

**REGULATING FREE TIME: WORK, LEISURE AND LIFE IN
COLONIAL BENGAL, c. 1830–c. 1930**

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SANJNA MUKHOPADHYAY



**CENTRE FOR HISTORICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI- 110067**

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DECLARATION

I, SANJNA MUKHOPADHYAY, hereby declare that the Thesis titled "REGULATING FREE TIME: WORK, LEISURE AND LIFE IN COLONIAL BENGAL, c.1830-c.1930" submitted by me in partial fulfillment for the award of the degree of **Doctor of Philosophy** of the Centre for Historical Studies, School of Social Sciences, Jawaharlal Nehru University is my original work. This thesis has not been previously submitted in part or full for the award of any other degree to this university or any other university.

Sanjna Mukhopadhyay
Sanjna Mukhopadhyay

CERTIFICATE

It is hereby recommended that this Thesis may be placed before the examiners for evaluation.

Sangeeta Das Gupta

Dr. Sangeeta Das Gupta

Supervisor

Neeladri Bhattacharya

Prof. Neeladri Bhattacharya

Co-Supervisor

Umesh Ashok Kadam
24.12.19

Prof. Umesh Ashok Kadam

Chairperson



Centre for Historical Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi - 110067



Centre for Historical Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi - 110067

Chairperson
Centre for Historical Studies
SSS-III, JNU

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Introduction

Kaliprasanna Sinha's satirical sketches of 'Hootum Pyanchar Naksha' (1862) articulated the varying proportions of work and break experienced by the city-dwellers during the occasion of *Charak Puja*, in the colonial city of Calcutta. Employing the roadside glimpses of the city as the trope to capture the variations, the narrative recorded the on-going flow of the passers-by with the advancing hours of the morning. Thus, the 'ship-sircars and booking clerks' were followed as usual by the 'barbers and darners', and thereafter by the 'brokers'. However, no trace of 'clerks, bookkeepers and head writers' could be found at all, because of the closure of the government offices on the festival.¹

In his reminiscences on the village life titled 'Pallibaichitra' (c. 1905), Dinendrakumar Ray wrote about the changing configurations of work and leisure experienced in rural life. He recounted how the traditional celebrations of the *Charak Puja* held at the close of the Bengali month *Chaitra* (i.e. during the time of *Chaitra Sankranti*), used to begin earlier from the middle of that month. The village farmers, shephards, the builders of village huts and all other manual labourers also, used to stop their work to participate in the festivity from around that period. Then, Ray pointed out how because of the present hard living conditions of life, the villagers did not deem it necessary to engage in the celebrations from so early a period. The present preparations of the *Charak* festival commence only some nine-ten days before the day of *Sankranti*.²

The close of the month of *Chaitra* coincided with the end of the Bengali year. So after the *Charak*, there was the celebration of the Bengali New Year. However, this day of the *Punyaha* carried special temporal significance in Bengal under British rule. It also marked the onset of the British revenue calendar. In her autobiography, Saiyada Manoyara Khatun recalled her childhood memories of spending the day of *Punyaha* in her paternal zamindari estates in Jessore district during the early decades of the twentieth century. The day entailed the observance of

¹ Kaliprasanna Sinha, *The Observant Owl: Hootum's Vignettes of Nineteenth-Century Calcutta*, tr. Swarup Roy, Ranikhet, 2008, p. 12.

² Dinendrakumar Ray, 'Pallibaichitra' in *Rachanasamgraha*, Calcutta, 2004, p. 193.

certain specific rituals and practices. Her eldest brother personally attended the duties of the estates throughout that day, and the villagers came to pay their obeisance one after another with the required rent. All the zamindari officials starting from the *naib* to the *paik* got no break from work that day. However, the day was also celebrated with grand communal feast, and also with band music, drumming, swordplay, stick fighting and wrestling. The only interruptions in the celebrations occurred during the timings of the *namaz*. After the *Asr namaz* (i.e. the prayer in the late afternoon), the games got over for the day. In the wake of the *Maghrib namaz* (i.e. prayer during sunset), all collected sums of rent were properly arranged. The collected sums were then brought by the concerned members of the family from the outer zamindari office to the inner household chamber, accompanied by the drummers and clerk. The money was kept in the safe in the inner chamber the entire night, under the security of night guards. The cash was counted the next morning, and the due installment of the government's revenue was dispatched.³

All the three instances referred to above displayed a marked awareness about the changes or varying schedules of work and leisure experienced in life under varying circumstances in colonial Bengal. The instances also indirectly indicated how the temporal awareness of work and free time were denoted by the intersection of both yearly and diurnal sequencing of time, interconnected by the functioning of the calendar and the clock. Moreover, the temporal variations or transformations were always expressed in terms of some specific institutionally recognized concepts and associated practices or rituals.

In fact, the processes of defining and regulating free time in colonial Bengal during the nineteenth and early twentieth centuries offer a deeply conflicted and an underexplored domain of research in connection with the shaping of the new work regimes and the evolution of new institutional concepts. The concepts were also linked with associated practices and rituals concerned with free time. The history of the concepts, practices and rituals which informed the notion of free time should be judged from the angles of different entangled temporal registers. In fact, questions around the dynamics and contradictions of free time can be framed by responding to and by interrelating the three major existing historiographical/theoretical approaches concerned with temporal attributes of work and discipline, temporality in general, and studies on celebrations or leisure in particular. The study of the first two approaches helps in locating the different day-to-day connotations of temporality, and the exploration of the third scholarly

³ Saiyada Manoyara Khatun, 'Smritir Pata' in *Phire Dekha-2*, Kolkata, 2010, pp. 4-6.

approach nudges us to identify the various aspects of negotiating and determining free time in particular.

DAY-TO-DAY CONNOTATIONS OF TEMPORALITY

The seminal historiographical breakthrough on the relation between time and work was pioneered by E. P. Thompson. Thompson links the advent of the new industrial work schedule and clock-time discipline with the rising demand for synchronization of labour brought about by the transforming manufacturing techniques of industrial capitalism, in addition to the already existing regulatory work-ethic of Puritanism. The strategy of 'time-thrift' propagated by the mercantilists and moralists throughout the nineteenth century particularly in England, sought to replace traditional pre-industrial task-oriented measure of time through sharp attacks on popular customs, sports and holidays. This classical approach attempts to identify the tensions and irregularities between the traditional rhythms and the new temporal pattern of work (both diurnal and annual), while advocating settlement through a synthesis of old and new styles of working where humane interests would prevail.⁴

While Thompson's historical investigation reveals the contestations in the understanding of temporality, Moishe Postone's theoretical reassessment of Marx's critique of capitalism underlines the implicit contradictions existent within the notion of time-discipline in the sphere of production because of the inner dialectically dynamic relationship between labour and time. Postone notes that 'socially necessary labour time' can be interpreted as an 'abstract' temporal formulation that the producers must adhere to in contrast to the historically free flowing, natural notion of 'concrete time'. Change in productivity does not change the abstractness of labour time, but only leads to the reconstitution of the same temporal axis at a different historical level.⁵ Therefore, this interpretation highlights the alienated nature of social relations under the system of capitalist production, where the individual interests of the workers are subsumed by 'abstract' temporal determinations.

⁴ E. P. Thompson, 'Time, Work-Discipline, and Industrial Capitalism', *Past & Present*, No. 38, 1967, pp. 56-97.

⁵ Moishe Postone, *Time, Labor, and Social Domination: A Reinterpretation of Marx's Critical Theory*, Cambridge, 2003, pp. 186-225, 286-306.

Mainly taking cue from Thompson, existing historiography on colonial Bengal underscores the tension-ridden encounter between and co-existence of the ‘indigenous’ temporal patterns of life and the imposed ‘Western’ industrial-bureaucratic formats of disciplined time. Alerting us to the emergence of ‘the office’ as a crucial site for imposing clock-time discipline and the Victorian principles of punctuality, Sumit Sarkar demonstrates how the immense disciplinary pressure of office work drew intense pessimistic or frustrated reactions of individuals often reverting back to the sense of moral decline and evil omen associated with the idea of *Kaliyuga*. He carefully documents the extremely diverse nature of such responses in popular vernacular media, depending upon the varying conditions of institutional sites or social and gender locations. While historians like Romila Thapar address the contrast found around the ‘linear’ and ‘cyclic’ bipolarity of time⁶, Sarkar follows Postone to shift the historiographical focus towards the tension between the ‘concrete’ and ‘abstract’ notions of time, in order to explain the contrast and friction of the imposed clock-time with the resurfacing and reinterpreted idea of *Kaliyuga*. Hence from the very outset, Sarkar concentrates more on the representational politics of temporality. His attention is less on the concepts, practices or rituals that shaped the notion of temporality in relation to institutionalization and regularization.⁷ Ranajit Guha, in a couple of insightful essays, points at the constitutive connections between socially enforced notions of punctuality and the colonial practice of regularized and time-bound revenue collection. Beneath the professed claims of uniform spatial dominance, there lay the conflict and overlaps between the ‘indigenous farm calendar’ and the ‘alien mercantile-fiscal timetable’, which greatly afflicted both the peasants and the *zamindars* under the influence of the governmental land revenue system. For Guha, the new urban theatre of Calcutta becomes similarly useful for examining the two enmeshed senses of temporalities within the metropolitan notion of everyday time as a site of conflict and adjustment between the colonial administrative office time and the indigenous special occasions of festive time (the latter being only interrupted at intervals by the sounds of gun firings at Fort William).⁸ However, he loosely equates festive time with free time in his analysis. Limitations also lie in his discursive flattening of the urban population as more or less a homogeneous group,

⁶ Romila Thapar, *Time as a Metaphor of History: Early India*, New Delhi, 1996, pp.4-12.

⁷ Sumit Sarkar, ‘Colonial Times: Clocks and Kali-yuga’, in *Beyond Nationalist Frames: Relocating Postmodernism, Hindutva, History*, Delhi, 2007, pp. 10-37 and ‘Renaissance and Kaliyuga: Time, Myth and History in Colonial Bengal’, *Writing Social History*, New Delhi, 2006, pp. 186-215.

⁸ Ranajit Guha, ‘The Advent of Punctuality’ and ‘A Colonial City and its Time(s)’, *The Small Voice of History*, Ranikhet, 2010, pp. 391-434.

and in his inattention to the varied dimension or nuances of the actual temporal practices, rituals or concepts.

Another set of existing literature further decodes the stereotypical angles of time-discipline and so-called progressive sense of historical time to concentrate on the topic of laziness and primitivity. Following Thompson's discussion of the cultural and communitarian aspects of the workers' lives including the religious and leisurely features⁹, Herbert G. Gutman applies similar broad socio-cultural method to explore the work-patterns of the labouring population in America during stages of industrialization between 1815 and 1919. Gutman delineates that the traditional, preindustrial, irregular work-cultures with different religious affinities confronted the institutionally regulated work-discipline in factories with increasing industrialization. The original clash between rural and industrial habits of work and leisure gradually took different ethnic and racial overtones due to constantly altering composition of the labouring populace, characterized by series of both internal and external migrations of the Europeans and then the American Blacks from the South who were said to be essentially lazy.¹⁰ Such ethnic or racial implications of time-discipline have been explored in the context of colonialism by scholars like Syed Hussein Alatas to assert how the imperialist discourse spearheading the logic of capitalistic domination, ascribed the trait of indolence on the native population.¹¹ Prathama Banerjee adds to the perspective as she looks into the quotidian and the historical dimensions of time to draw distinction between the pleasure-seeking immediate sense of 'lived time' and the future-oriented long-term idea of temporality in the context of colonial Bengal. The indigenous temporal forms like that of *Kaliyuga* took a back seat due to the new routine of clock-time and calendrical time imposed by the colonial rule on the one hand, and the normative projection of historical time with a continuous chronological order on the other. Banerjee underlines how the foregrounding of the single, continuous idea of spatialized temporality in the second half of the nineteenth century in colonial Bengal spatially separated the colonized population into the 'primitives'/'primordial' and the 'historical', on the basis of the claimed advancement in respect

⁹ E. P. Thompson, *The Making of the English Working Class*, New York, 1966, pp. 350-417.

¹⁰ Herbert G. Gutman, *Work, Culture, and Society in Industrializing America: Essays in American Working-class and Social History*, Oxford, 1977, pp. 3-78.

¹¹ Syed Hussein Alatas, *The Myth of the Lazy Native: A Study of the Image of the Malayas, Filipinos and Javanese from the 16th to the 20th Century and its Function in the Ideology of Colonial Capitalism*, London, 1997, pp. 1-34.

of time.¹² Thus, in the colonial context, the ‘historical’ sense of time does not always correspond to Postone’s notion of concreteness of time. By highlighting the aspects of stereotypes and colonial dominance, this body of colonial historiography rather reinforces further the abstract notions of temporality. The discussions on time-disciplining hardly take note of the perceptions, responses and interactions that configure particular concrete concepts and practices of time. Understanding the specificities of the concepts and practices remains pivotal in the context of colonial Bengal because of the overlaps and contradictions of the different multidimensional registers of temporality.

In fact, there is a significant line of scholarship that holds temporality on the whole as a plural social category. Historical works in this line by Jacques Le Goff¹³ and A. J. Gurevich¹⁴ investigate time within the long span of historico-cultural transitions of the Middle Ages under changing modes of production in Western Europe. Le Goff and Gurevich identify the continuities and breaks in the changing perception of time during the medieval period, and therefore, also predict the various social elements or features lying hidden in the making of modern consciousness of time. Le Goff’s anthropological effort to comprehend time recognizes the interaction and clash ‘between the Church’s time and the Merchant’s time’ as the crux of historic change. The mechanical clocks fostered by the merchant’s ‘individual and collective life’ began to replace work bells monitored by the clerics. On the other hand the emerging urban sense of secular time collided with natural, rural, cyclic time. Gurevich suggests how ‘a hierarchy of social times’ functioned in a co-ordinated way within each ‘socio-cultural system’, where dominance of one ‘social time’ over others indicated the index of control and power enjoyed by the authoritative groups in that system. Within this hierarchical perception of ‘social time’, he notes the clash and cohabitation of different temporal concepts like ‘agrarian time’, ‘family time’ or ‘genealogical time’, ‘biblical time’, ‘cyclic time’ and ‘historical time’. As a matter of fact, the search for the contradictions of time-disciplining that underpinned these multifaceted perceptual registers of temporality has inspired scholars like Keletso E. Atkins to explore the different conceptual categories of ‘labour time’ existing within the antithetical

¹² Prathama Banerjee, *Politics of Time: ‘Primitives’ and History-writing in a Colonial Society*, New Delhi, 2006, pp. 1-36, 40-51.

¹³ Jacques Le Goff, *Time, Work, & Culture in the Middle Ages*, tr. Arthur Goldhammer, Chicago and London, 1980, pp. 29-52.

¹⁴ A. J. Gurevich, *Categories of Medieval Culture*, tr. G. L. Campbell, London, Boston, Melbourne and Henley, 1985, pp. 1-40, 93-152.

boundaries of work and break in a colonial society. Atkins analyzes the perceptions and responses of the Zulu labourers regarding the temporal modifications brought about in nineteenth-century Natal under British colonial rule in South Africa, in the backdrop of the 'shift from peasant to industrial time' and under the influence of the Christian mission churches. The insistence on 'a more stable, continuous duration of labour' under the industrial mode of production along with the Western standard temporal lengths of 'year', 'month' and 'day' came into clash with what Atkins refers to as the traditional 'kafir time'. This old Zulu traditional sense of 'kafir time' revolved around the rhythms of lunar months, the natural cycles of seasons, the daily apparent idea of solar time and also the elements of fear from unknown nocturnal spirits or environmental threats. Several groups of the Zulu migrant labouring population exercised their agencies by differently reacting to the temporal pressures. Atkins demonstrates that the groups of workers engaged in the industrial labour of the 'commercial sugar estates' particularly resisted the changes related to the new work routine including night labour, and clung to their traditional temporal beliefs. The other groups of migrant workers, who were especially engaged in the urban industrial working centres, espoused the new time schedules of 'regular work time, over time and leisure time', but their acceptance was not blind. They still responded more favourably to the 'time bell' and traditional observance of holidays than to the clock time regulation and newly structured schedules of work and break. Moreover, they soon protested against the definitional ambiguities of the newly introduced temporal concepts, and strived to protect their rights over the 'Sabbath rest day' and the 'Saturday half-holiday'.¹⁵ Although Atkins chiefly concerns herself with 'labour time', she however assumes the different groups of the labouring population to be homogeneous social collectives acting largely within the individual groups. Even as she distinguishes the different concepts and perceptions of time associated with the temporal bifurcation of work and leisure, she does not delve much into the layered day-to-day politics of the regulation and interactions of these different temporal concepts in relation to the larger conditions of life in the colonial society.

However, another different corpus of historical literature examines the subject of calculation and standardization of time largely as a disciplinary measure, with an evident thrust on clock-time, largely ignoring the existence and interplay of natural cyclic time and calendrical forms or

¹⁵ Keletso E. Atkins, "'Kafir Time': Preindustrial Temporal Concepts and Labour Discipline in Nineteenth-Century Colonial Natal", *Journal of African History*, Vol. 29, 1988, pp. 229-244.

reforms of time. David Landes traces the cultural foundation, the scientific-technological innovations of horology as well as the socio-economic changes behind the process of evolution of the mechanical clock and watch as keepers of modern time-discipline from the era of earlier inefficient astronomical instruments, clepsydra and work bells. He cites how special inclination of Britain towards time measurement and punctuality was triggered by urbanization, industrialization and the improving system of transport or communication. Increasing need for synchronization of time propelled Britain to adopt a standardized mean version of measuring time, in order to coordinate the running of railways and telegraph, and to harmonize the functioning of the state, military and other social activities.¹⁶ Ajita Dayal shows how extended scope of railway travel around the 1860s reoriented notions of time and space, paving the way for the interaction and collision between ‘contemporary notions of socio-cultural time’ (dependent on a mishmash of solar time, ‘pruhurs’, astrological time) and ‘use of clock time or mechanical time’. She also highlights how widening networks of railway travel enabled the conceptualization of ‘one standard time’ within colonial India.¹⁷ Her study therefore mainly touches the debates on only the diurnal idea of measuring time. The more recent historiographical contributions regarding the issue of synchronization of time in colonial India question the overbearing ‘abstract’ connotation of temporality. However, there still lies a historiographical overemphasis on clock-time in particular. Ritika Prasad unravels the sudden transformation in ‘time-sense’ under the influence of the railways that induced the imperial moves for ‘the standardization of railway time’ at the one end, and entailed negotiation, contestation and appropriation on the part of the colonized population at the other end. While the standardization of telegraph time seemed to be a more straightforward step linked with official technicality, the synchronization of railway time called for much more caution in imperial policy because of the involvement of the wider ‘public’ with the question of everyday travel. The shift – from ‘local mean time’ to ‘presidency time’, and then finally to the ‘standard’ time with respect to Greenwich, which was soon adopted as the ‘civil time’ – was a gradual process from 1854 to 1905. According to Prasad, the indigenous population in turn challenges the imperial historical normative discourse of the backwardness and non-contemporaneity of the natives in time, with

¹⁶ David Landes, *Revolution in Time: Clocks and the Making of the Modern World*, Cambridge, Massachusetts, and London, 1983, pp. xv, 6-12, 227-300.

¹⁷ Ajita Dayal, Unpublished M. Phil. Dissertation Titled ‘*Rail Travel in the 1860s: Towards a Social History of the Indian Railway*’, Submitted to JNU, 1996.

their varied but phenomenal ‘experiential’ receptions and criticisms of railway travel as both commuters and general ‘public’.¹⁸ Although Prasad does note that the everyday time schedules for the running of railways and travelling in trains were affected by the temporal understanding of work and break in colonial India, she engages more with the synchronizing moves in clock-time. As a result, this study also follows the general historiographical trend of not exploring the functioning of specific concrete concepts, practices and rituals of temporality in day-to-day colonial life. In order to review the ‘global history of time reform’ based on the drive towards ‘unification of time’, Vanessa Ogle analyses certain central ideas and practices connected with the process. She examines the different connotations of ‘mean times’, ‘clock time’, ‘social time’, ‘time management’ and ‘calendar time’ as part of the global involvement with ‘time talk’. She underlines that the ideas and practices disseminated or sought to be extended from the core areas of England and North America to the other parts of the globe, but the process of this circulation remained long-drawn and incongruous, and was even resisted at different ‘national’, ‘local’ and ‘regional’ levels. Hence, the process was multidimensional, and gave rise to both ‘integration’ as well as ‘fragmentation’. She particularly demonstrates how the mission of ‘unification’ of clock-time, which was entangled with imperial policies, met with immediate ‘anticolonial’ oppositions in various parts of British India before 1905. The protesters often articulated their preferences for the ‘local mean times’ instead of embracing a ‘standard’ time. Ogle argues that the multidimensional process of ‘unification of time’ in effect leads to ‘pluralization of time’, instead of the earlier assumptions of static so-called ‘abstract’ dimension of time. As no imperial calendar reform was attempted in colonial India, Ogle more or less ignores the question of calendrical measurement of time in case of colonial India.¹⁹ Apart from being primarily preoccupied with the colonial conditions of clock-time, her approach moreover seamlessly separates the notions of ‘clock-time’ from ‘calendar time’. She does not look into the interactions and overlaps of these two categories in day-to-day life, and underestimates the contradictory, conflicting and conflating undercurrents of temporality.

¹⁸ Ritika Prasad, “‘Time-Sense’: Railways and Temporality in Colonial India”, *Modern Asian Studies*, Vol. 47(4), 2013, pp. 1252-1282; Ritika Prasad, *Tracks of Change: Railways and Everyday Life in Colonial India*, New Delhi, 2015, pp. 134-164.

¹⁹ Vanessa Ogle, *The Global Transformation of Time, 1870-1950*, Cambridge, Massachusetts, London, 2015, pp. 1-19, 99-119, 194, 203-213; Vanessa Ogle, ‘Whose Time Is It? The Pluralization of Time and the Global Condition, 1870s – 1940s’, *The American Historical Review*, Vol. 118(5), 2013, pp. 1376-1390, 1400-1402.

In order to recognize the contradictory, conflicting and conflating undercurrents of temporality, there is the need to understand time as a critically charged analytical unit even in day-to-day life. Henri Lefebvre points out the limitation of considering everyday time as only a measurable, monotonously repetitive concept. Such quantitative, homogeneous and mechanical method of calculation of time, as done with watches or clocks, he says, is only an ‘external measure’. The ‘complex (dialectical) relations’ denoted by rhythm, on the other hand, leads Lefebvre to emphatically register the interplay of preservation and displacement within the idea of everyday time, taking into account the role of subjective perception and constitution.²⁰ In my foray to retrace the process of regulation of free time, my aim is to reverse the present historiographical tilt towards clock-time to shift the attention also towards calendrical time. However, my intention is to use the critical notion of day-to-day temporality to additionally highlight the entanglements and overlaps of calendrical time with clock-time in day-to-day life. Such an approach will allow me to identify and concentrate on the implications of some of the more critical but concrete concepts, practices and rituals concerned with free time. Moreover, it will help us unravel how the politics of ‘abstraction’ came to influence such day-to-day concrete concepts, practices and rituals.

DETERMINING FREE TIME

The final strand of literature I would like to highlight now, directly deals with issues of leisure, recreations and spare time, which implement many of the scholarly ideas already mentioned before. The volume edited by Amitai Etzioni and Jared Bloom, dwelling on America, attempts to develop a theory of holidays, festivals and celebrations. The authors tilt towards a socio-cultural perspective, underlining what Amitai Etzioni identifies as ‘macrosociological indicators’. These involve factors like social belief systems, socializing functions, the diverse kinship and gender roles, the integrative and repetitive features within the public and the private spheres influenced by nationalist sentiments and ethnic traditions.²¹ However, there is also a need to foreground the

²⁰ Henri Lefebvre and Catherine Régulier, ‘The Rhythmanalytical Project’ in Henri Lefebvre, *Rhythmanalysis: Space, Time and Everyday Life*, London, 2007, pp. 73-83.

²¹ Amitai Etzioni, ‘Holidays and Rituals: Neglected Seedbeds of Virtue’ in Amitai Etzioni and Jared Bloom (eds.), *We Are What We Celebrate: Understanding Holidays and Rituals*, New York and London, 2004, pp. 3-40.

ideological and economic forces acting behind the governmental and social practices. The fundamental theoretical argument in this respect comes from Theodor Adorno. Beginning with the standard Marxist understanding of dividing human life into the antithetical temporal domains of work and free time, Adorno famously asserts how free time (as opposed to the pre-existing connotation of leisure) is in reality functionally controlled by the society, being guided by the principles of industrial production, which ensures the effective extraction of labour power. He however, suggests that such total objective conditioning of the mind or the codification of free time is impeded by the conscious resisting instincts of individuals towards ‘total inclusion’ in a society normally full of contradictions.²²

In order to bridge the two views on culturalism and capitalistic logic of overall control, Eileen and Stephen Yeo recommend the adoption of a more socio-political approach while exploring the history of different recreational activities and celebrations as themes of ‘leisure’ of the working population. The authors feel the need to tease out the tensions generated around questions of ‘class and struggle’, while deciphering the salience and changing nature of popular celebrations or entertainments across different spaces.²³ Nevertheless, this understanding hardly addresses the conceptual dynamics of institutionalization and experiences of free time.

What Adorno views as the instinctive propensities of individuals in society has also been probed differently as the question of agency by different historians to explore the shaping of spare time and leisure activities. Alf Ludtke’s study on workers of the machine construction industry in Germany around circa 1900 provides a new analytical insight by interconnecting the notions of politics, private life and everyday practices associated with the institutional nature of legal and informal breaks. He uses the term ‘*Eigensinn*’ (‘self-will’) to describe isolated, often repeated and reappropriated moments of private or individual attitudes, interactions and exchanges or ‘reciprocal body contact and horseplay’ among labourers as a part of the ‘social practices’ geared towards the ‘processes of production, reproduction, and transformation of social relations’. Such moments, referred to as the informal breaks, subvert the disciplinary time regulations of the factory tacitly and temporarily without any open resistance, in contrast to the legally allowed ‘coffee-breaks’. Ludtke observes how ‘*Eigensinn*’ was in effect, channels of individual and

²² Theodor W. Adorno, ‘Free Time’, *The Culture Industry: Selected Essays on Mass Culture*, London and New York, 2001, pp. 187-197.

²³ Eileen and Stephen Yeo, ‘Ways of Seeing: Control and Leisure versus Class and Struggle’ in Eileen and Stephen Yeo (eds.) *Popular Culture and Class Conflict 1590-1914: Explorations in the History of Labour and Leisure*, Sussex, 1981, pp. 128-154.

collective motives or daily manipulation of time, favouring ‘private and self-willed politics’, unrecognized by the state or party.²⁴ While taking his example to look both into the formal and informal intricacies of institutionalization of time, I shall also attempt to link this with the perspective on how the labouring subjects in the colonial context were stigmatized as lazy and shirkers of work from almost the very beginning. In fact, my research reveals how the formal and informal appropriation of ‘labour time’ in colonial Bengal was not merely confined to the domain of private, covert individual or subjective adjustments, but was often widely, openly and publicly debated in the colonial discourse. My aim is also to move from the historiographical overemphasis on labour history towards a more generalized approach to explore the institutionalization and practices of free time across sites or spaces in colonial Bengal.

The examination of the instinctive flows perceived in leisure activities in the English society has led Hugh Cunningham to emphasize the aspects of ‘continuities’, alongside the earlier focus mainly on the transformations brought about by the Industrial Revolution. Though he demonstrates that the ‘experiences of leisure’ sought to only reinstate the existing class discriminations in the English society, he also contends that such class differences did not imply that the higher and middle classes in the society were always instrumental in initiating ‘new starts’ in leisure activities. Cunningham suggests that the ‘flow’ in leisure activities was visible ‘in both directions’ across the ladder of social hierarchy, because traditional ‘popular forms of entertainment’ affected new innovations in ‘high culture’ as much as the reverse. The scope of these bidirectional exchanges in the experiences and activities of leisure from the subjective, and from the authoritative or reformist angles, allows Cunningham to account for the ‘abstraction’ of ‘leisure’ as a concept.²⁵ In a recently revised take on the subject, Hugh Cunningham shifts his attention more towards the idea of imagination and usage of temporality linked with the question of leisure. Here, he points out the existing limitations of interpreting the politics of time in the light of the connections between ‘work and leisure’, and proposes to widen the prism of analyzing ‘leisure time’ by imbibing the broader perspective of ‘work-life balance’. He discusses how the new broadened approach enables the reevaluation of the question of ‘leisure time’ from the different angles of the preferences, commercialization, identities, experiences and the course

²⁴ Alf Ludtke, ‘Cash, Coffee-Breaks, Horseplay: *Eigensinn* and Politics among Factory Workers in Germany circa 1900’ in Michael Hanagan and Charles Stephenson (eds.) *Confrontation, Class Consciousness, and the Labour Process*, New York, 1986, pp. 65-95.

²⁵ Hugh Cunningham, *Leisure in the Industrial Revolution, c. 1780-c. 1880*, London, 1980, pp. 10-13.

of life. So, he reviews the politics of 'leisure time' in the English society since the eighteenth century in terms of the distinctions of class, gender, age and the variations brought about by the different locational spaces.²⁶ The present thesis attempts to employ such a broader perspective while it particularly highlights some of the specificities of the concrete concepts, practices and rituals of free time in the context of colonial modernity.

The existing scanty historiographical contributions on leisure, recreation and 'spare time' in colonial India are mainly confined to the occasional socio-cultural studies of practices, like the preliminary ways of 'leisure travel' in colonial Bengal²⁷, or the marked perceptions and behavioural aspects that shaped common people's rare moments of 'spare time' and life in colonial Bombay around the close of the nineteenth century during the 'cycles of festive ritual, spectator entertainments and physical recreation'.²⁸ The only scholarly enquiry when a concrete concept and its associated practices related to free time have received some attention is Jim Masselos' essay on the implementation of the Sunday ordinance in early nineteenth-century Bombay.²⁹ Masselos reveals that this European notion of 'weekly day of rest' – imposed by the British imperial apparatus – acted as the 'determinant' factor for conceiving time. As Sunday acquired the new connotation of the 'weekly day of rest' in India under colonial rule, the other days of the week became working days. At first, the Sunday Sabbath was kept only by the British themselves, and the proposal to stop all governmental activities in colonial Bombay on Sundays was repeatedly rejected by the Governor on grounds of the 'laissez-faire' principles of toleration. However, the new Governor Arthur's fervent Christian beliefs prompted him to prohibit all general governmental official works in the Bombay Presidency on Sundays in January 1843, with the backing of a majority of the official subordinates. The ordinance acted as the 'local standard', influencing or moulding the future operational schedules of more or less all public or private enterprises and big or small ventures in colonial Bombay. Additionally, Masselos highlights that the Sunday ordinances in colonial Bombay acted as the precursor to the general governmental regulations on Sundays throughout colonial India, in accordance with the

²⁶ Hugh Cunningham, *Time, Work and Leisure: Life Changes in England since 1700*, Manchester, 2014, pp. 1-6, 199-206.

²⁷ Suman Mukherjee, 'Leisure and Recreation in Colonial Bengal: A Socio-cultural Study', *Proceedings of the Indian History Congress*, Vol. 71, 2010-2011, pp. 764-773.

²⁸ Jim Masselos, 'Spare time and Recreation: Changing Behaviour Patterns in Bombay at the Turn of the Nineteenth Century', *South Asia: Journal of South Asian Studies*, Vol. 7 (1), 1984, pp. 34-57.

²⁹ Jim Masselos, 'Lived Time / Experienced Time: Underlying Time Schema in the Weekly Day of Rest' in Kapila Vatsyayan (ed.), *Concepts of Time: Ancient and Modern*, New Delhi, 1996, pp. 213-223.

decision of the Governor General, Lord Hardinge in 1846-47. On the other hand, my research demonstrates how the prohibitive rules of Sunday work in colonial Bombay were often modelled on similar measures previously adopted in colonial Bengal. Masselos' essay also showcases the way in which Sunday regulations underwent shifts from its original British Sabbatarian outlook to take on different forms and dimensions in colonial India. Day offs on Sundays often had to be made affordable for the indigenous daily labourers with provisions of increased pay in the government departments. The actual Christian sentiments and decorum got sidelined, as the 'imported' temporal notion of 'weekly day of rest' came to be pitted against the 'indigenous' Hindu and Muslim festivals and commemorations. The elaborate discussions and debate on the official holiday fixtures in colonial Bombay during the 1850s led to the hierarchization of 'local festivals' in terms of being formally accepted as 'paid holidays'. The idea of 'sectional holidays' emerged according to Masselos that triggered religious segregation and constrained the scope for communitarian celebrations of indigenous festivals. Nevertheless, the influence of the 'local festivals' continued to linger, as the Sunday ordinance could not penetrate much within the rural rhythms of agrarian production. The Sunday rule could not override class-based limitation, and came to highlight the different social positions of status, wealth and occupations, as a socially constructed notion.³⁰ My study of the holiday reforms in colonial Bengal reveals how the crux of the tension mainly lay not only between the imposed 'Sunday rest' and the local festivals as mainly underlined by Masselos, but among all different newly emerging categories of festive occasions and holidays that competed for entry in the new holiday structures fixed by the colonial government. I would also attempt to indicate that the debate on the 'weekly day of rest' had been much more long-term and intricately contested than what Masselos depicts, in terms of either the elements or the actors involved in the clash of temporality.

To override the existing historiographical limitations, different interrelated political-legal-economic-cultural-ideological aspects of free time would have to be explored. Hence, the different chapters in this thesis attempt to particularly address the following crucial questions. What formal and informal influences decided the institutionalization and regularization of the concepts associated with free time in colonial Bengal? How far did these concepts interact with one another, and also with the related practices to convey the real sense of free time in life? How far did ritualization and abstract measurements affect the determination and appropriation of

³⁰ *Ibid.*, p. 222.

these concepts and practices? What limitations and boundaries shaped the living domains of work and free time in the society over time and space? What factors shaped the legitimate and illegitimate notions of free time? Why did the concepts alongside the implemented practices of free time generate widespread official and vernacular debate and discourse in colonial Bengal, especially when interpreted in the context of what is envisioned as the present problematic of ‘work-life balance’ in leisure studies?

CHAPTERIZATION AND OTHER DETAILS

This thesis consists of four chapters. The ‘bureaucratic-industrial structures of time’ imported and applied to the colonial administration led to the sequencing of work time, which in turn initiated the process of codification and standardization of free time in the institutional site of the offices in colonial Bengal. The chapters generally look into the process of institutionalization of some of the concrete, fundamental concepts associated with free time, while also addressing how the regulation of these concepts was influenced by the implementation and underlying ritualization of some of the concomitant practices.

The first chapter explores the making of the concept of ‘public holidays’. It reviews how the question of institutionalization and standardization of ‘public holidays’ centred around the domain of the government offices. The process was entangled with the issues of religion, social custom, commerce, legislation and categorization of festivals as holidays. The tussles and the debates were mainly polarized around the commercial and the community-based concerns. These priorities displayed the roles of the actors involved in the tussles and debates, and also explained the emergent structures of exclusion evident in the process of holiday reforms.

The second chapter focuses on the process of codification and classification of ‘leave’ in the field of office work. It traces the evolution of the leave rules, along with the formulation of various sub-categories of leaves like ‘Leave of Absence on Medical Certificate’, ‘Special leave of absence on private affairs’, ‘furlough’, ‘privilege leave’, ‘casual leave’, ‘maternity leave’, ‘subsidiary leave’ or ‘preparatory leave’. Although leave denoted a more personalized kind of break compared to the holidays, the process of classification and codification of ‘leave’ remained intimately connected with the framing of the service regulations. This was the reason why leave

as a concept absorbed the various discriminations and hierarchies present within the official services, along with the conditions of compromises necessitated by the position of colonial subjectivity.

The third chapter studies the notion of 'rest' evolving within the idea of 'labour time' in the factories, with special reference to the framing of the factory laws. The discourse of 'rest' mainly revolved around the emergence of the specific temporal notions of the 'weekly day of rest', 'midday stoppage'/ 'intervals of rest', 'night rest', 'festival holiday' and 'leave'. While the factory laws directly or indirectly introduced some of these aforementioned concepts of 'rest' in the domain of factory labour, no recognition was given to the other remaining concepts. The debates and discussions on these various concepts revealed the roles of the various stakeholders and the different influences that regulated the process of the legalization of 'rest' in the factories. The contradictions and limitations present within factory legislation adversely affected the process of interpretation, implementation and legalization of some of the formally introduced concepts of 'rest'. On the other hand, the status of the unrecognized notions of 'rest' remained highly unstable.

The fourth chapter deals with the interrelationship of the concrete concepts of free time with the associated practices of measurement and ritualization of temporality, addressing the pivotal but varied roles of the almanacs in such day-to-day regulation of free time. The popular print medium of the almanacs participated in the process of calculation, assimilation and dissemination of calendrical time, often interweaving the latter with the daily dimensions of clock-time. However, the almanacs also acted as crucial agents in the appropriation and subversion of free time, though such actions were often induced by their contradictory capacities of registering time.

For the mapping of the process of institutionalization of free time, the primary sources used in this thesis are mainly archival in nature. To tease out the changes and subtleties of the process, the archival sources are occasionally juxtaposed with relevant vernacular literary references, and governmental or other publications. The different aspects of institutionalization of the concepts of free time in the government offices are traced with the help of the Government archival records of mainly the Home, General, Judicial, Public Works and Finance Departments as well as different government publications like the Committee and Legislative Assembly reports, rule

books on leaves, and service manuals. Different institutional records used additionally include the minute books of the State Bank of India Archives and the printed reports of the Bengal Chamber of Commerce. For investigating the notion of ‘rest’ in the domain of factory work, the archival records of the Home, Commerce and Industries, General and Finance and Commerce Departments along with the yearly reports of the Factory Inspectors have been examined. However, such unpublished documents are employed in combination with the various Commission reports, other government publications like that of the Department of Industries and Labour, and also in special cases, with the published reports of the International Labour Conference. As for exploring the interlinks of the institutional concepts with the day-to-day practices and rituals of free time, the primary sources that have been consulted are mainly the various English and vernacular almanacs, alongside relevant contemporary texts, pamphlets, journals, chronological tables and specific archival works related with almanacs and rituals of time.

Though I would like to revert back to earlier periods for tracing changes, my study approximately begins in this thesis from circa 1830. This is because the prevailing institutional methods of notifying holidays or festivals and practices of punctuality or regularity came under serious governmental scrutiny, with rising internal and external pressures from the 1830s. The years after 1833 were particularly crucial in this respect in view of the rising conscious awareness towards regularity, time-discipline and attendance spurred by new administrative moves during Governor General William Bentinck’s tenure in office.³¹ Besides, the 1830s also witnessed the increasing involvement of the different tiers of the government including the Court of Directors in London, and also the subject population at large, on the issues of official fixing of ‘Hindoo Holidays’ in Calcutta.³² The time-frame of this thesis will end at circa 1930. The new administrative suggestions and legislations in the early 1930s highlighted the necessity of changes in the structure and appropriation of free time. For example, in 1932, the Bengal Retrenchment Committee recommended the curtailment of leaves and the reduction of the number of holidays allowed in the government offices, which again brought the question of

³¹ Extract from the Proceedings of the Governor General in Council in the General Department, dated 24 September 1833, Judicial, Civil, 28 October 1833, Consultation No. 1. [West Bengal State Archives, hereafter WBSA].

³² C. H. Lushington, Secretary to the Government of India, Financial Department, to A. R. Young, Secretary to the Government of India, with the Governor General, 26-1-1861, Financial, Miscellaneous, April 1862, Nos. 18-24. See Enclosure entitled ‘K.W.’ [National Archives of India, hereafter NAI].

attendance and punctuality to the forefront before the Government of Bengal.³³ The promulgation of the new Factories Act, 1934 considerably altered the configurations of work time and free time. The Act formally recognized the provision of ‘extra pay for overtime’ work, and fixed the daily limit of ‘spread over’ of work of adult male labourers for the first time, inclusive of the time of ‘intervals of rest’.³⁴

Overall, this work examines how sequencing of the time of work determined, defined and regulated free time in the institutional sites. The evolution or structuring of certain concrete concepts which were often found to interact with each other and also with the crucial concomitant practices or rituals – all associated with the notion of free time. The main emphasis would be to understand how far those concepts and practices conveyed the real sense of free time in everyday life. The various economic, ideological, political and cultural aspects of the question have been addressed in the course of this social study. This is to document the limitations and boundaries of the notions of lived free time, and to also locate the shifts of such limitations and boundaries over time and space.

³³ *Report of the Bengal Retrenchment Committee 1932*, Government of Bengal, Calcutta, 1932, pp. 167-168.

³⁴ *Rules Applicable to Factories in Bengal Framed Under the Factories Act 1934 (XXV of 1934) (As modified up to 1st July, 1937)*, Government of Bengal, Department of Commerce and Labour, Alipore, 1934, p. 41.

Time of the Public?: Conceptualizing ‘Public Holidays’

A crucial but underexplored category which shaped the sense of free time in colonial Bengal was the concept of the ‘public holidays’. There exists a limited strand of scholarship that undertakes a socio-temporal study of the festivals in colonial Bengal, and includes important contributions by authors like Ranajit Guha¹ and Rachel Fell McDermott.² This line of scholarly treatment is not open to the emerging complexities and categories that shaped the sense of free time. McDermott’s work addresses the concept of holidays, but places it merely as an idea embedded and subsumed within the field of the socio-cultural study of festivals. This present study seeks to bring clarity to the underdeveloped concept of ‘public holidays’, by a delineation of the process of its institutionalization in government offices. Sumit Sarkar has already suggested how institutionalization played a vital role in the evolution of the colonized sense of time-discipline.³ This analytical praxis of Sarkar is further developed or extended here to explain how institutionalization and standardization of ‘public holidays’ began and continued to be mainly contested around the site of the government offices in colonial Bengal. Mapping of the different facets of institutionalization and standardization of the ‘public holidays’ will reveal how the process was randomly initiated at the domain of the government offices at the very outset. Thereafter, the question of holiday reforms moved through different phases of crests and troughs, followed divergent courses of deliberation and negotiation, and got entangled into several debates and controversies. An attempt will be made to analyse such diverse aspects of the holiday question under the various sections of this chapter.

¹ Ranajit Guha, ‘A Colonial City and its Time(s)’, pp. 409-434.

² Rachel Fell McDermott, *Revelry, Rivalry, and Longing for the Goddesses of Bengal: The Fortunes of Hindu Festivals*, New York, 2011, pp. 39-70.

³ Sumit Sarkar, ‘Colonial Times: Clocks and Kali-yuga’, pp. 10-37.

EARLY SECTARIAN HOLIDAYS

Official discourse referred to the consolidated list of recognized holidays of 1790 as an inventory appearing for the first time in a Government Notification.⁴ However, holidays allowed in government offices of the Bengal Presidency were listed even before this officially highlighted benchmark year of 1790. Thus such a list of holidays could be traced to 1787, as found from a report prepared during Warren Hastings' tenure as Governor General.⁵ In that list of 1787, the Hindu holidays were divided into two clusters — first, the commonly observed ones (numbering 29) and second, the special Hindu holidays allowed on necessity (on twenty occasions for a total of 27 days). Understandably, the application of the second type of holidays varied according to the structure of different localized rituals and festivals, some of the occasions involving more than one holiday. The same list fixed the number of Muslim holidays at 13. On the other hand, in the list of 1790 declared by the Board of Revenue, no branch lay within the category of the 'Hindoo Festivals and Holidays' itself. The number of 'Hindoo Festivals and Holidays' was limited to 25. Holidays for 'the Mahomedan Festivals' were also reduced to four. Compared to a contemporary list of holidays in England, the list of 1790 looks rather modest. The number was 45 in England.⁶ Moreover, one further difference was quite conspicuous. The official list of holidays in England was emphatically insensitive to the question of religious denominations, and the Catholics were required to observe the holiday of the Papist Conspiracy even at the end of the eighteenth century.⁷ In contrast, the above holiday lists of Bengal were characterized by the framing device of religious affiliation. But this was not exactly an expression of increased concern for religious diversity in the colony. Rather, the Notification of 1790 very clearly specified that in the government secretariat 'the attendance of Hindoos should be dispensed with' only on the days of the 'Hindoo Festivals' and 'the attendance of the Musselmens should be dispensed with' only on the occasions of the 'Mahomedan Festivals'. In other words, on none of the native festive occasions the government offices were to remain completely closed, revealing sectarian observance of holidays. Both the holiday lists of 1787 and 1790 are silent regarding the festive celebrations of the white employees of the East India Company. It is therefore difficult to

⁴ C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, No. 61. [WBSA]

⁵ Harisadhan Mukhopadhyay, *Kalikata Sekaler O Ekaler*, Calcutta, 1915, p. 414.

⁶ A. R. Dawson, 'Public Holidays, 1797 and 1933', *Folklore*, Vol. 44 (4), 1933, p. 391.

⁷ *Ibid.* This was commemorated on 5 November every year.

know whether the royal and princely birthdays, the Coronation day, Christmas, Easter and All Saints' Day, to name the most popular holidays of England, were observed with similar fervour in late eighteenth-century colonial Bengal. The paucity of facts makes it complicated to explore the effect of such English celebrations on what was emerging as the category of 'public holidays' in colonial Bengal at this stage.

TABLE 1.

List of 'Hindoo Festivals and Holidays' for the year 1790, as notified in the 'Government Gazette' of 5 August 1790

Holidays	Dates
Mohabi Shaba Sanranti	1st of Bysakh.
Akhoy Tritia	7th ditto.
Dasahara	12th of Jogh.
Snan Jatra	ditto.
Ruth Jatra	17th 1st of Sawan.
Nebriti Jatra	8th ditto.
Sraboni Purnema	11th of Bhooun.
Janma Ashtami	20th ditto.
Maha Lya Sradha	26th of Assin.
Doorgah Poojah	from 30th of Assin to the 3rd of Kartick.
Deevali	8th of Kartick.
Dipamyata & Sheama Poojah	23rd ditto.
Bhratre Dwetya	25th ditto.
Ros Jatra	8th of Aughan.
Uttrayan Sanranti	30th of Pous.
Sree Punchami	28th of Magh.
Bhishma Ashtomi	2nd of Falgoon.
Bhomi	5th ditto.
Siba Ratra	22nd ditto.
Dhole Jatra	9th of Cheyt.
Baoni	20th ditto.
Moha Bishuba Sanranti	30th ditto.

Source: Memorandum from C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, Nos. 61-62. [WBSA]

TABLE 2.

List of 'Mahomedan Festivals' for the year 1790 as notified in the 'Government Gazette' of 5 August 1790

Holidays	Dates
Shub Barat	15th of Shaabun.
Id-UI Fitr	1st of Shawwal.
Roz Ursub	9th of Tehejja.
Id-ul Azlea	10th of ditto.

Source: Memorandum from C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, Nos. 61-62. [WBSA]

Evidently, there was lack of coordination between the different government departments and authorities. Various local calendars were in use throughout the Presidency. So, many individuals in the government circle proved more than willing to exploit this situation for taking frequent and long leaves. As both institutions and institutional wings multiplied over the years, the government servants' leaves of absence began to attract increased official attention. With the establishment of a separate Judicial Department in 1793, several resolutions and regulations were passed to regularize the working hours and days of the Judicial Courts.⁸ There was also considerable pressure from the 'Vakeels' and 'Native Officers' attached to the Courts who demanded for leaves of absence. Such unrecorded negotiations must have influenced the enactment of Regulation III of 1798. In the Act, the Governor General authorized 'a general adjournment' of the Provincial Zillah and City Civil Courts during the festivals of 'Dusserah' and 'Moherrum', as proposed by the Nizamut Adawlut. The two festive adjournments were also to be granted to the Court of Sudder Dewanny Adawlut, if such arrangements were found suitable. This was the first official proclamation of a 'fixed vacation'. The Dusserah vacation commenced ten days before the Festival and continued for a period of one month while the Moherrum vacation began five days before the Festival and included a total of fifteen days.⁹ The Government also used this concession to enforce stringent control over the attendance of its employees in the Judicial Department for the rest of the year, by stating that grants of such vacations should restrict the office staffs from being absent at other times 'except in cases of indispensable necessity'.¹⁰

The tag 'public' was already in use for the holidays within official circles by the early decades of the nineteenth century. Hence an advertisement in the Calcutta Gazette of 7 May 1806, which publicly announced the opening of the Bank of Calcutta in the ensuing month, informed that the Treasurer of the Bank would be on duty 'at all times (Sundays and Public Holidays excepted) during the established hours of business'.¹¹ Here, Sunday was not included within the fold of

⁸ Deputy Register of the Nizamut adawlut to G.H. Barlow, Secretary to the Government, 7-2-1798, Judicial, Criminal, 2nd March 1798, Nos. 11-13. [WBSA]

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Selections From Calcutta Gazettes Of The Years 1806 to 1815 inclusive*, Vol. 4, ed. Hugh David Sandeman, Calcutta, 1868, p. 417.

‘public holiday’. Despite the presence of such use and categorization, larger implication of the term ‘public holiday’ was yet to be realized in this early period.

In fact, the period of transition from the late eighteenth to the early nineteenth century witnessed governmental initiatives to first publicize and publish lists of holidays and terms of vacations meant to be followed in Public Offices and Courts in colonial Bengal. Initial understanding of the appellation of holidays mainly revolved around the early framing of these lists. However, with the turn of the nineteenth century, the usage of the term ‘holidays’ became more widespread, diverse and discursive. In fact, there soon began to emerge a body of literature, which increasingly forwarded a theoretical narrative of indigenous festivals and holidays, often as a part of the British colonial project of knowledge formation on Hindu religion. The production of the theoretical treatises on native festivals and holidays not only continued side by side with the process of institutionalization and conceptualization of ‘public holidays’, but some of the arguments of the treatises were based on or written in reaction to the policies of institutionalization. The arguments of three such theoretical treatises, published during the first half of the nineteenth century, will be discussed here, which commented on the policies of institutionalization of ‘public holidays’ from three different perspectives. Moreover, these theoretical treatises dealt with many incipient issues which later provoked intense debates and discourses on the holiday question.

DEBATES ON REFORMS OF ‘HINDOO HOLIDAYS’

In a memoir published in 1805, the Christian evangelical Claudius Buchanan identified the ‘numerous holydays of the Natives’ as ‘an impediment to their civilization’.¹² He deemed the fifty-two Sundays observed annually in public service employment as ‘sufficient for rest from bodily labour’ for the natives. Condemning the ‘Hindoo calendar’ for prescribing ‘upwards of an hundred holydays’, he stated that even the Government’s officially shortlisted and recognized ‘native holydays’ for the closure of public offices were additional and unnecessary. The ‘Pundits’ could not validate any such festivity with evidence of scriptural or textual sanction.

