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CLASSIFICATION OF *VIDHIS*

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6.1 Classification on the basis of operative force

On the basis of what may be called the operative force of *Vidhis*, the writers on *Mimansa* classify them into four divisions¹:-

- (1) *Utpatti Vidhi* (substantive obligatory rules).
- (2) *Viniyoga Vidhi* (applicatory rules).
- (3) *Adhikara Vidhi* (rules laying down personal qualifications and competence).
- (4) *Proyoga Vidhi* (procedure).

6.2 *Utpatti Vidhis*

Utpatti Vidhis are “originating” commands - so called because they are the basis (origin) of the main object of the *Vedas*, namely, attaining heavenly bliss. Sarkar compares them to the rules of the civil law that originate a right.

Command like *Swargakame yajeta* (Person desiring heavenly bliss should perform sacrifices) are primary commands. The object is given tangible shape by the physical act (*karma*) of sacrifice.

6.3 *Viniyoga Vidhis*

Viniyoga Vidhis are accessories (*Shesha*) to *utpatti Vidhis*. Thus, if *Agnihotra* is to be performed as per *Utpatti Vidhi*, then the direction to perform it by curdled milk is applicatory text on *Viniyoga Vidhi*. It indicates only the method.

Comparable in modern law are the provisions which lay down (in an enactment) the manner in which a particular power is to be exercised or a particular legal duty to be discharged.

6.4 Later writers on *Viniyoga*

It is in connection with applicatory texts that later writers on *Mimansa*, particularly Loughkshi Bhaskara and Apadevai, have set out principles of interpretation as under:-

- (a) *Sruti* (literal meaning).
- (b) *Linga* (context).
- (c) *Vakya* (synthetical arrangement).
- (d) *Prakarana* (principle of part and whole).
- (e) *Krama* (principle of succession).
- (f) *Samakhya* (principle of etymological application).

6.5 *Adhikara Vidhis* and modern parallels

Adhikara Vidhis are those commands that relate to the personal competence of an individual to do a certain act. So far as the *Vedic* texts go, examples of such command are -

1. Sarkar, pages 45-53.

- (a) women are competent to perform sacrifices.
- (b) *Sudras* are competent to perform all sacrifices except the *Agneya* sacrifice.

This category finds many interesting parallels in modern legal systems. For example, in private law we have the well-known provision in section 11, Indian Contract Act, 1872 under which a person who has attained majority, who is of sound mind (and who is not otherwise disqualified by law from contracting) is competent to enter into a contract. The word “competent” itself came up for interpretation in an interesting context. Section 21 of the Succession Duty Act, 1853 provided that installments of succession duty payable by a successor shall cease at his end except when he was “competent to dispose by will of continuing interest in the property”. It was held¹ that in the above provision “competence” did not merely mean mental competence but it meant the possession of an estate of inheritance which was disposable by will. We find very frequent occasions for the application of requirements of competence in public law. It is enough to quote Lord Macnaghten²:-

“It is well settled that a public body invested with statutory powers must take care not to exceed or abuse its powers. It must keep within the limits of the authority committed to it. It must act in good faith. And it must act reasonably.

6.6. Prayoga Vidhis

These deal with the order of performing various stages of a ceremonial act.

1. Attorney General v. Hallott, (1857) 27 L.J. Ex. 89.
 2. Mayor etc. of Westminster v. London & North Western Rly Co., (1905) A.C. 426, 430 (H.L.).