके तहत अन्य द्विपक्षीय समस्याओं का हल करते हुए दोनो देश एक सर्जनात्मक, उपयोगितावादी, परस्पर हितकारी संबंध की ओर अग्रसर हो सके।

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