¹² Claudius Buchanan, *Memoir of the Expediency of an Ecclesiastical Establishment for British India; both as the means of Perpetuating the Christian Religion among our own Countrymen; and as a Foundation for the Ultimate Civilization of the Natives*. London, 1805, pp. 51-53.

Buchanan castigated such native celebrations for promoting ‘superstitions’, ‘extravagance, licentious habits, and neglect of business’, which badly impaired ‘the business of the state’ and ‘commercial negotiation’.¹³ In 1808, the publication of a tract by an anonymous author, who presented himself as ‘a Bengal Officer’, led to the arousal of the first major discord on the issue of controlling the ‘Hindu holydays’. Here, Buchanan’s claims on native religiosity or custom were countered along the lines of the cautious and non-interfering religious policy of the Company administration. The author sharply refuted Buchanan’s idea to completely revoke all the ‘Hindoo holydays’ and to accept Sundays as the only valid annual days of closure.¹⁴ To demand textual sanctity for native ‘holydays’ was like following double standard, as similar textual injunction could not be proffered for even the Christian observances like ‘the Nativity’, ‘Good Friday’, etc. The author attempted at length to disprove Buchanan’s upbraiding of the Hindoos as ‘superstitious’ or prone to ‘idleness and dissipation’ with insights on the ‘diligence’ of the natives, who were dependent on different hard-earned means of subsistence. The anonymous author located the crux of the question of handling recurrent ‘Hindoo holydays’ within the conflict between ‘commercial’, ‘temporal interests’, related to the ‘body’ on the one side, and religious considerations connected with the ‘mind’ on the other. Unlike Buchanan, the author argued that spiritual inclinations of the mind should be encouraged and ought not to be always substituted by ‘temporal interests’. The former would strengthen ‘morality’, ‘correctness’ and other social values of people. Here, the tract went a step further to suggest that ideally there should be ‘no state religion’ while the emphasis should be on ‘morality alone’. To avoid struggles like ones present between the Catholics and the Protestants, religion should not exist as an external bone of contention among people, but only as a component of the inner domain of life.¹⁵ Overall, the author underlined the need of appreciating religion as a liberal, inward, benign and introspective part of life which would open up a proper reappraisal of the ‘Hindoo holydays’. Yet another form of skeptic feeling or doubt regarding the colonial policy of institutionalization and standardization of ‘public holidays’ in the nineteenth century could be discerned in an essay on Hindu festivals, composed in 1848 by the well known Orientalist scholar Horace Hayman

¹³ *Ibid.*

¹⁴ A Bengal Officer, *Vindication of the Hindoos from the Aspersions of the Reverend Claudius Buchanan, M. A., with a Refutation of the Arguments Exhibited in his Memoir, on the Expediency of an Ecclesiastical Establishment for British India, and the Ultimate Civilization of the Natives, by their Conversion to Christianity*, London, 1808, pp. 74-89.

¹⁵ *Ibid.*

Wilson. He criticized the contemporary tendency of despising holiday ‘as an unprofitable interruption of productive industry’ and festival or fair ‘as a wasteful expenditure of time and money’. Identifying the attributes which were held as the common weaknesses of the ‘Eastern’ practices of holiday observances, Wilson also spoke of the unavoidable limitations present in the general colonial approach towards the holiday question:

It is in the remote East, and especially in India, that we may expect to find the living representation of ancient observances, and the still existing solemnizations which delighted the nations of antiquity, and we shall not be altogether disappointed; although even here they begin to languish under the influence of a foreign government, under the unsympathizing superiority which looks upon the enjoyments of a different race with disdain, under the prevalence of the doctrine which regards public holidays as deductions from public wealth, and under the principles of a system of religious faith which, although it might be indulgent to popular recreations, cannot withhold its disapprobation of them when their objects and origin are connected with falsehood and superstition. From the operation of these causes, the Hindu festivals have already diminished both in frequency and in attraction; and they may become, in the course of time, as little familiar to the people of India as those of European institution are to the nations of the West.¹⁶

The aforementioned three Western critiques highlighted the early differences to be found among the missionary, utilitarian and the orientalist viewpoints regarding the methods of institutionalization of the indigenous holidays in the colony. The differences manifested how the holiday question remained the subject of intense debates almost from the very beginning of the nineteenth century. The following study will attempt to further unfold the various conflicting approaches, and shifting tendencies that influenced the gradual process of reforms and standardization of ‘public holidays’.

The first serious attempt to consciously reform and overhaul the structure of office holidays came in the third decade of the nineteenth century. Such a drive was undertaken in the wake of certain unprecedented disciplinary enquiries and propositions made at the official domain. In a Minute of 23 September 1833, Governor General William Bentinck asked for detailed statements of all the holidays kept at different Public Offices of the Presidency, in order to facilitate ‘the purpose of establishing uniformity of practice and of remedying either too little or too much

¹⁶ H. H. Wilson, *Essays and Lectures chiefly on the Religion of the Hindus*, Vol. 2, London, 1862, pp.152-153.

indulgence' present within the different departments of the administration.¹⁷ Moreover, in a letter of April 1834, the Directors of the Bank of Bengal appealed to the Government to control the number of holidays observed at the General Treasury and other Public Offices. The Directors felt that Government policy should act as the exemplar in this regard to suit 'the convenience of the Public, and of the mercantile community in particular', thereby aiding the Bank to cut down the number of closures in its own official establishment.¹⁸ What ensued as a result should better be called an experimental venture to reduce unnecessary closures and forge a balanced version of office holidays. It brought to the fore the major transformations and shortcomings appearing within the evolving holiday structure. It further highlighted the active involvement of some formidable forces with the holiday question, including the emerging clash of interests of such forces. The prominent actors or parties engaged in such debates were top-ranking administrators belonging to various tiers and wings of the Government, premier mercantile forums acting under the banner of mainly the Bank of Bengal alongside the growing Calcutta Chamber of Commerce and the influential elite members of the subject population with strong religious inclinations.¹⁹ While evaluating the prospects of remoulding office holidays, the Government's basic intention was to promote business transactions and money exchange by stopping especially 'the observance of frequent consecutive Holidays'. To conduct inter-departmental investigations and devise plans for reform, the Government sought the active intervention of two higher officials – the Accountant General, C. Morley and the Sub Treasurer, W. H. Oakes.²⁰ Responding to the call for necessary reform, on 4 July 1834, Morley and Oakes apprised the Government of the major instabilities which impregnated the existing holiday structure.²¹ Officially speaking, maximum divergence existed between the executive and the judicial lists of holidays declared for the respective government offices. The judicial holidays inevitably outnumbered the executive office holidays because of the special terms of vacations designed for

¹⁷ Minute by the Governor General, dated Calcutta, 23 September 1833, in Judicial, Civil, 28 October 1833, No. 1. [WBSA]

¹⁸ Directors of the Bank of Bengal to Secretary to Government in the Financial Department, 17-4-1834, Financial, Financial, 26 January 1835, No. 9. [NAI]

¹⁹ C. H. Lushington, Secretary to the Government of India, Financial Department, to A. R. Young, Secretary to the Government of India, with the Governor General, 26-1-1861, Financial, Miscellaneous, April 1862, Nos. 18-24. Enclosure entitled 'K.W.'. [NAI]

²⁰ H. T. Prinsep, Secretary to Government, Fort William to C. Morley, Accountant General and W. H. Oakes, Sub Treasurer, 28-4-1834, Financial, Financial, 26 January 1835, No. 10. [NAI]

²¹ C. Morley, Accountant General and W. H. Oakes, Sub Treasurer to H. T. Prinsep, Secretary to the Government, 4-7-1834, Financial, Financial, 26 January 1835, No. 12. [NAI]

the Courts. Not all variations arising between the executive and judicial holiday lists however, could be accounted for by the frequent occurrence of such Court vacations. In their joint letter to the Government, the Accountant General and the Sub Treasurer discussed this very point. Receipt of an updated account of the annual holidays declared at the office of the Sudder Dewanny Adawlut prompted them to re-examine the compatibility of this statement of judicial holidays with the contemporary 'Treasury Holidays'. The Judicial Department was closed for a single day on each of the occasions of 'Sree Punchumy', 'Churruck Poojah' and 'Kartic Poojah', when two holidays were allowed in other major public offices like the General Treasury. No holiday was allotted in Courts for 'Oolta Ruth' and 'Juggutdhatree Poojah', which were observed in Treasury and other offices. The Khazanchee of the General Treasury had reported to Morley and Oakes how the 'Hindoo Amlah' of the Treasury office had vetoed the scraping of the aforesaid holidays, 'not declared to be of essential observance by the Pundits of the Sudder Diwanny Adawlut'.²² Moreover, the governmental concerns for reforms stemmed from the irregularities which affected the executive structure of holidays over time. There were continuous fluctuations in the declared numbers of the executive holidays. Compared to the earlier lists, the figures of 'Treasury Holidays' of 1834, as supplied by Morley and Oakes, revealed a jump in the number of 'Hindoo holidays' to 34.²³ Such fluctuating tendencies would explain why controlling the nature of 'Treasury Holidays' was upheld as most vital. In fact, the idea was that after suitable revision, the Treasury list would be adopted as the model for all other 'Public and Private' official arrangements of holidays.²⁴ With the Directors of the Bank entreating the Government to restructure office holidays, official discourse soon identified the networked 'native Establishments' of the General Treasury and the Bank as the extended locus for trying experimental measures on holidays. However, opinions ran strong that the measures would be transformed into Government regulations only after those were successfully implemented in 'all public offices both at the Presidency and elsewhere'.²⁵

Noting the existing changes in the pattern of office holidays, the Accountant General and the Sub Treasurer did not want to fall back on the previous practice of the partial opening of official establishments through sectarian observance of holidays. They considered the Christian

²² *Ibid.*

²³ *Ibid.*

²⁴ Directors of the Bank of Bengal to The Secretary to Government in the Financial Department, 17-4-1834, Financial, Financial, 26 January 1835, No. 9. [NAI]

²⁵ Minute by the Hon'ble W. Blunt, dated 5 May 1834, Financial, Financial, 26 January 1835, No. 11. [NAI]

assistants incompetent to even temporarily discharge the full duties of the ‘Hindoo Amlah of the General Treasury’, when the latter group skipped work on consecutive ‘Hindoo holidays’. For Morley and Oakes, the solution was to abstain from cash payments and allow only cash disbursements from the Treasury on those successive days of closure. Such reduction of workload on the said occasions would enable the Government to rely on trusted individuals to shoulder the absolutely unavoidable clerical functions of the Treasury.²⁶ In another letter to the Secretary to the Government of the Financial Department, Morley and Oakes however admitted that no ‘person of wealth and respectability’ had come forward to take the responsibility of the aforementioned selective duties of the Treasury, except for ‘Messrs Hamilton & Co.’²⁷ A third letter written to the Government by the Accountant General alone on 21 August 1834, clarified the present stand of the Vice-President in Council on the issue of readjustment of the ‘Treasury Holidays’, and finally urged the Government to make a decisive move to fix such office holidays. The Vice-President seemed reluctant to pass the custody of all government-related cash transactions within the Presidency from the Treasury to the Bank on mere grounds of the holiday question. Neither was he ready to confide on ‘Messrs Hamilton & Co.’ for monetary disbursements.²⁸ The Government’s indecision regarding the sustenance of Treasury operations for long spells of ‘Hindoo holidays’, induced the Directors of the Bank of Bengal to curtail the number of closures allowed within the Bank from 34 (which was same as the count of ‘Treasury Holidays’) to 16.²⁹ Morley insisted that the Government should either take the cue of the Directors of the Bank to trim down the ‘Treasury Holidays’, or should transfer the responsibilities of all governmental cash dealings from the Treasury to the Bank during back-to-back ‘Hindoo holidays’.³⁰

The news of these official contemplations and propositions mobilized ‘a large body of respectable Hindoo Inhabitants’ to forward a petition before the Government on the possible

²⁶ C. Morley, Accountant General and W. H. Oakes, Sub Treasurer to H. T. Prinsep, Secretary to the Government, Fort William, 4-7-1834, Financial, Financial, 26 January 1835, No. 12. [NAI]

²⁷ C. Morley, Accountant General and W. H. Oakes, Sub Treasurer to H. T. Prinsep, Secretary to the Government, Financial Department, 30-7-1834, Financial, Financial, 26 January 1835, No. 13. [NAI]

²⁸ C. Morley, Accountant General to H. T. Prinsep, Secretary to Government, Financial Department, 21-8-1834, Financial, Financial, 26 January 1835, No. 16. [NAI]

²⁹ Minute submitted by the President Charles Morley, at a Meeting of the Directors of the Bank of Bengal, 7 August 1834, Minute Book of the Board Meetings of the Bank of Bengal, 5.12.1833-8.1.1835. [State Bank of India Archives, Kolkata, hereafter SBIA]

³⁰ C. Morley, Accountant General to H. T. Prinsep, Secretary to Government, Financial Department, 21-8-1834, Financial, Financial, 26 January 1835, No. 16. [NAI]

deduction in the number of 'Hindoo Holidays'. The petitioners feared that any change would be detrimental to the working conditions of the large population of 'Hindoo Subordinates', the majority of whom handled financial transactions in government offices. The Government replied that the concerns were basically a matter of internal negotiation between the 'employers and employed' in public and private offices to manage monetary operations. The petitioners received the assurance that 'open violation of the religious feelings of any class of official subordinates would...be scrupulously avoided'.³¹ A second native petition also reached the Government in quick succession to the first. It articulated the apprehension of the native population more clearly, in relation to the future prospect of the indigenous festive holidays. The Government was not accused of coercing the 'Hindoo Subordinate officials' to work and conduct business on the 'principal religious festivals'. The main dissatisfaction was regarding the overall working conditions for which 'all classes of the (indigenous) community were not obliged to keep holiday, or in other words remain idle by the closing, under orders of Government, of the Treasury and offices of account.'³² In response, the Government reaffirmed its pledge to the 'Hindoo subordinate officials' stating that 'indulgence...before established, by precedent and licensed by special order would in no respect be infringed'. For the occasions of 'the great Hindoo Holidays', the custom of closing the Government offices would be continued. On 'the days of minor religious festivals', the Government offices would function normally, but the 'Hindoo subordinate officials' could opt to absent themselves by choice.³³

Notwithstanding such reassurances, certain steps taken by the Government towards holiday reforms by 1834, magnified the controversy and enlivened further discussions on the subject. The Vice-President in Council ultimately yielded to the commercial clamour to make the Bank 'the organ of Government payments' as a temporary trial during consecutive 'Treasury Holidays'. The trial appeared inexpensive and feasible, as the Government would pay no fees to the Bank for the additional workload, which would only complement the latter's own business rights. Keeping the promise made twice to the petitioners, the Government did not deprive the 'Hindoo' incumbents of the Treasury of their rights to enjoy the existing 'Hindoo Holidays'. However, restrictions were imposed on the terms of service of future office employees. In the

³¹ C. H. Lushington, Secretary to the Government of India, Financial Department, to A. R. Young, Secretary to the Government of India, with the Governor General, 26-1-1861, Financial, Miscellaneous, April 1862, Nos. 18-24. Enclosure entitled 'K.W.'. [NAI]

³² *Ibid.*

³³ *Ibid.*

same official communication of 1 September 1834, the Vice-President explicitly stated that ‘the necessity of attendance on the days referred to shall be made a condition with all persons who may hereafter be appointed in the Treasury or Pay Offices.’³⁴ The Government pointed out that it would not trifle with the careers of the indigenous office staff. For ‘the great Hindoo Holidays’, the government offices would maintain the custom of general closure. For ‘the days of minor religious festivals’, the government offices would function normally, but ‘all Hindoo official subordinates’ would enjoy the option to observe holidays.

However, the Vice-President’s order for appointing new employees on conditions of more regular attendance exacerbated the anxieties, and triggered a third row of petitioning by the influential ‘Hindoos’. The appeal coming from Roy Mothoranauth Choudhoory *et al* was ratified and forwarded by the likes of Radamadub Banarjee, Dwarkanauth Tagore, Russomy Dutt and Radakessen Bysack. This third group of petitioners reinforced the stand of the earlier protesters in demanding that all non-mandatory official activities should be kept in abeyance on holidays. The petitioners argued that their claim was not extraordinary, as it was commonly practised by the Christians too. Only unavoidable business transactions, exercised by the Custom House should be allowed to operate as an exception to this intended measure. The petitioners stood their ground on the point that ‘the suspension of payments during the Hindoo holidays is productive of no public inconvenience whatever’. The Vice-President’s new rule was pronounced as a betrayal of the spirit of good governance. The Government was expected to act as a uniform benefactor for all subjects, and was not supposed to choose its future official appointees from a small selective section. To the petitioners, the Vice-President’s moves stemmed from misunderstandings harboured due to the ramification of the Hindu religion into several discordant sects.³⁵ The reply sent on behalf of the Governor General in Council substantiated that the Vice-President was never really looking to contravene ‘that fundamental principle of British policy’ which guaranteed ‘equal protection to every form of religion professed in India’. The

³⁴ H.T. Prinsep, Secretary to the Government, to C. Morley, Accountant General, 1-9-1834, Financial, Financial, 26 January 1835, No. 17. [NAI]

³⁵ Petition of the Hindoo Inhabitants of Calcutta to the Governor General in Council, 19-1-1835, Financial, Financial, 25 February 1835, No. 4. [NAI]

Governor General would allow no direct or indirect harm to ‘the rights of conscience in the exercise of religious duties’.³⁶

Official government proceedings noticeably captured the hue and cry raised around the proposal to revise the ‘Treasury Holidays’, and also conjectured on its bearing over the general restructuring of office holidays. The same government records narrated the episode of remodelling of the Bank holidays only in passing. This inattention could be attributed to the peculiarity and uniqueness of the Bank as an official establishment, marked by the pronounced interplay of both governmental and private stakes within it, in terms of commercial as well as managerial involvements.³⁷ As we also take help of the relevant bank records to unravel the episode of holiday reform of 1834 at the Bank of Bengal, we should keep in mind that even the government proceedings acknowledged the reform of the Bank holidays in 1834 as a crucial move. The move created a profound impression on the policymakers, who dealt with the holiday question on behalf of the Government.³⁸ In fact, the step to reform the Bank holidays in many ways complemented the experiment to handover to the Bank Establishment the responsibility of transacting Government payments, during periods of consecutive ‘Hindoo Holidays’ at the Treasury. The incumbent authorities at the Bank of Bengal had lapped up the experimental venture with considerable seriousness and optimism.³⁹ The arrangement was predicted to improve the work efficiency of the Bank, especially its skill of time-management.⁴⁰ Similarly, the programme of holiday reform looked to directly beef up the Bank’s mission of internal revitalization.⁴¹ However, there is no reason to believe that the cut in Bank holidays was readily welcomed and was accepted without any opposition by the parties at the receiving end. Although the drastic diminution of the number of ‘Hindoo Holidays’ in the Bank from 34 to 16 was supposed to directly affect only a handful of natives working for the Bank *per se*, its authorities

³⁶ By order of the Governor General of India in Council, H. T. Prinsep, Secretary to the Government, Financial Department, to Radamadub Banorjea, Dwarkanauth Tagore, Radakessen Bysack, Russomy Dutt and other Inhabitants of Calcutta, 25-2-1835, Financial, Financial, 25 February 1835, No. 6. [NAI]

³⁷ Amiya Kumar Bagchi, *The Evolution of the State Bank of India: The Roots, 1806-1876*, Part I: The Early Years, 1806-1860, Bombay, 1987, pp. 2, 77-97.

³⁸ C. Morley, Accountant General to H. T. Prinsep, Secretary to Government, Financial Department, dated 21-8-1834, Financial, Financial, 26 January 1835, No. 16. [NAI]

³⁹ Minute in circulation by G. Udny, Secretary to the Bank, 16 September 1833, Minute Book of the Board Meetings of the Bank of Bengal, 30.9.1832-28.11.1833. [SBIA]

⁴⁰ Note by the Khazanchee, Ramcumul Sen, dated 4 September 1833, Minute Book of the Board Meetings of the Bank of Bengal, 30.9.1832-28.11.1833. [SBIA]

⁴¹ Minute submitted by the President Charles Morley, at a Meeting of the Directors of the Bank of Bengal, 7 August 1834, Minute Book of the Board Meetings of the Bank of Bengal, 5.12.1833-8.1.1835. [SBIA]

were aware of the larger socio-religious implications of the holiday reform. The minute issued by the President of the Bank, which declared the reform programme, could not ignore the responsibility of informing ‘the Public’ at large about the measure, and devolved this duty of advertisement and communication on the Secretary. Nonetheless, at another level, the same minute perceived that the move could run the risk of seriously offending the indigenous ‘Hindoo’ population in general. So, it sought to secure the position of the native employees of the Establishment from any impending backlashes:

[A] peremptory order of the Directors will obtain the ready acquiescence of the Hindoo Establishment now employed in the Bank, to the measure who being thus deprived of any option on the question, will be relieved of conscientious scruples, and stand acquitted in the opinions of the Hindoo community of a voluntary dedication of certain religious observances, or more properly speaking, vain ceremonies.⁴²

Contemporary newspaper reports have already been explored in a different context to review the reactions of the holiday reform at the Bank.⁴³ As predicted, the axe on so many of the ‘Hindoo Holidays’ greatly incensed the ‘Hindoos’. The Hindoo inhabitants embarked on a clash of words with the management of the Bank, where the Government was propelled to arbitrate or to act as the ultimate appellate authority for taking decisions. Taking the news coverage of the arguments into consideration, the dispute was interpreted as a contest of principles. On one side, the incumbent ruling authorities looked to increasingly test and grade the ‘Hindoo’ religious festivals on principles of religious sanctity and ritualistic authenticity. Conversely, this very procedure of selection of holidays was seen as a threat to the future existence of all native celebrations. The ‘Hindoo’ protesters took the policymakers and the administration to task for deviating from the British commitment to advocate religious ‘neutrality’. Among the ‘Hindoo Holidays’ scrapped from the Bank’s list, withdrawal of ‘Kalee Poojah’ particularly drew a lot of flak from the agitating indigenous population. The Bank authorities at first stood their ground on this issue of elimination. The Vice-President of the Bank challenged the protesters with the argument that no religious injunction prohibited the conduct of business activities on holidays. Subsequently, four hundred ‘Hindoo’ inhabitants and tradesmen of Calcutta signed and submitted a petition to the Government. To their disappointment, the Government backed the

⁴² Minute submitted by the President Charles Morley, at a Meeting of the Directors of the Bank of Bengal, 7 August 1834, Minute Book of the Board Meetings of the Bank of Bengal, 5.12.1833-8.1.1835. [SBIA]

⁴³ Rachel Fell McDermott, *Revelry, Rivalry, and Longing for the Goddesses of Bengal*, pp. 49-50.

Vice-President, and adjudged it impossible to shut down all types of offices on all 'Hindoo Holidays'.⁴⁴ Lack of further direct evidence makes it difficult to assess the actual impact of such authoritative statement on the ongoing clash and agitation. Instead, we have at our disposal only some snapshots of later events. Though the management of the Bank was riding high after their successful drive to curb holidays, they soon ordered slight alteration of the holiday list originally issued by them. Evidently, native discontent regarding the clip on the two 'Kalee Poojah' holidays (previously allowed in accordance with the Treasury list⁴⁵), could not be brushed aside for long. The mounting pressure seemed to have taken the wind out of the sails of the Bank's Vice-President. As a redress, the management substituted the single holiday allotted for 'Kartick Poojah' with a holiday on 'Kaleeka Poojah' in 1835.⁴⁶ Such consequential turn of events exposed the glitches lying embedded within these early programmes of holiday reforms. Further serious setbacks were only in the offing.

Now, we shall look at the fate of the trial which made the Bank the temporary disbursing officer of Government payments. Apart from directly influencing the flow and discipline of work at the Bank and at the Treasury, the outcome of the experiment was expected to determine the future course of holiday reforms for all public offices. Unsurprisingly, the trial soon fizzled out. The welter of controversies generated around it hastened this downfall. The Committee of the Chamber of Commerce in support of the Bank of Bengal deemed the experimental procedure to be a 'circuitous and tardy process', causing much public inconvenience.⁴⁷ On 10 June 1835, the Government formally abandoned the experiment, and reintroduced the former method of payments at the General Treasury during consecutive native holidays.⁴⁸ All papers of this abortive experiment were sent to the Court of Directors in London for advice. They condemned the whole episode as an imprudent application of 'undigested plans', destined 'not only to occasion temporary confusion and embarrassment but to inflict lasting injury by postponing solid and substantial ameliorations'. In this Financial Despatch dated 19 April 1837 addressed to the

⁴⁴ *Ibid.*

⁴⁵ Enclosure entitled "Statement of same period from the General Treasury on the eve of the undermentioned Hindoo Holidays", Financial, Financial, 25 February 1835, No. 15. [NAI]

⁴⁶ Minutes of a Meeting of the Directors of the Bank of Bengal, 15 January 1835, Minute Book of the Board Meetings of the Bank of Bengal, 15.1.1835-30.6.1836. [SBIA]

⁴⁷ W. Limond, Secretary, Bengal Chamber of Commerce, to C. Morley, Accountant General, Fort William, 29-5-1835, Financial, Financial, 10 June 1835, No. 3. [NAI]

⁴⁸ G. A. Bushby, Secretary to the Government, Financial Department, to Accountant General, 10-6-1835, Financial, Financial, 10 June 1835, No. 4. [NAI]

Governor General of India, the Court of Directors also opined that the issue of minimising the ‘Hindoo holidays’ was really a matter ‘of great interest and importance as well as of great delicacy’. In reforming holidays, commercial interests should serve as the primary catalyst. However, in taking actions, steps deleterious to the sentiments and religious beliefs of the sizeable and oldest section of the subject population should mostly be shunned.⁴⁹ Consequently, the Governor General’s Resolution of 2 August 1837 brought the curtain down on this early attempt to reorder office holidays. The Governor General formally shelved this unsuccessful project of holiday reforms for the time being. He announced that the holiday question would be left for future considerations under more favourable circumstances, when papers and steps of this abortive experiment would provide valuable guidance or clues to the Government.⁵⁰

RISE OF SUNDAY REGULATIONS

To understand the ad hoc attempts to reform holidays in the first half of the nineteenth century, we shall now examine the ‘Sunday rest issue’. There was reference of ‘fifty-two Christian holydays, or fifty-two Sundays in the year’ being ‘generally allowed to natives employed in the public service’ in the early nineteenth century.⁵¹ Of course, this practice was designed for the functional advantages of the Christian authorities of the Government. However, the practice also seems to be subtly acquired or established, with no evidence of enforcement of any formal law, in consonance with the colonial state’s policy of minimalistic intervention with native religious beliefs and customs. The first proposition for a formal legislation to forbid Sunday work came in 1820. This year Lord Bishop of Calcutta, Thomas Middleton, the appointed head of the first episcopal establishment in colonial India, urged for ‘a compulsory Law or Proclamation, prohibiting all Classes (Mahomedans and Hindoos included) from doing any work on a Sunday’.⁵² Bishop Middleton wanted a formal ordinance to specifically bar the labour of the

⁴⁹ J. R. Carnac and Twelve others, to Governor General of India in Council, Financial Department Despatch No. 6 of 1837, London, 19-4-1837, Financial, Miscellaneous, April 1862, Nos. 18-24. Enclosure entitled ‘K.W.’. [NAI]

⁵⁰ C. H. Lushington, Secretary to the Government of India, Financial Department, to A. R. Young, Secretary to the Government of India, with the Governor General, 26-1-1861, Financial, Miscellaneous, April 1862, Nos. 18-24. Enclosure entitled ‘K.W.’. [NAI]

⁵¹ Claudius Buchanan, *Memoir of the Expediency of an Ecclesiastical Establishment for British India*, p. 51.

⁵² F. Currie, The Secretary to the Government of India with the Governor General, to G. A. Bushby, Secretary to Government of India, Home Department, Fort William, 30-6-1846, Home, Public, 22 August 1846, No. 5. [NAI]

native workmen on Sundays.⁵³ The plea however, got the thumbs down in 1821. The Company's persistently watchful outlook of governance restrained the Governor General Moira from approving any regulation which would risk hurting native religious sentiments by prioritizing the Christian Sabbath tradition. The Governor General rejected the Bishop's proposition on grounds of non-interference in the matters of religion, and also to avoid the cost of paid holidays on Sundays.⁵⁴ So, no formal legislation seemed to be forthcoming under such conditions of hesitation and circumspection.

In a way, the Bengal system of Sunday closures in the early nineteenth century was similar to the contemporary trends of Sunday reforms in England. In both the metropole and the colony, the settlement of the 'Sunday rest issue' around this period did not primarily depend on legal enactments. Explicitly speaking, no particular aggressive law underpinned the practice of Sunday closures in Bengal, while the 'Sunday question' in England in the eighteenth and nineteenth centuries seemed to be affected more by the evangelical and the magisterial manipulations than by the prospect of new legislations or the active role of the Parliament.⁵⁵ This uncanny similarity probably emanated mainly from the fears of religious instability existent in both the metropole and the colony around the late eighteenth century and later. The Company's constant anxiety to uphold religious equilibrium in colonial Bengal corresponded with the necessity to ameliorate the environment of religious differences or schisms existent in contemporary England.⁵⁶ However, this resemblance regarding the observance of Sundays was continued for only a short-span of time. The policy to consciously abstain from enforcing any formal Sunday regulation in colonial Bengal would be reversed especially with an array of departmental measures in the 1840s. The reversal happened after the Company adopted a moderately reformist but watchful attitude in both religious and holiday matters gradually from Bentinck's tenure of Governor Generalship, as already mentioned before. The early apprehension and reservation which often accompanied this line of moderate and cautious reform seemed to be voiced by the Chairman of the East India Company, William Astell, in a letter written to William Bentinck on 4 October 1830. After going through some extracts taken

⁵³ Lord Bishop of Calcutta, to the Marquis of Hastings, Governor General in Council, 26-6-1820, Bengal Ecclesiastical Consultations, Records of the Board of Commissioners, 1820-1822, Oriental and India Office Collections (hereafter, OIOC), F/4/625/16054, British Library (hereafter, BL).

⁵⁴ C. Lushington, Secretary to Government, to the Lord Bishop of Calcutta, 14-7-1820, Bengal Ecclesiastical Consultations, Records of the Board of Commissioners, 1820-1822, OIOC, F/4/625/16054, BL.

⁵⁵ Hugh Cunningham, *Time, Work and Leisure*, pp. 69-70.

⁵⁶ Penelope Carson, *The East India Company and Religion, 1698-1858*, Woodbridge, 2012, pp. 21-27.

from a Calcutta newspaper, Astell came to understand that Bentinck's Council had probably yielded to the insistence of John Mathias Turner, the contemporary Bishop of Calcutta, 'to put a stop to Hindus working on Sundays'. In the said correspondence, Astell deplored and condemned any such probable action exercised by the Governor General towards Sunday regulation of work, deeming it to be 'highly injudicious and ill-timed'. Coming immediately after the enactment to abolish *Sati*, such a sudden Sunday regulation, Astell feared, would arouse 'dangerous feeling' among the subjects and would cause the government's motives to be largely 'misconstrued and misrepresented'.⁵⁷ Nevertheless, the process of formal recognition of Sundays as office holidays seemed to pick up especially in the 1840s.

Before the reversal, the closing of the Public Offices and Courts on Sundays in early nineteenth-century Bengal, which was actualized as a matter of convenience and practice and not by any ruling decree, appeared to be perfectly in tune with the Company's moderately reformist religious policy. In fact, the Bengal practice came to be projected popularly as a precedent for future discussions and orders, encouraged in relation to the Sunday regulations of work, largely from the 1840s.⁵⁸ Even after the promulgation of the first formal ordinance to proscribe Sunday labour in colonial India by the Bombay Government in its Public Works Department in 1843⁵⁹, one of the major considerations which inspired Sunday regulations in the Bombay Presidency was the Bengal system of Sunday closures. Therefore, the Bengal system continued to be repeatedly examined and reviewed in the context of important upcoming deliberations on Sunday work. Many of these discussions ensued almost around the same time: first, regarding suspending the employment of labourers on Sundays throughout colonial India in the specific Government Department of the Public Works from January 1846⁶⁰, and second, from March 1846, regarding the feasibility of extending the Bengal system to enable the closing of Public Offices and Courts in the Bombay Presidency on Sundays⁶¹. A cluster of orders was soon passed

⁵⁷ *The Correspondence of Lord William Cavendish Bentinck: Governor-General of India 1828-1835*, Vol. I. 1828-1831, ed. C. H. Philips, Oxford, 1977, p. 531.

⁵⁸ R. K. Pringle, Chief Secretary to the Government of Bombay, to G. A. Bushby, Secretary to the Government of India, 21-5-1846, Home, Revenue, 13 June 1846, Nos. 8-13. [NAI]

⁵⁹ Enclosure of the Government Notification, 26 January 1843 entitled 'Extract from the Bombay Government General orders, Section XXIII, Paras 104 & 105, Page 261: Jameson's Code', Home, Public, 22 August 1846, No. 7. [NAI]

⁶⁰ Jarry H. Burke, Lieutenant Executive Engineer, Mhow to Captain Fraser, Officiating Superintending Engineer, Central Provinces, Cawnpore, 29-1-1846, Home, Public, 22 August 1846, No. 7. [NAI]

⁶¹ R. K. Pringle, Chief Secretary to the Government of Bombay, to G. A. Bushby, Secretary to the Government of India, 21-5-1846, Home, Revenue, 13 June 1846, Nos. 8-13. [NAI]

to that effect in 1846. On 26 October 1846, the Governor General sanctioned orders for extending the Bengal scheme of Sunday closures to the Bombay Government Offices.⁶² The government resolution of 22 August 1846 harmonised the Sunday regulations of Public Works applicable to the whole of colonial India, with the rule which already prevailed at the Public Works Department of the Bombay Presidency. The new stricture ordained that —

no Public Works shall be carried on on account of Government whether under the direction of British officers or through the agency of contractors on Sundays except in cases of urgent necessity when delay would be productive of serious public inconvenience, and that wherever a deviation from this rule may be found necessary for the public good a report of the circumstances must be made by the officer authorising the deviation to the Military Board for the information of Government.⁶³

In fact, the aforementioned order to forbid Public Works on Sundays in August 1846 happened to be the first formal Sunday regulation to cease work, operative in the Bengal Presidency. Before this particular resolution, the other official declaration to partially control Sunday work in colonial Bengal was made on 29 June 1846. On that date the Post Master General, W. Taylor issued a notice by which the General Post Office of Calcutta was to remain only partially open on Sundays, whereby its working hours would be shortened to specifically permit ‘the sorting and distribution of Letters’ between the time slot 6 and 10 A.M., and the ‘receipt and despatch’ of the same letters within the interval of 4 and 6 P. M.⁶⁴ The norm of minimum Sunday work adopted at the Calcutta General Post Office instigated decisions of the 19 September 1846 for the General Post Office of Bombay to follow suit to keep balance with the tendency of curtailing ‘all official business...as far as practicable, on Sundays’.⁶⁵ Soon, specific government ordinances were issued towards the end of 1846 and at the beginning of 1847 ‘for the general closing of Public Offices, and the discontinuance of labor on Government Works, on Sundays, throughout India.’ These orders meant for the whole of colonial India, as approved by the Court

⁶² The Under Secretary to the Government of India with the Governor General to The Secretary to the Government of India, Home Department, Fort William, 26-10-1846, Home, Revenue, 28 November 1846, No. 1. [NAI]

⁶³ G. A. Bushby, Secretary to Government of India, Home Department, Fort William to F. Currie, The Secretary to the Government of India with the Governor General, 22-8-1846, Home, Public, 22 August 1846, No. 8. [NAI]

⁶⁴ Enclosure entitled ‘Extract of a Notice from the Calcutta Govt. Gazette of the 8th July 1846, Page 689’, Home, Public, 19 September 1846, No. 17. [NAI]

⁶⁵ G. A. Bushby, Secretary to the Government of India, to W. Escombe, Secretary to the Government of Bombay, 19-9-1846, Home, Public, 19 September 1846, No. 19. [NAI]

of Directors in London on 16 June 1847⁶⁶, rounded off the first era of formal Sunday regulations in colonial Bengal as well.

The passing of these Sunday regulations of work in quick succession could be explained from the purview of a different twist which appeared in the Company's conservatively tolerant and careful attitude towards religion. The government's attempts to reform office holidays in the Bengal Presidency in the second quarter of the nineteenth century actually validate Penelope Carson's remarks that the Company preferred "to steer a middle way between keeping to its 'compact' with the Indian people to allow them freedom of worship on the one hand and appeasing the religious public in Britain, on the other."⁶⁷ In fact, sustained Evangelical pressure on the Company and the growing Christian religious fervour in Britain as well as in the colony induced the ruling authorities to readjust their attitude towards religion.⁶⁸ Thus, a correspondence from the Home Department, dated 13 June 1846, revealed an important reason why the President of the Board of Control in London had recommended the Bengal system of stopping work on Sundays by all Government servants even for the Bombay Presidency: 'At all Presidencies and at all Stations where European functionaries reside the observance of the Sabbath by closing the public Offices is...only becoming to a Christian Government as such'. It would have 'the effect of increasing the respect for the Christian Servants of that Government in the minds of its subjects', especially because 'the natives of India' were themselves held as 'very religious people'.⁶⁹ Besides, serious arguments were forwarded to delineate how Sunday cessation of work would call for no reinforcement in the strengths of the prevailing workforce employed in the Government Offices and Courts, and would actually act as an incentive to contribute to the happiness of the employees.⁷⁰ 'Public business of great urgency and importance', which included emergency official operations like the ones performed by the 'police derogah', was to be only permitted on Sundays.⁷¹ In a minute issued on 17 October 1846 to justify the cessation of Sunday work in the Public Works Department, the Governor General,

⁶⁶ Despatch of the Court of Directors by H. S. G. Tucker, I. L. Lushington, W. Wigram et al, dated 16 June 1847, India Revenue Consultations, India and Bengal Despatches, 5 May 1847-28 July 1847, Oriental and India Office Collections [hereafter, OIOC], E/4/792, British Library.

⁶⁷ Penelope Carson, *East India Company and Religion*, p. 237.

⁶⁸ *Ibid.*, p. 238.

⁶⁹ G. A. Bushby, Secretary to the Government of India, to R. K. Pringle, Chief Secretary to the Government of Bombay, 13-6-1846, Home, Revenue, 13 June 1846, Nos. 8-13. [NAI]

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

Lord Hardinge confronted the objections raised from the perspective of the Company's economic benefits and cautious religious policy.⁷² He mentioned that the government's 'pecuniary loss' which arose from providing a whole week's pay for six days of actual work would be 'of a very temporary nature and small in amount', when the nature of contract labour employed in the Public Works Department throughout colonial India was taken into consideration. Hardinge also highlighted the newly interpreted religious policy of the Company to reach a slightly different but significant conclusion. He specified how the observance of 'the sanctity of the Sabbath day' would heighten the British 'reputation' in terms of 'moral character' and 'national and religious integrity' in the eyes of the native inhabitants, which would enable the British administrators to exercise greater hold over these subjects. The Governor General invoked examples both from the colony and abroad to demonstrate the success and efficacy of the practice of Sunday closure of work. Hence, to strengthen his arguments, he illustrated how the age-old custom of keeping the Sunday Sabbath was still preferred in France, though the French Revolution had lifted all Catholic restrictions imposed on Sunday labour by law. Next, Hardinge discussed the circumstances of work prevailing in contemporary Calcutta, where 'all the Govt. Establishments such as the Arsenal Dockyards and public offices' remained usually closed on Sundays, and where some trades ran on the tacit condition that the 'Native Workmen' could obtain holidays on Sundays from their 'European masters'. The Governor General also indicated that the rule of prohibition of all Public Works on Sundays had been sanctioned by the Court of Directors, and had stood the test of time in the Bombay Presidency, since the implementation of the ordinance three years ago.⁷³ Most strikingly however, the issue of the Sunday suspension of work foregrounded the distinctive idea that the principle would have to be made egalitarian and universal in application from the very beginning, for it to be successful anywhere in the colony. So, Hardinge's minute claimed that 'the observance of a Divine Ordinance [of the Sunday Sabbath] so essentially merciful to the lower classes will in time become one of universal practice throughout British India.' Even more articulate was the statement that 'the extension of the rule to all contract and hired labour will have a most beneficial effect and shortly prevail amongst all classes in India.'⁷⁴ Overall however, clear

⁷² Minute by the Governor General of India, Hardinge, dated 17 October 1846, Home, Revenue, 30 January 1847, Nos. 2-7. [NAI]

⁷³ *Ibid.*

⁷⁴ *Ibid.*

preference was given to the 'middle way' by the Court of Directors in London, despite their support for the government orders of 1846-47 to prohibit all governmental duties on Sundays within the entire British India. Thus, the Court of Directors still endorsed the earlier stance to be on the safe side in religious matters at least on paper, refusing to signpost the new Sunday regulations as any break in administrative policy.⁷⁵

DILEMMA IN HOLIDAY POLICY

Alongside the increasing inconsistencies, the second major point of transformation was the gradual waning of the initial method of sectarian observance of 'native' office holidays. Complete shutdown of government offices on holidays now began to emerge as the new dominant trend. The Register of the Sudder Dewanny Adawlut specified how all the 'Hindoo' and 'Mahomedan' holidays of the judicial office declared in the year 1833, were kept by employees of both the religious faiths. Only a small group of 'Hindoos' employed at the English Department of the judicial office was disallowed the favour of absenting themselves on 'Mahomedan' holidays. Likewise, the Christian days of closure were announced for all 'Christian', 'Mahomedan' and 'Hindoo' employees by the same judicial holiday list.⁷⁶

Thus, these early instances of holiday reforms proved to be very limited and controversial in institutional application. Serious disagreements erupted down the line, as commercial interests competed with religious sentiments or ritualistic considerations. In fact, persistence of the seething undercurrents of wrangles called for immediate adjustments or patch-ups, whereby contriving a confident, standard plan of holiday reforms for all government offices in general looked both perilous and far-fetched. The Company sought to safeguard its commercial profits in the colony along with the reduction of administrative expenditure, the maximum extraction of work and the saving of time. So, in effect, the holiday question in colonial Bengal began to be increasingly dealt in the light of the proliferating pace of trade and commerce, connected with

⁷⁵ Despatch of the Court of Directors by H. S. G. Tucker, I. L. Lushington, W. Wigram et al, dated 16 June 1847, India Revenue Consultations, India and Bengal Despatches, 5 May 1847-28 July 1847, OIOC, E/4/792, British Library.

⁷⁶ J. F. M. Reid, Register of the Sudder Dewanny and Nizamat Adawlut at the Presidency to C. Macsween, Secretary to Government in the Judicial Department, Fort William, 1-11-1833, Judicial, Civil, 25 November 1833, No. 3. [WBSA]

the broad imperialistic logic of capitalist production. Incidentally, the effort given to plan out holiday reforms in the Treasury and the Banking Establishments of colonial Bengal in the 1830s coincided with the drastic holiday cuts of the Bank of England in the early decades of the nineteenth century, which allowed forty four days of closure in 1808, but merely four in 1834.⁷⁷ While factors other than religion gradually started influencing the state of affairs regarding holidays, the East India Company's religious policy continued to largely dictate the Government's early strategies towards the holiday question. Penelope Carson points out how the Company's principles of administration were built around the 'rhetoric' of 'religious neutrality, non-interference, toleration, and freedom of worship' on paper, with the support of acts like Cornwallis' Bengal Regulation III of 1793 and later the more explicit Charter Act of 1813.⁷⁸ Carson also reveals that though the Government repeatedly strove hard to cling to the declared administrative image of 'religious toleration', it deviated nonetheless, from its stance of religious indifference or 'non-interference' in reality.⁷⁹ For managing political stability, law and order and the traditional style of governance as far as possible, the Company could not refrain from taking supervisory or participatory roles in some indigenous sacred sites or institutions and religious festivals in the colony.⁸⁰ To cater to mounting pressures, criticisms and new challenges from political, missionary and other different quarters both from the colony and the metropole, the Company's professed non-interventionist policy got gradually translated on the ground into maintaining religious equity, balance and impartiality after the turn of the nineteenth century.⁸¹ Overall however, the government continued to embrace a cautious religious policy almost throughout the first four decades of the nineteenth century⁸², and such a watchful attitude shaped its basic outlook towards the holiday question to a great extent. This constant anxiety to follow caution informed even the conscious approach of the otherwise reformist and liberal William Bentinck, to hold onto a balanced viewpoint towards the issues of holidays as Governor General. We have already come across Bentinck's desire to inculcate greater sense of time-discipline by homogenizing departmental office holidays. But the Governor General was also known for

⁷⁷ Hugh Cunningham, *Time, Work and Leisure*, p. 111.

⁷⁸ Penelope Carson, *East India Company and Religion*, pp. 14-15, 239.

⁷⁹ *Ibid.*, pp. 30, 239-240.

⁸⁰ *Ibid.*, pp. 15-16; Rachel Fell McDermott, *Revelry, Rivalry, and Longing for the Goddesses of Bengal*, pp. 40-46.

⁸¹ Ian Copland, 'Christianity as an Arm of Empire: The Ambiguous Case of India under the Company, C. 1813-1858', *The Historical Journal*, Vol. 49 (4), 2006, pp. 1037-43; Penelope Carson, *East India Company and Religion*, pp. 130-148, 151-154, 174-177.

⁸² *Ibid.*, pp. 99-100, 143-148, 206-207, 222.

discarding his subordinate Metcalfe's suggestion, which would entail the East India Company's native employees to attend office on Hindu and Muslim holidays. Besides, Bentinck opined that the government ought to nurture 'a friendly feeling and...afford every protection and aid towards the exercise of...harmless rites...not contrary to the dictates of humanity and of every religious creed.'⁸³ The shakiness and setbacks of the early holiday reform programmes in colonial Bengal could be best understood in view of the persisting wariness in the Government's religious policy and the growing susceptibilities of the holiday question. The failure to establish a coherent, archetypal structure of office holidays accentuated the propensities to undertake departmental adjustments, divergent regulations or institutional improvisations as and when required. So, the attempts to reform holidays in the first half of the nineteenth century in colonial Bengal could at best be regarded as sporadic and fragmented efforts to settle the holiday question.

Some departmental adjustments and improvisations were proposed in the Judicial Department of the Government to internally reform the holiday structures as per the specific and specialized functions of the various Courts. Evidently, these cases manifested the internal tensions present within a particular establishment itself, like that of the judicial courts. In 1843 the Sudder Court attempted to reduce the span of the 'Doorgah Poojah' and 'Mohurrum' vacations to eight and seven respectively, but it did not succeed.⁸⁴ In 1853 the Judges of the Calcutta Court of Small Causes solicited for an additional break of a total of thirty one days, consisting of summer and winter vacations of fifteen and sixteen days respectively. On their reasoning that such a break was 'absolutely necessary' to bear the torment of the 'fatiguing' and 'harassing nature of the duties' carried out in that Court, the Government sanctioned the same on 26 August 1853.⁸⁵ Official orders on vacations or holidays therefore vacillated, sometimes implementing curtailment drives and allowing at other times extensions on special considerations. Such official moves indicate that the everyday enactments of the colonial government had to proceed through a very complex set of negotiations with its own native employees.

In fact, the impulse to carry out inter-departmental reforms of office holidays continued through the decade of the 1850s. Thus, in response to an enquiry from the Bengal Government, the Chief

⁸³ John Rosselli, *Lord William Bentinck: The Making of A Liberal Imperialist 1774-1839*, Delhi, 1974, pp. 208-212.

⁸⁴ Minute by H. T. Raikes in 'Minutes recorded by the Judges.', 23-7-1859, Judicial, Judicial, April 1860, No. 13. [WBSA]

⁸⁵ Judges of the Calcutta Court of Small Causes, to E. H. Lushington, Secretary to the Government of Bengal, 28-11-1861, Judicial, Judicial, 12 December 1861, Nos. 260- 261. [WBSA]

Magistrate, W. H. Elliott submitted a 'report on Holidays in the Police Office' on 14 October 1852. Keeping the weekly Sunday closures out of consideration, the annual holidays observed in the Police Office at that time matched with the 40 'Treasury Holidays', of which the 'Hindoo Holidays' alone numbered 36 and holidays for English occasions totalled 4 days. The importance of this report lay in the fact that in it, Elliott, in consultation with his 'native Colleague' Roy Hurrochunder Ghose, recommended the diminution of the 'Hindoo Holidays' allowed the Police Office from 36 to 23.⁸⁶ The Government of Bengal readily approved the proposal on 30 October 1852.⁸⁷ Existence of multiple versions of office holidays can also be ascertained from an official communication posted by the Office of the Government of Bengal of the General Department on 12 July 1854. The letter mentioned how the 'Hindoo Holidays' were 'not generally observed' in the office of the General Department. However, it stated that when there were 'no arrears of work', 'both Christian and Native Clerks' of the General Department could obtain one 'Native holiday' in each month of the year along with a vacation of 6 days for the 'Doorgah Poojah'.⁸⁸ The Public Works Department also joined the craze of such departmental codification of holidays. A later official correspondence of December 1860 sent to the Home Department referred to a rule that had been in vogue in the Public Works Department for some time, following which 18 'Hindoo Holidays' were granted to the indigenous employees of the department.⁸⁹ Such situational improvisations further ramified the question of holiday reforms. Lack of a general central strategy of control and reform in this regard only fostered the departmental inconsistencies and structural fluctuations of the office holidays over time across the Bengal Presidency. It has already been discussed in a different context above that the 'Treasury Holidays' of 1852 comprised 36 'Hindoo Holidays'.⁹⁰ The statement itself, when

⁸⁶ W. H. Elliott, Chief Magistrate, to Under Secretary to the Government of Bengal, 14-10-1852, Judicial, Judicial, 4 November 1852, Nos. 6-7. [WBSA]

⁸⁷ W. G. Young, Officiating Under Secretary to the Government of Bengal, to W. H. Elliott, the Chief Magistrate, 30-10-1852, Judicial, Judicial, 4 November 1852, No. 8. [WBSA]

⁸⁸ W. Gordon Young, Officiating Under Secretary to the Government of Bengal, to the Chief Engineer, Lower Provinces, 12-7-1854, General, General, 12 July 1854, No. 30. [WBSA]

⁸⁹ W. J. Wood, Secretary, Bengal Chamber of Commerce, to W. Grey, Secretary to the Government of India, Home Department, 26-12-1860, Financial, Miscellaneous, March 1861, Nos. 580A-580G. [NAI]

⁹⁰ W. H. Elliott, Chief Magistrate, to Under Secretary to the Government of Bengal, 14-10-1852, Judicial, Judicial, 4 November 1852, Nos. 6-7. [WBSA]

contrasted with the 34 ‘Hindoo Holidays’ observed in 1834 in the General Treasury,⁹¹ would point to the unavoidable structural shifts of the ‘Treasury Holidays’ allowed from time to time. From the available government records it becomes difficult to determine the extent to which members of the indigenous society could systematically participate in the process of settling the holiday question. Various *pundits*, *maulavis*, *munshis* and *muhurrirs* had considerable say on the question of authorizing local customs. Archival records provide sporadic and scattered accounts of how sometimes the indigenous ‘amlahs’, ‘khazanchees’ and individuals were variedly instrumental in offering themselves as counsellors, mediators, persuaders and occasionally as complainants. Moreover, the influence of the local notables could not of course be ignored. Thus, among the several achievements of Radhakrishna Basak mentioned in his obituary, the *Sambad Bhaskar* of 7 April 1846 recalled how

one of his actions has become memorable for ever. Common people, enjoying the benefits of this action, will always feel grateful to him. Previously no holidays were allowed on the *Jagaddhatri Puja*. Basak Babu has spent his money and energy to bring out the order of allowing two days of holidays on the occasion of the *Puja*. Hence it is advisable for the beneficiaries to get their expressions of gratitude recorded.⁹²

Despite the recognition of such individual feats, sometimes, the involvement of indigenous notables or mediators seemed to have been overblown or wrongly interpreted. The following instance would exemplify such a case of misjudgment. The incident transpired when members of the Hindu and English community had embroiled themselves in a bitter argument regarding the issue of the deduction of the ‘Kalee Poojah’ from the holiday list of the Bank of Bengal in 1834. As per the reports of the argument published in the *Bengal Hurkaru* at that time, the Hindus had primarily blamed Ramcomul Sen, the Dewan or Khazanchee of the Bank of Bengal, for the curtailment of the ‘Kalee Poojah’ from the Bank’s holiday list. It was said that Sen’s *Vaishnava* beliefs had prejudiced him to defend the holiday falling on the ‘Kartick Poojah’ in front of the Bank authorities as against the holiday offered for the ‘Kalee Poojah’,⁹³ However, a Minute recorded in the Board Meeting of the Directors of the Bank of Bengal on 15 January 1835 would help put the matter straight for us. Quite contrary to the allegations made against him, the Minute

⁹¹ C. Morley, Accountant General and W. H. Oakes, Sub Treasurer to H. T. Prinsep, Secretary to the Government, 4-7-1834, Financial, Financial, 26 January 1835, No. 12. [NAI]

⁹² *Sambad Patre Sekaler Katha*, Vol. 2, ed. Brajendranath Bandyopadhyay, Calcutta: Bangiya Sahitya Parishad, 1994, p.755.

