



VITHALBHAI PATEL



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Vithalbhai Jhaverbhai Patel, the first elected President of the Central Legislative Assembly, was an epitome of patriotic service in the cause of the nation. His stellar role in our national affairs, his rich and varied experience as a legal luminary and as an eminent parliamentarian, along with his great qualities of impartiality, dignity and uprighteousness, which he displayed as the President of the Central Legislative Assembly, mark him out as one of our outstanding leaders.

Vithalbhai Patel was born on 27 September 1873 at Nadiad in the District of Kaira, Gujarat. After completing his schooling, he joined the Gokhale Institute in Bombay* and passed the District Pleader's Examination in 1895. He then started legal practice and made his name as an able and successful lawyer. In 1905, Vithalbhai Patel sailed for England for further legal studies and was admitted to the Lincoln's Inn. He was called to the Bar on 1 July 1908. Thereafter, he returned to India and started his practice in Bombay. Doubtless, his experiences abroad and his success at the Bar stood him in good stead in the long political life that was ahead of him.

Vithalbhai Patel married Diwalibai at an early age in 1882, as was the practice then and also in deference to the wishes of his parents and other elders. His wife however, died of illness in 1910 which naturally created a deep void in his life. After the death of his wife, there was a lot of pressure on him to marry again. He, however, refused to marry for the second time and instead decided to devote his life in the service of the country.

Vithalbhai Patel was elected to the Imperial Legislative Council in 1918. Earlier, he was elected to the Bombay Presidency Legislative Council in 1912. As a member of the Council, he worked with great determination and zeal. With his sharp questions, supplementaries, well-thought out resolutions, apt and timely interventions and mastery over Rules and Procedures, he could confound the official Benches. Very soon, he established himself as an effective

*Now Mumbai.

member raising the problems and grievances of the people on the floor of the House. This experience he gained at the Bombay Legislative Council stood him in good stead later in the Imperial Legislative Council and the Central Legislative Assembly. In 1924, he was elected the Member of the Central Legislative Assembly from the Bombay city and became the Deputy Leader of the Swaraj Party. On 22 August 1925, he was elected the President of the Central Legislative Assembly on the retirement of Sir Frederick Whyte. He was the first Indian to have ascended to that exalted position.

Vithalbhai Patel had a deep-seated reverence for the democratic institutions and their traditions, and an unshakable faith in the parliamentary form of government. On his assumption of the office of the President of the Central Legislative Assembly, he assured the House that he was fully conscious of the obligations of his office and that he would do his best to live upto the image of an ideal Speaker. He displayed strict impartiality in his dealings with all sections of the House. In him, the House had a Presiding Officer who in, courage and independence, was second to none, and one who enhanced the prestige of the Chair and the dignity of the House.

Vithalbhai Patel was fully aware of his role as the first elected non-official President of the Central Legislative Assembly. Notwithstanding the fact the Assembly constituted under the Government of India Act, 1919 did not possess the powers enjoyed by Legislatures of independent countries, he discharged his duties not merely as a Presiding Officer but also as the custodian of the rights and privileges of the members of the House. He interpreted the rules and orders of the Assembly judiciously in order to safeguard the rights of the non-official Members of the House against official encroachments.

Vithalbhai Patel was returned to the Central Legislative Assembly in 1926 as an unopposed independent candidate. He was re-elected the President of the Legislative Assembly on 20 January 1927. Soon after his election as the President, he took up with the Government the matter of setting up a separate Secretariat for the Assembly, a question which had engaged his attention even earlier, as part of his attempt to enhance the authority of the House and to assert the independence of the Chair. When he found no adequate response from the Government to the proposals he had earlier made in this connection, he made a comprehensive Statement in the Central Legislative Assembly in September

1928 that if the President was to function effectively and was to be impartial in the exercise of his delicate and exacting duties, it was essential that he should have a staff directly under his control and responsible to no other authority. Subsequently, a Motion was moved by Pandit Motilal Nehru, the Leader of the Opposition, for a separate Legislative Assembly Department under the President which was adopted by the House on 22 September 1928 and on 10 January 1929, the Legislative Assembly Department was created as a separate, self-contained Department in the portfolio of the Governor-General, but under the control of the President.

In April 1929, Vithalbhai Patel, in exercise of his inherent powers, declined to place the Government motion for discussion of the Report of the Select Committee on Public Safety Bill before the House, pending the result of the Meerut conspiracy trial, which the Government had launched at the same time. President Patel's stand was firm and unequivocal but principled. He adhered to his view in spite of the viceroy's contention later in the course of his Address to the House that the interpretation given by the President did not accord with the relevant rule governing the proceedings of the House. President Patel wrote to the Viceroy protesting against his criticism of the Chair and stressed on the independence of the Chair with regard to its power to admit or disallow motions.

