



SIR  
FREDERICK WHYTE



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An eminent parliamentarian, educationist and journalist, Sir Frederick Whyte was the first President of the Central Legislative Assembly of India. His contribution as the President of the Central Legislature during the British regime to the growth of the Speakership in India is noteworthy. A noted international public figure later, he was reckoned as a political commentator of the highest order.

Born on 30 September 1883, Sir Frederick Whyte was the son of Dr. Alexander Whyte, the famous preacher of Free St. Georges and Principal of New College, Edinburgh, Scotland. He attended Edinburgh Academy and read modern languages at Jena University and at Edinburgh University. Representing the Perth City in Scotland, he was a member of the House of Commons in the British Parliament from 1910 to 1918 and the Parliamentary Private Secretary to Winston Churchill from 1910 to 1915. He also served in the Admiralty during the First World War.

Known for his ability, special qualifications and a deep knowledge of parliamentary procedure as a member of the House of Commons for nine years in a row, Sir Frederick was nominated and appointed by the Governor General of India as the first President of the Central Legislative Assembly on 3 February 1921. He held this high office till 24 February 1925. He was called upon to take this office at a very difficult time to guide the deliberations of a peculiarly constituted Assembly, an Assembly, which under the Government of India Act, 1919, was still only "an advisory body" or at best a non-sovereign law-making body. It was powerless before the Executive in all spheres of governmental activity — administrative as well as legislative and financial. Therefore, the traditions and conventions of the popular Assembly, namely, the House of Commons, could not possibly be applied in full under all the conceivable circumstances that could arise in that Assembly. He had to adjust those traditions and conventions to the circumstances of this peculiarly constituted Assembly. He was knighted in 1922 and a Knight Commander of the Order of the Star of India was conferred upon him in 1925. He was also the Chairman of the Indian Red Cross Society.



A firm believer in the principles of democracy, during his four years as leader of the Assembly, Sir Frederick Whyte strived hard to give healthy and strong foundations to the office of the Speaker in India. He was noted for his impartiality in giving rulings and for his amiable disposition with which he conducted the proceedings of the House. He discharged his duties with conspicuous ability, beckoning dignity, unfailing courtesy and fairness. Sir Frederick was significantly influential in establishing the general rules of financial procedure to be followed in a parliamentary system. He developed the convention of introduction of the Annual Finance Bill by the Government in the Assembly. In furtherance to liberal interpretation of the whole matter, he allowed certain proposals by way of amendments suggesting new or alternative forms of taxation when the first Finance Bill was under consideration in the Assembly. This was a great step forward. He also helped in the establishment of the convention of the separation of the Railway Finance from General Finance. The primary idea behind this separation was to secure stability for civil estimates by providing for an assured contribution from Railway Revenues and also to introduce flexibility in the administration of Railway Finance.

With his in-depth knowledge of parliamentary practices and procedure, he made valuable suggestions for making debates more effective. He streamlined discussion on Demands for Grants in the House in an innovative manner. Ruling in the connected matter, he observed that the Cut Motions cannot be moved by proxy. He was instrumental in the setting up of the Committee on Public Accounts.

In September 1921, Sir Frederick Whyte introduced for the first time the practice under which a question to which a member desired an oral answer was distinguished by him with an asterisk. These were known as 'Starred Questions'. Speaking on the issue, he said, "It is hoped that members will utilise this system in such a manner as to reduce materially the number of questions to be answered orally, and that considerable time will thereby be saved for disposal of other business." Giving his ruling on the procedure and purpose of questions, he said, "A question is a demand for information. It may sometimes be used for a purpose beyond that simple request; but if it is so used, it must be with care; for, it is obvious that a point soon arrives where the cross-

examination of a Minister becomes debate and thus passes beyond the bounds of order."

Explaining the adjournment motion which is taken to be in the nature of a censure motion, though not absolutely, Sir Frederick Whyte said, "No direct effect can be given to an adjournment motion of this House. The rule itself only provides a convenient method by which the ordinary business of the Assembly may be put on one side in order to make way for the discussion of some sudden emergency. The only question put from the Chair on the occasion is that this House do now adjourn. If this motion is carried, the action of the Assembly may be taken: (i) as evidence of the serious view which the majority of the Floor takes regarding the matter, and (ii) as a possible vote of censure on Government." The procedure for moving an adjournment motion has remained unaltered since then.

On the issue of selection of amendments to motions, Sir Frederick ruled that where a particular amendment to be proposed in respect of any motion is selected by the Presiding Officer, the decision has to be accepted by the House. Introducing yet another measure of liberal interpretation, he allowed amendments to resolutions be moved in a substantive form, in substitution of the original resolutions, so long as they were in substance in order. This paved the way for allowing amendments in the form of substantive propositions to be substituted by way of amendment in place of the original resolutions.