⁹³ Rachel Fell McDermott, *Revelry, Rivalry, and Longing for the Goddesses of Bengal*, pp. 50, 273.

indicated how Ramcomul Sen, acting as the representative of the native employees of the Bank, took on the responsibility of providing the Bank with an alternative list of holidays, which would pay heed to the opinion of ‘the Hindoo Establishment’.

The Secretary states that preparatory to notifying to the Public those Hindoo Holidays in the year 1835 on which the Bank would be closed for business he requested the Khazanchee to ascertain from the Establishment and to inform him what days of the Holidays allowed by the Directors the Hindoo Establishment would wish to observe and that the Khazanchee has furnished him with a list accordingly which the Secretary submits and which takes no notice of three Holidays (Churruckpoojah Ramnoomee and Cartick Poojah) allowed by the Directors but substitutes in their stead three Holidays Dushahara Kalee Poojah and Rasjatra which three are not allowed by the Directors and the last mentioned of which (viz. Rasjatra) is not even in the list of Hindoo Holidays observed at the General Treasury.⁹⁴

Apart from highlighting the roles essayed by various mediators or consultants at different levels, the above examples also pinpoint at how the future parameters of gradation of different festivals were decided by the process of the reform of office holidays. To be precise, the number of holidays assigned to these festive occasions determined the changing status of festivals. Consultation of the list of 1787 showed that one holiday, if needed, was specially allotted for *Durga Nabami (Jagaddhatri Puja)*. However, a subsequent official statement claimed that ‘Juggodattree Poojah’ had been introduced in the list of formally recognised Government holidays for the first time from the year 1833, whereby two holidays were ascribed to the occasion.⁹⁵ Such facts look contradictory, but they clearly conveyed how this *Puja* was promoted in status from a festival with the scope of one optional, locally applicable holiday to a commonly observed celebratory festival with two holidays. Similarly, ‘Luckhee Poojah’ was placed under the second group of Hindu festivals in the 1787 list with a single optional holiday. Later this *Puja* got exalted to the position of a commonly observed festival in 1843, when it secured two holidays in its name, alongside a guaranteed slot in the Government list of holidays notified for the Public.⁹⁶

⁹⁴ Minutes of a Meeting of the Directors of the Bank of Bengal, 15 January 1835, Minute Book of the Board Meetings of the Bank of Bengal, 15.1.1835-30.6.1836. [SBIA]

⁹⁵ Memorandum from C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, No. 61. [WBSA]

⁹⁶ *Ibid.*

THE STEPS OF STANDARDIZATION

However, such random, sporadic and arbitrary ways of reforming office holidays gradually went out of fashion after the Revolt of 1857. From the early 1860s, adapting to the wider style of cautious liberal reforms, the Government undertook coordinated attempts of standardization of the 'public holidays'. This new attempt was characterized by the Government's willingness to be more receptive to petitions and memorials from the concerned 'natives', and, to go through a more formal process of deliberation by means of constituting special committees for the reviewing of the holiday question. Rather than the individual clients, the Raj was willing to depend more on the new interest groups like the British Indian Association and, subsequently, the Indian Association. The organized commercial interest groups like the Bengal Chamber of Commerce seemed to appear as the other key players in this context. Attention was mostly given to remove the major discrepancies that continued to prevail in the patterns of holidays observed in the different departments of government offices as noted in the previous section. The tussle between the commercial interests on the one hand and the community-based concerns on the other became even more pronounced during this phase of standardization of the 'public holidays'.

The role played by the Bengal Chamber of Commerce in the standardization of 'public holidays' was highly significant, particularly from the 1860s. In fact, the Bengal Chamber of Commerce had been making repeated pleas to reduce the frequency of Hindu holidays (especially the duration of the *Durga* and *Lakshmi Puja* holidays) in the Custom House and other official establishments since the 1860s.⁹⁷ The Chamber's continuous requests induced the Government to order the appointment of different committees from the 1860s, to review the question of official holidays. In February 1861, a Committee was set up by the order of the Government of India with sub-treasurer J. I. Harvey, a member of the Bengal Chamber of Commerce W. S. FitzWilliam and a representative of the Hindu gentry Prosunno Coomar Tagore to prepare a

⁹⁷ *Report of the Committee of the Bengal Chamber of Commerce, 1 November 1861-30 April 1861*, Calcutta, 1861, p. 10.

report on the scope of revising the existing list of executive ‘public holidays’.⁹⁸ The Committee was tasked to address the Government’s increasing concern with the frequency of the Hindu holidays, which, in the words of C. H. Lushington, Secretary to the Government of India, Financial Department, was nothing but ‘productive of delays’ and proved to be ‘expensive to all classes of the community engaged in commerce.’⁹⁹ The Committee submitted its Report by March 1861 in which the number of ‘Hindoo holidays’ was restricted to 22 and the total number of holidays to 30.¹⁰⁰ The Committee also suggested a return to the 1790 arrangements, whereby official duties were to be conducted by the rest of the sections of the Establishments during one religious section’s festive observances. The Committee’s proposals were accepted by the Governor General on 27 March 1861, but remained effective only for a very short period.¹⁰¹

In a Memorial dated 11 June 1861, sent to the Government, the Hindu inhabitants of Calcutta and the Suburbs voiced their discontent against the proposals of reduction of the ‘Hindoo Holidays’ put forward by the Committee. Quite strategically, the Memorialists alluded to the Queen’s Proclamation of 1858, in stating that the restrictions imposed on the number of holidays would ‘be a violation of that kind indulgence in regard to religious customs, which was promised by the royal Proclamation of Her Gracious Majesty.’¹⁰² It must be noted here that this alleged abundance of Hindu holidays was reported to be peculiar to the Bengal Presidency. Such high frequency of Hindu holidays was not allowed in Bombay Presidency where each of the communities of Hindus, Muslims, Christians, Parsees, and Jews was allowed an equal number of 11 holidays to maintain parity. Neither was any special privilege allowed to Hindus of the Madras Presidency in the matter of enjoying holidays.¹⁰³ The overwhelming majority of the Hindu clerks in the government offices could have been responsible for such peculiar holiday pattern prevalent in colonial Bengal. Besides this main argument, one important criticism of the new holiday list prepared by the first Committee appointed for holiday reforms by the

⁹⁸ H.C. Streatfield, Officiating Under-Secretary to the Government of Bengal, Financial Department, to the Secretary to the Bengal Chamber of Commerce, 27-8-1890, Financial, Miscellaneous, January 1891, Nos. 28-41. [WBSA]

⁹⁹ *Ibid.*

¹⁰⁰ Extract from the Proceedings of the Government of India, in the Financial Department, No. 70, dated 27 March 1861, Judicial, Judicial, 6 May 1861, No. 61. [WBSA]

¹⁰¹ *Ibid.*

¹⁰² Memorial of the Inhabitants of Calcutta and its Suburbs, to C. J. Viscount Canning, Governor General of India, 11-6-1861, Judicial, Judicial, 2 January 1862, No. 1. [WBSA]

¹⁰³ C. H. Lushington, Secretary to the Government of India, Financial Department, to the Secretary to the Government of Bengal, 22-10-1861, Judicial, Judicial, 2 January 1862, No. 2. [WBSA]

Government of India, was based on the differential treatment offered to the government employees because of their different religious faiths. To quote E. H. Lushington, the Secretary to the Government of Bengal:

[t]hat Rule allows Hindoos to be absent for twenty-two days, Mahomedans for four days, and Christians for no day, on which the Offices are open. Consequently, for the same pay a Christian has to work at Office for twenty-two days more than a Hindoo holding precisely the same situation, and a Mahomedan has to work eighteen days more. It appears to the Lieutenant-Governor impossible to justify this inequality.¹⁰⁴

So the Lieutenant-Governor of Bengal revoked this newly enforced holiday rule. As a temporary solution to the above problems, the Public Works Code was implemented on 16 July 1861, providing a list of 18 Hindu holidays as a stopgap measure for operation during this situation of flux.¹⁰⁵ Side by side, after seeking opinions of different official authorities at the intermediate level, the Lieutenant-Governor had been planning the curtailment of Judicial Holidays in March 1860. He sought to reduce the number of Hindu holidays and vacations (especially Dusserah) drastically, while introducing a winter vacation of 24 days.¹⁰⁶ When this attempt of reform failed, the number of Judicial 'Hindoo holidays' was ultimately settled to be 43 by the order of the Sudder Court in 1861.¹⁰⁷ The practice of closing of the Sudder Court on Fridays every week had been abolished by a resolution of April 1856.¹⁰⁸ The Lieutenant-Governor also abolished the winter and summer vacations allowed in the Calcutta Court of Small Causes at this time in 1861, not relenting to the request of the Judges of that Court for the reconsideration of the same order.¹⁰⁹

However, the holiday question of the Executive Public Offices had not yet been properly settled. The Lieutenant-Governor's proposal to lower the number of Hindu government holidays of colonial Bengal to eleven for equating it with the number prevalent among all religious sects in

¹⁰⁴ E. H. Lushington, Secretary to the Government of Bengal, to the Secretary to the Government of India, Financial Department, 2-1-1862, Judicial, Judicial, 2 January 1862, No. 4-5. [WBSA]

¹⁰⁵ *Ibid.*

¹⁰⁶ E. H. Lushington, Officiating Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 10-3-1860, Judicial, Judicial, April 1860, Nos. 12-15. [WBSA]

¹⁰⁷ E. H. Lushington, Secretary to the Government of Bengal, to the Secretary to the Government of India, Financial Department, 2-1-1862, and enclosure titled 'Comparative Statement of Hindoo Holidays', Judicial, Judicial, 2 January 1862, Nos. 4-5. [WBSA]

¹⁰⁸ Minute by J. S. Torrens, dated 27 May 1857, Home, Judicial, 5 November 1858, Nos. 8-21. [NAI]

¹⁰⁹ Judges of the Calcutta Court of Small Causes, to E. H. Lushington, Secretary to the Government of Bengal, 28-11-1861, and J. D. Gordon, Junior Secretary to the Govt. of Bengal, to the Judges of the Calcutta Small Cause Court, 12-12-1861, Judicial, Judicial, 12 December 1861, Nos. 260-261. [WBSA]

Bombay, seemed quite improbable.¹¹⁰ After much contemplation, the Government of India fixed the number of 'Public Holidays' to 27 days (taking all English and Hindu closures, including 12 days for the *Durga* and *Lakshmi* Pujas) by the order of 15 April 1862.¹¹¹ The next revision was brought about by a declaration of the Government of India on 29 October 1867 to raise the number of 'public holidays' to 30, and this provision remained in operation for a long time.¹¹² Both the orders of April 1862 and October 1867 were applicable to all Public Offices in Calcutta 'except the Courts of Law and the Department of Public Works', where 'special arrangements' already prevailed. During the phase of recurrent alterations of the official holidays in the 1860s, the only major occasion when the question of legitimizing exclusive 'Mahomedan holidays' was seriously discussed, was in 1867. This year, in order to relieve the Muslim government employees of the *mofussil* revenue offices and magisterial courts from their duties on the days of their religious rites or observances, the Lieutenant-Governor of Bengal instructed the Commissioners of Divisions to grant 12 'Mahomedan holidays' in their Divisions.¹¹³ Five days of vacation were granted during 'Mohurum', while two days of rest were allowed on each of the occasions of 'Eedoul Fetah' and 'Eedoul Zohah'. The festivals of 'Akheeri Chuhar Shumbah', 'Fateha Doazduhoom' and 'Shubi Brat' provided the opportunities for three separate holidays.¹¹⁴ This measure was adopted in view of the larger number of Muslim employees engaged in the *mofussil* government offices of the Bengal Presidency compared to the office-going Muslim population in the city of Calcutta and its suburbs.

The 'Courts of Law' were known for having specific and specialized structures of office holidays. However, much inclination was shown and discussions held in the early 1870s and 1880s to change the framework of the holidays and vacations granted in the High Court and other chief Judicial Courts, in order to equate the same with the structure of 'public holidays'. On 26 February 1870, the Calcutta High Court sought 'to secure uniformity with other Public

¹¹⁰ E. H. Lushington, Secretary to the Government of Bengal, to the Secretary to the Government of India, Financial Department, 2-1-1862, and enclosure titled 'Comparative Statement of Hindoo Holidays', Judicial, Judicial, 2 January 1862, Nos. 4-5. [WBSA]

¹¹¹ Extract from the Proceedings of the Government of India in the Financial Department, dated 15 April 1862, Home, Public-B, 17 April 1862, No. 165. [NAI]

¹¹² H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretaries, Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Calcutta Trades' Association, British Indian Association, Indian Association, 19-1-1890, Financial, Miscellaneous, 19 January 1890, Nos. 18-22. [WBSA]

¹¹³ A. Mackenzie, Officiating Junior Secretary to the Government of Bengal, Judicial Department, to the Officiating Register of the High Court, 8-8-1870, Judicial, Judicial, August 1870, No. 161. [WBSA]

¹¹⁴ *Ibid.*

Offices in Calcutta’ by adopting a modified rule of holidays which was in force in all the government offices by the order of 29 October 1867. Before the passing of this measure, the Calcutta High Court in its Appellate Side used to ‘close for 51 days on account of Hindoo festivals and for 11 days on account of Mahomedan festivals’.¹¹⁵ However, this attempt of the High Court to regulate Court holidays in sync with the closures of Public Offices could not ultimately succeed. It drew serious opposition and invited appeals for the restoration of those important ‘Mahomedan holidays’ that were cancelled from the holiday list of the High Court.¹¹⁶ Ultimately, in 1873, the Calcutta High Court rescinded its previous order, and added eight ‘Mahomedan holidays’ to the list of closures allowed in the Appellate Side of the Court.¹¹⁷ A resolution was passed by the Government of India on 6 March 1882 regarding the subject of reordering the vacations and miscellaneous holidays prevalent in the High Court and other Judicial Courts, for bringing some sort of coherence in the system of Court holidays throughout colonial India.¹¹⁸ The main points of consideration were to determine the practicability of — ‘reducing the number of miscellaneous holidays taken by the High Court of Calcutta’, and ‘assimilating the vacation and miscellaneous holidays at present taken by the civil courts with those allowed in executive and magisterial offices’. The Lieutenant-Governor of Bengal expressed his skepticism regarding the possibility of the first proposition, and felt that the second one required further discussions. Though he remained open to the question of feasibility of the second point, no immediate steps were initiated in this matter.¹¹⁹

It is important to mention here that different terminologies had been in currency in the official circles on the subject of holidays especially since the second half of the nineteenth century. While the epithets ‘general’ and ‘public’ were sometimes used interchangeably for holidays in government discourse, the other term often in use was ‘close holidays’. Even though there was constant overlap between the implications of these terms, distinct meanings of the concept of ‘public holidays’ evolved in the last two decades of the nineteenth century. Drawing on an

¹¹⁵ Note by P. Gangooly, dated 8 January 1873, Home, Public, February 1873, Nos. 458-459. [NAI]

¹¹⁶ *Ibid.*

¹¹⁷ W. M. Souttar, Officiating Registrar of the High Court of Judicature at Fort William in Bengal, Appellate Side, to H. L. Dampier, Officiating Secretary to the Government of India, 28-2-1873, Home, Public, March 1873, Nos. 421-422. [NAI]

¹¹⁸ Extract of the Resolution of the Government of India, dated 6 March 1882, Home, Judicial, March 1882, Nos. 87-88. [NAI]

¹¹⁹ F. B. Peacock, Officiating Secretary to the Government of Bengal, Judicial, Political, and Appointment Departments, to the Secretary to the Government of India, Home Department, 9-8-1882, Home, Judicial, January 1883, Nos. 222-238. [NAI]

established line of scholarship, Prathama Banerjee has recently reminded us how ‘the comprehension and management of money as credit’ linked to the notion of abstract time came to be introduced in colonial Bengal under the influence of Western modernity.¹²⁰ The sensitivity regarding the idea of time as an important determinant of the value of money practically translated as constant political pressure exerted by the commercial lobby, as the latter consolidated more in terms of power and influence. In the year 1859, speculation was on within the administrative domain in relation to the enactment of ‘a Bill for declaring the law in relation to Bills of Exchange and Promissory Notes becoming payable on days generally observed as holidays’. H. D. Sandeman, Accountant to the Government of the Punjab, intimated to the Government his apprehensions regarding the tentative Bill, after its draft was put out ‘in the *Government Gazettes* of Calcutta and of the North-Western Provinces’.¹²¹ Sandeman conjectured that the Bill would undesirably catapult the ‘Native holidays’ into the forefront. The closing of ‘public and commercial offices’ would adversely affect official and commercial transactions, and would lead to the accumulation of pending work for the Europeans, who were otherwise satisfied with a single weekly day of rest. More importantly, Sandeman argued that if no such law was brought into effect, the surging intensity of commerce and the new tendency to commercially evaluate time would automatically sap the foundation of various ‘Native holidays’:

As the law at present stands, it may be reasonably hoped that as European Agency becomes more extensively used, and commerce increases, with the gradual development of the natural resources of the country, bill-holders and commercial speculators will compel their agents to refrain from closing their houses on so many days of the year under the penalty of resorting to other houses who will agree to open on those days. The continual rise and fall of a market in Government Stock, Railway Shares, Shares of Joint Stock Company, Indigo, Sugar, Opium, and other articles of commerce, will by degrees make time too valuable to admit of a cessation of labor for a period which, including Sundays, occupies about a quarter of the year.¹²²

Nevertheless, contrary to this early negative reception of the aforementioned tentative bill in 1859, the gathering momentum or speed of trade and work actually stimulated the ultimate enactment of a new temporal law for commerce and business. Government discourse recorded

¹²⁰ Banerjee, *Politics of Time*, pp. 119-121.

¹²¹ H. D. Sandeman, Accountant to the Government of the Punjab, to the Secretary to the Government of India, in the Financial Department, 9-8-1859, Home, Public, 23 September 1859, No. 67. [NAI]

¹²² *Ibid.*

the episode of the making of such a law, which gave a distinct orientation to the idea of the 'public holidays'. The Calcutta Trades' Association and the Chamber of Commerce repeatedly urged for the reduction of the *Durga Puja* holidays 'to the days of actual religious observance' during the 1870s and 1880s.¹²³ The Custom House now came to be closed first for one week on the occasion of the *Durga Puja*, and then for a further reduced period of five days by new government rules to serve commercial interests.¹²⁴ But these rules only encouraged the Chamber of Commerce to press for even greater curtailment of the *Durga Puja* holidays in 1878. A representative Committee was appointed by the order of the Government to review the matter and report on the issue. The two Hindu members of the Committee, Baboo Kristo Das Pal and Baboo Durga Charan Laha dissented to the granting of *Durga Puja* holidays only on the days of religious observance as suggested by the majority of the members of the Committee. After much contemplation, the Lieutenant-Governor of Bengal decided to sympathise with the Hindu sentiments associated with the existing number of *Durga Puja* holidays. At first, dissatisfied with such an approach of the Provincial authority, the Government of India insisted on applying the proposal supported by majority of the members of the Committee. However, the issue was assumed to be so sensitive that the *Durga Puja* holidays were not effectively reduced in colonial Bengal. The existing number of Hindu and Christian holidays was, however, fixed through the operation of the Negotiable Instruments Act XXVI of 1881. Section 25 of that Act came to define and enlist the 'Public Holidays':

When the day on which a promissory note or bill of exchange is at maturity is a public holiday, the instrument shall be deemed to be due on the next preceding business day.

EXPLANATION.—The expression "public holiday" includes Sundays, New Year's Day, Christmas Day; if either of such days falls on a Sunday, the next following Monday; Good Friday; and any other day declared by the Local Government, by notification in the official Gazette, to be a public holiday.¹²⁵

¹²³ H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretaries, Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Calcutta Trades' Association, British Indian Association, Indian Association, 19-1-1890, Financial, Miscellaneous, 19 January 1890, Nos. 18-22. [WBSA]

¹²⁴ *Ibid.*

¹²⁵ *The Negotiable Instruments Act (Act XXVI of 1881): Being An Act to Define and Amend the Law Relating to Promissory Notes, Bills of Exchange and Cheques*, ed. M. D. Chalmers, Calcutta, 1882, pp. 35-36.

Under this Section of the Act, 30 ‘public holidays’ were authorized in Bengal.¹²⁶ Separate draft notification of the ‘Mohamedan holidays’ was brought out as ‘General Executive Holidays’ which were outside the purview of ‘public holidays’. All the offices under the Government of Bengal and all Revenue and Magisterial Courts were closed on these days except the offices of Collector of Customs, Shipping Master, the Registrar of Assurances, Calcutta, the Collector of Stamp Revenue, Calcutta, the Stamping Department of the Office of the Superintendent of Stamps, Calcutta, and the Salt Rowannah and Opium Sale Departments of the Board of Revenue.¹²⁷

The saga of the evolution of ‘public holidays’ in colonial Bengal certainly reached new heights with the codification of the Negotiable Instruments Act XXVI of 1881. The law attracted positive feedback, especially because it uniquely imparted a definition and a structural cohesion to the sense of ‘public holidays’, unlike its contemporary counterpart act sanctioned in England— the Bills of Exchange Act, 1882. In England, ‘when a bill or note’ fell due ‘on Sunday, Christmas Day, Good Friday, or a day appointed by proclamation as a public fast or thanksgiving day’, according to the tenets of the latter act, the due was ‘payable on the preceding business day’. On the other side, if the due fell ‘on a Bank Holiday’, the same was held to be ‘payable on the succeeding business day’.¹²⁸ So, it was said that the act of England addressed the question of holidays ‘in a somewhat anomalous manner’, while such ‘inconsistency’ was not to be found in the Negotiable Instruments Act, 1881.¹²⁹ In fact, ‘public holidays’ was not a well defined category at this time in England, where the notion of ‘holidays with pay’ became largely operational after the first half of the nineteenth century. Before this period, particular districts were known to maintain ‘a systematic scheme’ of customary holidays, while various establishments followed diverse holiday formats.¹³⁰ Rather than the Bills of Exchange Act, 1882, ‘the Bank Holidays Act, 1871’ had given the much needed ‘industrial’ turn to the holiday question in England. Hugh Cunningham explains that ‘[a]t national level the 1871 Bank Holiday Act was a significant step taken by the state in the recognition and regularization of leisure.’

¹²⁶ H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretaries, Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Calcutta Trades’ Association, British Indian Association, Indian Association, 19-1-1890, Financial, Miscellaneous, 19 January 1890, Nos. 18-22. [WBSA]

¹²⁷ *Ibid.*

¹²⁸ *The Negotiable Instruments Act (Act XXVI of 1881)*, ed. M. D. Chalmers, p. 36.

¹²⁹ *Ibid.*, p. xxxi.

¹³⁰ Lord Amulree, ‘Industrial Holidays’, *Journal of the Royal Society of Arts*, Vol. 87 (4486), 1938, pp. 4-5; Hugh Cunningham, *Time, Work and Leisure*, pp. 109-111.

After the parliamentary amendment of the Bank Holidays Act in 1875, the holidays recognized by the Act came to be implemented gradually and widely in institutional set-ups across the nation in England.¹³¹ In comparison to the metropole, it can be contended that the concept ‘public holidays’ *per se* carried much greater weight and implication in colonial Bengal. Here, the process of institutionalisation and codification of ‘public holidays’ mainly converged around the constant problematics and challenges of addressing, catering for and seeking the sanctification of the public at large, so far as the theoretical base of its conceptualization was concerned.

Even after the promulgation of the Negotiable Instruments Act, the Chamber continued to urge for further restriction of the *Durga Puja* holidays. Following several representations of the Chamber on the issue of Custom House holidays and the general trend of Custom House business during 1886 and 1887, a Committee was again set up in 1888 comprising C. P. E. Macaulay, R. Steel, E. D. Wylie, J. Scobell Armstrong, to enquire into the question.¹³² Though special arrangements were made for the functioning of the office of Custom House during the *Durga Puja*, the Government was unable to comply with the Chamber’s request for further curtailment of native holidays in 1888 and 1889. The Government could not afford to take any decision contrary to the interest of the majority of its subjects which would be a breach of the promise made in the Queen’s Proclamation. Thus the Government held:

that the inconvenience and loss which the mercantile community suffer from the existing state of things, great and serious as they are, cannot be remedied without inflicting a still more serious hardship on a far more numerous, though less influential, portion of the community.¹³³

When the 30 ‘public holidays’ published under the Negotiable Instruments Act were retained in the notification declared for the year 1890, a deputation from the Chamber, led by Sir A. Wilson, Wylie, McCaw and Stuart, was given to the Lieutenant-Governor at Belvedere on 19 December 1889. The Chamber made it clear that the existing system of the declaration of ‘public holidays’ by the Act of 1881 had become detrimental to commercial interests as the closing of exchange Banks during the *Puja* vacation, adversely affected business transactions ‘during days upon

¹³¹ *Ibid.*

¹³² H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretaries, Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Calcutta Trades’ Association, British Indian Association, Indian Association, 19-1-1890, Financial, Miscellaneous, 19 January 1890, Nos. 18-22. [WBSA]

¹³³ *Ibid.*

which negotiable instruments will not mature.’ The effect of holidays in the Shipping Office also suspended clearing activities at the port. The emphasis was on the difficulties in commercial activities which had cropped up lately, whereby the continuance of the previous modes of exchange operations such as bill discounting during vacations by exchange banks, remittances by banks during holidays etc. were not preferred by Banks on gazetted holidays.¹³⁴ Ultimately it was decided by the Government of India in July 1890, that holidays in Bengal would be declared through two separate notifications, one providing the list of ‘public holidays’ under section 25 of the Negotiable Instruments Act, 1881, and the other dealing with the office holidays under the executive orders of the Government of Bengal.¹³⁵ These separate notifications allowed the division of the *Durga–Lakshmi Puja* vacation into two kinds of holidays – public and executive. The days of the Pujas, when essential religious observance was not scheduled, were to be observed as executive holidays in limited government offices as followed in the case of the days of Mohamedan festivals.

The importance of the Chamber of Commerce as an advisory body was unquestionable, as for instance, the Government of Bengal even supplied the draft copy of the yearly holiday notification to the Chamber for comments before publishing and publicly revealing the same on the pages of the *Calcutta Gazette*.¹³⁶ The anxiousness of the Chamber of Commerce to get hold of the yearly notification of ‘public holidays’ before final declaration could be justified by its interest to fix ‘the holidays under Shipping Orders and Charter Parties’ for the smooth flow of foreign commerce.¹³⁷ While the main concern of the Bengal Chamber of Commerce all these years was to curb the number of native holidays to facilitate commercial exchanges, the organization’s antipathy for holidays surprisingly underwent a reversal by the end of the nineteenth century. In December 1897, encouraged by the strong urge of the Agents and Managers of the Exchange Banks operating in Calcutta, the Chamber of Commerce approached the Government for allowing a ‘public holiday’ on the occasion of Easter Monday.¹³⁸ The

¹³⁴ *Ibid.*

¹³⁵ C. J. Lyall, C.I.E., Officiating Secretary to the Government of India, Home Department, to the Secretary to the Government of Bengal, Financial Department, 3-7-1890, Financial, Miscellaneous, July 1890, Nos. 19-27. [WBSA]

¹³⁶ H.C. Streatfield, Officiating Under-Secretary to the Government of Bengal, Financial Department, to the Secretary to the Bengal Chamber of Commerce, 27-8-1890, Financial, Miscellaneous, January 1891, Nos. 28-41. [WBSA]

¹³⁷ *Ibid.*

¹³⁸ W. Parsons, Secretary, Bengal Chamber of Commerce, to The Secretary to the Government of Bengal, Financial Department, 7-12-1897, Financial, Miscellaneous, March 1898, Nos. 5-13. [WBSA]

Chamber pointed out how important markets were closed on Easter Monday almost throughout the world, and the banking business in Calcutta was practically halted, with the day being observed as a bank holiday in London and as a close holiday in Bombay, Madras, Karachi, and Colombo. The Government acceded to the Chamber's proposal, and Easter Monday was approved as a 'public holiday' in Bengal from the year 1898. A similar line of argument put forward by the Chamber, to request for the granting of an additional 'public holiday' on 27 December in the Christmas week of the year 1899, was also accepted by the Government.¹³⁹

This change in the Chamber's attitude to particularly encourage holidays in Bengal in coordination with the larger flow of imperial capital and the status of foreign commerce, could be studied in relation to the trend which Leigh Eric Schmidt calls the 'commercialization of the calendar'. Schmidt reveals how market did gradually transform the nature of holidays to turn the latter occasions often into 'the orderly timing of consumption, a ritual cycle in tune with commerce', exploring the relation between the holidays and the consumer culture in the context of late nineteenth and early twentieth century America.¹⁴⁰ A study of the forms of standardization of holidays in colonial Bengal in the late nineteenth century in connection with the networks of commercial activities of the time, also exhibited different ways of 'commercialization of the calendar', with the Bengal Chamber of Commerce essaying the domineering role. The Bank of Bengal also aligned with the Chamber on the matters of restricting holidays to the ones strictly 'gazetted under the Act', in sync with the flow of trade.¹⁴¹ While the attitudes of both the Bengal Chamber of Commerce and the Bank of Bengal were strongly negative in case of the observance of the long span of the *Durga* and *Lakshmi Puja* holidays, their positive approach towards the insertion of commercially viable holidays as 'public holidays' could also explain the new entry of a holiday on 'Half-yearly closing of Banks' accounts' in the list of 'public holidays' for 1924.¹⁴²

In contrast, the Bengal National Chamber of Commerce's priorities differed in terms of sentiments as well as commercial interests. While the Bengal Chamber of Commerce always attempted to modify the existing pattern of 'public holidays' in view of the foreign trends, the

¹³⁹ The Acting Secretary, Bengal Chamber of Commerce, to the Secretary to the Government of Bengal, Financial Department, 10-7-1899, Financial, Miscellaneous-B, August 1899, Nos. 24-27. [WBSA]

¹⁴⁰ Leigh Eric Schmidt, 'The Commercialization of the Calendar: American Holidays and the Culture of Consumption, 1870-1930', *The Journal of American History*, Vol. 78 (3), 1991, pp. 888-89.

¹⁴¹ Amiya Kumar Bagchi, *The Presidency Banks and the Indian Economy, 1876-1914*, Calcutta, 1989, p. 274.

¹⁴² *Report of the Committee of the Bengal Chamber of Commerce for the Year 1923*, Vol. 2, Calcutta, 1924, p. 708.

Bengal National Chamber of Commerce looked upon the moments of native holidays as opportunities of indigenous mercantile profits. This was clearly evident from the objection raised by the latter in protest against the move to keep the Currency Office open during the *Durga Puja* holidays in 1890:

The Committee beg further to observe they [the Government and other authorities, involved in the issue] take particular note of the fact that trade is very brisk during the Poojah holidays, the demand for a number of articles being larger during the twelve days than throughout the rest of the year. This may be explained by reason of the large influx of people from all parts of the country bent upon making the most of the holidays. The curtailment of the holidays must necessarily involve a serious pecuniary loss to the trade.¹⁴³

The Bengal National Chamber of Commerce tended to strongly guard the Hindu festive sentiments, reminding the Government of its duty and commitment towards the Hindu population of Bengal. One important aspect of the roles played by the two Chambers of Commerce lay in the response shown by the Government to the appeals of these two organizations. While the Government welcomed the broader trends of commercialization of holidays in support of the much more influential Bengal Chamber of Commerce, the Government was unmoved by the concerns of the Bengal National Chamber of Commerce. This became even clearer when the Lieutenant-Governor followed the same line of argument as the Bengal National Chamber of Commerce to reach a conclusion completely antithetical to its interests as under:

It is not to be forgotten that in all places in Bengal, and especially in Calcutta, the Durga Puja holidays are the season of the busiest life in all the year. The shop-keepers have no holiday, the cloth-sellers, the money-changers, the confectioners, the grocers and the general dealers are busy all day long; in the bazar there is no holiday, but business is as brisk as it can be. The clerks and sircars in the bazar are not idle men. It is only in the public offices that stagnation reigns. It is not therefore a real or just ground for complaint if in as few public offices, for public reasons, a few clerks are

¹⁴³ Baboo Sitaram Roy, Honorary Secretary to the Bengal National Chamber of Commerce, to the Secretary to the Government of Bengal, Financial Department, 27-3-1890, Financial, Miscellaneous, April 1890, Nos. 3-28. [WBSA]

required to attend office on certain days which are allowed to remain holidays to the great majority of clerks employed in the public service.¹⁴⁴

With the rising political consciousness of the middle class of colonial Bengal in the late nineteenth century, the British Government had to call for the opinions of such native associations like the British Indian Association and the Indian Association. When the Government of Bengal formally asked for the view of the British Indian Association in 1872 while preparing a scheme showing which of the existing official holidays could be replaced by the introduction of seven 'Mahomedan holidays', the Association readily forwarded its suggestions twice over the months of March and April 1872.¹⁴⁵ What was broadly a predictable stand for the organization to speak on behalf of the Hindu community, rested on the interesting argument that the number of respectable Muslim employees was not that significant in Calcutta, who needed to be awarded with exclusive holidays for religious observance. The statement of Baboo Joteendro Mohun Tagore, Honorary Secretary to the British Indian Association revealed the socio-religious limitations of the newly emerging political consciousness and participation based on class-caste differences of the indigenous population:

But the Committee see no necessity for increasing the number of holidays in Calcutta for the sake of the Mahomedans. *Except as duffries and peons very few Mahomedans hold employment in the Calcutta offices, public or private, and when private gentlemen who employ persons of Mahomedan or Hindu persuasion as domestic servants, cannot afford to dispense with their attendance absolutely on occasions of their religious festivals, there is no reason why the Government should be required to do more in respect of a similar class of menial servants.* At present the Committee believe the heads of offices give leave to Mahomedan servants on occasion of their religious ceremonies, and they may be allowed to make their own arrangements as heretofore, so as not to interfere with the general course of public business.¹⁴⁶

At the beginning of 1890, the Association exhibited quite a moderate approach in choosing not to oppose colonial commercial pursuits, on the question of restricting the *Durga Puja* holidays. So, no objection was raised by the Association to the thought of closing the Currency Office only for

¹⁴⁴ H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretary to the Government of India, Department of Finance and Commerce, 21-4-1890, Financial, Miscellaneous, April 1890, Nos. 3-28. [WBSA]

¹⁴⁵ Baboo Joteendro Mohun Tagore, Honorary Secretary, British Indian Association, to A. Mackenzie, Junior Secretary to the Government of Bengal, 28-3-1872, and 16-4-1872, Judicial, Judicial, 9 May 1872, Nos. 17-22. [WBSA]

¹⁴⁶ *Ibid.* Emphasis added.

four days during the *Durga Puja*. However, the organization was not in favour of modifying the general rule of enlisting 'Public Holidays' as provided in the Negotiable Instruments Act of 1881, and suggested that these holidays could be informally adjusted to suit the conditions of particular offices in the Bengal Presidency.¹⁴⁷ The same issue of closing the Currency Office was consulted with the Indian Association, and the latter disapproved it in a much more patriotic tone:

The Committee earnestly hope that the Government will continue the present arrangements in connection with the Doorga Puja holidays. These holidays have a deep hold upon the national mind, and any step which might be construed into an attempt to interfere with them would spread dissatisfaction and alarm throughout the community. The benefit that might be gained, the Committee are convinced, would be inconsiderable compared with the harm that would be done.¹⁴⁸

Besides calling for the opinions of these newly formed interest groups, the colonial Government consulted the influential Brahmin Pundits with Shastric knowledge to verify the authentic dates of the Hindu festivals and rituals. The purpose was to select the most important Hindu festivals and rituals as holidays out of the numerous indigenous celebrations and observances mentioned in the different almanacs. Such consultations from time to time for the shortlisting of holidays appeared very vital throughout the nineteenth century. The Pundits who were consulted by the government departments like the Sudder Dewanny and the Nizamut Adawlut for the legal scriptural sanctions, could also act as the consultants of the government on the holiday question.¹⁴⁹ The considerable authority of the Brahmin Pundits in the declaration of the official holidays could be easily delineated by the honour given to the suggestions of Mahesh Chandra Nyayaratna, the Sanskrit scholar and the then Principal of the Sanskrit College, by the Government, in stipulating the 'public holidays' during the last half of the nineteenth century. On being specially approached by the Bengal Chamber of Commerce on the possibility of truncating the number of Hindu holidays in 1889, Nyayaratna opined that compulsory office holidays for the different *Puja* festivals could be reduced to the 'day[s] of worship, with or without festivity'. Accordingly, he suggested a reduction of the *Durga* and *Lakshmi Puja*

¹⁴⁷ Babu Rajkumar Sarvadhikari, Secretary, British Indian Association, to the Officiating Secretary to the Government of Bengal, Financial Department, 7-4-1890, Financial, Miscellaneous, April 1890, Nos. 3-28. [WBSA]

¹⁴⁸ Babu Surendronath Banerjee, Honorary Secretary to the Indian Association, to the Secretary to the Government of Bengal, Municipal Department, 15-3-1890, Financial, Miscellaneous, April 1890, Nos. 3-28. [WBSA]

¹⁴⁹ H. T. Prinsep, Secretary to Government, Fort William, to C. Morley, Accountant General and W. H. Oakes, Sub Treasurer, 28-4-1834, Financial, Financial, 26 January 1835, No. 10. [NAI]

holidays from the existing total of twelve to six days.¹⁵⁰ This advice became instrumental in influencing the Government of India to apportion the existing twelve *Durga* and *Lakshmi Puja* holidays from then onwards into two types of holidays. While the six days suggested by Nyayaratna came to be retained as ‘public holidays’ for 1890, the remaining six days were listed as general executive holidays.¹⁵¹ However, the Government’s consideration for reducing the number of ‘public holidays’ for *Sri Panchami* from two to one had to be rejected, because of Nyayaratna’s insistence in 1889 for the declaration of two holidays.¹⁵²

Much before the legislation of the Negotiable Instruments Act XXVI of 1881, Sunday had already been established as an official holiday in almost all the government establishments by the 1840s. However, considerable energy was invested on the issue of redefining Sunday as the ‘Lord’s Day’ particularly from the late 1870s. The significance of the 1677 Sunday Observance Act in Great Britain (with minor subsequent amendments as in 1871) has been highlighted to show how the enactment played a crucial role in the observance of Sunday as the ‘Lord’s Day’. By prohibiting ‘all worldly labour’ on Sundays, and by prescribing the provision of prosecution for any probable breach of the order, this Lord’s Day Act was being used as a vital tool for rearranging the codes of work and discipline in Victorian Britain.¹⁵³ No significant allusion to either the Act or to the exclusive coinage ‘Lord’s Day’ could be detected in the official discourse on Sundays for the early nineteenth-century Bengal. Nevertheless, the Act’s implicit influence in colonial India seemed to affect the often entangled questions of the formal regulation of Sunday work in the official circles, and the proper observance of Sunday as the Sabbath. So was at least indicated by the controversy which erupted, after a revised version of the Civil Procedure Code had been drawn up as Act X of 1877. The first schedule of this amended Act had been framed in supersession of the whole of the Lord’s Day Act. The Secretary of State in London refused to sanction the Code, and announced that the Code required editing.¹⁵⁴ On the other hand, the Government of India declined to make any changes to the Code. It reasoned that the five sections

¹⁵⁰ *Report of the Committee of the Bengal Chamber of Commerce*, 1 February 1889-31 January 1890, Calcutta, 1890, pp. 546-549.

¹⁵¹ H. J. S. Cotton, Secretary to the Government of Bengal, to the Secretary to the Government of India, 19-7-1890, Finance and Commerce Department, Accounts and Finance, September 1890, Nos. 882-929. [NAI]

¹⁵² H. M. Kisch, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 2-4-1902, Home, Public, July 1902, Nos. 473-487. [NAI]

¹⁵³ John Wigley, *The Rise and Fall of the Victorian Sunday*, Manchester, 1980, pp. 25-30, 123-129.

¹⁵⁴ Edward Robert Lytton, Viceroy and Governor General of India in Council, to the Marquis of Salisbury, Secretary of State for India, 30-7-1877, Home, Judicial-B, February 1880, Nos. 143-145. [NAI]

of the Lord's Day Act (of which the first section penalized 'tradesmen and others working') were:

obviously inapplicable to the condition of India, and have never been held by any Court to be in force in any part of this country. The object of expressly repealing them is to prevent the chance of malicious prosecution and ill-advised interference for breach of these provisions.¹⁵⁵

A memorial was sent to the Viceroy by the Calcutta Missionary Conference in March 1878. Another memorial 'of the Committee of the Lord's Day Observance Society and of representatives of various Missionary and Philanthropic Institutions interested in the welfare of India' dated 4 April 1878 reached the Secretary of State for India. However, the Home Department did not budge from its earlier stand, and refused to make any move.¹⁵⁶ The inclusion of Sunday within the defined fold of the 'public holiday' by the Negotiable Instruments Act of 1881 brought no solution or relief to the issue of the 'Lord's Day'. A second memorial from the Calcutta Missionary Conference was sent to the Viceroy in May 1883.¹⁵⁷ Discussions to recognize Sunday as the 'Lord's Day' and to legitimize the provisions of the Lord's Day Act continued in 1892 and 1896. In these respective years, insistent appeals and demands were voiced by the Christian organizations like the Calcutta Missionary Conference or the Central Committee of the Lord's Day Union, Calcutta, towards making Sunday 'a legal *dies non*'¹⁵⁸ and declaring the 'Lord's Day' as 'both a legal *dies non* and a public holiday'.¹⁵⁹ However, the Government of India still felt that the abrogation of the Lord's Day Act by the Civil Procedure Code was not deleterious as it had 'no practical effect whatever'. Therefore, no government action or remedy was found to be necessary on both the occasions. Citing the instances of 'section 25 of the Negotiable Instruments Act, 1881 and section 5-B. of the Indian Factories Act, 1881, as amended by Act XI of 1891', the Government of India stated that 'Sunday is already practically a *dies non*, as under the orders of Government all courts and public offices (with a

¹⁵⁵ *Ibid.*

¹⁵⁶ Notes dated 13 July 1878 and 29 September 1878, Home, Judicial-B, February 1880, Nos. 143-145. [NAI]

¹⁵⁷ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, Judicial Department, 28-10-1892, Home, Judicial, October 1892, Nos. 256-266. [NAI]

¹⁵⁸ *Ibid.*

¹⁵⁹ L. M. Thornton, Deputy Secretary to the Government of India, to the Convener of the Lord's Day Memorial Committee, Bhowanipore, Calcutta, 31-7-1896, Home, Judicial, July 1896, Nos. 588-620. [NAI]

few exceptions—such as police-stations, which must remain open always) are closed on that day'.¹⁶⁰

Thus, the passing of the Negotiable Instruments Act in 1881 especially gave some sort of stability to the notion of 'public holidays' for the government to hold onto, and the authorities were not willing to readily tamper with its newly defined status. However, the constant and relentless energies mobilised by the government to create a standard and authorised list of office holidays notwithstanding, such holiday structure also remained vulnerable to several challenges and limitations. The governmental announcement of holidays often included deviations from declared lists, adopted from time to time due to some exceptional occasions or emergency situations. Hence, in the year of the Revolt of 1857, the Government passed a special resolution in keeping with the immediate administrative and military needs of the time ordering the 'Heads of Departments and offices at the Presidency (particularly offices having anything to do with the disembarkation and movements of troops)' in Bengal to ensure the presence of 'sufficient number of clerks' in these offices even during the usual *Puja* holidays that year.¹⁶¹ Again, following the example of the Madras Presidency, a special holiday was allowed in the public offices in Calcutta and Howrah to honour the occasion of the arrival of Prince Albert Victor in Calcutta on 3 January 1890.¹⁶² Thus, fluxes in such process of standardization of 'public holidays' could also be noted from time to time. Besides, the rules of standardization of 'public holidays' were not always held to be equally applicable to all sections of the working people. This was especially true for contractual workers. Hence, a complaint letter drafted in 1889 by an overseer of the Secretariat Buildings reveals how the *bhistis* from three different departments were expected to perform certain duties of bringing water and washing on Sunday mornings, when the Secretariat office remained otherwise closed.¹⁶³

¹⁶⁰ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, Judicial Department, 28-10-1892, Home, Judicial, October 1892, Nos. 256-266. [NAI]

¹⁶¹ Cecil Beadon, Secretary to the Government of India, to A. R. Young, Secretary to the Government of Bengal, Home Department, 13-9-1857, Judicial, Judicial, 17 September 1857, Nos. 1-2. [WBSA]

¹⁶² H. J. S. Cotton, Officiating Secretary to the Government of Bengal, Financial Department, to the Secretary to the Government of India, Home Department, 24-12-1889, Financial, Miscellaneous, January 1890, No. 2. [WBSA]

¹⁶³ W. Loonam, Overseer, Secretariat Buildings, to Doctor Barclay, Secretary, Sanitary Committee, Secretariat Buildings, Legislative, Unofficial, 1889, File No. 663. [NAI]

THE POLITICS OF CATEGORIZATION

In this section, I would discuss the different parameters and limitations that determined and influenced the procedure of categorization of 'public holidays'. This will also give insights on the larger implications of the process of standardization of 'public holidays'. First, I shall explore the politics of selection and hierarchization employed in the conversion of particular festivals and observances into 'public holidays'. This would help us understand the nuances of the religious logic of categorization of the 'public holidays', as religion remained one of the essential parameters for stipulating and ordering office holidays. Of the different festivals observed in nineteenth-century Bengal, the occasions of Christian holidays were the most consistent. The four important religious festivals of New Year's Day, Good Friday, Queen's Birthday, and Christmas Day introduced by colonial rule, were celebrated as holidays throughout the nineteenth century. The list of Holidays of 1867 recorded an additional Christian holiday granted on the day following the Good Friday, later separately designated as Easter Saturday. The last decade of the nineteenth century witnessed the transformation of several Christian festivals into 'public holidays', like the case of Easter Monday, or the gradual extension of the Christmas week with the declaration of 23 and 27 December as 'public holidays'.