In January 1930, there arose a controversy involving the office of the President and the Government over the control of visitors to the Assembly. President Patel declared that the security arrangements made by the Government for the protection of the Assembly precincts would constitute a challenge to the authority of the Chair. The Government dissented from the view and maintained that in matters relating to the security of the House they were the best Judges. President Patel, on the other hand, asserted that the authority and control over the precincts of the Assembly should vest in the Chair and ordered the galleries to be closed till such time that a settlement was reached. An agreement was finally arrived at, under which the security arrangements in the Assembly were placed under the control of the President who would exercise his authority through officers directly appointed by him. This agreement was the genesis of the Watch and Ward Service*.

Vithalbhai Patel sought to use the Central Legislative Assembly as an effective forum for advancing the cause of

*Now known as Parliament Security Service.

India's Independence, though he never lost sight of the complementary functions of maintenance of the dignity of the Chair and the setting up of healthy parliamentary traditions. During the time he was President of the Assembly, he spoke and wrote fearlessly and unequivocally on legislative measures which were sought to be forced on the Assembly by the Executive, which he considered detrimental to the national cause. In due course, President Patel felt that despite his efforts, he could not adequately safeguard the dignity, rights and privileges of the Members of the Legislative Assembly against encroachments from the Executive. On 25 April 1930, Vithalbhai Patel resigned from the Presidentship of the Central Legislative Assembly declaring that he must ally himself with his people in their fight for freedom. He pledged his full support to Mahatma Gandhi and his first step was to intensify the no-tax campaign in Bardoli. His arrest and imprisonment soon followed his resignation of the Presidentship of the Central Legislative Assembly.

Early in 1931, Vithalbhai Patel went to Vienna for medical treatment and returned to India towards the close of that year. Once again, he plunged himself into the national movement which led to his re-arrest on 5 January 1932, but he was released soon because of his ill-health. In 1932, Patel took upon himself to tour the United States with a view to acquainting the people of that country with the situation in India. In 1933, he was taken seriously ill and he proceeded to Europe for treatment. The end came soon and he died in Geneva on 22 October 1933.

A patriot among the patriots, shortly before his death, the message which Vithalbhai Patel gave to his countrymen concluded with the words: "Before I die, I am praying for the early attainment of India's freedom." Mahatma Gandhiji referred to Vithalbhai Patel as a 'fearless Speaker'. Glowing Tributes were paid by Members in the Central Legislative Assembly on 20 November 1933. The President of the Legislative Assembly, Sir Shanmukham Chetty, while recalling his association with Vithalbhai Patel, said:

"In him we have lost one of the most remarkable personalities that walked the stage of India's public life...Great as he was as a patriot, great as his work has been as a servant of his motherland; his work will shine as a great President of the Indian Legislative Assembly... I feel confident that...the future historian, who would

be the proper judge, would give Vithalbhai Patel an eminent place amongst the ranks of the great sons of India."

A rare honour was bestowed upon Vithalbhai Patel when his Portrait was displayed before the Constituent Assembly (Legislative) on 8 March 1948. The then Speaker (Late G.V. Mavalankar) informed the House as under:

"I had the honour of knowing President Patel personally from 1915 and had also the further privilege of being associated with him as a worker in the rank and file. But, it is not my personal regard and affection for President Patel that prompted me to accept the beautiful picture donated by an admirer from the Frontier that the House now sees before it. It will keep his memory green, from day to day, in the midst of our labours in this House. I feel that in grateful memory of the fact that the heights on which we are standing today as a Sovereign Legislature has its democratic foundation laid well and deeply by him that we must always have him with us in this Chamber in the form of this beautiful picture. Stationed just opposite the Chair, he will be an inspiration and guide to the Presiding Authority."

Paying his tributes on that occasion, the then Prime Minister and Leader of the House, Pandit Jawaharlal Nehru said:

"...Vast changes have taken place and one feels – perhaps, one always feels that way – that those were the days of giants in our political field, men of great stature, among whom one of the tallest was Vithalbhai Patel. It is right that we should honour his memory not only in the country but more specially in this Assembly, and should keep a reminder of him always before us in the shape of this picture. We welcome this picture here as reminder of one of the great Indians of old, one of the giants who have passed. We think rather wistfully of those old days.... I welcome on behalf of the House, Sir, this addition to the membership of the House, if I may say so, that is, a past President continually looking down upon us and helping us in our work."

The Parliament Complex also has a 9-feet high statue of Vithalbhai Patel adorning one of the four niches of the Waiting Hall No. 3 of the Parliament House, which was unveiled by the then Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat on 5 December 2006.