A conscientious and discerning Presiding Officer, in one of his substantial rulings on rights of members prior to making oath or affirmation, Sir Frederick observed that a member who has not taken seat in the House, can give notice of a question or a resolution and these can be admitted but neither he nor any other member on his behalf is entitled to ask the question or move the resolution. Explaining further, he said, "A member who has not taken the oath of the office cannot discharge his functions on the floor of this House.....As a matter of convenience, I have consented to receive notices of questions and resolutions before the oath was taken merely in order that the stage of admission might be gone through before business opened here. But when it comes to the asking of questions or the performance of any other function on the floor of this House that cannot be done until the oath is taken."

The question of having norms on the subject of privileges has engaged the attention of the Presiding Officers since 1921. At the first Presiding Officers' Conference held that year, President Frederick Whyte stated that the whole question of 'privileges' in respect of the legislatures in India was one of great importance. The point was whether punitive powers should be asked for to enable the legislatures to punish contempts. He further observed that since no privileges resembling those of the House of Commons had been conferred on legislatures in India, they possessed no powers to punish contempts. Delivering his landmark ruling on the restrictions on use of the Chamber, Sir Frederick Whyte observed that the Chamber is sacrosanct and it is not to be allowed to be used for any purpose other than the sittings of the House.

The institution of the Presiding Officers' Conference is as old as the Central Legislative Assembly. The first Conference was held on 14 September 1921, at Shimla, under the Chairmanship of President Frederick Whyte.

After relinquishing the office of the President of the Central Legislature in India, Sir Frederick Whyte then took on ambassadorial roles. He was political advisor to the National Government of China from 1929 to 1932. Widely travelled across the Europe, America, Asia and Australia, he was acknowledged as one of the best informed and notable speaker on International Affairs.

An eminent thinker and a prolific writer, Sir Frederick Whyte authored a number of books on international political developments and contributed many scholarly articles in various journals devoted to international affairs. Earlier, while in Britain, he was the founder and editor of the news weekly, *New Europe*. A person of unusual knowledge and experience, his writings commanded attention, particularly, when he dealt with matters with which his life had been most immediately associated. Some of his prominent works are: *Asia in the Twentieth Century*, *Japan's Purpose in Asia*, *China and Foreign Powers: An Historical Review of their Relations*, *India: A Bird's-eye View*, *India: A Federation?*, *The Rise and Fall of Japan*, and *The Future of East and West: An Essay in Surmise*.

Sir Frederick Whyte was involved in the Round Table and became the Director-General of the English Speaking Union of the British Empire in 1938. During 1939 to 1940



he was head of the American Division of the Ministry of Information. Besides, he was the Chairman of the Reindeer Council of the United Kingdom. He died on 30 July 1970.

Citing many notable conventions and norms established by his predecessor — Sir Frederick Whyte, Shri Vithalbhai J. Patel, the incumbent President of the Central Legislative Assembly, in his farewell speech to Sir Whyte, observed on 24 August 1925, "I have not the slightest doubt in my mind, Sir, that you have made a splendid President, and by doing so you have made my task much more difficult". The then Home Member, Sir Alexander Muddiman in his valedictory speech to the retiring President Sir Whyte, said, "From the width and depth of your parliamentary knowledge and your knowledge of the customs and conventions of the Mother of Parliaments, you have guided the steps of this Assembly in the first momentous years of its existence with a firm hand. You have, if I may say so, well and truly laid the foundations of our procedure. .... On those foundations I trust that succeeding Presidents will develop what in the end will be a magnificent superstructure. That you have exercised your powers of control with absolute impartiality and with complete fairness goes without saying; but the manner of the exercise of those powers of control was of the greatest moment. You have shown us from the Chair that firmness does not mean discourtesy, that impartiality is not necessarily accompanied by harshness, that to lead is better than to drive, and that the gift of humour is most helpful in the exercise of your difficult task." On this occasion, besides welcoming his successor, Shri Vithalbhai J. Patel, Sir Frederick observed, "I shall miss the Assembly more, perhaps, even than I know now; for in these five years I have grown greatly attached to it, not only attached to the Assembly as an institution, but to the individual members who form the human quality in it. And, moreover, I have watched with pride how the country generally has gradually come to realise the importance of this Chamber and how, slowly but surely, it has laid hold upon the imagination of India.....I am more sorry than I can say to leave this Chair, which also means leaving India. The experiences I have had, the friends I have made, and I hope I may add, the lessons I have learned, have combined to make my sojourn in India a time of great interest and pleasure."