For a quick analysis, the indigenous 'Hindoo' festivals are classified into three broad groups here. In the first group I include the occasions like *Akshay Tritiya*, *Snan Yatra*, *Ratha Yatra*, *Ulto Ratha*, *Baruni*, *Bhratridwitiya*, *Shiva Ratri*, *Karttik Puja* for which, at an earlier point in colonial history, optional or common official holidays were sanctioned. But over time, particularly from the mid-nineteenth century, these occasions were slowly de-recognized in the official list. According to the list of 1787, the provision of an optional holiday was available for 'Akhoy Tirtea'. While a holiday for 'Akhoy Tritia' was also assigned in the 1790 list, it ceased to exist from almost the early nineteenth century. The single holiday allowed each for the occasions of *Snan Yatra*, *Ulto Ratha* and *Baruni* were abolished from the official list of holidays with the implementation of the Public Works Code in 1861. An optional holiday was allowed for *Bhratridwitiya* in the 1787 list, and the festival continued to be observed with holidays till it was abolished by the Public Works Code of 1861. The *Ratha Yatra* was conspicuously missing in the official revised list of holidays of 1867 and in the subsequent statements of the Hindu holidays. The *Shiva Ratri* festival initially recorded a fluctuation in the number of holidays, varying

between one and two from the late eighteenth to the early nineteenth century. It was also absent in the 1867 list and in all announcements of gazetted holidays afterwards. On the other hand, *Karttik Puja* ceased to feature in the 1867 list and in the later holiday notifications. In the second group, I shall keep the festivals of *Durga Puja*, *Dol Yatra*, *Janmashtami*, and *Kali (Shyama) Puja* which seem to have remained more or less stable occasions for holidays with very little change in terms of official status throughout the nineteenth and early twentieth centuries. Notwithstanding the arguments regarding the ‘public’ or ‘executive’ nature of the holidays allowed during the *Durga Puja* as discussed earlier, it was unquestionably the festival of largest duration in colonial Bengal, especially if one considered the usually large span of the Dusserah vacation in the judicial offices. The third group will include the occasions of holidays which gained more important official status by the course of the nineteenth century, but later underwent partial trimming as ‘public holidays’. These consisted of the occasions of the ‘Juggodattree Poojah’, ‘Luckhee Poojah’ and ‘Sree Punchomy’. In the first section of this essay, I have already examined how these two festivals turned into occasions of ‘public holidays’ within the second quarter of the nineteenth century. Two holidays became fixed for the ‘Juggodattree Poojah’ for the rest of the nineteenth century, while the holiday for the ‘Luckhee Poojah’ was adjoined with the *Durga Puja* vacation. Only one holiday was allowed for ‘Sree Punchomy’ in 1790, but ‘a close holiday for two days’ was formally allowed by the resolution of the Government of India in 1862.¹⁶⁴ However, as the office holidays got divided into ‘public’ and ‘executive’ ones from 1890, the two holidays for each of these three festivities got apportioned into one ‘public holiday’ and one holiday under ‘executive order’. The *Lakshmi Puja* holidays got sliced from 1890, while decisions to divide the *Sri Panchami* and *Jagaddhatri Puja* holidays were taken in 1913-14.¹⁶⁵

The interesting thing to notice here is how the inferiorization of the first group was consistently done through the tropes of feminization. Many of these local ritual occasions were classed as *bratas*, and generally not recognized as holidays in government offices. For example, *Ananta brata* was observed with an optional holiday in public offices, as mentioned in the list of 1787. Again, ‘Oononto brotho’ was occasionally celebrated in the first half of the nineteenth century,

¹⁶⁴ H. M. Kisch, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 2-4-1902, Home, Public, July 1902, Nos. 473-487. [NAI]

¹⁶⁵ *Report of the Committee of the Bengal Chamber of Commerce for the Year 1913*, Vol. 2, Calcutta, 1914, pp. 683-684.

as was evident from the Holiday List of 1833 of the Judicial Department.¹⁶⁶ These exceptional rituals gradually disappeared especially from the official list of holidays in the second half of the nineteenth century. It was said that only the women took interest in such rituals, which were not exactly sanctioned by the Shastras. They had neither the right gender nor the right tradition to be counted within the category of 'public'. It is precisely this argument that led to the removal of 'Shibo Ratre' from the list of 'public holidays'. The Under-Secretary to the Government of Bengal, C. W. Bolton explained in a letter dated 26 February 1883:

The Shibo Ratre is not a very important Hindoo festival. It is chiefly observed by females; and suitors, pleaders, mookhtars, and clerks should find no difficulty in attending the Court on that day. The Lieutenant-Governor is not therefore disposed to sanction the closing of the Court for that festival.¹⁶⁷

Another curious case in this regard was the 'Churruck Poojah'. In 1859, with moral and practical support from the evangelist missionaries and some *bhadralok* reformers, the Government enforced certain stern measures to prohibit the hook-swinging rituals of 'Churruck' which were especially popular among the poorer sections of the society.¹⁶⁸ After such measures, the two holidays allowed for the 'Churruck Poojah' were replaced by a single holiday offered under the name of 'Mahabeeshom Shankrantie' or 'Choit Sankranti'. Not only was the curtailment of holidays thought to be a way of discouraging the 'inhuman practice' of the festival, but it was held as a way forward to its complete suppression.¹⁶⁹ The single holiday allowed in replacement, though it coincided with the first day of the 'Churruck Poojah', came to be justified officially on the ground as below:

[I]t appears that that day, being the last day of the month of Cheyt and of the Hindoo year, is generally observed by all classes of Hindoos, and set apart for the performance of religious ceremonies in honor of deceased relatives. These ceremonies have no connection with the Churruck or the worship of Shiva. It should, the Lieutenant-Governor

¹⁶⁶ J. F. M. Reid, Register of the Sudder Dewanny and Nizamut Adawlut at the Presidency to C. Macsween, Secretary of Government in the Judicial Department, 1-11-1833, Judicial, Civil, 25 November 1833, No. 3. [WBSA]

¹⁶⁷ C. W. Bolton, Under-Secretary to the Government of Bengal, Judicial, Political, and Appointment Departments, to the Chief Judge of the Calcutta Court of Small Causes, 26-2-1883, Judicial, Judicial, 26 February 1883, Nos. 22-23. [WBSA]

¹⁶⁸ Geoffrey A. Oddie, *Popular Religion, Elites and Reform: Hook-Swinging and its Prohibition in Colonial India, 1800-1894*, New Delhi, 1995, pp. 88-92.

¹⁶⁹ E. Storrow, Chairman, and D. Ewart, Secretary to the Calcutta Missionary Conference, to the Lieutenant-Governor of Bengal, 5-4-1860, Judicial, Judicial, 20 April 1860, Nos. 276-278. [WBSA]

thinks, be included in the list of holidays, under the name “Mahabeeshom Shankrantie.”¹⁷⁰

The cut in the number of this festive holiday under the aegis of the colonial state was often associated with a new codified sense of social disciplining among the reformist and nationalist elites. This shows how the politics of categorization of the ‘public’ was based on a largely exclusionary framework. This festival was associated largely with the ‘popular’ section of the public, and ‘Haris, Bagdis, Domes, Kaoras, Kaivartas, Goalas, and other low caste Sudras’ were held as the key ‘Sivaite’ participants.¹⁷¹ However, the celebration of festivals like *Punyaha*, Bengali New Year, *Chaitra Sankranti* or ‘Mahabeeshom Shankrantie’ – all coincided with the *Charak Puja* festival. The occasion was also tied with the annual revenue collection ceremonies of the zamindari calendar. In fact, the ‘Bengali New Year’s day’ was shown to be observed as ‘local holidays’ in many districts of Eastern Bengal like Chittagong, Dacca, Faridpur, etc. in the early twentieth century. The curious reorientation of this festive holiday therefore remained linked with ‘popular’ traditions as well as elitist reformist ideals.

Although the Muslims formed the majority of the population of Bengal proper, the Hindu holidays received almost the entire attention of the Government. This indicated how the dominant notion of the ‘public’ remained mainly centered around the Hindus. Thus a history of communal discrimination could be traced within the dynamics of standardization of ‘public holidays’ which could be related to the limitations of the politics of nationalist imagination and social sensibilities. Whatever attention was given to the Muslim holidays before the 1870s, was mainly applicable to the office-goers of that faith in the *mofussil* areas only. The Muslims of Calcutta, often dominated or overpowered by the majoritarian Hindu population, were deprived of enjoying holidays on their festivals. This discriminatory treatment was aggravated by the proposed withdrawal of Muslim rest days in the Appellate side of the Calcutta High Court by the order of 26th February 1870, following the same pattern of granting virtually no Muslim holidays in the other Government offices of Calcutta.¹⁷² In the year 1870, Moonshee Amir Ali Khan submitted a petition to the Calcutta High Court on behalf of himself and other Muslim

¹⁷⁰ A. R. Young, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 20-4-1860, Judicial, Judicial, 20 April 1860, Nos. 276-278. [WBSA]

¹⁷¹ Mahendra Nath Bhattacharjya to the Commissioner of the Presidency Division, 14-7-1893, Home, Judicial, March 1894, Nos. 349-555. [NAI]

¹⁷² A. Mackenzie, Officiating Junior Secretary to the Government of Bengal, Judicial Department, to the Officiating Register of the High Court, 8-8-1870, Judicial, Judicial, August 1870, No. 161. [WBSA]

pleaders ‘deprecating the exclusion from the court’s list of holidays of all Mahomedan days of observance.’¹⁷³ Following the Court’s directive, a petition from the same group of pleaders was then sent to the Government of Bengal seeking remedy for their grievance. For the petitioners, no recognition of the primary Muslim festivals and observances as holidays meant a deliberate overlooking of the identity and respect of the Muslims ‘as a religious body’. Disputes and debates ensued on the matter. Different explanations were forwarded to clarify the exclusion or omission of the Mahomedan festive days in the old pattern of ‘Public Holidays’. The fixing of the Muslim festivals depended on the visibility of the moon. This was the reason why many of the Government officials felt that assigning specific dates of holidays was really difficult. Colonel J C Haughton, Commissioner of the Cooch Bihar division gave an explanation in his letter of April 1871, addressed to the Government of Bengal:

[t]o my mind, the chief objection to the admission of the Mahomedan holidays, exists in the fact that they are not fixed but wanders through the solar year: agreeing occasionally with Christian or Hindoo Holidays, or the contrary in successive years. It may happen that a Christian or Hindoo Holiday is immediately followed by a Mahomedan one. It may be said that certain Christian Holidays — such as Easter, and Hindoo Holidays such as the days of Eclipse of Sun or Moon, vary. But the latter are rare, and the former varies only within narrow limits and one of the two days is a Sunday. Thus, it appears to me that the Mahomedan holidays from their fluctuation do not stand on the same footing as the Christian and Hindoo Holidays and are more likely to interfere with the interests and conveniences of the majority of the people, which should have the greatest weight in deciding the question.¹⁷⁴

Nonetheless, all the correspondences and entreaties eventually forced the Government to seriously contemplate on adopting a new approach in amending the lists of ‘Public Holidays’, allowed in both the Executive Offices and the Judicial Courts. Efforts were made to accommodate seven Muslim holidays replacing six Hindu holidays and one Christian holiday. The fate of this proposal to introduce ‘some authorized Mahomedan public holidays’ in the ‘Calcutta Courts and Offices’ remains shrouded in mystery.¹⁷⁵ Still, government discourse underlines the hesitations and apprehensions of the administrative authorities on this issue.

¹⁷³ Moonshee Ameer Ali Khan Bahadoor to A. Eden, Secretary to the Government of Bengal, 27-6-1870, Judicial, Judicial, August 1870, Nos. 160-161. [WBSA]

¹⁷⁴ Colonel J. C. Haughton, Commissioners of Cooch Bihar Division, to the Junior Secretary to the Government of Bengal, 27/ 29-4-1871, Judicial, Judicial-B, June 1871, Nos. 372-411. [WBSA]

¹⁷⁵ Note by P. Gangooly, dated 8 January 1873, Home, Public, February 1873, Nos. 458-459. [NAI]

Dissatisfaction and protests of the Hindu community are also on record.¹⁷⁶ However, the Calcutta High Court took a positive step in this regard by the order passed in March 1873, when it decided to add eight 'Mahomedan holidays' to the already existing number of holidays observed on the Appellate side of the Court.¹⁷⁷ Even after the segregation of the office holidays into 'public holidays' and holidays under 'executive order' from 1890, the status of 'Mahomedan holidays' remained confined to the second category of list.¹⁷⁸ This discrimination continued throughout the nineteenth and the first decade of the twentieth centuries. The decision to incorporate some of the most crucial 'Mussalman holidays' in the list of 'public holidays' was only taken in the Imperial Legislative Council on 11 March 1913. In the Legislative Council on this date, A. K. Ghuznavi raised a motion 'that the most important days of religious festivals of the principal communities should be included in the general list of public holidays of every Province or Presidency throughout India and Burma'.¹⁷⁹ This move was to redress the 'omission' of the 'Mussalman holidays' from the list of 'public holidays' declared under the Negotiable Instruments Act in provinces like Bengal, where the Muslim population was major. The grievance was that business and official activities remained largely operational during the days of their principal festivals that inconvenienced the Muslim members of the communities in different walks of life, including the employees of banks and mercantile concerns, merchants, students and the labouring population.¹⁸⁰ The move to redress this problem particularly gained impetus by the fact that the dominant commercial groups like the Bengal Chamber of Commerce, were not averse to an addition of a maximum of two days to the existing list of 'public holidays'.¹⁸¹ Ghuznavi pleaded for the recognition of four days of the 'two Ids, the Mohurrum and the Bar-i-Wafat' in Bengal as 'public holidays' in the Imperial Legislative Council.¹⁸² Ghuznavi's resolution was passed in the Council by the Governor General, while the

¹⁷⁶ *Ibid.*

¹⁷⁷ T.J. Chichele Plowden, Officiating Under-Secretary to the Government of India, Home Department, to the Secretary of the Government of Bengal, Judicial Department, 24-3-1873, Judicial, Judicial, April 1873, Nos. 50-51. [WBSA]

¹⁷⁸ H. J. S. Cotton, Secretary to the Government of Bengal, to the Secretary to the Government of India, 19-7-1890, Finance and Commerce Department, Accounts and Finance, September 1890, Nos. 882-929. [NAI]

¹⁷⁹ *Abstract of Proceedings of the Council of the Governor General of India, April 1912-March 1913*, Calcutta, 1913, pp. 432-442.

¹⁸⁰ *Ibid.*, p. 433.

¹⁸¹ *Report of the Committee of the Bengal Chamber of Commerce for the Year 1912*, Vol. 1, Calcutta, 1913, pp. 59-60.

¹⁸² *Abstract of Proceedings of the Council of the Governor General of India, April 1912-March 1913*, p. 440.

Government of Bengal sanctioned three holidays for each of the occasions of ‘Id-ul-Fitr’, ‘Id-uz-zuha’ and ‘Muharrum’ in 1914.¹⁸³

TABLE 3.
‘Public Holidays’ for the year 1914 declared under the Negotiable Instruments Act, XXVI of 1881 as notified in the ‘Government Gazette’ of 3 December, 1913

Dates	Holidays
January 31st	Sri Panchami.
March 12th	Doljatra.
April 11th	Easter Saturday.
April 13th	Easter Monday.
June 3rd	Dasahara.
August 13th	Janmastami.
August 24th	Id-ul-fitr.
September 19th.....	Mahalaya.
September 26th, 28th, 29th, and October 3rd ...	Durga and Lakshmi Pujas.
October 19th	Kalipuja.
October 27th	Jagadhatri Puja.
October 30th	Id-uz-zuha.
December 24th	Christmas Eve.
December 26th	The first day following Christmas Day.
December 31st	The last day of the year.

(a) Sundays, New Year’s Day, Good Friday (10th April), and Christmas Day are public holidays under the Act.

(b) The Chaitra Sankranti falls on Easter Monday, the 13th April, and the Muharram (29th November), the second day of Durga Puja holidays (27th September), the last day of Lakshmi Puja holidays (4th October), the first day of Kali Puja holidays (18th October), and the second day following Christmas Day (27th December) fall on Sundays in the year 1914. They are public holidays under the Act, and are therefore not included in the list of public holidays separately declared for 1914.

(c) The day which may be fixed for the celebration in India of the birthday of His Majesty the King-Emperor of India shall also be a public holiday and will be notified separately in due course.

Source: *Report of the Committee of the Bengal Chamber of Commerce for the Year 1913*, Vol. 2, Calcutta, 1914, pp. 683-684.

So far, holidays of religious origin have only come under our discussion in this section. However, it needs to be highlighted how the holiday regulations proposed by the Committee of the Bengal Chamber of Commerce and passed on 27 March 1861 by the Governor General, had planned to introduce ‘a *General Holiday* for ten days [to] be allowed to all classes of Government Servants, the several Offices being entirely closed’.¹⁸⁴ Analysis of the idea of ‘a

¹⁸³ *Ibid.*, p. 442; *Report of the Committee of the Bengal Chamber of Commerce for the Year 1913*, Vol. 1, Calcutta, 1914, pp. 75-76.

¹⁸⁴ Extract from the Proceedings of the Government of India, in the Financial Department, No. 70, dated 27 March 1861, in *Judicial*, 6 May 1861, No. 61. [WBSA]

general holiday’ will reveal that it came up in the context of a new trend to promote a universally applicable and non-religious sense of holidays among all government employees. The inherent motive was to mitigate the scope of religious discriminations and rivalries. Another factor that inspired such a change was the flexible character of the holiday practices prevalent in the Government Offices in London. The clerks of the offices in London received a ‘certain number of weeks of holidays in the year’, which were scheduled after mutual agreements between the clerks themselves, as per the convenience of the offices. In fact, an official correspondence of 22 February 1861 manifested how the Government was bent on adopting this London style of holiday practices for the offices in Calcutta.¹⁸⁵ Notwithstanding the universal spirit of the experiment of ‘general holiday’, its implementation was therefore meant to be only selective in reality. So, the Governor General soon revised his resolution to declare that the rule of ‘general holiday’ was not to be equally applied to the Secretariat Offices of the Government of India: ‘[I]n the Secretariats during that general holiday,...some of the clerks may be induced to be in attendance during the entire period, their loss of holiday being compensated by the grant to them of other days of holiday at another season.’¹⁸⁶ Though the administration continued to nurture the idea of a ‘general holiday’ for some time¹⁸⁷, it did not gain much popularity perhaps because of its selective application. Besides, it is to be remembered that while this flexible or adaptable version of the ‘general holiday’ was under contemplation for trial, several other formal holidays of non-religious nature were withdrawn from the government offices. Thus, curtailments like the abolition of Friday as a *dies non* in the Sudder Dewanny Adawlut, the withdrawal of the provisions of the winter and summer vacation in Courts were approximately done also around the same period.

There was also a geographical politics in the categorization of the ‘public holidays’. The ‘public’ festivals were found to remain in tension with the different ‘local festivals’ observed in different parts of the Bengal Presidency. The gradual withdrawal of many of the optional holidays allowed in the 1787 list indicated a fall in the status of several locally popular rituals and observances. The worship of some locally influential deities like *Shitala* was never officially recognized as

¹⁸⁵ C. H. Lushington, Secretary to the Government of India, Financial Department, to the Committee of the Bengal Chamber of Commerce, 22-2-1861, Financial, Miscellaneous, March 1861, Nos. 580A-580G. [NAI]

¹⁸⁶ Extract from the Proceedings of the Government of India, in the Financial Department, dated 23 April 1861, Home, Public-B, 7 May 1861, Nos. 58-60. [NAI]

¹⁸⁷ E. H. Lushington, Secretary to the Government of Bengal, to the Secretary to the Government of India, Financial Department, 2-1-1862, and enclosure titled ‘Comparative Statement of Hindoo Holidays’, Judicial, Judicial, 2 January 1862, Nos. 4-5. [WBSA]

‘Public’ festivals by the colonial state. Still such practices of worship continued to exist in some localities. In fact, this tension between the ‘local’ and ‘Public’ festivals could be understood particularly with respect to the rural-urban dichotomy prevailing in colonial Bengal. Dinendrakumar Ray recalled how the *Shitala Puja* proved to be a significant social festival in his native village, Gobindapur. Not only did the schools and *pathshalas* close for the *Puja*, but the office employees also availed themselves of a break from work on a day during which cooking was prohibited. Ray narrated an instance of the celebration of *Shitala Puja*, when the local pleaders, attorneys, doctors, school teachers, the *bhadraloks* of Gobindapur and their sons — all utilized the occasion to enjoy a *jatra* performance.¹⁸⁸

Often no formal holidays were assigned against particular ‘local festivals’, enjoying region-specific popularity compared to the so-called ‘Public’ festivals. This gave rise to discontents and complaints regarding the list of official holidays in colonial Bengal. In a letter addressed to the Junior Secretary to the Government of Bengal, dated 10th May 1871, A. Abercrombie, the Judge of Zillah Dacca voiced his dissatisfaction with such a procedure of selecting holidays as follows:

In publishing the list of holidays it might I think be useful to publish it as a list of days on which the presiding officers are authorized to close the Courts. For the list being made in Calcutta contains holidays, which are not observed by the natives of other parts of the country. Ustomee Gunga Snan. That is no more to the people on the east side of the Purnea than every Sunday. But there is a Snan on the old Burhamputre, which the natives here observe with as much veneration as the Hooghly people do the Gunga Snan, so that in practice we force a Hindoo holiday on the people here for the Gunga Snan, and they take one for themselves in the other days. This might be obviated by allowing the district officers to change the holidays to suit the people keeping within the authorized number.¹⁸⁹

Likewise, the need to readjust the list of official holidays allowed especially in the executive establishments was upheld in November, 1873 by John Beames, the Commissioner of Orissa in the light of the popular ‘local’ festivals celebrated in the Orissa division. Viewing how ‘Ras Purnima’ was observed ‘with great solemnity’ and ‘Mohurrum’ ‘with considerable pomp’ particularly in the town of Cuttack, Beames felt that one holiday each was required for ‘Ras Purnima’ and the last day of ‘Mohurrum’ in Orissa. On the other hand, he noted that three

¹⁸⁸ Dinendrakumar Ray, ‘Pallibaichitra’, pp. 175-183.

¹⁸⁹ A. Abercrombie, Judge of Zillah Dacca, to the Junior Secretary to the Government of Bengal, 10-5-1871, Judicial, Judicial-B, June 1871, Nos. 372-411. [WBSA]

holidays allotted for the Dewali festival in the official list was more than what was necessary, as one holiday was sufficient in Orissa for this festival.¹⁹⁰ Accommodating local holidays within the official calendar of routine holidays was a crucial and stimulating issue. This is amply proved by the serious attention given to the recommendation of John Beames by the Bengal Government which forwarded the proposal to the Home Department of the Government of India for ratification.¹⁹¹

Sometimes, regional administrative officials like the district collectors enjoyed power in informally declaring local holidays for the office-goers in the districts.¹⁹² The official discourse of the late nineteenth century dealing with the tussle between 'local' festivals and the so-called officially recognized 'public' ones, repeatedly revealed how an air of confusion continued to plague the administrative authorities of various ranks due to the highly vacillating nature of the local holidays in the districts of the Bengal Presidency. This was accompanied by a sense of doubt regarding the personal judgemental ability of the district collectors in granting local holidays. Such grievances were affirmed by the worries of G. Toynbee, the Commissioner of the Burdwan district, who pointed out in his letter of 28th July 1890 to the Board of Revenue that the practice of providing local holidays 'should either be authorized or disallowed and should not be left as at present to the whim or fancy of each individual Collector.' To him, these holidays were 'unauthorised' in nature as no two office-goers agreed on the same fixture of such local holidays, and also no such closures were allowed in the Treasury where gazetted holidays were only observed.¹⁹³ What is noteworthy is that in the same letter, Toynbee appended a list of 'local holidays' offered by the collectors in the different districts of Burdwan, Bankura, Birbhum, Midnapore, Hooghly and Howrah. The list denotes how half holidays or full holidays were granted on the occasions of festivals like *Ratha Yatra*, *Ulto Ratha*, *Baruni*, *Bhratridwitiya*, *Karttik Puja*, *Shiva Ratri* which as I have already mentioned before, had disappeared from the list of 'public holidays' in the decade of the 1860s. One 'local holiday' was provided in the district of Hooghly for each of these festivals, except the *Shiva Ratri* when two days of break from work were locally observed in this district. According to the same list, the 'local holidays'

¹⁹⁰ John Beames, Officiating Commissioner of the Orissa Division, to the Secretary to the Board of Revenue, Lower Provinces, 1-11-1873, Judicial, Judicial, November 1873, No. 35. [WBSA]

¹⁹¹ Rivers Thompson, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 26-1-1874, Judicial, Judicial, January 1874, No. 63. [WBSA]

¹⁹² G. Toynbee, Commissioner of Burdwan Division, to the Secretary to the Board of Revenue, L.P., 28 / 30-7-1890, Financial, Miscellaneous-B, September 1890, Nos. 1-2. [WBSA]

¹⁹³ *Ibid.*

allotted by the district officer in the district of Burdwan included only a half holiday on *Ratha Yatra* and two single holidays on *Ulto Ratha* and *Shiva Ratri*. For the district of Howrah, such local closures offered were one each on *Ratha Yatra*, *Karttik Puja*, *Shiva Ratri* and *Baruni*, along with a half holiday on *Ulto Ratha*. The offices in the territory of Midnapore were given half holidays on *Ratha Yatra*, *Ulto Ratha* and *Shiva Ratri*. In contrast to these festivals gradually de-recognized in the ‘public holiday’ notifications, we can find in the list, celebrations which were always considered to be exclusively ‘local’. Therefore, on ‘Dhulandi’, ‘Nanda Utsab’, ‘Boram Puja’ and ‘Matan (Mahrram)’ four half holidays were granted in the Midnapore district, while a holiday was kept in the Hooghly district too for ‘Matan (Mahrram)’. Again, the aforesaid list also deals with certain ritualistic occasions which were mostly ignored in the official holiday statements of the nineteenth century, such as the ‘Uttarayan’ or the Solar and Lunar Eclipses. The ‘Uttarayan’ and the Eclipses brought about one and two local holidays respectively in the Hooghly district, whereas a half holiday was declared for the Eclipses in Midnapore. The list enclosed by Toynbee further indicates that no local holidays were granted by the collectors in the Bankura and Birbhum districts for the various popular festivals many of which are highlighted above. This record shows the varying nature of the local holidays provided in the different districts of the Bengal division itself. Based on the recommendation of the district collectors of the same six districts of the Bengal division, Toynbee attempted to give a second list of local holidays, projecting it as more standardized. Toynbee’s appeal to stabilize the local holidays by eliminating the existing confusion was soon disposed by the Government in September 1890, despite the intervention of the Board of Revenue. The Lieutenant-Governor felt no urge to stop the occasional local holidays prevailing in the districts under the influence of the district officers, as long as the Treasury was kept open and the Government’s commercial interest was not hampered.¹⁹⁴

Another important case where the local festival of the Bengal Presidency, in spite of remaining outside the purview of ‘public holidays’, prompted the closure of government offices in the vicinity, was the Sonepur fair in Bihar division. This was especially true for places like Hajipur, which was very close to the fair ground. It was during a discussion on the effect of this fair that the Board of Revenue of the Lower Provinces came up with a proposal to remould the prevailing

¹⁹⁴ Under-Secretary to the Government of Bengal to the Board of Revenue, L.P., 13-9-1890, Financial, Miscellaneous-B, September 1890, Nos. 1-2. [WBSA]

system of holiday notification in July 1892 to put an end to the feelings of confusion or disorder.¹⁹⁵ Holidays of the Bengal Presidency were at that time declared in three ways, first – by the notification of ‘public holidays’ under section 25 of the Negotiable Instruments Act, second – by a supplementary notification directing the closing of the most government offices by executive order, and third – by the Board’s rule as indicated in Chapter XVIII, page 47 of Revenue Officer’s Manual. According to the Board of Revenue, this system of holiday notification though adopted as a measure of standardization of ‘public holidays’, hardly addressed the question of diverse local holidays which existed as an anomaly parallel to the holidays recognized by the Government. The Board therefore submitted to the Government a suggestive draft notification which sought to bring the unsteady local holidays within the fold of a disciplined administrative control. In this draft, the Board gave recognition to several local and community-based festivals, and assigned one day of holiday for *Bhratridwitiya* in Hazaribagh and Lohardanga districts, four days of holidays for ‘Sonepur Mela (Kartik Purnamasi)’ in Patna division, a holiday for *Bramho* officials on the occasion of *Maghotsab* (‘on 11th day of Magh’). It also chose to suggest that many of the prevailing ‘public holidays’ were not appropriate for all communities and regions of the Bengal Presidency, e.g., ‘public holidays’ such as *Sri Panchami*, *Chaitra Shankranti*, *Jagaddhatri Puja* were appropriate for Bengal proper, but not for Bihar.¹⁹⁶ The Government of Bengal, did not however, accept the Board’s proposal stating that ‘the question of the possibility of having different gazetted holidays in different parts of the province... is a large one, and will be carefully considered by Government in due course.’¹⁹⁷ Thus what limited the colonial policy of standardization of ‘public holidays’ was sometimes, the Government’s lack of seriousness in matters where the motive force behind the suggestion of remodeling holidays was only guided by popular sentiments or official experience and not backed commercially. The Government’s encouragement to the merchant community and the Bengal Chamber of Commerce in relation to the proposal for curtailment of ‘public holidays’ as per the Negotiable Instruments Act, revealed much greater enthusiasm. The Government of India ultimately sought to strike a balance between the ‘public holidays’ and the ‘local holidays’ by a resolution in 1901, where it ordered for limiting the ‘local holidays’ in each district of colonial

¹⁹⁵ J. A. Bourdillon, Officiating Secretary to the Board of Revenue, L. P., to the Chief Secretary to the Government of Bengal, 23-7-1892, Judicial, Judicial, 18 August 1892, Nos. 18-22. [WBSA]

¹⁹⁶ *Ibid.*

¹⁹⁷ H.C. Streatfeild, Officiating Under-Secretary to the Government of Bengal, Judicial, Political, and Appt. Departments, 18-8-1892, Judicial, Judicial, 18 August 1892, Nos. 18-22. [WBSA]

Bengal to a maximum number of seven.¹⁹⁸ This move was more of a compromise with the varied structure of the ‘local holidays’, than a negation of the existing practices.

The process of institutionalization of holidays that began in the government executive and judicial offices in colonial Bengal as a matter of precedence, invited long-drawn debates and discussions from the beginning of the nineteenth century. Although the early sectarian ways of observing ‘native’ holidays were discontinued, the initial trials and polemical discourse and controversial debates were followed by the search for immediate solutions, divergent regulations and departmental adjustments. Such conditions explained the random, sporadic and fluctuating nature of the holiday reforms witnessed in the first half of the nineteenth century. More coordinated steps for standardization of ‘public holidays’ were undertaken from the 1860s. The colonial government now chose to be comparatively more receptive to indigenous opinions, and also preferred to enter into a more formal process of deliberation through the constitution of special committees. While the administrative authorities belonging to different tiers including the legislative set-ups acted as the decision-makers, the commercial and the missionary groups along with the various concerned indigenous elites, office employees, groups or associations and scriptural specialists or other consultants were the key players in the process of holiday reforms. The tussle and frictions of the commercial interests with the different community-based sentiments became particularly very pronounced during this phase of standardization. The tussle and frictions revealed how governmental policy was mostly partisan in nature, as its cautious and tolerant approach was increasingly replaced by an evident tilt towards the imperial commercial concerns. As the imperial commercial concerns often acquired the centre stage, the concept of ‘public holidays’ came to be ultimately defined with the promulgation of the Negotiable Instruments Act XXVI of 1881. The backlashes and responses of the different communities were mainly guided by their religious observances and social customs. Moreover, as the process of standardization of ‘public holidays’ was continually exposed to the different, localized, internally varied and conflicting acts of negotiation and subversion in colonial Bengal, the calendrical time-disciplining of work had to redefine the ‘public’ in terms of these ruptures and internal contradictions. Inconsistencies can be identified in the actions of the government employees

¹⁹⁸ E. W. Collin, Offg. Secretary to the Government of Bengal, to the Board of Revenue, etc., 31-3-1903, Home, Public, April 1903, No. 222. [NAI]

belonging to various levels of the administrative set-up. Limitations were also evident in the colonial policy of seeking and receiving native advices, suggestions or reactions, and in the genealogical, demographic and regional contradictions revealed in the methods of categorization and notification of the festivals and observances into the so-called 'public holidays'. The complex process of changes as well as instances of negotiation located within different spatio-temporal contexts of colonial Bengal help us figure out the politics in the interpretation of the notion of the 'public'.

Time of ‘Leave’: Codifying Absences in Office Work

Besides public holidays, another close but distinct category which moulded the notion of free time in colonial Bengal was the concept of leaves (or, leaves of absences). This chapter will seek to study the defining moments of one such important social register of temporality, viz. the evolution of leaves. The chapter will unravel the important stages and discourses of the process of conceptualization, institutionalization and gradual development of leaves, as a prominent category of free time in nineteenth and early twentieth-century Bengal. Incidentally, the notion of leaves – very much like the idea of public holidays – was first formally introduced, technically applied and gradually classified as well as codified in relation to the sphere of office work in colonial Bengal. To understand the concept of leaves from the perspective of office work in colonial Bengal, the following various sections of this chapter will focus on the emergence of the practice of leave with pay or allowances, the subsequent promulgation of different conditions or regulations of taking leaves, the framing and branching of distinct leave rules, and finally, the limiting aspects of leaves.

In contrast to the public holidays, the idea of leaves denoted a comparatively more personalized kind of break from duty for the individual office employees. Moreover, the question of leaves was usually associated with the considerations of pay. It is worthwhile to begin the discussion on leave with pay, by alluding to the close, contemporary ideas of ‘holiday with pay’ or ‘paid vacation’ that gradually gained importance in the West and particularly in England. Such an exercise will allow us to assess the moves undertaken to classify and codify leaves in the offices of colonial Bengal, in the light of the broader social approaches adopted towards ‘work-discipline’ and ‘leisure preference’. A recent study by Hugh Cunningham helps us figure out how there was considerable flexibility in the conceptualization or implementation of leaves and holidays in nineteenth-century England. Two evidences, as cited by Cunningham in his discussion on ‘Holidays’, would be immensely insightful for this understanding. First, his

reference to the practice whereby ‘Bank workers’ in England could by 1845, obtain “six to eighteen days’ annual leave, depending on their length of service”. Second, the inference drawn from the testimonies reported by the Civil Service Commission in 1875 that “clerks working for insurance companies, solicitors, banks, railway companies and the civil service were all getting at least two weeks’ holiday a year”.¹ Both points elucidate how ‘holiday with pay’ was not always interpreted in the fixed ritualistic or festive sense, but could rather often be interchangeably taken as leaves in England. The overlapped implications of leaves and holidays also got projected onto later trends in Europe, when larger social mobilization secured the rights of ‘holiday with pay’ for the bulk of the manual workers, especially after the First World War.² In comparison, the implications of holidays and leaves were clearly demarcated in the context of their application in colonial Bengal for office work.

Till the early decades of the nineteenth century, leaves of absence was usually permitted in the government offices, if an individual’s application for time off was found convincing, and work was not thought to be hampered in any way. During this time, major emphasis was laid on judging an individual’s performance of duty and making an estimate of pending work before accepting his request for leave. Thus in 1810, the Governor General in Council agreed with the proposal of the Registrar of the Sudder Dewanny Adawlut to attach with the leave of application of the individual zillah or city Judges and Magistrates, a statement for ascertaining the suitability of leave applications. This meant ‘a statement of the business depending before them (Judges and Magistrates) both in the Civil and Criminal Courts’.³ Restrictions in granting leave, if necessary, were imposed and communicated mostly on one to one basis. The government order in relation to the application of leave of Ram Mohun Rai, the officiating Sudder Ameen of Balasore, in 1833 would underline the customary approach usually adopted by the government in this context.⁴ Rai appealed for an extension of leave which he wanted by prefixing and suffixing 10 days each to the usual period of vacation, in contravention to the normal prohibition. His application was accepted on condition of a pay-cut for the entire period when he would remain absent, including the period of vacation. This in turn, made him withdraw his application for

¹ Hugh Cunningham, *Time, Work and Leisure*, p. 111.

² *Ibid.*; Gary Cross, ‘Vacations for All: The Leisure Question in the Era of the Popular Front’, *Journal of Contemporary History*, Vol. 24 (4), 1989, pp. 600-601.

³ G. Dowdeswell, Secretary to Government in Judicial Department, to the Register Sudder Dewanny Adawlut, 29-12-1810, Judicial, Civil, 29 December 1810, No. 15. [WBSA]

⁴ C. Macsween, Secretary to Government Judicial Department, to J. C. Brown, Civil Judge of Cuttack, 30-9-1833, Judicial, Civil, 30 September 1833, No. 16. [WBSA]

leave.⁵ These personally negotiable ways of seeking leaves indicated how the process of granting leaves was irregular and often arbitrary in early nineteenth-century Bengal. J. Kerr, a member of the educational service, came up with the following observations regarding the process of granting leave to the uncovenanted employees. He suggested that uncertainties lay in getting leave. Where leave with pay could be secured by an applicant official, indecision hovered around the fixing of allowance to be sanctioned for the leave.⁶ The whole matter seemed to largely rest upon 'private arrangement'. It was incumbent upon the applicant official to look for his substitute, and then to mutually decide their respective allowances. Kerr recorded how this led to a lack of systematic principle in offices. The officials often indulged in malpractices like engaging themselves in a different employment, while remaining absent on leave from their primary duty. The observer also commented how such irregularities continued to prevail till about 1844.⁷

PROMULGATION OF LEAVE RULES

Specific rules of leaves came to be framed for the employees of all the Presidencies to bring uniformity in the process of granting leaves, particularly from about the middle of the nineteenth century. Kerr noted that 'a set of rules' governed the structure of leaves applicable to all the uncovenanted employees from around 1844.⁸ The provisions of the uncovenanted service rules, as partially alluded to by Kerr, mostly tallied with the terms and conditions of the absentee rules and allowances of the uncovenanted service, issued by the notification of the Financial Department dated 8 July 1846. A government publication of 1846 exclusively listed these terms and conditions in detail.⁹ Nevertheless, going by Kerr's report, such rules proved to be short-lived. Kerr cited that these regulations could hardly handle the issue of providing leaves satisfactorily. On the contrary, the rules enraged many of the uncovenanted employees, especially the Europeans, for limiting their benefits and remarkably inferiorising them compared

⁵ J. C. Brown, Civil Judge of Cuttack, to C. Macsween, Secretary to Government in the Judicial Department, 16-10-1833, Judicial, Civil, 28 October 1833, No. 10. [WBSA]

⁶ J. Kerr, *A Review of Public Instruction in the Bengal Presidency, from 1835 To 1851*, London, 1853, p. 54.

⁷ *Ibid.*

⁸ *Ibid.*, p. 54.

⁹ *Rules, Regulations, &c. Relative to the Uncovenanted Service on the Bengal Establishment*, comp. M. S. Templeton, Calcutta, 1846, pp. 16-18.

to the covenanted civil officers. Ultimately, the Court of Directors in London ordered the withdrawal of the rules in 1849.¹⁰

Later, in July 1855, the Government of India sought the permission of the Court of Directors to introduce an appropriate system of granting leaves to the uncovenanted officials of colonial India forwarding a report on the matter prepared by a special Committee, consisting of the Military Auditor General, Secretary to the Government of Bengal and Accountant to the Government of Bengal. After the Court of Directors approved this proposal with some modifications, the regulations were notified in the Bengal Gazette dated 22 February 1856, and was said to be operative upon all uncovenanted servants of the government whose salary was Rs 100 or above.¹¹ On 6 February 1857, the Bengal Gazette circulated the Governor General's instruction that leave would also be granted on the same line to the employees drawing salary of less than Rs 100.¹² Accordingly, in Bengal, bulk of the employees coming under the purview of the above rules happened to include the colonized office-goers, usually appointed in the lower rungs of the administration ranging from officials to the *chowkidars*.¹³ The promulgation of leave rules for the uncovenanted service proceeded by fits and starts, and that too in the wake of criticism and protest. On the other hand, the process of evolution of exclusive absentee rules for the superior covenanted servants tended to be comparatively more gradual and consistent. The covenanted absentee rules were always open to additions and regular revisions or transformations, especially through the important official mandates of 17 May 1843, 25 August 1854 and 8 June 1855. The following overview of the steps of codification and classification of civil leave rules would reveal how the differences between the service conditions of the two groups of covenanted and uncovenanted employees got heightened to the level of stark discrimination. Gaps between the leave rules of the two services became more prominent after the formulation of the new 'Civil Service Absentee Rules' for covenanted civilians from 1 July 1868. Such wide differences continued throughout the nineteenth century, the publication of a consolidated 'Civil Leave Code' from 14 March 1872 notwithstanding. The leave regulations of both the services though granted on unequal discriminating terms, came to be included within the same title for ready

¹⁰ J. Kerr, *A Review*, pp. 54-55.

¹¹ *Achinhito Karjokarokerder Chutir O Pension-er Bidhi*, comp. John Robinson, Serampore, 1857, pp.1-5.

¹² *Ibid.*, pp. 27-29.

¹³ *Ibid.*, Preface.

reference.¹⁴ The regulations of both 1846 and 1855 came to classify leaves for uncovenanted employees under two different types, taking note of the various general grounds on which break was commonly solicited by an employee. These included 'Leave of Absence on Medical Certificate' and 'special leave of absence on private affairs'.¹⁵

MEDICAL LEAVE

In 1846, 'Leave of Absence on Medical Certificate' for sickness came to be granted for a maximum limit of one year to an uncovenanted employee within his whole tenure of employment. He would be supported by half of his salary during the tenure of this leave.¹⁶ In contrast, by the regulations of 1855, the leave on medical ground came to be extended to a maximum period of three years, though such a leave was not to be allowed for more than two years at a stretch. It was also mentioned that upto one year of the leave, the concerned employee could draw half of his salary, while one-third of his salary would be admissible for the remaining period of this leave wherever applicable. It was stated that the maximum draw during the period of three years should not exceed Rs. 6000. The span of the leave as fixed by the rule of 1855 continued to be the same throughout the rest of the nineteenth century. But in subsequent rules after that of 1855, the allowances were granted on half-pay basis upto fifteen months, and on the basis of one-fourth of pay beyond that period upto thirty months. For the last six months of the three years, medical leave would be allowed without allowances.¹⁷ Thus, apart from the favours of 1855, the rules of medical leave continued to be quite stringent for the uncovenanted employees, if judged from the viewpoint of the stipulated allowances. As against these provisions, medical leave was granted to the covenanted civilians upto three years under the rules of 17 May 1843, against allowances offered all throughout at half-pay rate within the limits

¹⁴ *The Civil Service Regulations relating to Salary, Leave, Pension and Travelling Allowance*, Government of India, Finance and Commerce Department, 3rd ed., Calcutta, 1897, unnumbered; *Codes of the Financial Department*, 2nd ed., Calcutta, 1874, pp. 157-185.

¹⁵ *Achinhito Karjokrokerder Chutir O Pension-er Bidhi*, pp. 3-5.

¹⁶ *Rules, Regulations, &c. Relative to the Uncovenanted Service*, p. 16.

¹⁷ *Codes of the Financial Department*, p. 247; *Abstract of the Principal Civil Leave and Pension Rules*, Finance and Commerce Department, Simla, 1903, p. 4.

of certain minimum and maximum amounts of allowances.¹⁸ These discussions show that medical leave for uncovenanted employees was much harsher than that of covenanted civilians. The rules for leave on medical certificate remained same throughout the nineteenth century.¹⁹ Such rules continued to operate even beyond the nineteenth century except certain changes in leave allowance, as evident from the Civil Service Regulations of 1919.²⁰

As notified in the Bengal Gazette of 1856, the uncovenanted servants were required to follow certain terms and conditions in order to plead for medical leave. Application for such leave by a sick employee was to be accompanied with a supportive statement of the details regarding the illness by the medical attendant who was monitoring him. Then the application was to be submitted along with a medical certificate obtained from the Chief Medical Officer of the station or district if the concerned employee hailed from the *muffasil*, else from a Presidency or other official Surgeon of the Presidency towns like Calcutta. Interventions of further higher levels of medical authorities were necessary for more critical and prolonged illness.²¹ The authority of the practitioners of western medicine came to be openly backed by the official implementation of the Medical Registration Act in colonial Bengal from 1914.²² However, the procedure of applying for medical leave with a medical certificate had already sought to empower such registered physicians from before, as the only confirming agencies to be compulsorily consulted by any government employee. The imposition of this rule often appeared as a compulsion for the native employees, who were habituated and comfortable with traditional indigenous methods of medical treatment. Thus a piece titled 'Sricharaneshu' by Kedarnath Bandyopadhyay published in the Bengali periodical *Balak*, recorded the common plight of the government clerks: 'Doctor's certificate is necessary for absence of a single day due to exceptional illness. Your home is in a village, however for that you cannot consult an ayurvedic practitioner; he has no English education.'²³ The procedure of seeking medical leave also proved troublesome for the native

¹⁸ *Hand-book of Rules and Regulations Affecting the Leave and Allowances, & c., of officers employed in Civil Departments*, comp. R. C. Tulloh, Calcutta, 1866, pp. 30-31.

¹⁹ *The Civil Service Regulations*, 1897, pp. 99-100.

²⁰ *The Civil Service Regulations Salary, Leave, Pension and Travelling Allowance*, Government of India, Finance Department, Calcutta 1919, pp. 97-99.

²¹ *Achinhito Karjokarokerder Chutir O Pension-er Bidhi*, pp.10-11; *The Uncovenanted Servant's Vade Mecum, being a Compilation of the Rules regulating the appointment, dismissal, salary, deputation allowances, leave of absence, etc.*, comp. James Lyons, Madras, 1858, p. 64.

²² Mark Harrison, *Public Health in British India: Anglo-Indian Preventive Medicine, 1859-1914*, Cambridge, 1994, pp.16-18.

²³ Kedarnath Bandyopadhyay, 'Sricharaneshu', *Balak*, Vol. 1 (8), 1885/ BS 1292, pp. 388-390.

applicant. In a memorandum sent from the Accountant-General of the Military Department to the Government of India in August 1889, it was stated how the low-salaried clerks of Calcutta had been facing great difficulty in paying a gold *mohur* to the Government Medical Officer each time in order to obtain a medical certificate, since the issue of the Government order dated 13 May 1884. The Government's decision that medical certificate should be given to the clerks free of cost was only reached in response to the above Memorandum.²⁴ To further ease up the process of seeking medical leave in the last decade of the nineteenth century, steps were taken to make medical certificates easily available to the government servants on need. The Lieutenant-Governor of Bengal on 30 June 1897 directed that the issue of medical certificates for the employees of each department in Calcutta would be assigned to particular medical officers of different departments, in addition to the Presidency Surgeon.²⁵

LEAVE ON PRIVATE AFFAIRS

The civil service leave regulations of 1843 prescribed the provisions of two new special types of leaves. One was regarded as 'Special leave of absence on private affairs', while the other gradually gained the title of 'Privilege Leave' – as we shall see later. Following the rules of 1843, 'Special leave of absence on private affairs'²⁶ was to be availed only when a civil or military officer exceeded the leave granted normally under the aforementioned rule, and the government of the Presidency could sanction this leave for an excess duration of three months on an allowance amounting to half of the applicant's usual salary under civil employ. In such cases, a military officer in civil employ would be paid at the rate of half the allowance as beneficial to him, taking his equivalent military rank into consideration.²⁷ These rules catered to the covenanted officers of the government.

In comparison, three different provisions of leaves – all recognized as leaves on private affairs – were granted to the uncovenanted employees by the Court of Directors in 1855, which could be

²⁴ The Secretary to the Government of India, Military Department to The Accountant-General, Military Department, 17-9-1889, Financial, Miscellaneous-B, 10 December 1889, No. 2. [WBSA]

²⁵ Government of Bengal Resolution revising the rules for the grant of medical certificates, 4 September 1895, General, Miscellaneous-B, July 1897, No. 58. [WBSA]

²⁶ *The Bengal Almanac, for 1854, with a Companion and Appendix*, Part-III, Calcutta, 1854, pp. 159-160.

²⁷ *Ibid.*

stretched to the maximum durations of one month, six months and one year respectively.²⁸ Among these three types of leaves, the first and the last ones were soon labelled with exclusive nomenclatures of their own. These were 'privilege leave' and 'furlough' respectively which will be separately discussed in later sections. On the other hand, the second type of leave which continued to persist as 'leave on private affairs' (or, sometimes as 'special leave'), appeared doubtlessly more liberal than the same leave provided by the rules of 1844. According to the rules of 1844, leave on private affairs was granted on sufficient cause, for a limited period of only three months, and that too against full deduction of salary.²⁹ However, according to the absentee rules issued for the uncovenanted service of the Bengal establishment in 1846, a 'special leave of absence on private affairs' was available for a maximum duration of six months, against half salary. By this rule, the uncovenanted servants were to remain confined 'within the limits of the East India Company's Charter'.³⁰ In contrast, the orders of 1855 levelled the provisions of this rule for the uncovenanted employees with that of the covenanted ones by dropping the clause that imposed restrictions on movements. But such leave on private affairs could be secured only once in the entire service career of the uncovenanted employees, after rendering six years of continuous service. The leave allowance would be equivalent to half of the salary for the period of leave, but the total amount to be drawn was not to exceed Rs 6000.³¹ After the levelling of the rules for this leave for both covenanted and uncovenanted services, its terms and conditions remained more or less similar throughout the nineteenth century and even beyond.³² Slight adjustments in larger categorization of leaves were undertaken for the covenanted civilians in the civil leave code of 1868. The leave rules of 1868 promoted the prospects of adding the two forms of leaves, i.e., special leave for private affairs, and privilege leave, within the broader category of 'Short Leave'. Hence, the covenanted civilians could append both these forms of leave on urgent circumstances, to enjoy an extended spell of such 'Short Leave'. Moreover, a civil servant could solicit for such a special leave for six months again 'at the convenience of Government, and only on the occurrence of urgent private affairs', after the lapse of six years of residence in India. However, he was not entitled to any allowance

²⁸ Achinhito Karjokarokerder *Chutir O Pension-er Bidhi*, pp. 4-5.

²⁹ Kerr, *A Review*, p. 54.

³⁰ *Rules, Regulations, &c. Relative to the Uncovenanted Service on the Bengal Establishment*, p. 16.

³¹ *The Uncovenanted Servant's Vade Mecum*, p. 63; *Abstract of the Principal Civil Leave and Pension Rules*, p. 4.

³² *The Civil Service Regulations*, 1897, pp. 99-100; *The Civil Service Regulations*, 1919, pp. 97-99.

for taking such a repeated leave.³³ However, the uncovenanted servants could obtain no such benefits of extension, as per the provisions of the leave rules.³⁴

GOING ON FURLOUGH

A study of the pattern of leaves of absence taken by the government employees in the nineteenth century reveals how furlough as a practice had popularly developed around the idea of a long leave generally used in visiting the English homeland by the white employees, either for personal reasons or due to illness. Unlike the previous selective practices of going to England in the early decades of the century, the leave rules of 1846 completely confined the movement of the uncovenanted servants 'to any place within the limits of the East India Company's Charter' even in the context of illness.³⁵ Hence while introducing reforms in the leave rules for the uncovenanted government employees in 1855, the Court of Directors hinted that no exclusive provision of furlough was available to this class of jobholders within the scope of the existing norms of leaves. In the reformed rules of 1855, the notion of furlough inchoately found place within the broad category of 'leave on private affairs'. As already referred to before, the last type of leave on private affairs allowed in 1855 involved a leave of a maximum period of one year during the whole tenure of service, with the retention of appointment, but without pay, and an uncovenanted employee could choose to go to any place.³⁶ Though the term 'furlough' was never directly mentioned here, this leave could be utilized to serve the purpose of one when required. After this more liberal shift in the leave rules of 1855, gradually the uncovenanted employees were considered to be eligible for more relaxed provisions of leave specifically called 'furlough' under certain conditions. To follow the leave rules compiled in 1868, furlough could only be taken as an option instead of the leave on private affairs, when the duration of the former was allowed till one year after 10 years of service and could be extended for another year after 18 years of service. Otherwise, furlough could also be enjoyed for a full period of two years at a

³³ Report of the Committee for the Revision of Leave and Furlough Rules, 17-12-1867, Home, Public-B, 11 January 1868, Nos. 19A-19B. [NAI]

³⁴ *The Civil Service Regulations*, 1919, pp. 97-99.

³⁵ Kerr, *A Review*, p. 54.

³⁶ *Achinhito Karjokarokder Chutir O Pension-er Bidhi*, pp. 4-5, 21.

stretch after 18 years of employment.³⁷ An examination of the leave rules amended up to 1874 again revealed that furlough was then offered to the uncovenanted officials in addition to the leave on private affairs.³⁸ Leave rules of later period of the nineteenth century as well as that of 1903 stated explicitly that eight years should elapse, counting from the date of return from leave on private affairs, before an uncovenanted servant could get permission for furlough, while the total time allotted for furlough along with leave on private affairs was not to surpass two years.³⁹ The covenanted officers enjoyed much greater benefits of furlough in comparison to the uncovenanted ones. According to the orders sanctioned on 6 October 1825 that followed the Despatch of the Court of Directors dated 8 December 1824, furlough for a maximum period of three years to go to England would be admissible to the covenanted civilians on completion of 10 years' service.⁴⁰ Priority used be given to civil servants who applied for furlough on grounds of medical sickness. Otherwise, applicants would be permitted to take furlough on the basis of their seniority in service. Allowance of £500 would be paid per mensem during the period of furlough. Only a maximum number of 17 civilians could be annually allowed to go on furlough from Bengal, while at any point of time the total number of those absent on furloughs was not to surpass 51 from the same Presidency. No furlough could be availed of, while remaining within India.⁴¹ Further clauses were added by the rules of 18 September 1828.⁴² Importantly, it mentioned that application for furlough would be accepted throughout the year. If the total number of officers absent on or soliciting for furlough did not surpass 51 by 1 November every year, officers in need of furlough or those who were sick could tender their case for approval.⁴³ The grant of furlough could mostly be secured on favourable terms, though the need to check the abuses of the same rules also arose from time to time. The furlough rules of 1839 for the covenanted officers sought to impose restrictions on the grant of leaves on private affairs to proceed to Europe 'except under special circumstances'.⁴⁴ The provisions of the new rules, as

³⁷ *Code for the Uncovenanted Civil Service containing Leave, Deputation, Travelling and Pension Rules*, comp. Bholanauth Sen, Calcutta, 1868, p. 27.

³⁸ *Codes of the Financial Department*, p. 249.

³⁹ *The Civil Service Regulations Embodying The Civil Pay Acting Allowance; Leave; Pension; And Travelling Allowance Regulations*, Finance and Commerce Department, Government of India, Calcutta, 1889, p. 89; *Abstract of the Principal Civil Leave and Pension Rules*, p. 4.

⁴⁰ *The Bengal Almanac, for 1854*, Part-III, p. 161.

⁴¹ *Ibid.*, pp. 161-162.

⁴² *Ibid.*, pp.162-165.

⁴³ *Ibid.*

⁴⁴ *Ibid.*, pp.166-168.

promulgated by the Financial order of 25 August 1854 for the civil servants⁴⁵, allowed the absent civil servants to draw their leave allowances while remaining in England on leave, and also lifted the bar on limiting the mobility of the absentees on ‘Sick Leave’ within the particular geographical boundaries of ‘the Company’s Charter’. Other changes made in the rules were regarding the duration and the leave allowances of such furloughs taken as sick leaves. The total duration of such leaves was restricted to a maximum of 18 months, and the maximum term of such leave at a time was required to remain within 15 months. This provision continued till the notification of the amended rules of 2 January 1856, which extended the total limit of 18 months to two years, but only under the condition of proper medical evidence.⁴⁶ The modifications in the revised rules of 1854 especially gave a junior civil servant – with a service period of less than 10 years – an opportunity of taking furlough on medical certificate under unavoidable conditions for a given stipulated time limit.⁴⁷ The regulations of 1854 and the amended clauses of furlough on private affairs in 1855 sought to encourage the civil servants to take the total period of furlough in instalments.⁴⁸ The clauses of the furlough and leave rules of 1854 particularly warned against the abuses of the grant of sick leaves on medical grounds, and advised the need of adopting precautions while scrutinizing the medical certificates.⁴⁹ The intention, as already stated, was to check the rampant abuses of the sick leave that prevailed.⁵⁰

In 1866 the covenanted civilians were granted an aggregate of three years of furlough during their term of service (to be enjoyed in three instalments of one year each, or in two instalments of one year on the first occasion and two years on the second occasion). Afterwards the maximum duration of furlough and special leave with allowances was increased to a whopping total of six years.⁵¹ In fact, the furlough rules of the Civil Service underwent a sea change in 1868. Following widespread dissatisfaction and complaint from ‘all classes of Government servants’ regarding the prevailing furlough regulations, the Government of India set up a Committee to review the question of leave and furlough rules in 1867.⁵² The new ‘Civil Service Absentee Rules’, as suggested by the Committee, sought to codify and consolidate the civil service

⁴⁵ *Bengal Almanac; 1856*, Part-III, Title page missing, pp. 92-93.

⁴⁶ *Ibid.*, p. 102a.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*, pp. 94-100.

⁴⁹ *Bengal Almanac; 1856*, Part-III, p. 94.

⁵⁰ *Ibid.*, p. 95.

⁵¹ *Hand-book of Rules And Regulations*, p. 25; *The Civil Service Regulations*, 1889, p. 79.

⁵² *Ibid.*

absentee rules under two heads, the very first of which was furlough.⁵³ The Committee report sought to interpret furlough in the light of the contemporary logic and general expectations of seeking or sanctioning of such long leave as follows:

It is a privilege to the individual servant to have the opportunity of recruiting mind and body, and renewing home relations in his native country; but this is not all, for it is obviously desirable, on public grounds, that the servants of Government should have every facility and encouragement towards the use of this privilege in a moderate degree.

One major emphasis of reform was to extend the full benefits of furlough to the civil servants, by forwarding both ‘allowances’ and ‘the provision for the retention of office during absence on Furlough, whether under Medical Certificate or not’. The other objective was to make furlough more easily available or flexible by reducing the formalities and restrictions that the process of sanction entailed. In addition to allowing furlough on sick certificate on more urgent basis, the Committee report underlined the need of especially granting furlough on private affairs on more favourable terms. The Committee opined that such policy would encourage officers, who were in service continuously for a particular stretch of time, to go home for rest and revitalization, instead of making them postpone their journey back home for recuperation under dire circumstances, after a vital health disorder. The report stated that this would enable the officers to avert health breakdown, avoid heavy strain, to keep healthy and get refreshed, and hence to serve the Government in more efficient ways. That in turn, would reinforce the justification of the Government behind providing such leaves. The Committee felt that such a policy of furlough would not involve any additional expense of the Government, would not hamper public service, and would at the same time, cater to the needs of the individual civil servants.⁵⁴ Therefore, to translate all these intentions into a code, the separate rules listed for ‘Furlough on Private Affairs’ and ‘Sick Leave’ were amalgamated within the same general grouping of the ‘Furlough’, in keeping with the common linkage of these two types of rules. In consideration of the new amalgamated nature of furlough, novelties lay in enhancing the aggregate time span for which furlough could be taken by a covenanted civil servant during his entire service career to six years, and also in stipulating the maximum duration for which any furlough could be

⁵³ Report of the Committee for the Revision of Leave and Furlough Rules, 17-12-1867, Home, Public-B, 11 January 1868, Nos. 19A-19B. [NAI]

⁵⁴ *Ibid.*

stretched on any one occasion to three years. According to the new suggested clauses, furlough 'without medical certificate' could be taken after spending eight years in continuous, active service, but till a limit of two years. Furlough with medical certificate entailed three years of continuous employment from a civil servant for eligibility to a break of up to two years, while it could be further renewed for another year. Otherwise, furlough on medical certificate could be secured for a year only by a civil servant remaining less than three years in continuous service. To bring more coherence between the scale of absentee allowances with the actual gradation of salaries received by the officers, the highest allowance available to the absentee per annum for furlough was increased to £1,200 from £1,000, and the minimum was lowered to £300 from £500. Furlough could also be taken within India, and in that case, the period of absence would be calculated from the time of leaving the station of posting by the civil servant to the time of his return to the station. Furlough was to be generally granted to the extent of 10 percent of the applicants of each Presidency. When applicants were numerous, furlough would then be granted on the basis of the seniority of officers.⁵⁵ After the proposed code got the nod of the Secretary of State, the Government of India implemented the same with the cooperation of the local governments in 1868.⁵⁶ This reformed code could be called a benchmark in many ways. Its main clauses continued to operate for a long time with the backing of the Government of India, despite the reservations and objections raised against it by the Secretary of State from time to time, in view of the estimated expenditure borne by the state.⁵⁷ So, almost all conditions of furlough, specified by the Code of 1 July 1868, were reiterated by the 'Civil Leave Code', published by the Financial Department in 1874. However, the publication of 1874 revealed the urge for stipulating the terms and conditions of the leave rules more in the line of the requirements of a desirable service career. So, it was clearly stated that the 'amount of furlough "earned" by an officer' would be 'one-fourth of his active service'.⁵⁸ Other major revisions undertaken were the intermittent adjustments of the scales of furlough allowances in the code, in accordance with the prevailing rate of exchange of currency between India and Britain.⁵⁹

⁵⁵ *Ibid.*

⁵⁶ Note by G. C. R. to Deputy Secretary in the Financial Department, 2-11-1889, Home, Public, October 1890, Nos. 346-362. [NAI]

⁵⁷ *Ibid.*

⁵⁸ *Codes of the Financial Department*, p. 167.

⁵⁹ Note by G. C. R. to Deputy Secretary in the Financial Department, 2-11-1889, Home, Public, October 1890, Nos. 346-362. [NAI]

By this new rule, therefore, furlough could be spent beyond or within British India on personal choice. Satyendranath Tagore, the first native civilian of colonial India narrated in his reminiscences that he had taken furlough twice in his service career. For the first leave on furlough he had gone to England with his family, while during the second time in 1893, he had preferred to travel within India and stay in Shimla.⁶⁰ The aforementioned findings clearly point towards the discrimination which prevailed in the unequal admissible periods of furlough meant for the covenanted and uncovenanted officials, especially in view of the fact that furlough by rule could be taken even while remaining within colonial India. Also how far in practice the uncovenanted native government employees were nominated to enjoy furlough to go outside India, is itself questionable. This is more so because sometimes even the privileged group of European covenanted civilians were denied furloughs on the grounds of administrative inconveniences, as for example, the pleas by H. Richardson and four other members of the Civil Service posted in the Bengal Presidency for furlough were turned down in 1861 by the Government of Bengal, and ultimately only three of the applicant civilians got furloughs with the intervention of the Government of India.⁶¹

It is noteworthy that the Civil Service Regulations recorded the change of nomenclature from 'Covenanted Civil Service' to 'Indian Civil Service' in the last decade of the nineteenth century.⁶² By Rules of 29 July 1920, maximum duration of furlough allowed to the Indian Civil servants or Military officers coming within the Civil Leave Rules against the officers' entire period of service was increased to six years and six months. In fact, the previous conditions or rates of furlough allowances continued to be operative in 1874 at the same scale for a long time since 1874 till the years 1919, 1921 and 1929.⁶³

⁶⁰ Satyendranath Tagore, *Amar Balyakatha O Bombai Probas*, Calcutta, 2010, pp. 102-103.

⁶¹ W. S. Seton-Karr, Secretary to the Government of Bengal, to Lord H. U. Browne, Under-Secretary to the Government of India, Home Department, 5-2-1861, General, General, 5 February 1861, No. 13. [WBSA] ; W. Grey, Secretary to the Government of India, Home Department, to W. S. Seton-Karr, Secretary to the Government of Bengal, 16-2-1861, General, General, 26 February 1861, No. 48. [WBSA]

⁶² *The Civil Service Regulations*, 1897, p. 8.

⁶³ *Codes of the Financial Department*, pp. 171-173; *The Civil Service Regulations*, 1919, pp. 97-99; *The Civil Service Regulations Relating to Salary, Leave, Pension and Travelling Allowance*, 5th ed. 3rd Reprint, Calcutta, 1929, pp. 86-88.

EXTENDED CLASSIFICATIONS OF LEAVES

Several new types of leave emerged and came to be added to the existing absentee regulations from around the second half of the nineteenth century. These leaves included vital classifications such as 'privilege leave', 'casual leave', 'subsidiary leave' or 'preparatory leave' and the like which would be discussed in this section in detail.

Originally placed within the category of leave on private affairs, the leave of absence permitted for one month in a calendar year without any deduction from salary, came to be regarded as 'privilege leave'. This was evident from the Government Orders of 1857-58 meant for the uncovenanted servants.⁶⁴ Before this, privilege leave existed only for the covenanted service. Following the civil service leave regulations of 1843, the government of the Presidency was empowered to sanction a leave of one month to a civil or military officer in a year for full salary.⁶⁵ Another term of such leave could be availed only when a minimum gap of 11 months was maintained from the previous term of such leave. Moreover, this leave could be accumulated for two or a maximum of three months continuously after a minimum of 22 or 33 months' uninterrupted service respectively from the time of the end of a previous term of such leave. In case the officer on such leave exceeded the period of his permitted absence, this excess leave would be converted to leave on private affairs, and then pay and allowances for the whole period of his absence would also be determined by the rule applicable to the leave on private affairs. If such extension was caused on the ground of sickness, the leave for the entire period of his absence would be considered as sick leave, and would likewise be dictated by the rules for the same.⁶⁶

However, the instructions of the Court of Directors on 5 April 1854, to include both the leave on private affairs and the privilege leave into the same category for granting short breaks from duty, invited complaints and a memorial from members of the Bengal Civil Service. Solicitation from the latter members convinced the Court of Directors to alter the provisions of the rules, to again confer the earlier benefits of accumulating privilege leave exclusively for a maximum of three

⁶⁴ C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, No. 61. [WBSA]

⁶⁵ *The Bengal Almanac, for 1854*, Part-III, pp. 158-159.

⁶⁶ *Ibid.*

years to allow a break for three months on full pay in the Despatch of 17 May 1854.⁶⁷ The rules of 1855 provided the benefit of taking the annual leave of one month in instalments, under the discretion of the local government, by maintaining a gap of at least three months from the last instance of obtaining such instalment of leave.⁶⁸ It has already been discussed how the civil leave code of 1868 included privilege leave within the larger classification of ‘Short Leave’, along with the special leave of six months on private affairs. The code also mentioned how the two types of short leaves could be appended to one another.⁶⁹ Thus, by the ‘covenanted service leave rules’ brought into force from 1 July 1868, privilege leave now came to include ‘short leave on private affairs’ and ‘leave on private affairs’.⁷⁰ By 1874, the provision added to the clause of this particular type of ‘Short Leave’ stated that for officers of both covenanted and uncovenanted services, ‘(t)he amount of privilege leave earned by an officer’ should correspond to ‘one-eleventh part of the time’ when the officer would remain ‘on duty without interruption’.⁷¹

The category of Privilege leave (also referred to as a ‘short leave’,) for uncovenanted services was fixed at par with that offered to the covenanted civilians, continuing on the same line for the rest of the nineteenth century. There was a growing tendency among the employees to accumulate such leave to get a longer one-time break. As a result, the concept of privilege leave came to be defined in the following way along with the terms and conditions as laid down in the ‘Abstract of the Principal Civil Leave and Pension Rules’ published by the Finance and Commerce Department of the Government of India in 1897:

PRIVILEGE LEAVE is an annual holiday granted to the extent of one-eleventh part of the time that an officer has been on duty without interruption; and it may be accumulated up to three months, earned by 33 months’ service. During absence, the officer retains a lien on his appointment, and receives the salary which he would have received if on duty. An interval of six months must elapse between two periods of absence on privilege leave. In departments which enjoy regular vacations, there are restrictions upon the enjoyment of privilege leave in addition to the vacations.⁷²

⁶⁷ *Ibid.*, pp. 94-95.

⁶⁸ *Bengal Almanac; 1856*, Part-III, p. 99.

⁶⁹ Report of the Committee for the Revision of Leave and Furlough Rules, 17-12-1867, Home, Public-B, 11 January 1868, Nos. 19A-19B. [NAI]

⁷⁰ *Codes of the Financial Department*, p. 161.

⁷¹ *Ibid.*, p. 181.

⁷² Under-Secretary to the Government of Bengal, Financial Department, to the General Department, 5-3-1897, General, Miscellaneous-B, March 1897, No. 40. [WBSA]

To go by the civil leave rules, privilege leave could not in any case be combined with vacation. This was clearly indicated by the Civil Service Regulations, 1889 and 1919.⁷³ However, the Civil Service Regulations of 1921 revealed no such restriction of combination. In fact, vacation could be combined with ‘privilege or other leave’ either affixed at the end or in the beginning by employees of a ‘vacation department’. Such combination was permitted on the ground that no extra expenditure was borne by the government, and the total period of absence due to such combination would remain limited to four and three months for gazetted officers and other employees respectively.⁷⁴ The extent of privilege leave granted on a single occasion was not to exceed a period of ‘three calendar months’.⁷⁵ The limit of absence admissible under privilege leave was extended to ‘four calendar months’ for gazette officers, while it remained fixed at ‘three calendar months’ for ‘others’ (i.e., non-gazetted employees). The government orders of July 1920 regarding Leave Rules brought about such change. Later the Finance Department Resolution of 27 November 1920 granted the concession of accumulations of privilege leave ‘upto a limit of four months’ for all government employees coming within the ambit of ‘the Indian Service Leave Rules’.⁷⁶ The Civil Leave Code published in 1874 contained a provision ‘leave without allowances’ for the uncovenanted service, granted ‘in case of necessity’, though officially there was ‘no limit to the length or frequency of leave under this section’.⁷⁷ The Civil Service Regulations published in 1889 show how the adage of an ‘extraordinary leave’ had been created for the covenanted civilians as well, that carried the same spirit as ‘leave without allowances’ granted to the uncovenanted officials. This ‘extraordinary leave’ was sanctioned only under exceptional circumstances, often during emergency, when no other leave would seem appropriate. Such leave, permitted by the Government under special considerations, would be without allowances, and without any right of retention of employment. Moreover, such leave could not be intentionally conjoined with other leaves, but could be allowed continually with other types of leaves.⁷⁸ The clauses for implementation of such ‘extraordinary leave’ were

⁷³ *The Civil Service Regulations*, 1889, p. 72; *The Civil Service Regulations*, 1919, p. 76.

⁷⁴ *The India Office List for 1921*, Compiled from Official Records by Direction of the Secretary of State for India in Council, London, 1921, pp. 299-300

⁷⁵ *The Civil Service Regulations*, 1889, p. 68; *The Civil Service Regulations*, 1897, p. 75.

⁷⁶ *The Civil Service Regulations Salary, Leave, Pension and Travelling Allowance*, Government of India, Finance Department, 5th ed., Calcutta 1929, Preface.

⁷⁷ *Codes of the Financial Department*, p. 249.

⁷⁸ *The Civil Service Regulations*, 1889, pp. 87-89.

developed further and clarified with time, as could be seen in the abstract of the Civil Service Regulations published in 1921.

The issue of allowing ‘privilege leave on full pay’ to Bengal Civil Servants of the Judicial Branch was repeatedly raised in the third session of the Legislative Council in 1921. However, the motion could not be carried forward and no decision could be reached, since the subject had been under the consideration of the Government of India and the High Court, on the basis of the recommendations of the Public Service Commission.⁷⁹

Surprisingly, the general compilations of leave rules in the Civil Service Regulations almost consistently left out the mention of casual leave, barring a few sporadic references. Such lack of reference, as evident particularly from the examination of the Civil Service Regulations published from the last quarter of the nineteenth century to the late 1920s, could be attributed to the official reservations associated with the topic of casual leave, and the rather informal method of handling of this leave in government offices. A brief survey of the primary government orders that regulated the grant of casual leave to Uncovenanted Servants would explain these points. The first formal official order passed by the Government of India regarding such leave could be traced to 12 June 1857. The regulation came up in the wake of the rise of a series of questions in reaction to a circular issued voluntarily on casual leave by the Government of Bombay in the previous year for the subordinate servants employed in the offices of that Presidency. By the Financial Resolution of 12 June 1857, ‘the heads of departments’ were empowered to issue such leave to staff members of the respective office establishments, but only ‘in cases of sickness’ for ‘a very few days in each year’.⁸⁰ In fact, the official reservations or vagueness regarding the stipulation of the duration of casual leave could be taken as a deliberate administrative strategy on the part of the government, although the same resolution was otherwise quite explicit in stating how this leave with full pay could be used to extend the usual limit of sick leave granted for two years by the Uncovenanted Service Absentee Rules. The papers sent with the communication of the Government of Bombay to the Home Department on 26 June 1858 contained the rationale of the government operating behind this ‘undefined’ nature of the casual leave:

Government abstained from defining exactly for what aggregate period in each year
“Casual leave” for sickness or for private affairs might be granted, considering that the

⁷⁹ *The Bengal Legislative Council Proceedings. (Official Report)*, Vol. III, Calcutta, 1921, pp. 64-65, 260-262.

⁸⁰ Resolution of the Financial Department, 12-6-1857, Financial, Financial, 12 June 1857, Nos. 60-61. [NAI]

indefinite nature of the restriction...would prove a salutary check on the submission of applications for casual leave by unscrupulous Office Servants who, where a maximum period fixed, could easily find pretexts for asking for casual leave for the full number of days permitted by the limit assigned.⁸¹

The 'Financial Resolution' of 19 March 1858 permitted the grant of casual leave only 'in case of sickness' to the limit of '15 days in the course of the year' to the Uncovenanted Servants, 'without loss of salary'.⁸² This formal resolution proved how 'casual leave' continued to be treated as a mere extension of sick leave till that time. A notification of Financial Department dated 28 September 1858 indicated: 'Casual leave may be granted to Uncovenanted Servants at the discretion of the heads of offices without any limitation in case of sickness, death of near relatives, &c.'⁸³ However, a Memorandum sent from the Secretary to the Government of India, Financial Department, to the Government of Bengal in 1861, indicated that the extent of casual leave was still limited to fifteen days.⁸⁴ Thus, though both 'privilege leave' and 'casual leave' were often projected as leaves which could always be availed of by the uncovenanted employees in times of serious requirements or emergencies, the offer of such leaves was restricted in practice. The Government's justification for not including 'casual leave' within the fold of the 'new Absentee Rules' was that sanctioning of such leave was only a part of 'the internal discipline of an Office or Department.'⁸⁵ Restrictions remained apparent in the discretion allowed by the government to the respective heads of offices in granting this leave. I also discuss in the end how whims of the official heads continued to be the major point of grievance for the native office-goers.

A new clause was inserted in the notified amendments of 8 June 1855, which allowed one or two or three months' additional 'special leave' to an official going for change on sick leave, depending upon the distance travelled, to cover the interval between the departure from his station and the commencement of his leave, or the interval between end of leave and arrival.⁸⁶

⁸¹ W. Hart, Secretary to the Government of Bombay, to C. Beadon, Secretary to the Government of India, 26-6-1858, Home, Public, 29 October 1858, No. 16. [NAI]

⁸² Resolution of the Financial Department, dated 19 March 1858, Financial, Financial, 19 March 1858, Nos. 41-42. [NAI]

⁸³ *Code For The Uncovenanted Civil Service*, p. 37.

⁸⁴ C. H. Lushington, Secretary to the Government of India, Financial Department, to the Government of Bengal, 27-3-1861, Judicial, Judicial, 6 May 1861, No. 61. [WBSA]

⁸⁵ Extract from the Proceedings of the Government of India, in the Financial Department, dated 30 November 1863, Home, Public-B, 26 April 1864, Nos. 136-137. [NAI]

⁸⁶ *Bengal Almanac; 1856*, Part-III, p. 98.

The provision of this new 'special leave' went through considerable reform in 1868. The revised code implemented from 1 July 1868 specifically labelled it as 'Subsidiary Leave', and sought to extend its scope of application. This additional leave used for the purpose of commuting to or away from the station, could now to be applied not only to support an officer going away on sick leave, but in cases of all furloughs and leaves on private affairs, where leaving one's station was necessary. In the 'Abstract of the Principal Civil Leave and Pension Rules' brought in 1897, the said leave was defined as below:

SUBSIDIARY LEAVE for a minimum of ten days, usually with half average salary, is granted to an officer proceeding on or returning from leave out of India, or on retirement, to enable him to reach the port of embarkation or to rejoin his appointment. If the officer is entitled to privilege leave, he can draw at privilege leave rates for as many days as he is entitled to such leave.⁸⁷

The normal time limit of offering this subsidiary leave was 30 days, when the absentee could draw 'a moiety of his substantive allowance'. Besides, the new rules sought to relatively simplify the mode of computing the travelling distance.⁸⁸ While earlier, the maximum duration of this leave was allowed for 30 days, later the minimum time schedule was allotted for ten days. Thereafter the conditions of 'subsidiary leave' remained more or less unchanged in the Civil Service Regulations from 1889 till 1919. 'Subsidiary' or 'preparatory' leave was mostly applied to the instances of the covenanted servants, though the provision for this leave was available to both covenanted and uncovenanted servants. This was because, to avail this leave it was compulsory to travel away from British India by sea.⁸⁹

Besides, the government servants could obtain other forms of leaves like 'extraordinary leave', 'examination leave', 'leave without allowances' by the end of the nineteenth century. Such leaves were granted to them depending upon the immediate circumstances of their application and necessity.⁹⁰ Moreover, the functional diversities of official departments and institutions regarding the nature of duties or rhythm of work gave rise to different provisions of leaves and allowances among various classes of native employees. For instance, a separate list of leave rules

⁸⁷ Under-Secretary to the Government of Bengal, Financial Department, to the General Department, 5-3-1897, General, Miscellaneous-B, March 1897, No. 40. [WBSA]

⁸⁸ Report of the Committee for the Revision of Leave and Furlough Rules, 17-12-1867, Home, Public-B, 11 January 1868, Nos. 19A-19B. [NAI]

⁸⁹ *The Civil Service Regulations*, 1919, p.100.

⁹⁰ Under-Secretary to the Government of Bengal, Financial Department, to the General Department, 5-3-1897, General, Miscellaneous-B, March 1897, No. 40. [WBSA]

was provided in the Civil Service Regulations of 1889 for the class of officials regarded as the 'Statutory Native Civil Servants' posted in different regional administrative capacities, where the conditions and allowances of particularly the medical leave, leave on private affairs and furlough were different from that of the general structure of leaves offered to the uncovenanted employees.⁹¹ Again privilege leave normally did not exist in the judicial and educational services contrary to its application in other services with no periodical vacations, which has been already quoted in the description of privilege leave.

Meanwhile, following the Government of India Act of 1919, the Secretary of State in London framed 'Fundamental Rules' to regulate the conditions of service of the Civil Services in India effective from 1 January 1922, collating 'certain statutory rules of a fundamental character'. This brought the civil leave rules of the Civil Service Regulations within the ambit of the 'Fundamental Rules', giving new shape to the absentee rules in the process.⁹² The Finance Department of the Government of Bengal published these 'Fundamental Rules' along with some supportive and provincially applicable 'Subsidiary Rules' in 1924, that were further revised in 1929. The 'Fundamental Rules' replaced certain provisions of the earlier leave rules and other associated rules of the like nature with new provisions. Statutory Civil servants came under 'Fundamental Rules' in matters regarding their service conditions including leave.⁹³ 'Fundamental Rules' changed nomenclature of certain hitherto known leaves, and showed the admissibility of such leaves with new names. The name 'Privilege leave' was replaced by 'special leave' and 'ordinary leave'. The new names, as clarified, were better suited to lower racial discrimination that had been starkly visible in the earlier classification of services.⁹⁴ For employees to whom special leave rules were applicable, leave would be credited as 'special leave' to them, and for other employees to whom ordinary leave rules would apply, 'ordinary leave' would be credited to their favour. Rule 77(b) prescribed that credit of leave would be based on two following procedure of calculations. First, for those under special leave rules, total credit of leave would be the sum of balance of privilege leave at credit before Fundamental Rules came into being, one-eighth of the period of duty or privilege leave, and five-twenty seconds of

⁹¹ *The Civil Service Regulations*, pp. 160-161.

⁹² *The Fundamental Rules and the Subsidiary Rules made thereunder*, Government of Bengal, Finance Department, 1st ed., Calcutta, 1924, p. i.

⁹³ *The Fundamental Rules and the Subsidiary Rules made thereunder*, Government of Bengal, Finance Department, 1st ed., Calcutta, 1929, p. 210.

⁹⁴ *Ibid.*, p. 208.

the period of duty during the period when privilege leave is withdrawn. Second, for those under ordinary leave rules, total credit of leave would be the sum of balance of privilege leave at credit before Fundamental Rules came into being, one-twelfth of the period of duty or privilege leave, and two-eleventh of the period of duty during the period when privilege leave is withdrawn.

Also, rule 101(a) of the 'Fundamental Rules' empowered local governments to grant maternity leave to female government employees, and rule 101(b) empowered local governments to grant leave on account of ill health to the employees of subordinate services who were exposed to special risk of accident or illness. Both these leaves were taken as additional ones, and were not supposed to be 'debited against the leave account' of the concerned absentees.⁹⁵ In fact, the category of leave for maternity reasons emerged first in relation to the situation prevailing in the Bombay Presidency, whereby 'special' leave on full pay came to be allowed to the female employees 'in superior service', during the time of 'confinement'. Such a provision of 'maternity leave' was introduced by the Government of India in course of its official interaction with the Bombay Government in 1911. By this provision, this 'special' leave on full pay could be taken by a school mistress or assistant mistress usually for a period of two months, which could be extended to three months only under exceptional circumstances. However, the Government of India did not yet concentrate much on the level of application of this type of leave throughout colonial India beyond Bombay, preferring to leave the matter of implementation to the discretion of the local governments for regions like Bengal.⁹⁶

FURTHER CONSIDERATIONS ON LEAVE

Generally speaking, the discussion of the different types of leaves reveal how reforms of leave rules had been undertaken in the nineteenth century for disciplining and objectification of the process of allowing leaves to the government employees. In matters of uniform granting of leaves to all employees, the differences prevailing in the leave rules of the various classes of the men in service were sought to be neutralized by the control and supervision of the process of sanctioning leaves at the individual level. For this purpose, the government deliberately chose to delegate responsibilities to local administration. In an official intimation of 24 June 1873 sent to

⁹⁵ *The Fundamental Rules and the Subsidiary Rules*, 1924, pp. 138-139.

⁹⁶ O'M. Creagh, J. L. Jenkins, S. A. Imam, W. H. Clark to Viscount Morley of Blackburn, Secretary of State for India, 13-4-1911, Education, Education, April 1911, Nos. 84-88. [NAI]

the North-Western Provinces, the Home Department of Government of India conveyed such intentions:

On the whole, therefore, the Government of India prefer to maintain the existing system, which invests administration with full power to consider each application for leave on its merits, and which lays upon them the responsibility of dealing with it. As judicial functions differ from executive work, so must the reasons upon which leave can be given or refused differ in each class; but there seems no need for laying down as to either class any uniform rule to limit the responsibility of Government. His Excellency in Council believes that Government may best dispose of these cases upon the General principles of guarding the interest of public service, and of allotting, so far as may be possible, equal privileges of relaxation from work to all departments of the public service.⁹⁷

Notwithstanding these plans by the government, the operating principles of these leave rules continued to be quite discriminatory and limited in scope in the nineteenth century. The analysis of the leave rules show how greater privileges of leaves were mostly reserved for the members of the covenanted service compared to the men of uncovenanted service based on the claims of superiority of the former officers. In his historical analysis of the 'British bureaucracy in India' in the second half of the nineteenth century, Bradford Spangenberg argued how the service privileges of the I.C.S. and the partiality of the government towards them led to the formulation of highly favourable furlough rules for them. Such discriminatory policy was advocated by the government, often to the detriment of the general interest of public service.⁹⁸ My study traces the evolving features of this racially and hierarchically manipulated leave rules. The feeling of discrimination towards the native uncovenanted employees became openly manifest through administrative moves like favouring the uncovenanted officials appointed in England or the Europeans who, 'for special reasons' were and would be appointed in India, with benefits of partisan leave rules especially in relation to furloughs, as encouraged by the Secretary of State

⁹⁷ *Codes of the Financial Department*, p. 183.

⁹⁸ Bradford Spangenberg, *British Bureaucracy in India: Status, Policy and the I.C.S. in the Late 19th Century*, New Delhi, 1976, pp. 50-78, 146, 239-246.

for India in 1876.⁹⁹ On the other hand, the action of universally judging the grant of leaves was left to the decisions and discretion of the various authorities acting in the different tiers of the administration, not excluding the whims and personal preferences of the direct bosses of the employees. In fact, contemporary instances indicate how the decisions of the leave sanctioning authorities appeared to vacillate between sympathetic or considerate mentality on one side and unkind rigidity on the other. Shibnath Shastri penned an incident in which his father had been unable to attend the usual teaching duty in the Bengali *Pathshala* of Calcutta on the day of reopening of the institution after the summer vacation, as his father had taken the responsibility of helping a poor family affected by famine in his village at that time. Shastri recounted that his father's justification for absence had not only been obligingly accepted by the authorities, additionally no salary was also deducted for flouting the rules, as a gesture of goodwill.¹⁰⁰ In his autobiography, Nabinchandra Sen related how his personal good understanding with the concerned higher British authority had caused the latter to appreciate his utter necessity regarding family affairs. So, Nabinchandra had been willingly granted a leave of one month, despite the dearth of replacing officials.¹⁰¹ However, the stiff terms and conditions, as well as the difficulties in obtaining leaves during the times of real need, sometimes also generated grievances and evoked frustrations among the native employees. As for example, the same Nabinchandra Sen was later forced to join immediately in his new transferred posting as deputy magistrate and deputy collector in Puri, just after the expiry of his medical leave for three months. He remarked that the British government was nothing but a heartless machine, which had turned deaf ears to his repeated appeal for allowing him to stay near Calcutta, despite the vulnerable condition of his wife in the advanced stage of pregnancy.¹⁰² *Debganer Martye Agaman* (1886), a social satire written as a fictitious travel narrative of some of the gods of heaven, depicted the agony of a group of clerks engaged in the railway workshop office of Jamalpur, on being denied emergency leaves by the authority. The description runs as below:

After going a little distance they saw a few persons crying on the road. One of them was lamenting that all arrangements were ready for the *annaprashana*

⁹⁹ The Secretary of State for India to the Government of India, 10-2-1876, in General, Civil Service Appointment and Leave, 2 May 1876, No. 1. [WBSA]

¹⁰⁰ Shibnath Shastri, *Atmacharit*, Calcutta, 2003, pp. 275-276.

¹⁰¹ Nabinchandra Sen, 'Amar Jiban' in *Nabinchandra-Rachanabali*, Vol. 1, ed. Sajanikanta Das, Calcutta, 1959 /BS 1366, p. 168.

¹⁰² *Ibid.*, Vol. 2, pp. 3-8.

[i.e. first rice-eating ceremony] of his son, but he was not allowed to leave. When asked, the authority said, “Why to feed your son rice only on an auspicious moment? He will take rice himself, when he will learn to eat of his own.” Another man complained, “Day after tomorrow is my mother’s *shradh* [i.e. funeral ceremony]. The unfortunate myself could not make it to seek mother’s blessing at the time of her death. Now my younger brother after making all arrangements, has asked me to go. When I requested for leave, do you know what they said? ‘When your brother is there, he will take care of everything. What for will you go then? If you go, you can leave for ever’.” One more person uttered with a loud cry, “Oh mother! Save me! Oh! My younger brother has been continuously writing, ‘Brother! Mother has had her *Ganga yatra* [i.e. ritual of visiting the bank of the Ganga for obeisance, because of impending death]. It is doubtful if she will stay alive even for two days. She earnestly wants to see you for the last time. So, do come immediately without delay under any circumstances’. But the authority is not granting any leave. On my prayer for leave I was told, ‘Since you have already enjoyed seven days’ absence for illness, you are not entitled to leave. However, if you are ready to proceed quitting your job, you are at liberty to go’. Oh! What am I to do? – My position is exactly similar to that of the heavenly abode of Trishankoo, the mythical king permanently confined in the space. If I do not go, I cannot see my mother. If I go, I will lose my job resulting in the starvation of a big family.” Just at this moment they saw a young person come towards them, and they asked him with curiosity, “What about your leave, friend?” The young man informed, “They advised me to go home on Puja vacation and get married. They rebuked saying — ‘why do you people fix the date of marriage and make all arrangements without our permission?’”¹⁰³

The ways of negotiating for leave were often circuitous under the real and practical conditions of work and life. This was especially true for women employees, who often fumbled to directly approach their male superiors with requests for leave. Haimabati Sen’s memoir refers to one such incident, when Haimabati was professionally engaged as a Lady Doctor in the government

¹⁰³ Durgacharan Ray, *Debganer Martye Agaman*, Calcutta, 2001, pp. 129-130.

hospital at Chinsurah. Her son was severely ill. Her helpless position prompted the kind wife of the Civil Surgeon of the hospital to solicit for a “ten days’ leave” on Haimabati’s behalf from the Surgeon, who was the superior in office.¹⁰⁴

Certain hierarchies of service and conditions of employment influenced the general policy of granting the absentee leaves and leave allowances. For example, the contract employees, or the employees in temporary service, or those employed in the non-continuous establishments, were under-privileged in matters of securing leave. Hence, to quote the Civil Service Regulations, ‘[a]n officer under contract...is not entitled to leave, except in accordance with the terms of his contract.’¹⁰⁵ The Regulations also mentioned how grant of leaves on emergency conditions like that of privilege leave could be allowed to an officer under temporary or officiating appointment and lien, only under conditions when neither substitute was to be provided for, nor any additional expense was to be borne by the Government.¹⁰⁶ Besides, the Civil Service Regulations noted how privilege leave could not be availed by an officer appointed in ‘non-continuous’ jobs in establishments where duties were ‘restricted to certain fixed periods in each year’.¹⁰⁷

Despite all the separate efforts insistently put in to define and organize ‘public holidays’ on the one side and classify as well as codify ‘leaves’ on the other, the connection between holidays and leaves could not be totally delinked. Thus, the common impulse or inclination of the employees to combine leaves with holidays or vacations could be discerned from time to time by the colonial administration. Sometimes, the concept of leaves could serve to complement the functions of holidays. Therefore, when employees were summoned to attend office on usual holidays, a general expectation often prevailed that they should be offered a ‘compensatory leave’ in lieu of such extra attendance. To elucidate this point, I would like to return to an earlier reference cited in the first chapter, in the context of the discussion regarding the introduction of a common ‘general holiday’ in government offices in the 1860s. We need to recall the Governor General’s communication addressed to the Financial Department in April 1861. It spoke of the administrative viewpoint whereby usual holidays were often not required to be observed in the Secretariat offices, and the ‘loss of holiday’ of the concerned employees was ‘compensated by

¹⁰⁴ Haimabati Sen, *Because I am a Woman*, tr. Tapan Raychaudhuri, ed. Geraldine Forbes and Tapan Raychaudhuri, New Delhi, 2011, pp. 209-214.

¹⁰⁵ *The Civil Service Regulations*, 1889, p. 55.

¹⁰⁶ *The Civil Service Regulations*, 1897, p. 73.

¹⁰⁷ *Ibid.*

the grant to them of other days of holiday at another season'.¹⁰⁸ More importantly, the instance also underlines the overlaps that sometimes lay between the functional operations of the notion of holidays and that of leaves even in colonial Bengal. This is because, the issue of substitutive holiday or 'compensatory leave' continued to surface much in the same spirit even in the early decades of the twentieth century. The expectation remained so, although the government policy in this respect did not always appear to be uniform. In fact, Ayub Ali, a member of the Bengal Legislative Council, voiced such a demand in the seventh session of the Council in 1922, on behalf the office assistants belonging to all departments of the Bengal Secretariat, who were rotationally called on duty on 'gazetted holidays'. In response, the member of the Executive Council in charge of the Finance Department, J. H. Kerr pointed out that there existed an occasional practice of granting 'compensatory leave' to the office staff for discharging urgent work on holidays in the Legislative Department, to neutralize the pressure of the very fluctuating nature of duties of this department. However, Kerr also informed about the general absence of such provision of 'compensatory leave' in other departments of the Secretariat Office, revealing how extra attendance was held as an 'ordinary' requisite for 'whole-time service'.¹⁰⁹

The arguments in this chapter reveal how leaves came to be established as an integral and institutionally operative factor for determining free time that sought to control the general conditions of employment. My study highlights how a well-defined structure of leaves evolved within the domain of the office as a case of priority, and continued to evolve through the gradual process of ramifications and incorporations. It also demonstrates how such leading steps of classification and codification of leaves sought to reinforce the gulf already existing between the different conditions of employment of the different classes and sections of the office-goers, thereby firmly entrenching certain stereotypical hierarchical divisions and conditions of work. In fact, the formal classification and codification of the rules constrained the scope of open deliberations, and heightened the imperious application of the imposed regulations only under limited or uneven circumstances. Lack of flexibilities remained embedded in the racial, gendered and several other discriminatory terms and conditions that affected the functioning of work and life. Therefore, whims of the authorities came to play a big role regarding the question of

¹⁰⁸ Extract from the Proceedings of the Government of India, in the Financial Department, dated 23 April 1861, Home, Public-B, 7 May 1861, Nos. 58-60. [NAI]

¹⁰⁹ *The Bengal Legislative Council Proceedings. (Official Report, Vol. VII, No. 2, Calcutta, 1922, p. 22.*

determination and application of leaves, as the individual interests constantly clashed and negotiated with the positions or affiliations of colonial subjectivity. This in turn tended to shape the boundaries of legitimate and illegitimate free time, and tended to broadly influence the social coding of work, life and personal discipline of the salaried classes in general.

Time of Labour: Legalizing 'Rest' in Factory Work

'Labour time' remained a subject of widespread discussion, contention, transformation and legislation during the late nineteenth and the early twentieth centuries, particularly within the domain of factory work in colonial Bengal. Existing important historiographical contributions on factory work in colonial Bengal address 'labour time' – a crucial aspect integral to the Marxist critique of capitalist productionism – primarily as a muddled component associated with the general 'living conditions' of the factory operatives or as the 'shop-floor conditions of labour'. The scholars underline how such conditions were heavily moulded by the colonial typecasting of the native factory operatives as unpunctual, 'dilatatory and desultory', or as frequent absentees bent on shirking work. But, the specific temporal implications of such typecasting have hardly been explored. In Dipesh Chakrabarty's acclaimed study, this 'labour time' intrinsically features within the unstable 'conditions and culture' of factory work, mainly revealed as the disaggregating 'pre-capitalist' inclinations of the factory operatives, that gravitated less towards 'class consciousness', and more towards their rurally inherited connections of 'community' linked with 'religion, language, kinship' even in the urban work space. The instability of factory work-discipline also stems from the entrepreneurial and infrastructural limitations of the jute mills, the backbone of the industrial set-up in colonial Bengal.¹ On the other hand, Ranajit Das Gupta's research holds 'labour time' to be entangled with the 'material conditions and behavioural aspects' of the factory operatives, where the demands of punctuality and attendance at work clashed with the agriculture-based traditional life-patterns of the labourers. The mounting tensions of work induced the labourers to unite as communities or religious groups within the scope of capitalist class formations, and incited them to participate in concerted

¹ Dipesh Chakrabarty, *Rethinking Working-Class History: Bengal 1890-1940*, Princeton, 1989, pp. 3-115, 186-218.

actions like pressing for break from work on religious festivals.² Samita Sen's intervention breaks new ground in this regard as she moves beyond the class question and 'social identities based on 'religion, region and language' to focus on 'how social constructions of gender shaped the lives and work of women wage labourers' in the jute industry. In fact, Sen explores the tensions of fixing the duration of factory work and the issues of discipline, absenteeism, rest or breaks in work, holidays and leaves as part of the general labouring conditions of the women millhands locating the same in relation to the 'conflict and interaction between and among various groups – workers, entrepreneurs, the state and its officials'.³ Subsequently, Parimal Ghosh attempts to assess the tussle over the hours of factory work in terms of the 'shop-floor conditions of labour' and the basic protective rights or the living standards of the factory operatives, with special reference to the function of the colonial state within the specific context of colonial Bengal. Here, Ghosh notes how the working hours were consistently long and unjust, mostly in contravention of the stipulated temporal limits, made possible by the collusion of the colonial state with the employers, guided by racial prejudices or what Ghosh highlights as 'the colonial mentality'.⁴ While the above leading historiographical perspectives add different dimensions to the general understanding of the 'living conditions' of factory labour in colonial Bengal, two particular limitations that persist within this existing line of scholarships deserve special attention here. First, 'labour time' itself has more or less been implicitly treated as a lumped category. The various ontological attributes of temporality have not been properly distinguished. Second, law is assigned only a marginalized stipulatory role in this discursive analysis of the conditions of temporality in the lives of the factory operatives. This present chapter intends to address these two limitations. It seeks to examine the formation of some of the concrete aspects that emerged within the category of 'labour time' in factory work, especially from the viewpoint of the interrelations of these aspects with law. For this purpose, this chapter will attempt to both analytically draw from and reflect on the recently flourishing field of critical scholarship that identifies the interfaces between time and law, and pursues what Emily Grabham and Siân M. Beynon-Jones visualize as 'the potential for a multidirectional process of co-

² Ranajit Das Gupta, *Material Conditions and Behavioural Aspects of Calcutta Working Class 1875-1899*, Occasional Paper No. 22, Centre for Studies in Social Sciences Calcutta, Calcutta, 1979, pp. 7-30, 56-60, 76-84, 92-107, 123-151.

³ Samita Sen, *Women and Labour in Late Colonial India: The Bengal Jute Industry*, Cambridge, 1999, pp. 2-9, 31, 40-47, 89-109, 134-175, 218-227.

⁴ Parimal Ghosh, *Colonialism, Class and a History of the Calcutta Jute Millhands 1880-1930*, Chennai, 2000, pp. 2-22, 88-120.

production between law, temporalities and other elements of social and political life'.⁵ Taking cue from this angle of analysis, my concern here will be to delineate how interplay between legal processes and the evolving connotations of 'labour time' tended to define, support and reinforce the particular temporal notion of 'rest' within factory work in colonial Bengal.

In fact, factory legislation in colonial India, initiated with the promulgation of the Indian Factories Act in 1881, has been a subject of historical enquiry and criticism since long ago.⁶ However, the effort to bring law into conversation with time for exclusively uncovering the different technical imports of 'labour time' proves to be a relatively new theoretical departure. A recent historiographical headway in this respect is an essay authored by Maya John, which is published in the already named anthology of Grabham and Beynon-Jones. John documents the functions and implications of the term 'half-timer' that popped up in the history of factory legislation in colonial India specifically for the child operatives. John discusses the socio-economic backdrop that 'structured the lived experience of child labourers within the new regulative regime' in colonial India, while assessing the contradictions, stress, reactions and clashes generated by the inter-aspects of the 'new temporality' with the structuring of law, keeping a special eye on the Bombay Presidency.⁷ However, her way of problematization of temporality appears somewhat superficial, given the fact that she hardly differentiates between and delves into the distinctive components which show up within the category of 'labour time'. My particular aim in this chapter is to retrace the evolution and the implementation of various formal temporal concepts like 'a weekly day of rest', 'midday stoppage' or 'interval', 'night rest', 'festival holiday' (or, festive holidays) and 'leaves' – all of which underpinned the central theme of 'rest' in factory work in colonial Bengal. Beginning my investigation around the period of the legislation of the first Factories Act in 1881, my intention is to understand the process of

⁵ Emily Grabham and Siân M. Beynon-Jones, 'Introduction' in Siân M. Beynon-Jones and Emily Grabham (eds.), *Law and Time*, Oxon and New York, 2019, pp. 1-22. Grabham and Beynon-Jones also contend that this two-way dialogic engagement with time and law can allow us to 'investigate how law participates in the creation of temporal ontologies just as much as reflecting on how law itself is shaped by dominant temporal assumptions.'

⁶ Early instances of studies on factory legislation consisted of works like that of J. C. Kydd and Rajani Kanta Das. Vide, J. C. Kydd (comp.), *A History of Factory Legislation in India*, Calcutta, 1920; Rajani Kanta Das, *History of Indian Labour Legislation*, Calcutta, 1941. In contrast, later scholars who have interpreted the history of Indian factory labourers from the Marxist view of 'class struggle', have written about the lack of spontaneity of the early factory legislation in ameliorating the working conditions of the operatives, especially in the initial stage of capitalist development in India. This argument was applied to explain the excessive working hours and exploitation of the operatives. See for example, Gopal Ghosh, *Indian Trade Union Movement*, Part-1, Calcutta, 1961, pp. 45-48, 52; Sukomal Sen, *Bharater Shramik Andolaner Itihas*, Vol. 1, Calcutta, 1975, pp. 64-87.

⁷ Maya John, "Regulating the 'half-time' in colonial India: Factory legislation, its anomalies and resistance" in Siân M. Beynon-Jones and Emily Grabham (eds.), *Law and Time*, pp. 162-178.

formation and interpretation of these different concepts of ‘rest’, with respect to the framing of the Factories Act. The process was highly crucial, given the general official impulse to discern any ordinance to restrict the hours of factory work as a course ‘calculated to effect all that is required in the direction of securing times of rest’.⁸ Various sections of this chapter will seek to address the specificities and the underlying links of these different temporal connotations of ‘rest’ in colonial Bengal, in the light of the influence and limitations of the laws and regulations related to factory work.

‘WEEKLY DAY OF REST’

As already discussed in the first chapter, the regulatory measures adopted to prohibit Sunday labour in colonial India in the first half of the nineteenth century were mainly confined to the domain of government offices and works.⁹ Therefore, the factories and workshops that appeared as sites of industrial production under public or various private ownerships by the third quarter of the nineteenth century in colonial Bengal, had no specific or uniform policy of Sunday closures. Official discourse of the late 1870s indicated how some mills used to operate on Sundays, while others remained closed.¹⁰ The Indian Factory Commission, constituted by the Governor General in 1890 to investigate ‘the views and requirements of the Indian operatives themselves’, before undertaking an amendment of the Indian Factories Act of 1881, first seriously reported on the topic of “one day’s rest in seven”. In a large number of factories, several operatives including men, women and children were required to attend work on Sunday mornings for cleaning machineries, and were mostly not remunerated for this duty.¹¹ Many of the operatives, interviewed by the Commission in 1890 in and around Calcutta, gave clear statements not only regarding the lack of any uniform rule of Sunday closures, but also on how such continuous pressure of work without break was unbearable. Thus, Majoo Maithi, a ‘Kayesth Oorya’ male, aged 25 and a cotton-spinner at Bowreah Cotton Mills, informed the following:

⁸ A. Mackenzie, Secretary to the Government of Bengal, to the Secretary to the Government of India, 13-5-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

⁹ Despatch of the Court of Directors by H. S. G. Tucker, I. L. Lushington, W. Wigram et al, dated 16 June 1847, India Revenue Consultations, India and Bengal Despatches, 5 May 1847-28 July 1847, OIOC, E/4/792, BL.

¹⁰ J. O’Kinealy, Superintendent and Remembrancer of Legal Affairs, to the Secretary to the Government of Bengal, General Department, 17-1-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

¹¹ *Report of the Indian Factory Commission*, Government of India, Calcutta, 1890, pp. 8-10.

Sometimes they get Sunday holidays, sometimes they do not. Nobody can work for 30 days on end, but it depends on the *Saheb* to give them leave....During the last two months they worked two Sundays a month, and got two Sundays' holidays. On these two holidays they had to go to the mill up to 10 A.M. to clean.¹²

Jaffer, a Mahomedan boy of about twelve years, who was employed as a rover in Victoria Cotton Mill, divulged almost the same statement about his mill. 'Some Sundays we get as holidays, on other Sundays we work, and on others we clean.'¹³ Hence, even child operatives did not get respite from Sunday work and cleaning, though they were officially entitled to get four days of holidays in a month according to the Indian Factories Act of 1881.¹⁴ These inhuman temporal strictures of continuous labour were however, easily overlooked. The proposal of the enactment of a compulsory 'weekly day of rest' in factories had invoked strong adverse reactions and debate within the administrative circle. Thus, a government official such as the Chief Engineer of the Irrigation Branch in Bengal had preferred to side with the capitalist employers in deploring such a proposition in 1879, even before the promulgation of the first Factories Act. He had reasoned as under:

It is a difficult question to deal with, and if enforced might give rise to much dissatisfaction among native factory owners. The argument against it of course is that the great number of native holidays which the labourers will observe, added to the Sundays, will entail most serious loss of time.¹⁵

Notwithstanding such explicit oppositions to the proposition of 'Sunday rest' in factories in colonial Bengal, the Indian Factory Commission's enquiry in 1890 revealed that the factory operatives were almost unanimous in favouring the implementation of compulsory Sunday closures by enactment. Thus, operatives like Rajoni, the 33-years old woman jute-spinner of Union Jute Mill obviously chose 'Sunday rest' in place of 'work for the seven days without a holiday, because she would lose her life.'¹⁶ In effect, the Commission recommended the need of a 'Sunday rest' for all the workers in general. It remarked that the British government was apprehensive of exerting the Christian Sabbath as the choice for the 'weekly day of rest'. Nonetheless, all operatives almost readily backed the proposition of 'a Sunday holiday' mainly

¹² *Ibid.*, pp. 76-78.

¹³ *Ibid.*, p. 87.

¹⁴ *The Legislative Acts of the Governor General of India in Council of 1881*, Calcutta, 1882, p. 164.

¹⁵ Note by H. C. Levinge, Chief Engineer, Bengal, Irrigation Branch, on the proposed Factories Bill, dated 22 March 1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

¹⁶ *Report of the Indian Factory Commission*, pp. 76-77.

from a comparative perception of the temporal framework prevailing in other domains of work. The Commission explained that for the factory labourers, it was ‘the most convenient day for meeting their friends...employed in other mercantile establishments and Government offices, where a Sunday holiday...[had] always been the rule.’¹⁷ Of the interviewees, the lone wish of Onerodee, a Mahomedan worker at Government-run Gun Foundry and Shell Factory in Cossipore – to get Friday as the ‘weekly day of rest’ for prayers – was submerged under the cry of the majority for a Sunday break and the influence of a long-standing colonial British-oriented custom.¹⁸ This fact also exhibited how common practices or prospects of relaxation came to influence the choice for a weekly day of break, alongside traditional considerations of religion. Ultimately, the recommendation of the Commission was accepted by the amendment of the Indian Factories Act, 1881, brought about by the Act XI of 1891. ‘No person shall be employed in any factory on a Sunday’ – stipulated the new Act. Certain alternative conditions were provided next to this clause in the Act. First, activities related to maintenance or repair works were only allowed on a Sunday. Second, whenever a person would have to be engaged in a factory on a Sunday, he would have to be given an alternative day of rest ‘on one of the three days immediately preceding or succeeding the Sunday’.¹⁹ Evidently, the catch lay in these conditions of the enactment. A later survey published by the Government of India pointed out how it created a situation, whereby factory employees could be worked for twelve days in a row without any day off in between. It took a long time for the Government to recognize and remedy this defect. The Factories Act II of 1922 added a proviso to the above second supplementary condition. No factory employee could now be employed for more than ten days in succession without a ‘day of rest’. The Act IX of 1923 further added a clarification that explained how the week was to be calculated for such modified arrangements.²⁰ Besides, the law sought to preserve the status quo by permitting maintenance related activities like repair works on Sundays. It hardly addressed the most crucial grievance of the factory employees that they were often compelled to attend duties for cleaning and repairing on Sundays. Although the clause was modified in the Indian Factories Act of 1911 to confine Sunday activities to ‘work on urgent

¹⁷ *Ibid.*, pp. 8-10.

¹⁸ *Ibid.*, pp. 87-88.

¹⁹ *The Indian Factories Act, 1881, As Modified up to the 1st April, 1891*, Government of India, Legislative Department, Calcutta, 1891, pp. 6-7.

²⁰ A. G. Clow, *Indian Factory Legislation: A Historical Survey*, Bulletin of Indian Industries & Labour, No. 37, Calcutta, 1926, pp. 64-65.

repairs' only on specially approved cases²¹, the confusion and misuse caused by the previous rule was already quite profound by that time. The change was effected after the Indian Factory Labour Commission acknowledged such misuse and misinterpretation of the previous clause in its report submitted to the Government of India in 1908. The Commission also criticized the fact that the employers needed to issue no prior notice for planning to work on Sundays, to inform about the declaration of alternative 'compensatory holidays', before the Act of 1911.²² The other major inherent limitation of the 'Sunday rest' clauses existed in a third condition for exceptions. Certain grounds of exemption were mentioned in the Act of 1891, under which Sunday work was permitted in some factories. These consisted of a class of factories involved in continuous production for technical reasons, or supplying prime articles of day-to-day necessity, or functioning temporarily in irregular and seasonal periods. The Act conferred the tasks of judging and declaring now and then such cases of exemption mostly on the Local Government.²³ These anomalies in the Act again came to be revised in the Indian Factories Act of 1934. The new Act prescribed the limiting of the weekly duration of work even for the exempted class of factories as per the decision of the Local Government.²⁴ However, by then, these provisions for exemption had already deprived a huge section of operatives from their much deserved 'weekly holiday' for a long time. In the absence of any alternative scheme of a selected 'day of rest' for the exempted class of factories, the workers had to remain at the mercy of the managers and owners in seeking occasional relief from the uninterrupted rigours of work. Moreover, the clause had tacitly encouraged the circumvention of the rule of Sunday break under various pretexts. Once Sunday was allowed to be the day of operation for a special class of factories, some factories not coming under this exceptional category, often dared to secretly keep their operations open on that day. A few of these instances of circumvention will be taken up below along with a more detailed analysis of the last two conditions for exceptions in particular, in my subsequent discussion of the process of implementation and supervision of the clauses of 'Sunday rest' here. It will be explained, how these serious technical flaws – inherently present in the rule of the 'weekly day

²¹ *The Unrepealed General Acts of the Governor General in Council, with Chronological Table of All Unrepealed Acts Passed by the Governor General in Council with an Index*, Government of India, Legislative Department, Vol. 7, Calcutta, 1914, p. 184.

²² *Report of the Indian Factory Labour Commission, 1908*, Vol. 1, Simla, 1908, pp. 13, 58.

²³ *The Indian Factories Act, 1881, As Modified up to the 1st April, 1891*, pp. 6-7.

²⁴ *A Collection of the Acts of the Indian Legislature for the Year 1934*, Government of Bengal, Legislative Department, Alipore, Calcutta, 1936, pp. 19-20.

of rest' at the basic level of legislation – made the operation of the same rule quite non-uniform and unstable in many ways.

Besides legislation, the implementation and legalization of the 'times of rest' necessarily hinged on statutory supervision. The methods of statutory supervision included regular surveillance through inspection, reporting and the imposition of penalties on the detected violators of the clauses of the Act. The Indian Factories Act of 1881 had entrusted the responsibility of surveillance upon the specially appointed Inspectors of Factories, or otherwise, upon the District Magistrates in general.²⁵ As a result, the working of the Factories Act, and hence the functioning of the 'Sunday rest' clauses came to be looked after by the Special Inspector of Factories and their assistants operating under the Government of Bengal. The opinions, as recorded or as directly penned by the Special Inspectors themselves, in the yearly reports submitted on behalf of the Government of Bengal, offered insights on the institutionalization of the clauses of 'weekly day of rest' in the factories. It is important to note that only a few incidents of infringements of the clause of 'Sunday rest' were reported in the immediate aftermath of the legislation of the rule in 1891. Instances of such violation were detected in 1892 and then in 1901. According to the report for the year 1892, five prosecutions were instituted against such violations, which led to four convictions.²⁶ Again, in 1901, when the Factory Inspector caught a mill in the Howrah district to be operating on Sundays, the mill was prosecuted to stop such defiance of law.²⁷ However, detection of such few instances of infringement did not necessarily signal the smooth and successful implementation of 'Sunday rest'. Instead, a careful examination of the annual reports on the working of the Factories Act would point to something quite contrary.

The annual reports threw light on the nuances and complications that emerged in the process of implementation of the provision of 'Sunday rest'. As already hinted above, these complexities were often triggered by the contradictions present within the 'Sunday rest' clauses of the Act. The views of the Special Inspector of Factories, C. A. Walsh indirectly underlined the presence of this irony in his inspection duty. While it was incumbent on Walsh to detect any infringement of the 'Sunday rest' clause, the counteractive continuance of Sunday attendance at work went

²⁵ *The Legislative Acts of the Governor General of India in Council of 1881*, p. 162.

²⁶ H. H. Rislely, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

²⁷ W. C. Macpherson, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 18-7-1902, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

mostly unchallenged under the shield of law. This restricted circumstance of surveillance, as enforced by legislation, possibly induced Walsh in the late 1890s to take interest in and support a transitory appeal of the European assistants in jute mills for the establishment of a half-holiday on Saturday. The logic was that ‘cleaning and repairs’ could be easily completed after the early stoppage of work on Saturdays, and would not then be left pending for Sundays.²⁸ In other words, Walsh wanted to ensure the total closure of mills on Sundays in colonial Bengal through his encouragement to this appeal, though the attempt to press for a legislative solution in this regard proved unsuccessful.²⁹ The attempt however, widened the scope of discussions and endorsements garnered by the ‘Sunday rest’ issue. For example, Walsh’s view in this respect was seconded by Ashe, the Civil Medical Officer of Serampore. He was one of the Civil Surgeons, who usually inspected and examined the age and the state of health of the operatives, in accordance with the rules framed by the Bengal Government under the Indian Factories Act. Ashe favoured an early closing of mills on Saturdays that would allow the grant of “an entire day’s rest on Sunday to all classes of workers”.³⁰

Secondly, the possibility of the misuse of the clause of exemption from ‘Sunday rest’ seemed quite probable in its application, as already indicated above. As the approving authority, the local administration was often flooded with applications to declare and review exemptions. The escalated working hours of the factories during the First World War could have especially induced the declaration of long lists of exemptions. My perusal of the yearly reports shows that a large chunk of factory establishments were exempted from the ‘weekly holiday’ rule by the Government of Bengal before the end of the 1920s. Apart from temporarily exempted establishments, the list comprised *inter alia* electrical generating stations, tea-garden factories, jute presses in 1924.³¹ In 1925, the list of temporary exemptions consisted of particular functions or certain sections or special types of establishments that included oil mills, rice mills, pottery

²⁸ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 3-8-1897, Home, Judicial, March 1898, Nos. 107-154. [NAI]

²⁹ F. A. Slacke, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 21-8-1900, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

³⁰ J. A. Bourdillon, Officiating Commissioner of the Burdwan Division, to the Secretary to the Government of Bengal, General Department, 23-7-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

³¹ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1924, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

works, gas works, flour mills, tanneries, paper mills, shellac factory, etc.³² Although the Government of Bengal was known for its early anti-legislative stance, its role in impartial decision-making was quite predictably never critically scrutinized by a subordinate official like the Special (or later, the Chief) Inspector. The only consequential example of the Bengal Government's rejection of an application for exemption appeared in the annual report for 1914, prepared by the then Chief Inspector of Factories, R. P. Adams. In December 1913, the Secretary to the Indian Engineering Association appealed to the Government of Bengal 'for the exemption of ship-building and constructional yards of engineering works' from the 'Sunday rest' clause of the Act. The request arose from the claims that these sectors were inconvenienced by the risks of working in the dark, the scarcity of labour and the irregular bouts of work performed by the available labour force. The Government on the other hand, refused to grant the exemption mainly because of the lack of full utilization of the time of the day already allotted for work in these sectors. The caution given was 'that Sunday rest being one of the essential principles of the Factories Act, should not be interfered with except on the very strongest grounds.'³³ However, guarding against unnecessary exemption proved to be more unavoidable later, when the Government of India embraced a formally conscious approach 'regarding protection of employees from long continuous hours of work' in 1926. Here, international pressures – i.e. precisely speaking, obligation to conform to the resolution adopted in the Third International Labour Conference at Geneva on 18 November 1921, in respect of 'a weekly day of rest' – acted as the major catalyst.³⁴ In the annual report for 1927, Adams depicted how the spirit of 'the Draft Convention' that 'workers foregoing their weekly holiday should receive compensatory rest', came to be applied in the factories of colonial Bengal. He also added that the sub-categorization of the exempted establishments as 'continuous process', 'seasonal', 'essentially intermittent' and 'urgent repairs' helped in the task of this regulation. Therefore, labourers employed in 'continuous process' of industrial production, as for instance, the electrical generating stations

³² Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1925, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

³³ Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam, for the Year 1914, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

³⁴ *International Labour Conference, Third Session*, Vol. 1- First and Second Parts, League of Nations, Geneva, 1921, Appendix XVII, pp. 867-868. Also See, Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1926, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

and the oil mills (engaged in ‘solvent process of extraction’) now became eligible for ‘a rest of 24 hours every 14 days’. Because of the absence of ‘Sunday rest’ or any other ‘weekly day of rest’, operatives employed in ‘intermittent’ jobs as maintenance workers, oilers, etc. received ‘compensatory rest’ in the form of the limitation of their weekly duration of work to 66 hours. In the concerns of ‘urgent repairs’, the workers got the weekly stipulation of 60 hours to allow them ‘minimum sleep or rest necessary’.³⁵ Still, chances of abuse of the provision for exemption could not be ruled out, and the Inspector was constantly kept on his toes in his vigilance. The annual report for 1929 recorded the strong condemnation by the district inspector of Jalpaiguri of an unfair practice prevailing in the tea factories under exempted conditions. The managers of tea factories ‘were employing children on Sundays without specified rest intervals’. The Chief Inspector of Factories, J. B. Mc Bride not only censured the managers for ‘taking advantage of a technical defect’ in government notification, but also recommended to the Government, a revision of the order to stop this unfair practice.³⁶ Another issue of concern for the Inspector was the engagement of ‘temporary hands on Sundays’ in the exempted establishments. Such occurrences were found to be particularly common in the rice mills, among the ‘individual industries or factories’ exempted from Sunday closure, and also in the printing presses, where Sunday work was allowed with prior notification and special permission. The Inspector especially objected to the mode of operation of those printing presses, where the temporary workers engaged on Sundays were regular employees of other industries, including often other ‘unregistered presses’. Hence, these workers could not get their lawful ‘day of rest’. Moreover, the Inspector feared that such establishments, if not restrained, would next be inclined ‘to employ temporary hands, not only on Sundays, but also on week days’.³⁷ In order to prevent these abuses, the new Factories Act of 1934 formally assigned the responsibility of granting adequate ‘compensatory rest’ and fixing specific hours of work in the exempted establishments, to the Local Government.³⁸

³⁵ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1927, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

³⁶ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

³⁷ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1930, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

³⁸ *A Collection of the Acts of the Indian Legislature for the Year 1934*, pp. 19-20.

In fact, the annual reports also provided clues on the prejudices and shortcomings present in the method of surveillance and in the preparation of the reports themselves. During the early decade of the imposition of the clause of ‘weekly holiday’, the statements of the factories submitted in the reports in accordance with the order of the districts, appeared to be often sketchily drawn. For instance, facts regarding the observance of the ‘weekly holiday’ were missing for Bally Bone Mills of Uttarpara in the Howrah district and for Wellington and Hastings Jute Mills of Rishra, Victoria Jute Mill of Telinipara and Bengal Spinning and Weaving Company Limited of Mahesh in Hooghly in the statements of factories that accompanied the Report for the year 1898.³⁹ Again, information on the observance of Sundays or other days of rest was missing in the annual report for 1899, in case of Delta Jute Mills in Howrah, and for several factories in Hooghly district. The latter involved the aforementioned same two mills of Rishra and the one at Telinipara, alongside Champdany Jute Mill of Champdany and Serampore Cotton Mill of Mahesh.⁴⁰ These omissions indicated the modes of inspection and reporting to be sometimes inefficient and superficial. Moreover, such limitations suggested how related information on work-discipline in the factories was often non-transparent in nature and not readily forthcoming in many respects. Lack of proper facilities or infrastructure was also held to be responsible for such drawbacks in the modes of inspection and detection. This point was raised by the first Special (later, Chief) Inspector of Factories, C. A. Walsh in his report for the year 1907. It was in reaction to the news published in the paper ‘Capital’ regarding the illegal functioning of a factory on Sundays. Walsh reported how after finding out the mill as Anglo-Indian, he had requested for a launch at his disposal, once or twice in each month, in his letter to the Secretary to the General Department. Walsh succeeded in convincing the Secretary that this facility would enable him to take quick action to eradicate such unlawful practices of ‘Sunday work’. So, his proposal got sanctioned. Notwithstanding the existing flaws and constraints, Walsh was not ready to directly concede the limitations in the existing process of inspection. This was true even in his initial attempt to encourage the discontinuance of Sunday attendance in factories for regular maintenance works, through his support for the plea for a half-holiday on Saturday. Again, in his report for 1907, he

³⁹ Statement to Accompany Annual District Report on the Working of the Factories Act for the Year 1898, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

⁴⁰ Statement to Accompany Annual Provincial Report on the Working of the Factories Act for the Year 1899, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

referred to the cases of the working of factories on Sundays as 'quite exceptional'. Rather, his new surmise after the infrastructural reinforcement proved to be quite over-optimistic. He stated that the additional fear of the Inspector sailing quickly through the river, to appear any time in any factory even on a Sunday, would definitely stop such violations altogether.⁴¹ Unsurprisingly, his conjectures were soon proved to be short-sighted and a far cry from the real situation.

Soon, the above spirit of exuberance dried up in face of the rising challenges and nuances that emerged in the process of implementation. Contravention of the provision of 'Sunday rest' not only continued to be reported, but number of prosecutions against such instances sharply swelled with time during the first three decades of the twentieth century. A few random examples would illustrate the trend found in the detection of offences related to the 'non-observance of weekly holidays'. In 1913, two such prosecutions were instituted against the two managers of Fort William Flour Mill and City Flour Mill.⁴² The scenario did not drastically change just after a decade. In the annual report for 1923, the Chief Inspector named two cases moved for prosecution that year against the managers of Phani Bhusan Mandal's Lakshmi Janardan Rice Mill at Alipore located in 24-Parganas and Jessop & Co.'s Howrah Foundry located in Howrah.⁴³ Then, the number of prosecutions against the 'non-observance of a weekly holiday' abruptly soared to 42 in 1926.⁴⁴ The total number of cases filed both 'for non-observance of the weekly holiday' and 'for failing to send notice of Sunday employment within the prescribed time' in 1928 recorded a fall to 10.⁴⁵ Soon however, the number again surged to 50 in 1929 and 78 in 1930.⁴⁶ Hence, despite limitations, the Chief Inspector's duties of inspection and reporting surely

⁴¹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 26-3-1908, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

⁴² Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, for the Year 1913, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

⁴³ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1923, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

⁴⁴ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1926, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

⁴⁵ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1928, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

⁴⁶ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929; Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1930, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

formed the mainstay of the process of supervision and implementation of ‘Sunday rest’ in colonial Bengal. Besides, the rise in prosecutions could be attributed to the general lack of appreciation of the ‘Sunday rest’ clause in the Act by the factory authorities. Sometimes such illegal and covert operations involved only some labourers instead of the whole strength of men working in an establishment. Hence, the manager of North Baranagore Jute Mill was found guilty of secretly employing four labourers on one Sunday in 1914.⁴⁷ As a result, the task of inspection became more challenging. The Inspectors resorted to the adoption of special strategies like ‘surprise visits’ in supervision. The defaulters did not hail specifically from any particular industry as such, but belonged to various establishments. For example, a fine of Rs. 100 was imposed on the manager of Britannia Biscuit Factory in 1919 for disobeying the rule of Sunday closure, while the list of defaulters penalized in 1920 included the occupiers-cum-managers of Dracon Iron Works and D. N. Singha’s Iron Works.⁴⁸ Sometimes, case was filed not only against the manager, but also against other subordinate persons associated with the management of the factory establishment. One incident of 1929 would deserve special mention in this connection. That year, the Chief Inspector of Factories, J. B. Mc Bride prosecuted the manager and an assistant of Ganges Valley Jute Mill at Hooghly in twelve cases, for flouting several rules relating to the time of labour prescribed by legislation. Five cases out of twelve were due to ‘illegal employment on Sundays’. The five cases resulted in conviction and a fine of Rs. 1,000. Moreover, the incident stood out particularly because all the twelve prosecutions were successful, and the total fine levied turned out to be ‘the highest aggregate penalty ever inflicted in Bengal under the Factories Act’.⁴⁹ Therefore, the non-cooperation of the factory authorities became apparent in their frequent and deliberate contravention of law. The Indian Factory Labour Commission of 1907-08 reported how the factory managers took advantage of the limitations of the Act prior to 1911, to widely contravene the same:

As no notice of the intention to work on Sunday is required, and as Sunday working is permissible in anticipation of the grant of a holiday later on in the week, employers can,

⁴⁷ Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, for the Year 1914, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

⁴⁸ Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam, for the Year 1919; Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam for the Year 1920, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

⁴⁹ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

and do, work their operatives on Sunday without granting any compensatory holiday, and they run but little risk of detection thereby.⁵⁰

Besides, the factory authorities often lured the labourers to attend work on Sundays with the incentive of extra pay. Also, the task of cleaning the machineries continued to be scheduled on Sundays. An undermentioned evidence given by eleven jute-spinners including Kirtibas, Bholanath, et al of Budge Budge Jute Mills near Calcutta, before the Indian Factory Labour Commission of 1907-08 would amply demonstrate the adverse attitudes of the factory authorities in this respect:

Cleaning is always done on Sunday; the sirdar is told to send so many hands and he selects a certain number of us spinners for Sunday work. We do half a day's work and get a full day's wage for it, so we all like this extra work on Sunday.⁵¹

The above statement also showed how the workers could be tempted to perform jobs on Sundays. Unsurprisingly, 'Sunday rest' also seemed to be loathed by many operatives as an unpaid holiday. For such indigent daily wage earners, the opportunity of obtaining a 'day of rest' was pitted against the advantage of securing a day's wage. However, workers' role in the implementation and legalization of the 'weekly day of rest' was certainly not one-sided. The facts recorded by the Inspectors of Factories revealed the positive responses of the workers towards the legislated provision of 'Sunday rest'. After initially welcoming the proposal of 'Sunday rest' before the Indian Factory Commission in 1890, the workers were later also quite eager to defend their rights of getting the prescribed 'Sunday rest'. Thus, the annual report for 1914 noted how an individual worker anonymously complained in the office of the Inspector against an engineering workshop for operating on Sundays.⁵² Again, such 'anonymous complaints', made by workers in 1918 and 1919 regarding Sunday work, induced the Inspector to pay 'surprise visits' and take 'necessary action' on both the occasions.⁵³ Sometimes, in place of individual workers, an association or body of workers could also act as the informer. The Inspector's yearly report for 1926 manifested that complaints received from workers' unions

⁵⁰ *Report of the Indian Factory Labour Commission*, Vol. 1, pp. 58-59.

⁵¹ *Ibid.*, Vol. 2, p. 278.

⁵² Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam, for the Year 1914, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

⁵³ Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam, for the Year 1918; Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam for the Year 1919, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

were regarding issues like ‘Sunday working’.⁵⁴ These subjective actions on the part of the operatives in their individual or collected capacities reflected their awareness of and conscious involvement in the prevailing conditions of factory work, alongside their resistance towards capitalist overexploitation. More importantly, such anxious but careful exercise of agency by the workers implied their efforts to protect the rights over their own lives through actions to reclaim their own time. The attempts of the factory operatives to defend or safeguard their rights over the ‘weekly day of rest’ as prescribed by law also faced periods of major interruptions. The outbreak of the First World War was perhaps one such detrimental circumstance. The sudden boom in production during the War stiffened the working hours of the factory operatives, exacerbating their woes. As attested by the Chief Inspector’s yearly report for 1915, the War led to the lifting of the legal restraint on Sunday work, at least for the time being, in establishments approved by the Government of Bengal.⁵⁵ Such turn of events undoubtedly heightened the constraints or obstacles already existent in the process of implementation and legalization of the provision of ‘Sunday rest’ in the factories. Yet, widespread labour unrest that erupted in the immediate aftermath of the War, also gave a new spurt to the demand for ‘Sunday rest’. A report prepared on the causes of such widespread labour mobilization, by a Committee set up under the aegis of the Government of Bengal in 1921, revealed how some of the issues of labour protests and strikes involved demands relating to Sundays. Thus, 40 out of 100 operatives of Dey and Kundu’s Iron Foundry in Howrah struck work during 7 December 1920-24 January 1921 demanding pay for ‘Sunday rest’.⁵⁶ The same issue featured within the demands raised by 7,000 operatives who went on strike at East Indian Railway Workshops in Lillooah around 3 February 1921-1 April 1921. It was also one of the causes that mobilized 3,300 workers of Government Rifle Factory at Ichapore to protest in February-April 1921.⁵⁷ The protesting workers in these cases not only recognized Sunday as a ‘day of rest’, but also went a step further to press for a paid holiday on Sunday. The feeling that Sunday fell outside the normal schedule of factory work was surely corroborated by the claims of 1,200 operatives of Calcutta Electric Supply

⁵⁴ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1926, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

⁵⁵ Report on the Working of the Indian Factories Act, 1911 (XII of 1911), in Bengal, Bihar and Orissa and Assam, for the Year 1915, Commerce and Industry, Factories, May 1917, Nos. 1-19. [NAI]

⁵⁶ *Report of the Committee on Industrial Unrest in Bengal*, Calcutta, 1921, Appendix-I, p. xxxvi.

⁵⁷ *Ibid.*, Appendix-I, pp. lvi, lviii-lx.

Corporation who sought overtime payment for Sunday work in a strike held in February 1921.⁵⁸ All these incidences projected ‘Sunday rest’ as a subject of intense contestations and frictions within the domain of factory work in colonial Bengal.

Apart from legislation and inspection, the process of implementation and legalization of the provision of ‘Sunday rest’ also depended on judicial rulings. Reliance over judicial rulings directly emanated from the process of inspection, as the latter entailed steps of prosecution instituted against cases of contravention of law. In my discussion of the task of inspection, I have already underlined how cases of prosecution, filed for the ‘non-observance of weekly holidays’, were sharply on the rise. As the Court cases increasingly appeared as the means to punish and penalize the flouters of law, the decisions taken in these legal proceedings began to leave deep impact. Thus, some judicial rulings, like the verdicts of conviction and fine declared for the twelve cases filed against the manager and an assistant of Ganges Valley Jute Mill at Hooghly, as narrated before, acquired exemplary status. Cases of successful conviction were appreciated by the Inspector as a welcome boost for the method of supervision and implementation of the provision of ‘Sunday rest’ in the factories. However, there were also several instances where small fines were charged as nominal penalties by the trying Magistrates from the persons proved guilty. Thus, the Chief Inspector, R. P. Adams voiced his displeasure and disillusionment regarding the inefficacious functions of the judicial rulings in the following terms:

In the majority of cases, the fines were less than Rs. 100 and such trivial fines, especially in the case of jute mills, have little or no deterrent effect. Although the maximum fine is Rs. 500, fines of Rs. 20 only have been imposed for offences under section 22, *i.e.*, “Sunday working”, with the result that factories find it profitable to work on Sundays with the risk of being found out and penalised to this small extent.⁵⁹

In other words, the outcome of these Court cases significantly determined the legal interpretation and limits of ‘Sunday rest’ as a temporal concept in the factories of colonial Bengal. The judicial rulings also added another important layer to the negotiations and tensions that decided the implications of ‘Sunday rest’ in the lives of the factory labourers.

⁵⁸ *Ibid.*, Appendix-I, p. lxiv.

⁵⁹ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1925, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

‘MIDDAY STOPPAGE’

Side by side with the weekly notion of time off, considerations of ‘rest’ also revolved around diurnal breaks in factory work. In fact, the emerging temporal configuration of the ‘intervals of rest’ was chiefly concerned with the shaping of the ‘midday stoppage’ or recess, alongside the fixing of the diurnal temporal limits of work. This section will seek to map the process of institutionalization and legalization of the ‘midday stoppage’ or recess in the factories of colonial Bengal. This process involved even more tensions and frictions in comparison with the process of introduction of the ‘weekly day of rest’. This was because heavy colonial and racial overtones often dominated and controlled the discourse and debates on ‘intervals of rest’, strongly affecting the conceptualization of ‘midday stoppage’ or recess.

The colonial and racial overtones were especially pronounced in the mercantilist and official discourse recorded just before the legislation of the Indian Factories Act in 1881. The British mercantilists and officials formulated certain fixed ideas and prejudices around the working habits of the native factory operatives, which could be cited as a corollary of the overbearing ‘myth of the lazy native’.⁶⁰ The native factory labourers came to be repeatedly depicted as inconsistent and slack workers, who always required intermittent breaks from work, in contrast to their more diligent counterparts at the metropole. Thus, the Manager of Champdani Jute Mills, A. Crabbe wrote in 1879 that in his mill operating under the shift system, the millhands ‘are statedly allowed intervals now and again to go and procure refreshment, to bathe in the river, &c. (quite different from what is the case in England)’.⁶¹ D. Cochrane of India Jute Company Limited stated the same view even more elaborately in 1879, in his reaction to the recent plan to initiate legislation for the factories:

Mill doors and windows in this country are never closed on the people, they are quite at liberty to go out and in at their convenience. At home it is not so; when the worker goes into his work at a certain hour, the doors are shut behind him; here it is not so, the worker goes out to eat, bathe and smoke in his employer’s hours, and again a large number of them are paid by piece work; those persons are at liberty to go out and to their work at

⁶⁰ The adage ‘myth of the lazy native’ is taken from Syed Hussein Alatas. He famously used it to explain what I have already highlighted before as his argument for the colonial and racial stereotyping of the natives under the imperialist banner of capitalist production. See, Syed Hussein Alatas, *The Myth of the Lazy Native*, pp. 1-34.

⁶¹ A. Crabbe, Manager, Champdani Jute Mills, to the Sub-divisional Officer of the Serampore Division, 3-1-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

their own convenience; this suits them well and makes the work in the mills very popular with them as there is no restriction whatever put up on them as regards going out and in.⁶²

Therefore, for the mercantilist and managerial authorities, the best way to provide ‘intervals of rest’ to the native factory operatives was through the maintenance of the existing practice of informal negotiations and arrangements between concerned persons at the factories. The British mercantilist and managerial authorities raised objections to the introduction of any reform through legislative intervention in this regard. In its anti-legislative stance, the Government of Bengal also backed and echoed the claims professed by the mercantilists and managerial authorities. In an official correspondence dated 13 May 1879 addressed to the Government of India, the Secretary to the Government of Bengal communicated the Lieutenant-Governor’s disapproval of the need for any bill on the factories. In assessing the working style of the native factory labourers, the letter showcased the colonial and racist vibes that had been gaining momentum. The letter commented that ‘owing to the dilatory and desultory habits of Indian workmen, the hours of labour are really less by two or three than they nominally seem to be.’ Following the mercantilist and managerial authorities, the letter then sarcastically declared that ‘the Indian workman must have his accustomed smoke and sometimes even his sleep and his bath during the hours of work.’⁶³

However, archival discourse hardly took cognizance of the opinions of the factory operatives themselves in colonial Bengal in this matter. Much like the case of the ‘weekly day of rest’ discussed in the previous section, the Indian Factory Commission made the first major attempt in 1890 to record the ‘views and requirements’ of the indigenous operatives themselves regarding the question of allowing a recess at work by legislation. The statements of the operatives often contradicted the claims of the mercantilist and managerial authorities on the subject. Unlike the claims, the factory operatives often found the informal mode of granting ‘intervals of rest’ to be rather inflexible. Thus Majoo Maithi, the adult male cotton-spinner at Bowreah Cotton Mills, told the Indian Factory Commission in 1890 that while he was allowed to leave the shop floor sometimes when required, he could not go outside the mill premises at his own will during work. ‘He’, as Maithi revealed, ‘cannot leave the mill while it is working. If he was turned out during

⁶² D. Cochrane, India Jute Company, Limited, to the Sub-divisional Officer at Serampore, 18-2-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

⁶³ A. Mackenzie, Secretary to the Government of Bengal, to the Secretary to the Government of India, Revenue, Agriculture, and Commerce Department, 13-5-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

the day by any breakdown, he would get no compensation.’ He also stated that ‘[t]he machine, when once it is started, is never stopped for a recess. They get out at odd times for necessary purposes.’⁶⁴ Besides, evidences suggested that the informal breaks could be obtained only at the discretion of the factory authorities. Baboo, a Mahomedan boy of eleven and an attendant on machine, serving at Bally Paper Mill for more than one and a half years, spoke about the change in managerial policy. ‘When he began to work, there was another Saheb, and they got two hours’ leave; now they get only one hour.’⁶⁵ Moreover, because of the dominance of the generalized British ideas and prejudices, these informal arrangements of intervals were hardly compatible with the specific functions and flow of different industries that shaped the labourers’ individual pattern and style of operation. The evidence of Boiragee, a Kandick Oorya, male operative of 25 years would testify to the above fact. He worked at the Cossipore Sugar Works, which was technically a continuously operating factory. Boiragee worked in both day and night shifts for more wages, where each shift ran for eight continuous hours without any recess.⁶⁶ The evidence collected by the Indian Factory Commission in 1890 sometimes also demonstrated the disappointments of the operatives regarding the prevailing way of granting breaks. To Rajoni, the female jute-spinner of 33 years at Union Jute Mill, the informal breaks did not seem like full-fledged stoppages, but only ‘casual intervals for going out’.⁶⁷ Oneroodde, 42 years old male Mahomedan operative at the Government Gun Foundry and Shell Factory in Cossipore could not hide his complaint. ‘The present 15 minutes’ recess causes them to eat, &c., very hurriedly. A full half-hour would be more convenient.’⁶⁸ The specific preferences of the operatives on the question of ‘midday stoppage’ not only reflected their temporal awareness, but sometimes also indicated how they were protective about their own time. For example, Oneroodde also clearly insisted on the allotment of the stoppage from the existing working hours, without any extension of their total duration of work. The Factory Commission recorded that ‘when asked if he would be willing to work the extra 15 minutes at the end of the day, he said no; he would rather prefer the present recess of 15 minutes only than work after 4 P.M.’⁶⁹ As a majority of the operatives

⁶⁴ *Report of the Indian Factory Commission*, pp. 77-78.

⁶⁵ *Ibid.*, pp. 81-82.

⁶⁶ *Ibid.*, p. 89.

⁶⁷ *Ibid.*, p. 76.

⁶⁸ *Ibid.*, p. 88.

⁶⁹ *Ibid.*

favoured the proposal, the Commission of 1890 declared the formal need of ‘compulsory stoppage of work for a midday recess’ in factories for half an hour.⁷⁰

However, almost a decade prior to the setting up of the Indian Factory Commission, the first Indian Factories Act of 1881 had already stipulated a formal recess of a total duration of one hour for only the child operatives, to allow them time for ‘food and rest’ (to be provided as a single interval or as a number of stoppages).⁷¹ Paucity of recorded evidences makes it difficult for us to judge the effectiveness of this stipulation. Nevertheless, the testimony given to the Factory Commission in 1890, by a boy aged eleven or twelve called Bepin, working as a doffer at Budge Budge Jute Mill, revealed that the total time allotted for daily recess was not specific. He got ‘half an hour for rest and food’ at around the middle of the day. Besides, they could ‘go out two or three times a day for about ten minutes.’⁷² The first universal legislation of a ‘midday stoppage’ came with the amendment of the Indian Factories Act in 1891. Accordingly, the Act of 1891 fixed a daily ‘midday stoppage’ of a full half an hour between noon and 2 o’ clock for all factory operatives. As women performed other household duties, the Act of 1891 ordered a recess of an hour and a half especially for them.⁷³ The legislative clause regarding the recess of female labour came to be enforced mainly in the wake of the labour regulations adopted during the Berlin International Conference in 1890, as endorsed by the Indian Factory Commission of 1890.⁷⁴ Still, this legislation by the Government of India carried two serious drawbacks. First, the strong mercantilist and administrative dissent towards legislation in Bengal could not be ignored. Nor could their arguments in defending the prevalent shift system in factories be refuted. So, the operatives working under the system of shifts or sets were kept completely outside the purview of the half-an-hour law of ‘midday stoppage’. In other words, quite akin to the provision of ‘Sunday rest’, nineteenth-century legislation on ‘midday stoppage’ also sought to largely maintain the status quo in labouring conditions in a large section of factories in colonial Bengal. The responsibility of checking and approving the operation of ‘shifts or sets’ in factories fell on ‘the local Inspector’.⁷⁵ The second contradiction was the relative insensitivity of the law towards the specific and local working conditions of the operatives functioning within the variable pace

⁷⁰ *Ibid.*, p. 11.

⁷¹ *The Legislative Acts of the Governor General of India in Council of 1881*, p. 163.

⁷² *Report of the Indian Factory Commission*, p. 83.

⁷³ *The Indian Factories Act, 1881, As Modified up to the 1st April, 1891*, pp. 6-7.

⁷⁴ *Report of the Indian Factory Commission*, pp. 3-4.

⁷⁵ *The Indian Factories Act, 1881, As Modified up to the 1st April, 1891*, pp. 6-7.

of different industries. The law reserved the power of declaring exceptions to the rule of ‘midday stoppage’ only for the Governor General of India.⁷⁶ Thus, the legislated clause posited ‘midday stoppage’ to be conceptually aloof from the perspectives of the operatives themselves, in relation to the ground realities or requirements of ‘rest’. I shall further discuss the consequences of the contradictions present within the law, as I examine the dynamics of the courses of legislation and implementation of the concept of ‘midday stoppage’ here below.

Now, I would study the subsequent stages of legislation and amendment of the Factories Act till the early 1930s in tandem with the phases of implementation of the clause of ‘midday stoppage’. This is to highlight how legislation and implementation in colonial Bengal often seemed to be co-constitutive in many ways, even more than that found in the case of the ‘weekly day of rest’ as seen earlier. The implementation of the enacted clause evoked important responses that further triggered ensuing changes in legislation. To continue the discussion above, the contradiction of the law lay in the fact that it did not directly correlate ‘midday stoppage’ with the question of the working hours of the operatives. Hence, the factory employers could take advantage of this loophole to implement the clause of recess in the narrow sense, side by side with a relative extension of the total duration of work. An example will explain why such a deceptive interpretation of the clause of ‘midday stoppage’ was not a mere apprehension, but sometimes a reality. An official letter written by the Secretary to the Government of Bengal, General Department in February 1894 would substantiate the fact. It mentioned how the Managing Agent of the Calcutta Tramways Company Limited at Bhawanipur had communicated to the Special Inspector of Factories regarding the resistance put up by the operatives in the Company’s workshops, in reaction to the implementation of the half-an-hour law of ‘midday stoppage’. The operatives under consideration were habituated with eating the food they brought from home ‘at the most convenient opportunity’. However, the main viewpoint of the operatives – that propelled a large number of them to observe strike – would also corroborate the manipulation of the Act by the factory employers to retain their hold over ‘labour time’:

It appears that the workmen prefer to work continuously from 8 A. M. to 5 P. M., as they nearly all live at a considerable distance from the Tramway Depôt, and if no cessation from work is enforced are able to reach their homes half an hour earlier in the evening.⁷⁷

⁷⁶ *Ibid.*

⁷⁷ C. E. Buckland, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 12-2-1894, Home, Judicial, March 1894, Nos. 133-134. [NAI]

Besides, the law often limited or restricted the Governor General's power to protect the labourers from the deceptive application of the clause of 'midday stoppage'. Hence, as a government-owned group of factories, the Calcutta and Bombay Mints were quickly exempted from the aforesaid clause by the Government of India in December 1891. The important condition specified was that the workmen would have to be given 'a rest of not less one-quarter of an hour between 12 and 2 o'clock', if the time of work exceeded seven.⁷⁸ In contrast, the response from the Government of India in March 1894 was negative, when the Secretary to the General Department, Government of Bengal drew its attention towards the grievance of the operatives at the Tramways Company's workshops. The Government of India informed about the inability of the Governor General to exclude 'any individual factory' from the operation of the clause of 'midday stoppage'.⁷⁹ Moreover, a large chunk of factories in Bengal consistently remained outside the ambit of the 'midday stoppage' clause. Statistical data available for the period will affirm my point. According to the annual report submitted on the working of the Factories Act in Bengal for 1892, out of a total number of 150 factories, 72 worked 'by shifts or sets', while 72 gave 'midday stoppages' and the remaining functioned 'otherwise'.⁸⁰ Again, in the annual report for 1909, the total number of factories in Bengal was stated to be 250, of which 111 operated 'by shifts or sets', 120 with 'midday stoppages', and ten 'with other arrangements'.⁸¹ However, the limited application of the enacted clause of 'midday stoppage' in Bengal was first conspicuously underscored by the Indian Factory Labour Commission in its report of 1908:

The law prescribing half an hour's interval in the middle of the day is not observed in the Calcutta jute mills, in so far as the weavers are concerned; it is not observed in the cotton mills there; and it is generally disregarded in rice mills, ginning factories, presses and flour mills throughout India.⁸²

In fact, the evasion of law in case of the weavers in jute mills was quite deliberate. In other words, no formal 'interval of rest' was fixed for them as per the law. As piece-workers, the

⁷⁸ J. E. O'Connor, Assistant Secretary to the Government of India, Finance and Commerce Department, to the Mint Master, Bombay, 9-1-1892, Finance and Commerce, Accounts and Finance, January 1892, Nos. 100-103. [NAI]

⁷⁹ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, General Department, 15-3-1894, Home, Judicial, March 1894, Nos. 133-134. [NAI]

⁸⁰ H. H. Risley, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

⁸¹ W. R. Gourlay, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Department of Commerce and Industry, 30-7-1910, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

⁸² *Report of the Indian Factory Labour Commission*, Vol. 1, p. 12.

weavers were continuously under pressure to keep their looms running during working hours. So, a weaver informally arranged his 'interval of rest' in adjustment with his fellow weaver. Under this informal arrangement, the fellow weaver worked his own loom as well as the loom of the absent weaver, at the time of the interval.⁸³ Apart from the open acknowledgement of infringements and high risk of probable abuses, an important legislative fallout brought to fore by the Indian Factory Labour Commission of 1907-08 was regarding women's 'midday stoppage'. The Commission criticized the existing statutes on the hours of women's work to be unsuitable for both the female operatives and the employers, along with the following particular observation. 'The interval or intervals of 1½ hours prescribed in the case of a full day's work, or the proportionate intervals to be taken in other cases, are found in practice to be too long'.⁸⁴ The provisions in the law did not seem to be in sync with the working and living conditions of women, and kept the women out of factory employment. However, the revelations prompted only slight modifications in the legislated clause of 'midday stoppage'. The provision for longer period of recess exclusively enacted for women was withdrawn. The half-an-hour stoppage was now made compulsory for any factory work of all operatives stretching for more than six hours in the new Indian Factories Act, 1911. The provisions of exemptions were made more explicit and elaborate in the clause of 'midday stoppage' in the Act of 1911. Still, the operatives working under the shift system continued to remain outside the purview of the clause, subject to the approval of the Inspector. The new Act transferred the power of declaring exemptions to the Local Government, with due consent of the Governor General of India. Similar to the legislative provisions of 'weekly day of rest', factory operations could now be exempted from observing the half-an-hour stoppage on grounds of urgency, requirements for 'continuous production for technical reasons' and 'exigencies or special circumstances'. Additionally, 'work on urgent repairs' was also exempted from the clause.⁸⁵ As a result, even the new Act did not directly address the perspectives of the operatives themselves, in terms of their variable but practical needs for recess. Quite understandably, many operatives working under the shift system overtly expressed their displeasure with the existing allotment of recess in their factories. In his annual report submitted for 1913, R. P. Adams, the Chief Inspector of Factories referred to the demands

⁸³ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 28-4-1900, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

⁸⁴ *Ibid.*, p. 13.

⁸⁵ *The Unrepealed General Acts of the Governor General in Council*, pp. 184-185.

raised by millhands in a number of textile factories 'for a longer midday rest'. In some of the mills the demands gave way to 'temporary strikes'. Adams noted that all the millhands' grievances were ultimately redressed 'by a reduction in the working hours without any corresponding reduction in wages.'⁸⁶ Such instance of labour grievance and agitation clearly demonstrated how the workers came to develop their own priorities and choices set for time of 'rest' in relation to their lives. They aimed to fulfil these needs through their adaption of the temporal principles of 'midday stoppage'. Even then, law did not formally recognize the role of the operatives in the declaration of the 'midday stoppage' till almost a decade elapsed. The Indian Factories Amendment Act, 1922 extended the 'rest period' allowed after six hours of work to at least one hour. According to another addendum, this 'rest period' could be split into two breaks of half hours 'at the request of the employees concerned', such that the employees did not have to work for more than five hours continuously. Children, employed for more than five and a half hours a day, would get 'a period of rest of not less than half an hour' after four hours of continuous labour. In fact, the duration of children's work as 'half-timers' was reduced, but their entitlement to a formal recess was reserved by the new law.⁸⁷ Overall, the new Act reflected the relatively expansive attitude of the Government of India towards 'labour time' in many ways, after India's participation in the First International Labour Conference at Washington in 1919.⁸⁸ Nevertheless, there also lay a big irony. Although the new amended Indian Factories Act was geared to engage the labourers in the declaration of the 'midday stoppage', the process of formulation of this legislation itself did not involve the proper assessment of the real and variable conditions of work and life of the labourers yet again. The increase in the duration of the 'midday stoppage' was in many ways an important criterion of alteration, but the subject hardly invited any deliberation or debate at the Legislative Assembly before the passing of the proposed bill into Act by the Governor General on 10 January 1922.⁸⁹ However, the said clause engendered much resentment among several factory operatives

⁸⁶ Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, for the Year 1913, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

⁸⁷ *The Indian Factories Act, 1911 (Act XII of 1911): As Modified upto the 1st July, 1922*, Government of India, Legislative Department, Calcutta, 1922, pp. 15-17.

⁸⁸ A. G. Clow, *Indian Factory Legislation*, pp. 56-57.

⁸⁹ *The Legislative Assembly Debates (Official Report)*, Second Session of the Legislative Assembly, 1922, Simla, 1922, pp. 1463-1487.

immediately after its enforcement in Bengal. The annual report for 1922 submitted from Bengal by the Chief Inspector provided an account of this resentment:

The labour in many concerns, however, flatly refused to accept the increased rest unless the working hours were reduced by a corresponding amount, i.e., there was no objection to taking one hour's rest in the middle of the day in place of the half hour given under the old Act, provided they were not required to start work earlier in the morning or work later at night. An attempt to enforce the one hour's rest and to extend the working day by half an hour led to serious trouble in some Engineering Works in Howrah, and they were forced to revert to the old conditions.⁹⁰

Thus, the question of 'midday stoppage' continued to be an issue frequently manipulated by the employers to increase the time of work against the interest of the operatives. Legislation often stoked the manipulative tendencies of the factory employers, instead of extending protection to the labourers in this tussle for control over time. An official survey on factory laws published by the Government of India in 1926 recorded how the Government of Bengal faced an impasse in its attempt to implement this new amended clause of 'midday stoppage'. The agitation of the workers pushed the employers to press for the revocation of the enacted clause. The antagonism of both the employers and the operatives propelled the Local Government to appeal to the Government of India for further amendment of the clause. On the other hand, the Government of India defended the new clause in reply:

They doubt whether it is possible for a worker to maintain sustained work for 10 hours daily without intervals of rest amounting to at least an hour. They believe that the longer interval is desirable in order to enable the worker to maintain his vigour, and that its enforcement should ultimately prove beneficial to the employer. There are grounds for believing that the absence of sustained work, characteristic of many factory employees in this country, has been due, in part at least, to the fact that the hours fixed did not in the past allow sufficient opportunity for the rest necessary to prevent fatigue. Moreover, the amendment...was passed into law without opposition from any section of the general community or in either Chamber of the Legislation, and the Government of India

⁹⁰ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1922, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

consider that very strong reasons should be adduced before the Legislature is asked to modify provisions which it has so recently affirmed.⁹¹

This response was highly significant especially for two reasons. First, it clearly reflected the new expansive, 'welfare'-oriented shift in the government's approach towards 'labour time'. Second, it also articulated the limitations in such approach. The argument of the Government of India manifested how this conscious, 'rationalized', 'welfare' policy – based on the rhetoric of 'efficiency' – problematized 'rest' emphatically and symptomatically as mainly the antipode of work. The argument posed the sphere of work as the fulcrum in defining 'rest', severing 'rest' from the larger perceptions or experiences of life of the operatives themselves. The constrained visions of 'rest' were thus paired up with the contradictory trajectory of legislation. The impasse in the implementation of the clause of 'midday stoppage' ultimately compelled the Government of India to contemplate a revision of the amended clause of the Act. The change in decision was induced by the revelation that oppositions came from the factory establishments with relatively less duration of work.⁹² The new revised Act that became effective from 1 June 1926, sought to remove the existing hitch by adding a new proviso to the clause of 'midday stoppage'. The operatives, who worked below eight and a half hours in a day, were now allowed a reduced recess of half an hour, based on the assent of the operatives and the sanction of the Local Government.⁹³ Immediately, the new provision came to be adopted in several factories within colonial Bengal. According to the statistics of factories published under the Government of India for 1926, out of the 26 factories that followed the new shorter option of 'daily rest interval', 23 were located in Bengal.⁹⁴ The revised clause of 'midday stoppage' with the added provisos subsequently also featured in the next Factories Act of 1934 without any modification.⁹⁵ In this way, the process of legislation of the provisions of 'midday stoppage' or 'interval of rest' went hand in hand with the course of implementation of the provisions. The tensions and conflicts that emerged in effect sought to expose the exclusionary tendencies and limited attributes of the process of legislation.

⁹¹ A. G. Clow, *Indian Factory Legislation*, pp. 66-67.

⁹² *Ibid.*, p. 68.

⁹³ *The Indian Factories Act, 1911 (Act XII of 1911): As Modified upto the 1st June, 1926*, Government of India, Legislative Department, Calcutta, 1926, pp. 14-16.

⁹⁴ *Statistics of Factories Subject to the Indian Factories Act [XII of 1911] for the Year Ending December 31st, 1926 Together with a Note on the Working of the Factories Act During the Year*, Calcutta, 1927, p. 2.

⁹⁵ *A Collection of the Acts of the Indian Legislature for the Year 1934*, p. 17

Besides legislation, other important instruments of institutionalization and legalization of ‘midday stoppage’ were obviously supervision and surveillance. Hence, a further look into the salient aspects of implementation of the enacted clause on ‘midday stoppage’ would help us in the appraisal of the procedure of supervision and surveillance, conducted with the support and arrangement of especially the Government of Bengal. As the developments in legislation were overwhelmingly dependent on colonial ideas and prejudices regarding the working habits of the native labourers, similarly the process of implementation of the enacted clause was built around specific functional interpretations of ‘midday stoppage’. The functional interpretation of ‘midday stoppage’ mainly revolved around the concept of ‘food and rest’. The report submitted on the working of the Indian Factories Act from the Bengal Presidency for 1892, justified the interpretation as under:

During the course of the day the operatives are allowed intervals amounting to three hours for food and rest, during which time they leave the mill entirely. The English system of giving one hour for breakfast and dinner, with other minor breaks, is not suited to this country, as the Indian operative has to cook his food himself, and requires a period of rest after eating.⁹⁶

Evidently, such functional interpretation also stemmed from oversimplified assumptions attributed to the behavioural idiosyncrasies of the native workers. Moreover, the professed justifications often appeared to be contradictory, or happened to change with time. Notably, the justification offered in the annual report for 1892 differed from the observations of the Indian Factory Labour Commission in 1907-08. The Indian Factory Labour Commission first exemplified how the dominant colonial stereotypes of native working habits turned out to be gradually challenged by this evolving nuanced understanding and application of ‘labour time’. In its report, the Commission embraced a middle position in its assessment of ‘labour time’, although there was still a colonial bias entrenched in this viewpoint. At first, the report upheld the conventional colonial representation, where the native labourers were considered ‘in general, incapable of prolonged and intense effort’. By this logic, the ‘Indian factory worker’ was always predisposed ‘to spread’ his duty ‘over a long period of time, working in a leisurely manner throughout, and taking intervals of rest’ whenever he felt ‘disinclined for further exertion’. The functionality of ‘midday stoppage’ therefore hinged on this logic. ‘Meals are generally eaten

⁹⁶ H. H. Risley, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

during the working hours of the factory; the midday interval is sometimes devoted to sleep; and the operative leaves his work frequently throughout the day in order to eat, smoke, bathe, and so on.’⁹⁷ However, the Commission also provided certain factual clarifications. It stated how the above image seemed primarily applicable to the operatives of the cotton textile factories who were ‘called upon to work for excessive hours’. In comparison, ‘the operatives in the Calcutta jute mills, working short hours by shifts, do not idle away time to anything like the extent observable in Bombay; in engineering shops throughout India,...there is very little idling’. Then, the Commission also claimed that ‘little or no idling’ could be found ‘in some of the better managed mills’ with ‘strong European supervision’.⁹⁸ So, to come out of oversimplified assumptions, the functional interpretation of ‘midday stoppage’ came to be reoriented as well. The Commission pointed out that cooking food during intervals was imperative for mainly the ‘Bengali workmen’ employed in the jute and cotton mills. They required a long ‘interval of rest’ of one and half or two hours.⁹⁹ Thus, the Commission forwarded a functional interpretation of ‘intervals of rest’ based on regional identities. This interpretation had deeper implications especially because of the rising influx of migratory upcountry men as labourers in the mills after the 1870s, who hailed from northern Bihar, eastern United Provinces, Orissa and also from the south like the Madras Presidency. In fact, the Indian Factory Labour Commission’s summarized impression was derived from witnesses like the evidences of ‘Hemendralal Chaudry, of the Bengal Luxmi Cotton Mills, Serampore’. In his oral testimony to the Commission, Chaudry clearly emphasized regional identity as the main hallmark of the functional interpretation of the ‘intervals of rest’ in his factory establishment:

In Bengal they liked a long midday interval, during which period the Bengali, Uriya, and Behari went home for their meals. They [i.e. Chaudry’s mills] had to recruit labour also from Jubbulpore and Madras, and these men had their meals brought in at any time in the morning.¹⁰⁰

However, this diversified interpretation could cut no ice with the legislative decisions of the Government of India. We have already seen how the Government of India mainly stuck to a generalized structure of ‘midday stoppage’ for all labourers till before the enactment of 1922. Overall, ‘midday stoppage’ continued to be equated more with the question of ‘meals’ in the

⁹⁷ *Report of the Indian Factory Labour Commission*, Vol. 1, p. 20.

⁹⁸ *Ibid.*, p. 21.

⁹⁹ *Ibid.*, p. 9.

¹⁰⁰ *Ibid.*, Vol. 2, p. 243.

dominant official discourse. Therefore, the local rules framed in 1912 by the Government of Bengal under the Indian Factories Act, 1911, highlighted the ‘intervals of rest’ also as ‘meal hours’.¹⁰¹ Nonetheless, these attempts to functionally contextualize ‘midday stoppage’ in the light of ‘food and rest’ did not eliminate the mercantilist tendency from harking back to their colonial and racial remarks. The communication of D. H. W. Ritchie, the agent of India Jute Mill at Serampore, sent to the Indian Factory Labour Commission of 1907-08 would illustrate the point. Ritchie not only maintained that the child operatives were not fatigued by their light work chiefly as ‘bobbin shifters’, but also accused the child workers for ‘romping about the premises’ during their ‘very frequent intervals’, when they could only be ‘with difficulty kept out of mischief’.¹⁰² Besides, inspection revealed other important functional implications of the intervals. For example, the women needed to look after their infants. So, the women engaged in the non-machinery departments of spinning and sewing in mills were often allowed to bring their children with them.¹⁰³ Sometimes, the Inspector’s views also contradicted the dominant official claims. Since the rule of observing ‘midday stoppage’ did not apply to the mills running under multiple-shift system, the Chief Inspector R. P. Adams stated in his official memorandum to the Royal Commission (headed by John Henry Whitley during 1929-31) that “the workers’ natural meal times” did not coincide with the ‘rest periods’ allowed in such cases. Adams criticized the system of ‘rest periods’ granted in these mills, indicating the pattern to be out of sync with the normal day-to-day habits of the operatives. In fact, his official predecessor Walsh first, and then he himself had been increasingly complaining that the structure of operations of the multiple-shift mills were ‘exceedingly complicated’ for inspection, as I shall further discuss below. Notwithstanding the overlap between the ideas of ‘food’ and ‘rest’ within the concept of ‘intervals’, Adams opined that the rhythmical needs of ‘food’ and ‘rest’ were often discrete in the lives of the operatives. His argument ran as under:

There is evidence that, generally speaking, the workers take a meal by habit during the middle of the day and also later when they reach their homes in the evening. The question

¹⁰¹ Notification by J. H. Kerr, Secretary to the Government of Bengal, General Department, dated 24 June 1912, Commerce and Industries, Factories B, September 1912, No. 4. [NAI]

¹⁰² *Report of the Indian Factory Labour Commission*, Vol. 2, p. 248.

¹⁰³ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 3-8-1897, Home, Judicial, March 1898, Nos. 107-154. [NAI]

of meals should not altogether be treated with relation to fatigue from the point of view of actual work within the factory.¹⁰⁴

In this argument therefore, the 'intervals of rest' ought to be functionally coordinated with 'the customary habits of the workers'. Moreover, the diurnal rhythmical habits of 'food' and 'rest' of the operatives also depended on the climatic conditions faced in work. Here, the observations of R. C. Parsons, Inspector of Factories, Bengal, on the subject of 'the ventilation and the humidification of cotton mills in Bengal' gave an added spurt to the climatic interpretation of the 'midday stoppage'. In this assessment, 'the hottest period of the day' was favoured as the time for interval.¹⁰⁵ Adams extended this argument to determine the appropriate moment of rest in the factories operating under the shift system. By the end of the 1920s, most of these factories were run by single-shift system, whereas only about half of the jute mills continued to function in multiple-shifts. One of the primary reasons why Adams backed the single-shift establishments over the multiple-shift mills was his preference for 'a common rest period in the middle of the day (the hottest period) for the simultaneous enjoyment of meals and rest for all workers' granted in the former establishments.¹⁰⁶

However, the opinion conveyed by the Government of Bengal to the Whitley Commission on 'midday stoppage', did not seem to be singularly moved by the climatic considerations of scheduling 'food' and 'rest'. Only the Government's conclusion now looked less out of touch with the varied and lived experiences of the factory operatives, because it was derived from the problems or resistances faced in applying the legislative changes. Taking both 'fatigue' and 'meal times' into consideration, this communication from the Government of Bengal dated 18 October 1929, indicated how three different modes of operation of recess were by then in vogue. The first mode was 'an interval during the day sufficiently long to enable workers to cook and eat their food'. The second was the 'short interval' preferred by another large group of operatives, as they could not be provided with 'sufficiently long' break like the other group. The 'shorter intervals' allowed this second group 'to come later in the morning and go away earlier in the afternoon'. They could thus cook before and after work. This trend was particularly visible among the operatives employed at the factories in and around Calcutta, who could not afford to live in close vicinity of their work establishments. The third mode prevailed in the multiple-shift

¹⁰⁴ *Royal Commission on Labour in India, Evidence*, Vol. 5, Part-1, London, 1931, p. 313.

¹⁰⁵ *Ibid.*, p. 100.

¹⁰⁶ *Ibid.*, pp. 315-316.

mills where ‘meal times’ were adjusted in relation to the operation of the shifts.¹⁰⁷ However, what the Government of Bengal left out in its assessment was another fourth mode of factory operations, under the clause of exemptions inserted with the enactment of 1911. As already mentioned before, the Local Government was itself authorized by this Act to grant exemptions from the provisions of ‘midday stoppage’ or recess, with the consent of the Governor General of India. Henceforth, various factory establishments sought exemptions from observing ‘midday stoppage’, alongside exemption from other clauses related to ‘labour time’. In 1924, electrical generating stations and tea-garden factories obtained such exemptions.¹⁰⁸ In 1929, the Oil Mills Association approached the Government of Bengal for exemption of the mustard oil mills from the clause of ‘specifying of definite intervals of rest’. Exemption was granted on the ground that the process of manufacture in the mustard oil mills was ‘intermittent’, with the condition of limiting daily work within 6 a.m. to 6 p.m.¹⁰⁹ We have already seen that the central question of ‘midday stoppage’ or ‘intervals of rest’ consolidated around the considerations of ‘meal times’ and ‘fatigue’ of the operatives. However, neither the Government nor the factory authorities thought it necessary to officially address how the impulses of ‘meal times’ and ‘fatigue’ would be satisfied by the workers in the aforementioned exempted industrial establishments. These evolving and often clashing functional interpretations or adaptations mirrored the diversifications and tensions that appeared within the process of implementation of the ‘midday stoppage’ or recess. Like the process of legislation, the functional interpretations or adaptations were influenced by oversimplified biases or partial assessments that constricted the overall scope of implementation and legalization of ‘midday stoppage’.

Much like the implementation of the clause of ‘Sunday rest’, statistical information forwarded by the Government along with its reports in the prescribed form, was incomplete in some cases, in relation to whether the factories were ‘worked mainly (1) by shifts, or (2) by midday stoppages, or (3) otherwise’. Such data were missing in the statement appended with the annual report for the year 1897 regarding several mills in the Howrah district, as for instance – Bowria Cotton Mills (both old and new) of Ulabaria, Ghusery Cotton Mills, Victoria Cotton Mills and Central

¹⁰⁷ *Ibid.*, p. 83.

¹⁰⁸ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1924, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

¹⁰⁹ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

Jute Mills of Ghuseri, Ram Doyal Cotton Mills, Fort Gloster Jute Mills of Fort Gloster, Howrah Jute Mills of Ramkristopur, Ganges Jute Mills and Sibpur Jute Mills of Sibpur.¹¹⁰ Similarly, in the statements that accompanied the annual report for 1898, no information was available for some of the same factories in Hooghly, for which facts regarding ‘weekly holiday’ were also not given. Hence, the glaring omissions of data were found for Wellington and Hastings Jute Mills at Rishra and for Victoria Jute Mill at Telinipara.¹¹¹ Such missing statistical information and incomplete reporting was found more in the late nineteenth century than in the early twentieth century. Nevertheless, wherever it appeared, it indicated the slackness and limitations evident in the process of surveillance, supervision and reporting.

The role of inspection was particularly pivotal in the process of implementation and legalization of the ‘intervals of rest’. Inspection was carried out by the Magistrates, the Medical Officers and the Special (or later, Chief) Inspector of Factories. As per the clauses of the law, the Inspectors were not only expected to report infractions, but were also entrusted by the Act of 1891 with the duty to closely scrutinize and approve the operations of factories that followed the shift system. We have already seen how this crucial situation persisted until the enactment of 1922. A review of the task of inspection reinforces the fact that the factory employers often tended to manipulate with the ‘rest periods’ allotted to the labourers by legislation.

The child operatives were the easy and most vulnerable targets in this matter. This could be surmised from the tense situation that showed up in the early 1890s regarding the ‘mode of calculating the duration of the actual employment of children’ in some factories of colonial Bengal. The episode began when the Special Inspector of Factories, C. A. Walsh drew the attention of the Government of Bengal in 1892 on a common practice obtaining in some of the large jute mills in Bengal, in relation to the allotment of ‘intervals of rest’ for the child operatives. Here, the child operatives were kept ‘idle’ and waiting for about ‘12 to 14 minutes’ every hour, while the bobbins were refilled to enable them to restart their work. The problem was that these temporary halts of ‘12 to 14 minutes’ were added and projected by the mill managers as the formal ‘intervals of rest’ allowed to the child operatives in accordance with law. Walsh

¹¹⁰ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-8-1898, Form I, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹¹¹ Statement to Accompany Annual District Report on the Working of the Factories Act for the Year 1898, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

pointed out that the combined duration of all such temporary halts could 'amount to one-and-a-half or two hours in the day', which detained the children in the factory premises beyond their limit of seven hours of daily labour prescribed by the law.¹¹² The Government of Bengal held this 'practice of treating these intervals as intervals of rest' to be 'an evasion of the law'. However, it also feared that the prohibition of the practice 'would probably lead to the dismissal of the children'. Hence, it informed these details to the Government of India for instructions. The matter emerged as a subject of serious discussion.¹¹³ In reply, the Government of India instructed the Government of Bengal in 1893 to ensure if the children could 'leave the room and do what they like' during the halts.¹¹⁴ Meanwhile, the annual report submitted on the working of the Indian Factories Act for 1892 by the Government of Bengal recorded the occurrence of similar practices even in the cotton mills. The government officials of different tiers and departments of the administration got more and more involved with the issue. The Joint Inspector of Factories appointed at the Serampore Sub-division in Hooghly again raised the question whether such temporary halts allowed also in the cases of the cotton mills for '15 to 20 minutes each hour', could be taken to be lawful 'intervals of rest'. The Lieutenant-Governor of Bengal felt that if the timings of such halts were permitted to be notified under section 10(1) of the Act, then these durations could automatically get 'legalised' as 'intervals of rest'. Still, he deemed it fit to wait for the directions of the Government of India before issuing any quick orders. This was also because he wanted to check if similar situations were faced in other provinces of colonial India.¹¹⁵ The Special Inspector, Walsh confirmed in 1894 that during the halts in work for the filling of the bobbins the children could not leave the shop floor and do whatever they liked. His further enquiry on the matter from some of the jute mills in question like the Ganges, India, Champdany, Wellington, etc., revealed that during such halts 'the children congregated at one end of the room, sitting about on the floor and window sills, until they were whistled up again by the mistry'.¹¹⁶ The Special Inspector found that the children unfortunately did not always receive

¹¹² Extract from a letter from the Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 11-10-1892, Home, Judicial, February 1893, Nos. 250-252. [NAI]

¹¹³ Note by J. E. E., P. Roy and C. W. C., 25 January 1895, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹¹⁴ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, General Department, 13-2-1893, Home, Judicial, February 1893, Nos. 250-252. [NAI]

¹¹⁵ H. H. Risley, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

¹¹⁶ C. A. Walsh, Special Inspector of Factories, to the Under-Secretary to the Government of Bengal, General Department, 20-10-1894, Home, Judicial, February 1895, Nos. 215-222. [NAI]

even the slated intervals as promised by the temporary halts in every hour. Still, Walsh surprisingly chose not to disapprove of the practice as he thought that it would restrain the children from working in two factories on the same day.¹¹⁷ On the other hand, a special consultant of the Local Government, like surgeon A. S. Lethbridge regarded the issue to be ‘a distinct evasion of the law’. He underlined that he was unaware of the occurrence of such a practice in any other factory outside Bengal, and recommended ‘its being stopped without delayed’.¹¹⁸ By this time the issue had already caught the attention of a part of the English press. Holt S. Hallett condemned the practice ‘as a glaring infraction of the Act’, asserting that ‘such a reading of the Factory Act’ would be inadmissible ‘in England or elsewhere in the world’. *The Overland Mail* had also covered the issue at least once.¹¹⁹ How the Government of India reacted to the situation exactly at this point is not known, but the administrative officials in Bengal apprehended that further uproar in England would again unnecessarily attract hostility against the Indian Factories Act. To quote from an English officer’s note, ‘it is very undesirable just now to give the home factory partisans, who would pose as humanitarians, any handle for re-opening the question of Indian factory legislation generally.’¹²⁰ Probably this anxiety of raising a hue and cry caused the issue to be quickly hushed up. Hence, no further mention of the issue could be found in the yearly reports presented by the Government of Bengal to the Government of India. Instead, in the annual report for 1895, the Officiating Secretary to the Government of Bengal apparently pointed out that ‘[t]he rules regarding the employment of children at mills were duly observed, and they were allowed intervals of rest.’¹²¹ This entire episode underlined the delicacy that engulfed the supervisory tasks of determining or detecting the contraventions of the law related to ‘labour time’. Particularly, the Special Inspector’s approach appeared more tactical, and less impartial in this respect. Empathetic application of the clause of recess for the labourers did not seem to be his priority here. He rather looked more bent on shielding the factory managers, when he stated that the managers of the Ganges and the India Jute Mills were open to

¹¹⁷ C. A. Walsh, Special Inspector of Factories, to the Under-Secretary to the Government of Bengal, General Department, December 1894, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹¹⁸ Note by A. S. Lethbridge, 9 February 1895, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹¹⁹ Note by J. E. E., P. Roy and C. W. C., 25 January 1895, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹²⁰ Note by H. L., 6 February 1895, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹²¹ M. Finucane, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-7-1896, Home, Judicial, 26 June 1896, Nos. 163-280. [NAI]

changes in the system.¹²² The Special Inspector even chose to remain silent on whether such temporary halts could, as ‘legalised’ intervals, meet the known central considerations of ‘food and rest’ of the concerned child operatives. However, such tactful silence could not be maintained for long. The conditions enforced by the Indian Factories Act propelled the inspecting officials to assume more and more responsibility, especially in ensuring the proper allotment of ‘intervals of rest’ in factories under the shift system. Therefore, the inspecting officials were also required to live up to the task of their rising responsibilities. Following the statutory rules, this duty of inspection had to be undertaken at more than one level. In fact, in contrast to the case of the ‘weekly day of rest’, the task of inspection for the ‘midday stoppage’ or recess was engaged more in scrutinizing and approving or objecting factory operations, and less in instituting prosecutions for the infringement of law. Still, prosecutions were not absolutely unknown. For the inspecting officials, scrutinizing and approving or objecting to the operations of the shift system demanded a lot of attention, including verification of the structure of the ‘intervals of rest’. This duty also needed adjustments, depending on the limit of the hours of labour fixed by legislation. Such process of inspection revealed how the implementation of ‘intervals of rest’ remained a matter of concern even in the early twentieth century in the case of the child operatives, despite renewed legislative stipulations. The total duration of labour permitted under law was seven hours for the child operatives, but Walsh found that this rule was not followed in Uluberia New Ring Cotton Mill in 1907, which led him to question the ‘intervals of rest’ allowed to the child operatives there. Walsh disapproved of the system of work in this factory, though the child labourers were given passes for taking half-hour interval. This was because the system of granting intervals did not prove the mill’s adherence to the children’s legal limit of maximum ‘labour time’, the running time of the mill being a full ten hours in general.¹²³ However, the Inspectors could hardly be said to have been efficient in their task of surveillance and detection. The ‘Report of the Indian Factory Labour Commission, 1908’ formally announced how the law of employing children as ‘half-timers’ was rampantly evaded at that time in engaging the child operatives for a full day, especially under what was regarded as the “‘split set’

¹²² C. A. Walsh, Special Inspector of Factories, to the Under-Secretary to the Government of Bengal, General Department, 20-10-1894, and C. A. Walsh, Special Inspector of Factories, to the Under-Secretary to the Government of Bengal, General Department, December 1894, Home, Judicial, February 1895, Nos. 215-222. [NAI]

¹²³ S. L. Maddox, Offg. Commissioner of the Burdwan Division, to the Secretary to the Government of Bengal, General Department, 31-3-1908, Report on the Working of the Indian Factories Act for the Year 1907, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

system” in mills.¹²⁴ In such cases, the child operatives often did not receive adequate ‘intervals of rest’. ‘It is the custom...in some mills to allow the children no midday interval’, the report divulged, ‘unless the hours of work are so arranged that it is convenient, from the point of view of the general working of the factory, to grant them a recess at that time.’¹²⁵ The chances of undetected abuse under the multiple-shift system were further raised by the fact that the mill managers often delegated the responsibility of allotting the ‘intervals of rest’ for the child operatives on mill subordinates. H. M. Scott, Manager of Hastings Jute Mill, Calcutta revealed to the Commission that in his mill, ‘[t]he *sirdar* arranged the half-hour interval for the boys’.¹²⁶ Due to such tendencies of delegation, the indigenous factory staff like the ‘time-babu’ (the clerk responsible for maintaining the daily employment registers of the factory employees, including their daily working hours and ‘intervals of rest’) and the ‘*sirdar*’ also remained complicit in the evasion of law, alongside the factory managers.¹²⁷ The wide nexus of probable evaders made the task of surveillance and detection more uphill and complicated for the factory inspectors. Infractions of law were gravely serious in case of the child operatives in the early twentieth century, but were not exclusive to them. Such abuses also involved the unlawful exploitation of adult labour – of both genders. Three successful cases of prosecutions could be cited as examples. These contraventions came to be recorded in the annual reports on the working of the Factories Act in Bengal for the three different years of 1896, 1919 and 1924 – each belonging to a different decade. In 1896, the manager of Bengal Spinning and Weaving Company’s mills was prosecuted and fined for not allowing women their deserved ‘interval of rest’.¹²⁸ In 1919, the manager of Britannia Biscuit Factory was penalized with a fine for ‘not posting the notice of midday stoppage’ in a form in accordance with the law.¹²⁹ In 1924, the manager of Howrah Jute Mill was convicted and fined Rs. 100, when he was found to employ ‘three persons’ in his

¹²⁴ *Report of the Indian Factory Labour Commission*, Vol. 1, pp. 14, 17-18, 48.

¹²⁵ *Ibid.*, pp. 17-18.

¹²⁶ *Ibid.*, Vol. 2, p. 239.

¹²⁷ *Ibid.*, pp. 96, 328.

¹²⁸ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 3-8-1897, Home, Judicial, March 1898, Nos. 107-154. [NAI]

¹²⁹ Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam for the Year 1919, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

factory 'without giving rest intervals'.¹³⁰ The problem of arranging intervals within the shift system was also valid for the employment of the adult factory operatives. The Chief Inspector admitted of the inability to control and regulate the 'rest periods' especially in the jute mills running under the multiple-shift system, as 'the checking of hours' remained an 'exceedingly difficult' task for the factory inspection department. So, the Chief Inspector increasingly criticized the extremely complex structure of these multiple-shift mills, but could hardly take concrete steps to detect and control the widespread abuses. Chief Inspector Adams informed the Government of Bengal in 1927 about how the system led to abuses that could not be challenged with adequate prosecutions.¹³¹ As a result, the number of prosecutions was very meagre. In its note forwarded to the Whitley Commission, the Government of Bengal furnished a statement on the increasing number of 'irregularities' found in the 'employment of labour in multiple-shift jute mills from May, 1927 to November, 1929'. The list recorded five cases of 'irregularities', when mills of the above type flouted law by employing persons or women in particular 'during their specified rest intervals'.¹³² The workers increasingly exercised their agencies and raised protests often through strikes as narrated earlier in this section. They communicated their own views and preferences for recess or 'intervals of rest' in this way. They also could confidentially lodge complaints in the factory inspector's office. Though rare, such propensities became visible with the passage of time in the twentieth century. In 1919, such an anonymous complaint, coming possibly from the operatives, informed how "the half hour's interval as required by the Act" was not given in a factory. It prompted the Inspector to make 'surprise visits' to take 'necessary action'.¹³³ Thus, the workers themselves in different ways also increasingly participated in the process of implementation and legalization of 'midday stoppage' or recess. Sometimes, both the contemporary milieu and a comparative perception of the time-schedules prevailing in other influential domains of work encouraged the workers to reinterpret and re-appropriate the formal connotation of the 'interval of rest'. This was evident from a strike of 150 operatives of New Central Jute Mill at Ghoosury during 28 February-7 March 1921 who agitated

¹³⁰ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1924, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

¹³¹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, pp. 96-97.

¹³² *Ibid.*

¹³³ Annual Report on the Working of the Indian Factories Act in Bengal, Bihar and Orissa and Assam for the Year 1919, Annual Report on the Working of the Indian Factories Act, Bengal, Bihar and Orissa and Assam, Calcutta, 1912-1920, OIOC, V/24/1643, BL.

‘for recess for *nemaz* on Fridays’.¹³⁴ The labour unrest seemed to be particularly significant because it reflected the contemporary Mahomedan trend in the society to harness inner community feeling through religious expressions. Thus, the agitation of the 150 operatives almost coincided with a question raised by A. K. G. Ahmedthamby Maricair in January 1921, but declined as motion for discussion at the Council of States, regarding whether the Government of India would direct “Bengal and other Governments to grant two hours’ leave of absence gratis to all Mahomedan employees to perform Jumma prayers”.¹³⁵ The strike of the 150 millhands did not look out of context because in a notification dated 21 November 1912, the Government of Bengal had already granted similar concession to the government employees, on the condition of the break being compensated ‘by extra hours...worked at other times of the week’.¹³⁶ However, such labour participation on the question of intervals or ‘midday stoppage’ mostly appeared as drastic actions. The labourers’ own opinions and roles remained marginalized on the question of the legalization of recess throughout the greater part of the period under our review. In this way, objections were regularly raised against the non-inclusive approaches of legislation and rampant abuses of rules. Such limitations reflected the sensitive and deep-rooted tensions and contradictions that pervaded the process of implementation and legalization of ‘midday stoppage’ or ‘intervals of rest’.

POSSIBILITY OF ‘NIGHT REST’

Another concept closely connected with the temporal configuration of the ‘intervals of rest’ was the question of ‘night rest’. Unlike the ‘weekly day of rest’ and the ‘midday stoppage’ or recess, the subject of ‘night rest’ did not directly feature in the clauses of factory legislation in colonial India. However, ‘night rest’ emerged as a derived concept in the domain of factory work. While it evolved out of the traditional notion of diurnal rhythmic cycles, it gradually came to be indirectly controlled by the widening ambit of factory legislation on ‘labour time’ in colonial

¹³⁴ *Report of the Committee on Industrial Unrest in Bengal*, Appendix-I, p. lxvi.

¹³⁵ Notice List received on 17th and 18th January, and office memorandum dated 14 February 1921, Home, Public-B, February 1921, Nos. 428-429. [NAI]

¹³⁶ *Ibid.*; *Abstract of Proceeding of the Council of the Governor General of India Assembled for the Purpose of Making Laws and Regulations, April 1912-March 1913*, Government of India, Legislative Department, Vol. LI, Calcutta 1913, p. 430.

India. The question of ‘night rest’ remained a subject of long discourse and debate throughout the late nineteenth and the early decades of the twentieth centuries particularly in colonial Bengal. In fact, ‘nightlife’ continued to be a subject of contention in other parts of the world as well around the same period. Scholars like Peter C. Baldwin have already identified ‘nightlife’ as the sphere, where the clash of the emerging ‘man-made’ routines with the ‘natural’ rhythmic motions could be strongly perceived within ‘the temporal order of modern life’. In his study of the nocturnal life in the American cities between the 1820s and 1930s, Baldwin highlighted how the ‘mechanization of production’ along with the use of technology like electrification eventually restricted the scope of a flexible ‘nightlife’, for the children and women in particular. The restriction was raised both in ‘literal’ terms through steps like the passing of labour laws, and in ‘figurative’ terms like the imposed moral bindings of the society.¹³⁷ In colonial Bengal, tensions revolved around the temporal binary of ‘night work’ and ‘night rest’, that particularly involved the domain of the factories as already mentioned above. Technological innovations in the form of artificial lighting stoked up such tension, as the putative distinction of ‘the diurnal’ got blurred with ‘the nocturnal’.¹³⁸ The concept of ‘night rest’ in colonial Bengal came to be reconfigured by intense phases of discussions and debates on the one hand, and the attempts to mould, modify and apply legislation or regulations on ‘labour time’ on the other hand. The combination and interaction of these two aforesaid aspects determined the notion of ‘night rest’ with respect to factory work in the late nineteenth and early twentieth centuries in colonial Bengal. This section of the chapter attempts to examine the process of the blending of these aspects by focusing on three crucial junctures. These junctures will enable us to understand how the politics of the shaping of the putative antithetical boundaries between work and break was entangled with the various interpretations of the cycles of day and night that affected the day-to-day life of the factory operatives.

The first important juncture highlighted the phase of the making of the first factory law related to ‘night work’. In fact, discussions on ‘night work’ in colonial Bengal were closely tied with the upswing in industrial production. This was also the period when factories continued to operate mainly under natural light within the temporal limits of dawn and dusk, but artificial

¹³⁷ Peter C. Baldwin, *In the Watches of the Night: Life in the Nocturnal City, 1820-1930*, Chicago & London, 2012, pp. 119-137, 179-203.

¹³⁸ Swati Chatterjee, ‘City Lights: The Infrastructural and the Sensorial in Nineteenth-Century Calcutta’, *The Calcutta Historical Journal*, Vol. 32 (2), 2016, p. 17.

illuminations like gas-lights were available as well to elongate the process of industrial work on need. 'Night work' appeared as one of the primary subjects of serious mercantile and official deliberation just before the first factory legislation of 1881. The Secretary to the Bengal Chamber of Commerce, H. W. I. Wood defended the long hours of employment of the native factory operatives in 1879. He invoked the same overarching colonial prejudicial argument, which was used around the same time in the case of the 'intervals of rest' to oppose the proposal of factory legislation. According to this anti-legislative argument, the extended duration of 'labour time' did not necessarily imply intensive application, as the work was 'leisurely performed'. For the Bengal Chamber of Commerce, the native labourers were not industrious like the operatives in England, but the former's 'lack of persistency is partially met by the ease with which they can continue at work for many hours together'.¹³⁹ The Secretary to the Government of Bengal was even more categorical in his repudiation of the proposal of factory legislation in 1879. In this official communication from the Government of Bengal to the Government of India, he asserted in a straightforward tone that there already prevailed 'a general agreement' whereby 'prohibition of night work' was 'not required'.¹⁴⁰ Thus, 'night work' had already been a subject of direct or indirect interest for the mercantilists and the officials in colonial Bengal, before factory legislation came to formally address the issue of the temporal boundaries of daily work (consisting of the daily time of arrival and departure) for the first time. The evidences of a few operatives of different factories, recorded by the Indian Factory Commission of 1890, would help us illustrate some of the varied circumstances of 'night work' and rest during this period. According to one such witness, Bowreah Cotton Mills had the provision of gas lighting. The mills previously used this artificial illumination to extend the hours of work till 8 P.M., though it was currently not lit for the last two years. All child, adult female and adult male operatives worked till 6 P.M. on an average in Bowreah Cotton Mills.¹⁴¹ While work happened to have been moderately extended till late evening in the above example, a few other mills of the period were run in actual night shifts. The time of 'rest' of the labourers depended on the schedule of work in different shifts. Beni Madhub, a male operative of 25 years,

¹³⁹ H. W. I. Wood, Secretary to the Bengal Chamber of Commerce, to the Under-Secretary to the Government of Bengal, General Department, 22-2-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

¹⁴⁰ A. Mackenzie, Secretary to the Government of Bengal, to the Secretary to the Government of India, 13-5-1879, Home, Judicial, January 1880, Nos. 9-94. [NAI]

¹⁴¹ *Report of the Indian Factory Commission*, pp. 77-78.

employed at Bally Paper Mill gave a brief account of the allotment of work and break in his mill at night:

[T]here is another shift at night. The night-man relieves him at 6 P.M., and the rules are the same as the day-workers. They get an hour's recess. There are no women employed at night. But boys of 12 or 16 do work at night. The night and day-men take it turn about for one week each....The night-workers only work 5½ nights a week.¹⁴²

Another millhand of the same Bally Paper Mill, Baboo – a boy of eleven and a Mahomedan who attended the paper-cutting machine – revealed that although he was employed in the day shift, he had earlier worked at the night shift. He also added that he ‘prefers the day-work to the night.’¹⁴³ This witness clearly demonstrated that child operatives were also roped in for ‘night work’. They could be deprived of their ‘night rest’, even if that militated against their normally habituated diurnal cycles of life. The aforementioned instances also manifest how the allotment of work and break depended on the nature and flow of particular industries. Hence, the Factory Commission gathered from Boiragee, the 25-year old male worker at Cossipore Sugar Works that the sugar mill functioned round the clock for ‘technical reasons’. The millhands were generally engaged in three shifts, each operating for eight hours. However, the Commission came to learn that an operative like Boiragee could opt to work for sixteen hours in two shifts with a break in between for want of money.¹⁴⁴ In this way, ‘labour time’ could span across both day and night in exceptional circumstances during the first phase under our review. Despite such findings, the Commission favoured a rather lenient approach towards ‘night work’. While it recommended the restriction of the daily working hours for the child and female labourers of the factories, the same was deemed unnecessary for the adult male operatives.¹⁴⁵ The stern reservations shared in the mercantilist and official discourse, as well as the moderate approach of the Indian Factory Commission of 1890 did not welcome the prospect of completely prohibiting ‘night work’, and a reversion to the old rhythmic cycle of universal ‘night rest’ for the operatives. The amended Indian Factories Act of 1891 stipulated that no child operatives, between nine and fourteen years of age, could be ‘employed in any factory before five o’ clock in the morning or after eight o’ clock in the evening’. Similarly, women labourers, who were employed in factories without ‘shifts or sets’, could not be engaged earlier than 5 A.M. and beyond 8 P.M. Quite predictably,

¹⁴² *Ibid.*, p. 81.

¹⁴³ *Ibid.*, pp. 81-82.

¹⁴⁴ *Ibid.*, p. 89.

¹⁴⁵ *Ibid.*, pp. 2-3, 6, 10-11.

this legislation was limited in scope. The women labourers, who worked under ‘a system of employment in shifts or sets approved by the local Inspector’, were kept outside the ambit of legislation.¹⁴⁶ The law was undoubtedly inapplicable to the case of the adult male labour. Moreover, a young person aged fourteen or more could be worked as much as an adult. In fact, these limitations of the law did not appear surprising, as the particular issue of the prohibition of ‘night work’ invited much criticisms and debate in the Imperial Legislative Council or the Council of the Governor General of India, before the amended Factories Act came to be passed in 1891. The prohibition of child labour at night was thought to be ‘advisable for the due protection of their health’.¹⁴⁷ However, strong oppositions were raised in the Council against the prohibition of adult women’s ‘night work’, which was alleged to be ‘borrowed direct from the Berlin Conference rules’, following international trends.¹⁴⁸ One argument pointed out that while the daily maximum hours of female labour as fixed should be adhered to, it was not justified to prevent women from work during the evening and night under artificial light. The argument contended that ‘[t]here is nothing inherently wrong or unhealthy in night work.’ The argument reasoned that although only a very small number of contemporary jute and cotton mills was functional ‘after dark’, the seasonal cotton presses and ginning factories in the *mufassal* were required to be in operation throughout the day and the night to meet the given schedule. The argument cited that women would automatically be excluded from working in the latter cluster of factories, if they were barred from ‘night work’.¹⁴⁹ Another important factor highlighted by the members of the Imperial Legislative Council in opposition to the restriction on ‘night work’ was climatic and regional in nature. According to this view,

The European idea of night is that it is a dark and cold and dreary time when every one who can had much better go to bed. The Indian idea is that it is a cool and pleasant time, when all work, which does not require a better light than can be easily and chiefly afforded, can best be done.¹⁵⁰

It was stated that native women labourer would preferably opt ‘during the hot season to work by night and sleep by day’.¹⁵¹ The aforesaid views turned out to be the classic colonial excuse to

¹⁴⁶ *The Indian Factories Act, 1881, As Modified up to the 1st April, 1891*, pp. 7-8.

¹⁴⁷ *Abstract of Proceeding of the Council of the Governor General of India Assembled for the Purpose of Making Laws and Regulations*, January-December 1891, Vol. XXX, Calcutta 1892, p. 168.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*, pp. 174-175.

¹⁵¹ *Ibid.*, p. 168.

engage native factory operatives in provinces like Bengal in long extended spells of work, without the essential ‘intervals of rest’. These views forwarded in the Council were invoked even later in colonial Bengal as the best defence against ‘night rest’. With the amended Act of 1891 being only marginally restrictive, ‘night work’ was therefore rather encouraged during this first phase under our review, leading to the shrinking duration of ‘night rest’. However, the imposition of extended work schedules was accompanied by the rise of concomitant apprehensions of insecurity regarding the lives of the operatives. The fear of accidental hazards appeared pronounced in this phase as well. The annual report on the working of the Factories Act in Bengal during 1892 corroborated the rise of such fear:

It is frequently the case that small factories and workshops need even closer supervision than large ones. Those having the least amount of machinery naturally make the greatest possible use of what they have, and this may entail long hours of labour, and occasionally night-work—conditions under which accidents are most likely to occur.¹⁵²

The second juncture in our study was ushered in by the installation of electric lights in most of the factories of colonial Bengal, around the middle of the 1890s. It brought mainly two changes with respect to the daily ‘labour time’. It immediately prolonged the hours of daily work in the factories, and enabled the formal introduction of the system of night shifts. In fact, both the issues of night shift and long daily hours of work led to marked controversies and tensions in this second phase under our review. The commencement of a system of night shift in the Hastings Jute Mill at Serampore from March 1894, in addition to the day schedule of work, gave rise to strong reactions and responses across various quarters.¹⁵³ This was because, women and young persons, above the age of nine years, could be engaged in night shift, as per the amended clauses of the Factories Act of 1891. Soon the issue of employing children, young persons and women for ‘long hours and all night’ in especially the jute industry was taken up by the Dundee Chamber of Commerce, and questions were raised regarding the issue in the House of Commons in England.¹⁵⁴ Under pressure to respond to the Secretary of State, the Government of India sought explanations from the Government of Bengal on the issue. This opened up a row of

¹⁵² H. H. Risley, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

¹⁵³ C. E. Buckland, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, June 1895, Home, Judicial, October 1895, Nos. 411-518. [NAI]

¹⁵⁴ *Ibid.*; C. E. Buckland, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 29-10-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

discussions and debate particularly on the subject of ‘night work’ and ‘night rest’ in colonial Bengal. The Government of Bengal communicated its opinion, and also shared the views of the various authorities and bodies consulted on the subject, with the Government of India.¹⁵⁵ An examination of the discussions and debate, surrounding the working of the night shift at the Hastings Jute Mill, clearly shows us how opinions were divided in favour of and against ‘night work’ in factories. The same climatic and regional idea of ‘night’, raised earlier in the Imperial Legislative Council, resurfaced in the discussions in support of ‘night work’. The suitable time for labour in the hot ‘tropical’ climate in colonial Bengal was sharply differentiated with ‘the ordinary working hours of temperate climates’. Using this colonial logic of climatic and regional specificity, the Commissioner of Dacca Division called the native ‘a night bird’ in May 1895. Sidelining the natural diurnal influences of sunlight on the natives, he elaborated that not only did the sugar mill run all night, but the native blacksmith and ploughman in the village also chose to habitually rest and sleep in the heat of the day, and to work at night.¹⁵⁶ Effort was on to justify ‘night work’ for young persons and women in particular also from the point of view of health. Thus, Ashe, the Civil Medical Officer of Serampore, who was consulted on the subject, defended the Hastings Jute Mill for running the night shift. Instead of ‘night rest’, Ashe backed the idea of ‘proportionate rest’ with respect to work as below:

I do not find that it [i.e. the working of the night shift at the Hastings Mill] acts prejudicially on the health of the women and young persons employed. The hours are shorter; proportionate rest is allowed to all operatives....The work is popular as higher wages are attached to it, and during the hot season the workers prefer the cool of the night to the heat of the day....¹⁵⁷

Using the climatic argument, A. Forbes, Commissioner of the Patna Division strongly recommended night labour for both women and children. He stated that even the native children were kept away from bed till late night unlike their counterparts in England. All the arguments, which supported ‘night work’, thus repeatedly highlighted that native labourers preferred ‘the cool of the night’ to ‘the heat of the day’ for work.¹⁵⁸

¹⁵⁵ *Ibid.*

¹⁵⁶ H. Luttman-Johnson, Commissioner of the Dacca Division, to the Secretary to the Government of Bengal, General Department, 30-5-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

¹⁵⁷ J. A. Bourdillon, Officiating Commissioner of the Burdwan Division, to the Secretary to the Government of Bengal, General Department, 23-7-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

¹⁵⁸ A. Forbes, Commissioner of the Patna Division, to the Secretary to the Government of Bengal, General Department, Home, Judicial, February 1896, Nos. 405-468. [NAI]

On the other hand, opinions against night labour of women and young persons were also forwarded in this debate and discussion. The views of C. A. Walsh, the Special Inspector of Factories chiefly fell in line with this side of the argument. He expressed his concern over both 'excessive hours' and 'night work', mainly in relation to the labour extracted from women and young persons in factories, which operated under the shift system. In his letter of 28 May 1895 to the Government of Bengal, Walsh held the issues to be connected with 'competition' existing among the mills, which was 'unhealthy' and 'likely to damage the trade'. He felt that the Calcutta agents of the mills were likely to encourage these 'excessive hours' and 'night work', because their 'commission' was drawn not from 'the profits', but from 'the gross outturn of the mill'. Though it was 'physically impossible' for an operative to work continuously throughout the day and night in two different mills, Walsh found such abuse to be 'occasionally' existent because of 'night work'. While Hastings Jute Mill was operating in night shift, Walsh also mentioned that Howrah, Sibpur and Ganges Mills were lately 'working till 8-30 or 9 o' clock at night, or nearly 16 hours' under electric lights. The Chief Inspector of Factories therefore advocated the imposition of restrictions by further amendment of law. He specifically advised that the daily limits of work of all women, including the ones working 'in shifts or sets' should be brought under the control of law. He also suggested that the maximum daily time till which the child operatives could be employed at night should be brought down from 8 P. M. to 7 P.M.

¹⁵⁹ One body, from whose opinion Walsh drew support for his own views, was the Indian Jute Manufacturers Association. At first, members of the Association upheld the introduction of 'a longer working day' and 'a system of night shifts' as of 'great advantages'.¹⁶⁰ However, this initial excitement dried up, and soon the Association changed its opinion on the subject. In June 1894, all members of the Jute Association, except the representatives of Howrah and Hastings Mills, resolved that 'as an Association they were opposed to all night work'. The Association kept the actions of Hastings Jute Mill under scrutiny, and disapproved of 'working, preparing, spinning or weaving machinery later than 8 P.M.'. ¹⁶¹

¹⁵⁹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 28-5-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

¹⁶⁰ M. Finucane, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-7-1896, Home, Judicial, 26 June 1896, Nos. 163-280. [NAI]

¹⁶¹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 28-5-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

However, the Government of Bengal was predisposed to defend the ‘long hours’ and ‘night work’, especially in the face of the opposition from the Dundee Chamber of Commerce. The Government of Bengal repeatedly assured the Government of India that no law was infringed by Hastings Jute Mill for ‘night work’, and there were no complaints lodged against the mill. However, the Government of Bengal was more intent on shielding the authorities of the mill than on asserting the truth. So, at the time of replying to the Government of India on 16 September 1894, ‘[t]he services of the few boys employed at night, to whom exception was taken by the Civil Surgeon, were promptly dispensed with.’¹⁶² In another letter to the Government of India dated 29 October 1895, the Secretary to the Government of Bengal, General Department, strongly defended the ‘long hours’ and ‘night work’ of the factories, in line with the opinions shared by others on climatic and health grounds. The letter underlined the Civil Surgeon, Ashe’s statement to rule out the possibility of health problems of women and young persons, due to ‘night work’. Walsh’s point regarding the abuses of ‘night work’ was dismissed using Walsh’s own comment that it was ‘a physical impossibility’. The Secretary stated that such evasions of law were still apprehensions, and not yet detected in reality. The Secretary also played down the Indian Jute Manufacturers Association’s decisions as ‘the point of view of the Managers or owners’, citing that the move was reached not ‘out of consideration for the welfare of the work-people’.¹⁶³

Notwithstanding such strong arguments particularly in favour of women’s and young persons’ night labour, the Bengal Government’s indulgent approach on the matter could not continue for long. Although children were already protected by law from night labour, evidences of children working at night were detected in 1901, 1902 and 1903. The accused managers of mills – undisclosed in the annual reports – were prosecuted and fined Rs. 50 each, in these cases of infraction of law in the first two years.¹⁶⁴ In 1903, the Manager of the Hastings Jute Mill was

¹⁶² C. E. Buckland, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, June 1895, Home, Judicial, October 1895, Nos. 411-518. [NAI]

¹⁶³ C. E. Buckland, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 29-10-1895, Home, Judicial, February 1896, Nos. 405-468. [NAI]

¹⁶⁴ W. C. Macpherson, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 18-7-1902; A. Earle, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 18-7-1903, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

similarly prosecuted and penalized twice for employing children in ‘night work’.¹⁶⁵ Moreover, the Special Inspector remained persistent in his earlier views on ‘night work’. In his annual report submitted to the Government of Bengal for 1904, C. A. Walsh reaffirmed his stance in support of the restriction of women from working in night shifts. He again pressed for the same amendment of the law regarding the clause of the daily time limits of women’s employment, as he had already recommended earlier. The existing format of the law allowed the working of women in night shifts, and also compelled the local Inspector to give permission for that action. Walsh also spoke of another disadvantage of women’s ‘night work’, whereby ‘infants...[were] invariably brought into the mill by these women to sleep night after night’, exposing them to ‘an atmosphere frequently laden with fluf and dust’ and ‘incessant noise of moving machinery’.¹⁶⁶ Walsh informed about the withdrawal of the night shift at the Hastings Jute Mill, after its continuation ‘for years’ as ‘the only mill’ that employed women in ‘night work’. He also reported how Ram Doyal Cotton Mill was seeking approval to similarly work at night, hinting how the present format of the law was acting as an incentive. In contrast, he stated that though the paper mills and flour mills ran at night, adult male labour was only employed in such mills.¹⁶⁷ Walsh highlighted how legislative reform could ideally help strengthen the underlying relation between the logic of industrial ‘efficiency’ and the perspective of labour ‘welfare’.¹⁶⁸ During the second phase under our review, the spotlight was on the jute industry, in relation to the controversy of ‘night work’ in colonial Bengal. In fact, the state of the industry itself played an important role in determining the trends of ‘night work’, alongside the drive for ‘profits’. The testimony of H. M. Scott, the Manager of Hastings Jute Mill, recorded before the Indian Factory Labour Commission of 1907-08, would corroborate the fact. In his evidence, Scott first mentioned that the system of night shifts ran in his mill daily from half past six in the evening till half past two after midnight, and lasted for about eight hours during the longer days in the summer. Then, he explained why the system of night shift was discontinued in his mill from

¹⁶⁵ A. Earle, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-7-1904, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹⁶⁶ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 13-3-1905, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹⁶⁷ *Ibid.*

¹⁶⁸ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 28-3-1907, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

1906, though the Special Inspector of Factories reported the year to be 1904.¹⁶⁹ Scott's explanation ran as below:

Since 1906, however, all night work had been abandoned owing to the scarcity of labour. The operatives preferred day work, and the good worker always preferred day work because he had a longer time during which to turn out his work. As long as there was a surplus of labour night work was all right, but the production *per* hour was not so high as during the day.¹⁷⁰

TABLE 4.
A Comparative List of the Work Schedules in the Day and Night shifts
at the Hastings Jute Mill, at Rishra near Serampore till 1904.

YEAR.	DAY WORK.		Average per day.	NIGHT WORK.		
	Days worked.	Nights worked.		Nights worked.	Hours worked.	Average per night.
1898	308	4,009 ⁷ / ₁₂	13.01	309	2,374 ⁵ / ₆	7.68
1899	305½	3,974 ⁴ / ₁₅	13	304	2,348 ⁵ / ₆	7.7
1900	308	4,031 ½	13.09	310	2,384 ¹ / ₆	7.7
1901	309	4,076 ¹ / ₃	13.2	310	2,382 ¹ / ₁₂	7.7
1902	309	4,062 ² / ₃	13.1	310	2,386 ¹ / ₃	7.7
1903	305½	4,020 ¹ / ₆	13.1	303	2,341 ² / ₃	7.7
1904	307½	4,360 ⁴ / ₅	14.1	134	1,029 ⁵ / ₆	7.68
1905	303½	4,549	15
1906	287½	4,013	13.96
1907	304	4,560	15

Source: *Report of the Indian Factory Labour Commission, 1908*, Vol. 2, Simla, 1908, p. 238.

Alongside the industrial trends, the set-up of the Indian Factory Labour Commission in 1907 ultimately got the ball rolling in favour of the prohibition of female operative's 'night work' by law. The evidences collected by the Commission revealed how mercantilists and the administrative officials now supported such a legislative move. H. M. Scott featured in this list of

¹⁶⁹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 13-3-1905, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹⁷⁰ *Report of the Indian Factory Labour Commission*, Vol. 2, p. 239.

supporters.¹⁷¹ So did H. C. Streatfeild, the representative of the Government of Bengal. Streatfeild's opinion indicated a reversal of the indulgent stance of the Government of Bengal on the issue of female operative's night labour. 'Night work', according to Streatfeild, 'should be prohibited except under the special license of Government for special reasons'. 'Night work', as he further stated, 'should be prevented as far as possible for both sexes and all ages, and should be absolutely prohibited for women.' Streatfeild felt that female operatives should be permitted to work at night only 'in certain specified instances – in ginning for instance'.¹⁷² The Factory Labour Commission's evidences also challenged the colonial claim regarding the native's preference for 'night work'. For example, mention may be made of the witness of Zahir-ud-din Ahmad, the president of an association of millhands in Kankinara established in 1895 consisting of both 'Hindu and Musalman workers'. Ahmad spoke against the employment of the female factory operatives at night, and also against their engagement in long hours of work. His statement ran as under:

I think I need not prove that the Indian mothers are very prolific. Every successive census puts this glaringly before the naked eyes, but why this sterility in case of those mothers that are mill workers. The night and overwork brings sickness which leads sometimes to death and in those cases that do not end fatally invariably will produce barrenness. I have asked many thoughtful men to refute my conclusions; none has been put forward, perhaps none exists.¹⁷³

Thus, this view objected to the 'long hours' of work and night labour of the female factory operatives from the perspective of health and reproduction. The biological cycle of reproduction was pitted against the imposed schedules of work. While, the witness was opposed to women's 'night work', he pleaded for the introduction of shorter working hours for even the male factory operatives, in place of the existing 'early morning works', overtime and night shifts. Zahir-ud-din Ahmad felt that such a change would allow the factories to tap 'a better supply of workers', and it would bring in 'a great influx of Bengali workers'. He pointed out that the local Bengalis avoided factory work because they were 'constitutionally weaker' and 'not fit for long hours as well as night work'.¹⁷⁴ Therefore, the witness repeatedly underlined the task of 'night work' as hostile to the native labourers. In his renowned work on the Swadeshi Movement, Sumit Sarkar

¹⁷¹ *Ibid.*, p. 238.

¹⁷² *Ibid.*, pp. 232-233.

¹⁷³ *Ibid.*, p. 264.

¹⁷⁴ *Ibid.*

has shown how labour outbursts during the period between 1905 and 1907 in Bengal was often instigated by the problems of the factory operatives faced in their work schedule. In fact, it was no mere coincidence that the issue of ‘night work’ appeared foremost among the prominent grievances and causes of protest that mobilized the millhands during the period.¹⁷⁵ In its report of 1908, the Indian Factory Labour Commission gave support to the prohibition of the employment of both children and women in factories at night.¹⁷⁶ However, on the line of Streatfeild’s suggestion as mentioned earlier, the Commission recommended that exception should be allowed to the ginning factories. Thus, it reported that women should be permitted to work in ginning factories, because it was mostly suitable for the females, and women employed were middle-aged who were no more required to nurse babies.¹⁷⁷ The Commission’s suggestions revealed how female operative’s time of work came to be posited more often in contrast to the time of her domestic and familial liabilities, instead of any focus on her deserved time of ‘rest’. It further raised the insecurities of her employment. In addition, there lay the question of her lack of protection or safety at night.¹⁷⁸ However, while the Commission grappled with the question of extending legislative control over women’s ‘night work’, the views and perspectives of the female operatives themselves were not surprisingly recorded by the Commission at all in its enquiry.

As indicated before, there also lay a connection between the issue of ‘long hours’ of employment and the question of ‘night rest’. Understandably, the elongation of the hours of work meant the shrinkage of the duration of ‘night rest’. The Special Inspector of Factories, C. A. Walsh had already expressed his concern on the ‘excessive hours’ of work in the electrically lighted mills in his response to the governmental query in 1895 regarding the representation of the Dundee Chamber of Commerce. In his annual report for 1904, Walsh again strongly spoke against the latest time of commencement (i.e. 5 A.M.) and the latest time of departure (i.e. 8 P.M.) stipulated by the existing Factories Act for children. To maintain this schedule, children, as young as nine or ten years old, had to start for the factories at 4.40 A.M. both in the cold and the hot seasons. He particularly underlined how such very early morning hours of work adversely affected the health of thousands of the child operatives. So, Walsh again pressed for the need of relaxation of

¹⁷⁵ Sumit Sarkar, *The Swadeshi Movement in Bengal 1903-1908*, Ranikhet, 2011, pp. 197-200.

¹⁷⁶ *Ibid.*, Vol. 1, p. 48.

¹⁷⁷ *Ibid.*, pp. 47-48.

¹⁷⁸ *Ibid.*, pp. 46-47.

the stipulated work schedule.¹⁷⁹ However, in comparison, Walsh's views were not so assertive regarding the 'long hours' of work of the adult male operatives. With the Government of Bengal resisting some of his views, Walsh particularly wavered in his own comments on the excessive overwork of the weavers. Even in 1896, he noted how the 'long hours' were of 'doubtful' help, as prolonged work raised discontent among the labourers, lowered the quality of work and made the demand for overtime payment inevitable. On this occasion, he was particularly emphatic about the travails of the weavers regarding the extreme hours of work.¹⁸⁰ However, in his report for 1899, he contradicted his own claims. Here, he pointed out that though the hours of work were extremely long for the weavers, they could flexibly leave the factory premises, and could take intervals as they chose.¹⁸¹

Ultimately the agony of the excessively overworked weavers came to be recorded only when they themselves raised their own voice against their 'excessive hours' of labour in the first decade of the twentieth century. The complaints and the appeals of the weavers clearly revealed how the 'excessive hours' of work could shorten the scope of 'night rest'. The weavers of Hastings Jute Mill, at Rishra near Serampore themselves complained to the Government of Bengal about their 'excessive and hard toil' in a petition of July 1906. The weavers informed that they were engaged in work 'from 4 A.M. to 8-15 P.M.' by the mill authorities. While they could obtain "only an hour's leisure" in between the daily rigours of work, their 'rest at night' was reduced literally to five hours. The weavers conveyed that this "5 hour's rest at night" was 'very insufficient for recreation', with no system of change of shifts existing in the weaving department. Such 'excessive and hard toil' was responsible for their 'constant illness' and 'decay in health', which was gradually propelling them towards their death. The weavers finally appealed to the Government of Bengal 'to save their health and life' with the implementation of "the 8 hours' rule under the Factory Act".¹⁸² The extreme sufferings of the weavers in Hastings

¹⁷⁹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 13-3-1905, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹⁸⁰ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 3-8-1897, Home, Judicial, March 1898, Nos. 107-154. [NAI]

¹⁸¹ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 28-4-1900, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

¹⁸² Petition of the weavers working in the Hastings Jute Mill, at Rishra near Serampore, to the Secretary to the Government of Bengal, General Department, July 1906, General, Miscellaneous-B, January 1907, Nos. 41-44. [WBSA]

Jute Mill could be assessed in sync with the evidence given by some weavers employed at Budge Budge Jute Mills, near Calcutta before the Indian Factory Labour Commission of 1907-08. In this evidence, weavers Kirtivas Mandal, Gopalsang Baru, Bibinchand Bairagi, Loku Ramzan, and Umedali Malikhina narrated how they were forced to come to work as early as 5 A.M., and not allowed to quit before 8 P.M. They had no option but ‘to get up in the morning between 3 and 4 A.M.’ in order to commute from their villages to the mill, and could ‘not get home till 8-30 or 9 P.M.’ They stated that the ‘long hours’ were ‘trying to health’. Thus, these weavers were also indirectly referring to their lack of ‘rest’, in their plea to the Commission for fixing their daily schedule of work from six in the morning to six in the evening.¹⁸³ After receiving the petition from the weavers of Hastings Jute Mill, the Government of Bengal ordered the Special Inspector of Factories, C. A. Walsh to enquire over the matter. After inspection, Walsh clarified that the weavers’ duration of work was fourteen hours in the mill (i.e. from 5 A.M. to 8 P.M., deducting an interval of one hour in between). The weavers were engaged as piece-workers. Citing the peculiarities of the work, the Special Inspector opined that the ‘long hours’ were ‘altogether wrong’ and ‘detrimental to health’, but this drawback could not be redressed by the existing structure of the law. He reckoned that the matter required further investigation by ‘the highest medical authority’ to find out more about the maximum duration of work advisable for a weaver at a loom, without adverse effects on health.¹⁸⁴ Thus, the dissent raised by the weavers brought the question of the duration of work and ‘rest’ of the adult males under the spotlight in colonial Bengal. After the Indian Factory Labour Commission reported that the ‘excessive hours’ prevailed generally in the textile factories, the Indian Factories Act of 1911 ultimately restricted the daily working hours of all the adult operatives in the textile factories to twelve hours, within the daily span of 5:30 A.M. to 7 P.M. For a child operative, the working hours in the textile factories were limited to six hours. The maximum daily time span of all female and child operatives in all factories was confined to the period from 5:30 A. M. to 7 P. M. The women employed in the ginning factories were kept outside this rule as per the plan. However, here the maximum number of daily hours of work permitted was to be fixed at eleven, as deemed by the inspector.¹⁸⁵ Capitalist considerations still played a predominant role in deterring the attempt to

¹⁸³ *Report of the Indian Factory Labour Commission*, Vol. 2, p. 278.

¹⁸⁴ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 22-11-1906, General, Miscellaneous-B, January 1907, Nos. 41-44. [WBSA]

¹⁸⁵ *The Unrepealed General Acts of the Governor General in Council*, pp. 186-187.

regulate the working hours of all adult male operatives by law. This could be discerned from the reason offered by the Indian Factory Labour Commission not to recommend any such legislative move to limit the working hours of all adult workers in general.¹⁸⁶ In dealing with the problem of 'long hours', the legislation in this case brought more stopgap and selective solutions that complicated and limited the process of the application of its clauses in the long run. The special restrictions on 'labour time' for the textile factories came to be withdrawn, and the total daily as well as weekly duration of work of all the adult operatives came to be fixed in the amended version of the Factories Act passed in 1922.¹⁸⁷ However, the question of regulating the daily schedule or allotment of duty was not addressed. This limitation was more evident in the surging number of prosecutions launched for employment of the operatives beyond the legal hours. By 1926, the number of such instituted proceedings reached 33.¹⁸⁸ In 1930, the same swelled to 51.¹⁸⁹

The third juncture in our study transpired in the late 1920s. During this period, the onus was to meet the standards of labour regulations prescribed by the International Labour Office, which gave rise to another wave of debates and discussions on the question of the women worker's 'night rest'. During this period, the 'long hours' of work and its grave abuses, particularly in the jute industry, had already become a subject of great botheration for the Government of Bengal. Especially since the promulgation of the Factories Act of 1911, the Chief Inspector of Factories had been repeatedly complaining to the Government of Bengal about the 'difficulty of administering' the multiple-shift jute mills, and the 'wholesale infractions' of the 'hours provisions of the Factories Act' in such mills.¹⁹⁰ Moreover, in his evidence communicated to the Whitley Commission of 1929-31, R. N. Gilchrist, Deputy Secretary to the Government of Bengal, Commerce and Marine Departments, revealed that '[t]here is no other industry in the whole of India which requires women and children to commence work at so early an hour as 5.30 a.m. and to finish so late as 7 p.m.' In view of the rampant abuses of the clauses of the law on 'labour time' found in the multiple-shift jute mills, the officer also pointed out that the 'power

¹⁸⁶ *Report of the Indian Factory Labour Commission*, Vol. 1, pp. 30-33.

¹⁸⁷ *The Indian Factories Act, 1911 (Act XII of 1911): As Modified upto the 1st July, 1922*, pp. 15-17.

¹⁸⁸ Annual Report on the Working of the Indian Factories Act in Bengal and Assam for the Year 1926, Annual Report on the working of the Indian Factories Act in Bengal and Assam, Calcutta, 1921-1929, OIOC, V/24/1644, BL.

¹⁸⁹ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1930, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

¹⁹⁰ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, pp. 92-93.

to approve...a system of shifts should be conferred on the Local Government'.¹⁹¹ The resolutions passed in the International Labour Conference at Washington on 29 October 1919, restricted the employment of women and young persons in 'night work' in industrial undertakings like factories.¹⁹² The second and third articles of the Convention adopted at the Conference regarding women labourers's 'night work' were of special relevance to India. The second article of the Convention on women's 'night work' defined 'night' as 'a period of at least 11 consecutive hours, including the interval between 10 o' clock in the evening and 5 o' clock in the morning.'¹⁹³ The Government of India accepted the stipulations of the Conference, after receiving the assent from the Legislative Assembly and the Council of State on 19 February 1921. According to the provisions of the Convention, no women labourers could be ordinarily engaged between 10 P.M. and 5 A. M. in any industrial establishment, unless she was employed along with the other members of her family.¹⁹⁴ Official correspondence of the late 1920s revealed how the aforementioned stipulation of the Convention regarding women workers, was not followed in the jute mills, running under the shift system. Figures divulged to the Government indicated that around 40,000 female operatives employed in both multiple-shift and single-shift jute mills in Bengal were regularly deprived of "the eleven hours' continuous period of rest" at night, as prescribed by the Convention.¹⁹⁵ What ensued was a row of official correspondences that essayed a vital role in the redefinition of the notion of 'night rest' in colonial Bengal. In a letter dated 30 May 1928, the Government of India drew the attention of the Government of Bengal to this issue, directing it to take necessary steps. It was pointed out that the female millhands in the jute mills began work 'at the earliest time' (i.e. at 5:30 A.M.) and finished 'at the latest time' (i.e. at 7 P.M.), as allowed by the Factories Act. So, the objection lay in the fact that the women workers' 'night rest' was 'in consequence reduced to a period of 10½ hours'.¹⁹⁶ The Government of Bengal in its turn initiated a discussion on the matter with the Bengal Chamber of Commerce, before taking any decision. In its official communication of 25 July 1928, the Government of Bengal informed the serious situation to the Chamber,

¹⁹¹ *Ibid.*, p. 93.

¹⁹² *Report of the Committee of the Bengal Chamber of Commerce for the Year 1920*, Vol. 2, Calcutta, 1921, pp. 535-537, 548.

¹⁹³ *International Labour Conference, First Annual Meeting, October 29, 1919-November 29, 1919*, League of Nations, Washington, 1920, pp. 260-261.

¹⁹⁴ *Report of the Committee of the Bengal Chamber of Commerce for the Year 1928*, Vol. 2, Calcutta, 1929, p. 444.

¹⁹⁵ *Ibid.*

¹⁹⁶ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 94.

highlighting how ‘the Government of India have ascertained that the jute mills of Bengal are the only industrial concerns under the Indian Factories Act, which at present do not permit the minimum period of rest enjoined by the Convention’. The Bengal Government requested the Chamber to find out if the jute mills could voluntarily take action to implement “the full eleven hours’ period of rest” for the female millhands.¹⁹⁷ The Bengal Chamber of Commerce corresponded with the Indian Jute Mills Association regarding the issue in August 1928.¹⁹⁸ The members of the Indian Jute Mills Association declined to make any changes in the existing time-schedule of work. In its official reply dated 27 August 1928 to the Chamber, the Association reasoned why they intended to maintain the status quo:

The Committee...are strongly of the opinion that the hours at present worked by women in jute mills are much more satisfactory from the workers’ own point of view than any hours which might otherwise be arranged to conform with the full eleven hours night rest period enjoined by article 2 of the convention...[A] step would obviously not be in the best interests of these workers, and it would not be in keeping with article 7 of the convention which is peculiarly applicable to India where the climate renders work by day particularly trying to the health.¹⁹⁹

The Bengal Chamber of Commerce subscribed to the views of the Association, and forwarded the same views to the Government of Bengal on 10 September 1928. The Chamber asserted that the Government had possibly ‘overlooked’ the scope of seeking exemption allowed by the Convention on climatic grounds, on the condition of allowing ‘compensatory rest’ in replacement.²⁰⁰ Therefore, climate and for that matter, health reasons still continued to be seen as the trump card by the mercantilists to circumvent the temporal regulations framed by the International Labour Office. Climatic and health reasons were cloaked under the logic of labour ‘welfare’ by the mercantilists themselves in their bid to retain control over ‘labour time’. The local government often acted as their confidant in this motive. The Government of Bengal communicated the points raised by the Indian Jute Mills Association and the Bengal Chamber of Commerce to the Government of India in January 1929.²⁰¹ However, the excuses offered did not clinch the issue for the mercantilists this time. Under pressure to satisfy the protocols of the

¹⁹⁷ *Report of the Bengal Chamber of Commerce for 1928*, Vol. 2, pp. 444-445.

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid.*, pp. 445-446.

²⁰⁰ *Ibid.*, pp. 446-447.

²⁰¹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 94.

International Labour Organization, the Government of India wrote back to the Government of Bengal on 21 March 1929. The Government of India retorted that it did not ‘overlook’ the special conditions of exemption allowed by the Convention. Although climatic reasons could be invoked under special grounds, the Government of India did not seem particularly avid to follow that route to settle the issue of ‘night rest’ for the female jute workers in Bengal. However, as the Government of India hinted, this was more to save the situation, rather than cater to the needs and perspectives of the operatives themselves. In fact, the Government of India had already informed in its earlier reports to the International Labour Office that the clause of exemption prescribed under article seven ‘is not utilized in this country’. Moreover, a recall of the actual meetings of the Convention showed that attempts to provide ‘special provision’ to facilitate the operation of the double-shifts or multiple-shifts were not welcomed in the International Labour Conference. Hence, a proposal mooted ‘to provide for a reduction in the night rest of women to meet the requirements of factories working double-shifts’ was actually rejected in the meetings of the Conference. Then the Government pointed out in the letter that similar grounds of concession could not be applied for to merely aid the running of the shift system in the jute industry. The Government finally stated that plea for exemption could only be placed if the cause was ‘strictly in the interests of the health of the workers’.²⁰² So, the Government of Bengal was ultimately forced to admit in its response on 21 May 1929 that ‘the hours of rest at night at present adopted for women in the jute mills are not in the best interests of the health of the women concerned....[T]he mills are not closed down during the hottest part of the day.’²⁰³ Nevertheless, no decision could be readily reached in this row of debates and discussions on ‘night rest’. The issue was ultimately referred to the Royal Commission on Labour, chaired by John Henry Whitley, for solution.²⁰⁴ Although the question of the female operatives’ ‘night rest’ acquired the centre stage in the debate and discussions in this particular phase, the problems related to the male labourers’ ‘night work’ did not recede to the background. Thus, the organizing Secretary of the Press Employees’ Association, Indu Bhusan Sircar complained to the Whitley Commission (1929-31) about the ordeals of the workers of the newspaper press. For the very ‘fatiguing’ and ‘troublesome’ work all throughout the night, the press workers received

²⁰² *Ibid.*, pp. 94-95.

²⁰³ *Ibid.*, p. 95.

²⁰⁴ *Ibid.*

meagre wage.²⁰⁵ Therefore, 'night work' remained the cause of grievance of the workers even in the late 1920s. For the operatives, 'night work' certainly did not fall within the usual schedule of labour. So, it came to be associated more with 'overtime' factory work that was to be remunerated with 'overtime' wages. However, the feelings of the workers were certainly not reciprocated by the mercantilists. Nor did the existing factory legislation in colonial India recognize the opinion of the operatives in this respect.

In fine, 'night rest' as a term did not directly feature in the Indian Factories Act. However, the question indirectly and selectively got entwined with labour legislation in general. The concept of 'night rest' therefore engendered intense debates and discussions in colonial Bengal in the late decades of the nineteenth as well as in the early decades of the twentieth centuries, as stoked up by the proposal of factory legislative reforms. In the intense tug of war over the issue of 'night rest', the mercantilist urges of 'profits' clashed with the colonial and international reformist drives of legislation or formal regulation. The administrative officials in their different capacities as mediators and consultants often threw in their lot with the more formidable force to save their own ground. The views and perspectives of the factory operatives themselves remained mostly unrecorded and marginalized in this clash. This was particularly the case with respect to the female operatives, although the issue of 'night rest' of the women workers turned out to be most controversial. In course of the debates and discussions, various interpretations of 'night rest' gained prominence that variously involved the invocations of the logic of climate, health, safety, domesticity and 'welfare' to interpret the daily cycles of day and night. Often, these interpretations were used as the instruments of manipulation of the antithetical temporal boundaries between work and break, which in turn limited the scope of regulation and the implementation of the notion of 'night rest' in colonial Bengal.

QUESTION OF 'FESTIVAL HOLIDAYS'

While colonial factory legislation became instrumental in formally institutionalizing the concept of 'rest', it did not address some crucial issues that were gradually encompassed by the expanding idea of 'rest'. One such issue was the declaration of festive holidays. The issue turned

²⁰⁵ *Ibid.*, p. 239.

out to be especially important in view of the rise of a plethora of discourse and debates on the question of defining and standardizing the ‘public holidays’, and the promulgation of the Negotiable Instruments Act in 1881. The latter process has already been discussed at length in the first chapter. Although the government offices emerged as the most important locus of holiday reforms in colonial Bengal, the process also left considerable impact on the site of the factories. This was particularly true because quite a large number of factories also belonged to the government, while the rest remained under private, commercial ownerships. However, the Factories Act was not concerned with the question of festive holidays, despite stipulating provisions for the implementation of the ‘weekly holiday’ or the ‘Sunday rest’. Given the variations between the different local festivals or religious observances and the scattered locations of the industrial establishments in colonial Bengal, this omission seemed mostly deliberate on the part of the colonial administration. H. C. Streatfield’s evidence to the Indian Factory Labour Commission of 1907-08, on behalf of the Government of Bengal, would prove to be highly illustrative in this context:

The habits of Indian operatives as regards the taking of holidays...and occasional returns to their homes:...and the extreme sensitiveness of the labour force to any interference with their settled customs, render it unnecessary and undesirable to insist on strict legal control of the working of factories. The Government of Bengal desires therefore emphatically to assert its opinion that any legislation which is proposed should be of a tentative and permissive character, except as regards matters where practice, and not mere theory, has shown legislative interference to be called for.²⁰⁶

Notwithstanding the colonial legislative policy to abstain from interference on matters of the declaration of the festive holidays within the domain of the factories *per se*, the issue surprisingly did remain indirectly entangled with the governmental regulations of the factories. After the amendment of the Indian Factories Act in 1891, the Government of India ordered ‘the occupiers of factories’ in March 1892, ‘to submit correct returns of the holidays for any month before the beginning of that month, as prescribed in Form III’, under the mediation of the local government.²⁰⁷ The regulation caused a lot of chaos and embarrassment both for the local administration and the factory authorities. Therefore, the Government of Bengal reported in 1893

²⁰⁶ *Report of the Indian Factory Labour Commission*, Vol. 2, p. 231.

²⁰⁷ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, General Department, 13-2-1893, Home, Judicial, February 1893, Nos. 250-252. [NAI]

how the Magistrate of the 24-Parganas had conveyed that the present way of asking for holiday returns ‘might be discontinued with advantage’ as it raised ‘a good deal of irritation’.²⁰⁸ On the one hand, the factory authorities grumbled about the regulation citing the uncertain pace of the trade as the reason why the days of closure of the factories could not be prefixed with surety. On the other hand, the concerned office staff of the local administration faced considerable hassles and exertion in procuring the holiday returns from the factory authorities, only after repeated reminders and persuasion, and often well after the due date. To avert such difficulties, the Magistrate of the 24-Parganas suggested an alternative system of submitting ‘a quarterly return of the days in which the working of a factory was stopped’, containing the list of holidays already observed during the preceding three months.²⁰⁹ Despite the communication of the above difficulties and the suggestion for changing the format of holiday returns by the Government of Bengal, the Government of India retained the existing rule.²¹⁰ However, the complaints against the submission of returns did not subside. In 1901, C. A. Walsh, the Special Inspector of Factories insisted again that the rule of submission could be made annual instead of monthly, where a list of all the annual holidays observed could be demanded along with the instruction to post a copy of the same in the factories.²¹¹ This was Walsh’s second appeal, after he had already mooted the point in 1893.²¹² In spite of the repeated pleas for streamlining the system to mitigate the difficulties of both the factory authorities and the clerical staff in the office of the Magistrate, the Government of India did not concur with the proposals.²¹³ Understandably, the Government of India did not want to upset the actual motive that gave rise to the rule. The motive of seeking monthly holiday returns before the commencement of the calendar month was to aid the task of inspection and supervision of the factories. ‘The return’, according to the official communication of the Government of India in February 1893, ‘is required in order to enable the Inspector to know beforehand on what days a factory will be closed, so that he may not visit it on those

²⁰⁸ H. H. Risley, Secretary to the Government of Bengal, General Department, to the Secretary to the Government of India, 5-7-1893, Home, Judicial, March 1894, Nos. 620-720. [NAI]

²⁰⁹ *Ibid.*

²¹⁰ C. A. Walsh, Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 26-4-1901, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

²¹¹ *Ibid.*

²¹² Extract from a letter from the Special Inspector of Factories, to the Secretary to the Government of Bengal, Revenue Department, 11-10-1892, Home, Judicial, February 1893, Nos. 250-252. [NAI]

²¹³ A. Earle, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-7-1904, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

days.’²¹⁴ The Government confined its interest mainly on matters related with the legislated ‘weekly holiday’, or any alternative arrangement of ‘rest’ in case of a substitution. There was no intention to regulate the fixing of all the holidays in the factories as such. ‘The Government of India,...have no particular interest in knowing *ex post facto* the number of days on which a factory has been closed’. Such were the firm words of the Government of India in 1893 to demonstrate its deliberate unconcern about the subject.²¹⁵ ‘The Bengal Factories Rules, 1912’, framed after the enactment of 1911, further clarified the administrative stand behind the rule in one of the modules. The module, especially designed to control the exempted categories of factories, therefore, read as below:

In order to enable the Inspector to see that the provisions of the Act in respect of weekly holidays are observed, the Manager of every factory, in which Sunday is not regularly observed as the weekly holiday, shall keep a register showing the dates, whether Sundays or week days, on which the factory or any department thereof has been closed.²¹⁶

So, the colonial government – both local and central – deliberately chose to limit its involvement on the question of fixing the festive holidays in factories. However, this limited administrative involvement also implied a lack of formal recognition of the festive holidays in the factories. As a result, the total number of holidays often appeared as inconsequential, and a festive holiday falling in a week could act as the replacement of the ‘Sunday rest’ or ‘weekly holiday’. In other words, a festive holiday shared a substitutable relationship with respect to the ‘weekly holiday’, and often came to be configured in terms of Sundays within the domain of the factories in colonial Bengal. Such propensities could be seen from the attitude of the Indian Factory Commission in 1890. ‘In regard to the Indian festivals, which are kept as holidays in factories, we recommend that the occupier of a factory should, if he desires it, be allowed by law to work his factory on the Sunday following a festival holiday.’ This was the remark of the Commission in its report.²¹⁷ Only when more than one festive holiday fell in a single week, did the Commission think it inadvisable to support the conversion of ‘two following Sundays’ into ‘working days’. However, then the Commission itself observed that such occasions of

²¹⁴ C. J. Lyall, Secretary to the Government of India, to the Secretary to the Government of Bengal, General Department, 13-2-1893, Home, Judicial, February 1893, Nos. 250-252. [NAI]

²¹⁵ *Ibid.*

²¹⁶ Notification by J. H. Kerr, Secretary to the Government of Bengal, General Department, dated 24 June 1912, Commerce and Industries, Factories B, September 1912, No. 4. [NAI]

²¹⁷ *Report of the Indian Factory Commission*, pp. 9-10.

consecutive festive holidays were rare. To quote the words of the report, '[t]here are, we believe, only two or three festivals in the year on which more than one day's holiday is given.'²¹⁸ The private, commercial factories especially followed such limiting and substitutable approach towards the indigenous festive holidays. Hemendralal Chaudry's evidence to the Indian Factory Labour Commission of 1907-08, regarding the Bengal Luxmi Cotton Mills, Serampore, could be cited as an example. Chaudry stated that the millhands 'worked on Sundays to make up for certain holidays, but there were five holidays in the course of the year which were never made up.'²¹⁹ The witness manifested the meagre number of festive holidays taken by the operatives. It showed how the factory operatives did not usually get a large number of festive holidays allotted for the contemporary white-collar employees in the offices. The factory authorities often sought to overcome the fluctuating vagaries of the trade by adopting a relatively steady work schedule, achieved at the cost of the reduction of the total number of holidays. The information provided by the managing agent of Mohini Mills Limited, Kushtia to the Whitley Commission (1929-31), revealed how the same mercantilist tendency continued to prevail in the line of the recommendation of the Indian Factory Commission of 1890, even later in the 1920s. The factory legislation on 'Sunday rest' itself served as the excuse for adopting the substitutable approach in this case. The testimony mentioned that 'if the mill is closed on a weekday for a festival, the Sunday preceding or following is worked according to the Factory Act.'²²⁰ While important organizations of factory owners or employers like the Indian Jute Mills Association played vital role in deciding the number of working days in the week for the jute mills, no special attention was paid to the question of festive holidays declared in the mills in Bengal. In effect, the note of the Indian Jute Mills Association submitted to the Whitley Commission amply depicted how the number of working days in the week varied from four to six days between 1906 and 1929, in the jute mills (including both multiple-shift and the lately emerging single-shift mills falling under the membership of the Association). However, on the question of the festive holidays, the same note spoke very little. It only pointed out that holidays were observed 'on the occasion of the principal religious festivals, both Hindu and Mahomedan.'²²¹ Overall, the attitude of both the

²¹⁸ *Ibid.*

²¹⁹ *Report of the Indian Factory Labour Commission*, Vol. 2, p. 243.

²²⁰ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 377.

²²¹ *Ibid.*, pp. 294-296.

government and the factory authorities acted as deterrent to the recognition and declaration of the festive holidays for the operatives.

Moreover, as seen in the case of the ‘Sunday rest’, a holiday in the factory usually meant not only the closure of work, but also stoppage of pay for the daily wage-earning labourers. The dire need of money, coupled often with the uncertain circumstances of migration, compelled the workers – especially the immigrant upcountry men – to work even on the days of the indigenous festivities. The factory employers took advantage of the helplessness of the workers to run the factories even on the days of festivals. In 1892, J. C. Duffs & Co., a firm engaged in ‘jute bailing and shipping’ with 1,500 operatives, wrote to the Government of Bengal about this advantage:

This labour is imported, that is, our workers come in for the season from the mufassal, chiefly from the Benaras district. They are most industrious and work with all their might for the eight months the season lasts....Their one idea is to work....They ask for no holiday, and only desist working on Sundays by compulsion.²²²

So far as the channelization of both the needs and the means of ‘rest’ or recreation in the lives of the operatives was concerned, the conditions of deprivation went hand in hand with discrimination and non-uniformity. Ranajit Das Gupta has already demonstrated how the Mahomedan operatives faced discrimination from the factory management on matters of obtaining festive holidays particularly till before the mid-1890s, in contrast to the Hindu co-labourers. Despite the gradually increasing number of such immigrant Mahomedan operatives in the factories, the factory authorities did not offer “whole day’s leave” to them ‘on account of religious festivals of their community’. While the Hindu operatives received holidays for fixed festivals such as the *Durga Puja*, the Mahomedan operatives got “only a few hours’ (three to four hours in most cases) leave” on occasions like *Muharram* or *Id*.²²³ To take cue from Das Gupta, this ‘discriminatory practice’ gave rise to differences in the number of festive holidays observed by various operatives of different communities, within the same factory establishment. The other important problem was the lack of uniformity in the number of indigenous festive holidays offered by the different factories. Thus, in 1894, Dunbar Samnagar Cotton Mills granted four holidays on *Durga Puja*, but no holiday for *Rath Jatra* and *Muharram*. Victoria Jute Mills at Telinipara granted two holidays for *Durga Puja* to all the labourers, a half-holiday for *Rath Jatra*

²²² Home, Judicial, September 1892, No. 288. [NAI], as quoted in Ranajit Das Gupta, *Material Conditions and Behavioural Aspects of Calcutta Working Class*, p. 53.

²²³ *Ibid.*, pp. 76-77.

to the 'Bengalis' and a leave of three hours each for *Id* and *Bakr Id* to the Mahomedan labourers. On the other hand, Fort Gloster Bowreah Cotton Mills gave break for five full days on *Durga Puja*. While the number of indigenous festive holidays varied from factory to factory, holidays like Christmas and New Year's Day were only consistent.²²⁴ Although the number of festive holidays increased gradually with time, the non-uniformity continued to persist in the total annual number of such observances in different factories of colonial Bengal. The statistics provided by R. P. Adams, Chief Inspector of Factories, Bengal, to the Whitley Commission of 1929-31 could be referred to here to underline the differences:

As a general statement, it may be said that the workers of engineering and miscellaneous non-textile establishments of fair size, enjoy, besides the weekly holiday prescribed under the Act, a half holiday on Saturdays and approximately 16 festival or religious holidays distributed throughout the year. Jute mill workers on the other hand, employed on the multiple-shift system, have up to July of this year [i.e. 1929] enjoyed besides their legal weekly holiday, two extra days each week together with festival holidays varying from 9 to 15 days distributed throughout the year. Single-shift workers of the same industry, however, have had only one extra day's holiday each week together with the other holidays already mentioned. The holidays of cotton mill workers are akin to those of jute mill workers on the single-shift system, except that they do not enjoy a half holiday on Saturdays.²²⁵

The aforementioned data showed how the annual number of festive holidays declared in the separate factories of the same industry oscillated between nine and fifteen. Major discrepancy particularly lay in the number of the festive holidays observed between the private and the government factories of colonial Bengal. This was because the government factories followed the structure of the 'gazetted holidays' allowed in the government offices, while the private factories did not show any intention to imitate the same practice. Thus, the number of festive holidays observed in private factories always remained lower than that kept in the government factories. A few examples would elucidate this discrepancy. According to the figures provided for 1897, Locomotive and Carriage Workshop in Fulbaria, Dacca – which employed 147 operatives – closed on the usual 'gazetted holidays' and Sundays. In same year, Union Jute Company Limited of Nobiganj, Dacca – which functioned with 84 operatives – observed

²²⁴ *Ibid.*, p. 77.

²²⁵ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, pp. 313-314.

holidays only on the ‘Sundays and *Pujas*’.²²⁶ Official statements regarding the number of holidays kept in the Government Ordnance Factory Establishments revealed that holidays were allowed under ‘*prescribed, declared or notified*’ categories as per the rules of the Government of India. Thus, apart from the holidays falling on Sundays, as many as 21 holidays were fixed as ‘declared’ holidays alone, for the ordnance factory and arsenal under the Bengal Government during 1908-09, under the Negotiable Instruments Act.²²⁷ Figures for the ‘general holidays’ granted in the private factories of contemporary Calcutta are not easily available. However, the carriage or coach building factory of Messrs. Stewart and Company in Calcutta, with a total of 267 operatives, was said to have closed for Sundays and a week each for both *Churruck Puja* and *Durga Puja* in 1908.²²⁸ That the number of festive holidays granted in the private commercial factories continued to be far less than that allowed in the government factories of colonial Bengal could be understood from the evidence of the Superintendent of Metal and Steel Factory, Ishapore to the Whitley Commission of 1929-31. ‘The holidays’, the Superintendent of this government-owned factory clearly stated, ‘are those prescribed on the official calendar, and are more numerous than those usually taken by local commercial firms.’²²⁹ Another testimony submitted to the same Commission by Krishna Chunder Ray Chaudhuri, the President of the Kankinarrah Labour Union (founded in 1921), would also corroborate this inequality existing between the government and private factories. This Union was said to be directly representing 50,000 factory operatives of 12 jute mills situated within the municipality of Bhatpara, although it was also said to be maintaining links with 360,000 jute mill operatives in general. Ray Chaudhuri’s testimony proposed that the ‘number of holidays in mills working six days a week must be increased by statute and brought in line with the employees in railway and other large workshops.’²³⁰

Due to the disproportionate practices of closures followed among the different factories in colonial Bengal, allusion to comparisons and parallel analogies became inevitable. Annual

²²⁶ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-8-1898, Form I, Dacca Division, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

²²⁷ Notes by W. H. F. Basevi, dated 15 May 1908, and E. W. S. K. Maconchy, dated 9 October 1908, Military, Supply-B, October 1908, No. 667. [NAI]

²²⁸ R. P. Adams, Acting Special Inspector of Factories, to the Secretary to the Government of Bengal, General Department, 30-3-1909, Form I, Annual Report on the Working of the Indian Factories Act in the Province of Bengal, Calcutta, 1897-1911, OIOC, V/24/1642-43, BL.

²²⁹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 205.

²³⁰ *Ibid.*, pp. 266, 261.

comparative statements of the factories – submitted to the Government alongside the annual reports on the working of the Factories Act in Bengal – at times contained some preliminary information on the ‘general holidays’ granted in the various factories. However, such annual comparative statements were prepared by the Special (later, Chief) Inspector of Factories, only as part of his professional protocols, following the prescribed format of the Government of India. Unlike these routine comparisons available since the late nineteenth century, occasions of deliberate or intentional comparisons and analogies could also be found in the official discourse. One such instance could be discerned in 1903. In this case, an official discussion to settle the question of mint holidays prompted the administrative officials to liken the manual labour required in the mint to that called for in the factories. The officials asked for the comparative statements of the number of holidays allowed in the mints at that time along with those granted in other Government manufacturing establishments like clothing, ordnance, printing presses, etc. in and around Calcutta.²³¹ Again, attempts to compare the existing mint holidays with the holidays allowed in the jute mills of Calcutta were also made.²³² The need to compare the mint holidays with the mill holidays was thought to be particularly very relevant before undertaking any abrupt reform of the mint holidays. Why it was held so could be explained by the comments of an official of the Finance Department, O. T. Barrow (who served also as the Officiating Comptroller and Auditor General), in his departmental note dated 2 June 1903. ‘Mint operatives are,...of a peculiar class much like Mill hands, and allowance must be made for their prejudices, past customs, etc., and it would, I would suggest, be inadvisable by any sudden action to cause any widespread discontent.’²³³ In another official note he further clarified that ‘Mint workmen like Mill hands belonged to a somewhat turbulent class and anything like a strike would be awkward’.²³⁴ The comparative statements of the different lists of holidays (excluding holidays on Sundays and Saturdays wherever applicable) for the year 1903, prepared in this context specified that the Mint in Calcutta closed annually for 36 days, Cossipore Foundry and Shell Factory for

²³¹ Note by E. FG. Law dated 14 June 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³² Note by E. N. Baker dated 12 June 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³³ Note by O. T. Barrow dated 2 June 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³⁴ Note by O. T. Barrow dated 29 June 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

34 days, Dum-Dum Small Arms Ammunition Factory for 37 days.²³⁵ Government presses and army clothing establishments in Calcutta observed 36 holidays in 1903 like the Mint. In stark contrast, the number of holidays (except Sundays and Saturdays) allowed in the mills of Calcutta in 1903 was given as only six.²³⁶ On the other hand, the number of holidays (excluding Sundays) declared under the Negotiable Instruments Act, 1881 for the year 1903 was 24.²³⁷

TABLE 5
A Comparative List of the Festive Holidays given at the Mint and those given in other Government Factories in and around Calcutta during 1903.

NAMES OF HOLIDAYS	Mint existing holidays, Calcutta	Authorized holidays under Negotiable Instruments Act	Cossipore Foundry and Shell Factory	Dum-Dum Small Arms Ammunition Factory
New Year's Day	1	1	1	1
Sri Panchami	2	2	2	2
Id-uz-Zuha	1	***	***	1
Dole Jatra	1	1	1	1
Muharram	2	***	2	2
Good Friday	} 3	3	3	3
Easter Saturday				
Easter Monday and Chait Sankranti				
Dasahara	1	1	1	1
Futiha Dawaz Daham	1	***	***	***
Emperor's Birthday	1	1	1	1
Junmo Ostomi	1	1	1	1
Mahalaya	Sunday	Sunday	Sunday	Sunday
Doorga and Lukshmi Pujahs	10	6	10	10
Dewali and Kali Pujahs	2	2	2	2
Jagadatri Pujah	2	2	2	2
Id-ul-Fitur	1	***	Unknown	1
Christmas Eve	} 7	4	7	7
Christmas day and days following X'mas				
Visakarma Pujah	***	***	1	1
Shub-i-barat	***	***	***	1
	36	24	34	37

Source: Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³⁵ Note by J. B. Scott, Mint Master, Calcutta, dated 16 December 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³⁶ 'Holidays in 1903 (Darbar holidays excepted)' in 'Appendix to Notes', Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

²³⁷ Note by J. B. Scott, Mint Master, Calcutta, dated 16 December 1903, Finance and Commerce, Accounts and Finance, February 1904, Nos. 17-23. [NAI]

A quick glance at the comparative statements of the holiday lists of 1903 would reveal that the common Hindu festive holidays in the government factories fell on 'Sri Panchami', 'Dole Jatra', 'Chait Sankranti', 'Dasahara', 'Junmo Ostomi', 'Mahalaya', 'Doorga and Lukshmi Pujahs', 'Dewali and Kali Pujahs' and 'Jagadatri Pujah'. The above Hindu holidays exactly corresponded with those declared under the Negotiable Instruments Act, except only the case of the holidays for 'Doorga and Lukshmi Pujahs'. On this exceptional occasion, the government factories observed ten holidays while the holidays declared under the Act numbered only six. As for the common Mahomedan festivals, the government factories closed for one day each on 'Id-uz-Zuha' and 'Id-ul-Fitur' and for two days on 'Muharram', although none of the holidays was declared under the Negotiable Instruments Act. The government-owned army clothing establishment, mint, presses also observed 'Fatiha Daw-az Daham' for one day. Besides the above festive holidays, the government factories also ceased work during the common English celebrations under the Act, viz., New Year's Day, Good Friday and Easter, Emperor's Birthday and Christmas Holidays. The only variation found here was regarding the Christmas. While only four Christmas holidays were declared directly under the Negotiable Instruments Act, the government factories kept seven holidays like several government offices. As already mentioned above, these figures sharply contrasted with the given numbers of mill holidays in Calcutta. To quote this statement, mills in Calcutta only closed on '3 days for Hindu Pujahs, and 3 days for Mahomedan festivals'. Holiday for New Year's Day was indicated as sectional, applicable mainly 'for the European staff'. Therefore, such official discussions indirectly highlighted the non-uniformities existing in the numbers of festive holidays allowed in different factories or establishments and offices. At the same time, the comparative assessments also attracted attention towards the special informal features of factory holidays. Thus, J. B. Scott, the Mint Master in Calcutta pointed out that the Mahomedan operatives took to informally absenting themselves from work on the 'Mahomedan feasts and fasts', before these holidays came to be 'notified' by the Government. Moreover, Scott noted that 'the Hindu workmen will not attend on the "BISHYAKARMA PUJAH," which is not a gazetted holiday, and this must be added to the list of holidays to be observed, since all factories in and around Calcutta are closed on that day.'²³⁸ Such informal features of factory holidays provided insights on the overlapping

²³⁸ *Ibid.*

sensibilities of religion, custom and the rhythmic lifestyle of the manual labourers. However, as indicated by O. T. Barrow, such overlapping sensibilities of the operatives came to be often negatively dubbed as their ‘prejudices’ and ‘past customs’ in the colonial official discourse. Still, the comparative perception of the temporal schedules existing across various domains of work undoubtedly lent a broader perspective to the assessment of factory holidays in colonial Bengal. Moreover, such comparative assessments of festive holidays did not remain confidential and confined to the gamut of official discourse, but also featured publicly as a subject of discussion and debate. This was proved by the discussion on ‘public holidays’ that took place in the Imperial Legislative Council or the Council of the Governor General of India on 11 March 1913. We have already observed in the first chapter how in this discussion, a resolution moved by A. K. Ghuznavi was passed to adopt the principle ‘that the most important days of religious festivals of the principal communities should be included in the general list of public holidays of every Province or Presidency throughout India and Burma’.²³⁹ The resolution was passed to redress the problem of marginalization of the ‘Mussalman holidays’ in regions like Bengal, where the Mahomedans formed the majority of the population, by incorporating the most important Mahomedan festivals as ‘public holidays’, declared under the Negotiable Instruments Act of 1881. Although the process of standardization of the ‘public holidays’ mainly revolved around the domain of the government offices in colonial Bengal, Ghuznavi’s motion brought an interfacial perspective to the notion of ‘public holidays’, whereby the comparative assessments of the different parallel domains of work turned out to be crucial. Thus, the drawbacks in the formulation of office holidays attracted as much attention in this discussion as the question of the factory holidays. Therefore, the argument of A. K. Ghuznavi went on as under:

But these holidays...are asked for on behalf of the Mussalman public who have connections and concerns with all banks, mercantile offices and all business centres. They are asked for on behalf of hundreds and thousands of Mussalman millhands, factory hands and those that are employed in the docks. If the Mussalman public is perforce obliged to abstain from all business on days which are holy to other communities, surely they have a right to abstain from all business on days which to them are most sacred.²⁴⁰

The aforementioned discussion in 1913 clearly reinforced the importance of assessing the factory holidays from the comparative perception of temporality in the different domains of work.

²³⁹ *Abstract of Proceeding of the Council of the Governor General of India, April 1912-March 1913*, pp. 432-437.

²⁴⁰ *Ibid.*, p. 433.

Moreover, the rise of such interfacial perspective occurred at a time when the operatives themselves had already begun to play an assertive role on the issue of the factory holidays. Ranajit Das Gupta has particularly written how the population of the Mahomedan operatives, who were 'non-Bengali immigrants', became sizeable around the end of the nineteenth century. Hence, the presence of the labourers of this community could be increasingly felt from the 1890s, and they could no longer be sidelined as minorities.²⁴¹ The overlapping sensibilities of religion, custom and the rhythmic lifestyle of the labourers came to clash with the prevailing conditions of discrimination, discrepancy and non-uniformity on the question of the factory holidays. Such clashes turned out to be conspicuous in some of the labour protests erupting in 1895. The Mahomedan operatives confronted the 'discriminatory practice' of depriving particularly the workers belonging to their community of their principal festive holidays, as we have already seen to be prevalent during that time. Out of the several labour protests recorded as so-called 'disturbances' in the annual report for 1895 by the Government of Bengal, some occurrences were due to the demand for recognition of some of the principal Mahomedan festive holidays by the factory operatives. Thus, the report cited the following incidences of 1895:

The first disturbance was in the beginning of April last at the Titaghar Jute Mills, where trouble arose in consequence of the stoppage of pay of some Muhammadans who absented themselves from work on the *Bakrid* festival. The operatives made a threatening demonstration against the Manager, and when the police came to arrest the ringleaders, there was a riot, and the police were roughly handled. Three men were arrested and punished. A similar difficulty arose in the case of the Kamarhati Mills at the *Muharram* time, but was met by the concession of holidays.²⁴²

The labourers also attempted to step up their demands for festive holidays with time. The various investigative bodies set up by the government came to record many of the labourers' claims in this respect. One important instance of such demands could be discerned in the evidence conveyed to the Indian Factory Labour Commission of 1907-08 by Zahir-ud-din Ahmad, the president of an earlier association of both Muslim and Hindu millhands in Kankinara set up in 1895. Ahmad mentioned that approximately one thousand mill operatives, who gathered to discuss the questions and grievances mooted for enquiry by the Commission, felt the urge to

²⁴¹ Ranajit Das Gupta, *Material Conditions and Behavioural Aspects of Calcutta Working Class*, pp. 76-77.

²⁴² M. Finucane, Offg. Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 13-7-1896, Home, Judicial, 26 June 1896, Nos. 163-280. [NAI]

communicate their demands for more festive holidays in the factories. To quote Ahmad's words, '[t]he Mahomedans wanted two days each for the *Id ul Fitr*, *Bakri Id* and *Mohurram*, and the Hindus wanted a week for the *Durga Puja*.'²⁴³ Another investigative body that collected accounts of the grievances of the workers on the issue of the factory holidays was the Committee on Industrial Unrest in Bengal of 1921. In its report, the Committee listed several instances of labour unrest that were fomented by the labourers' grievances regarding the festive holidays, during the industrial slump immediately after the First World War. One major reason why 200 operatives of Messrs. Breakwell & Co., Coach Builders and Motor Engineers struck work for four days in October 1920 was the '[r]efusal of the firm to grant "Mahalaya" holiday (½ day)'.²⁴⁴ The management's reluctance to grant '[h]olidays on all Hindu and Muhammadan festivals' was one of the causes that induced 450 workers of Messrs. Steuart & Co., Coach Builders and Motor Engineers to call off work in October-November 1920 in protest.²⁴⁵ 100 strikers out of 453 operatives shut down the functions of Britannia Engineering Works, Tittagarh, within 29 January-9 February 1921 demanding crucial changes in wages and time-schedule of their work, including claims for 'leave on all Government holidays'.²⁴⁶ All 60 Indian employees in the Packing Material Manufacturing Co., Calcutta observed strike on 14th and 15th February 1921 claiming 'a holiday on account of Saraswati Puja'.²⁴⁷ The above instances clearly hinted on how the labourers themselves were also greatly influenced by the comparative perception of temporality across different parallel domains of work, and hence came to view their plight against discrimination, discrepancy and non-uniformity increasingly from that angle.

The already highlighted testimony submitted to the Whitley Commission at the close of the 1920s by Krishna Chunder Ray Chaudhuri, the President of the latter established Kankinarrah Labour Union, was important for many reasons. The evidence hinted how the appeal of the operatives for the recognition of the principal festive holidays changed in accordance with the different regional affiliations of the operatives. Besides, the operatives also pleaded for payment of wage during such important holidays. 'It is desirable that leave with full or even half-pay should be given at least', Ray Chaudhuri suggested in his testimony, 'for four days in the year during most important festivals, like Durga Poojah, Maharrum, Ganesh Pujah and Dewali, when

²⁴³ *Report of the Indian Factory Labour Commission*, Vol. 2, p. 265.

²⁴⁴ *Report of the Committee on Industrial Unrest in Bengal*, Appendix-I, p. xii.

²⁴⁵ *Ibid.*, p. xvi.

²⁴⁶ *Ibid.*, p. lii.

²⁴⁷ *Ibid.*, p. lxiv.

expenses have to be incurred by workers as a matter of spiritual necessity.’²⁴⁸ As a matter of fact, holiday with pay also featured in the lists of demands raised by the labourers in their agitations. For example, one of the demands posed by the 7,000 striking Indian operative staff of East Indian Railway Workshops, Lillooah in February-April 1921 was ‘pay for Sundays and holidays’. As a result of the long unrest, ultimately the workers secured the concession of ‘the grant of 12 specified holidays per annum’.²⁴⁹ The unrest of the 3,300 workers of Government Rifle Factory, Ichapore between February and April 1921 was found to have links with the simultaneous anti-colonial Non-Cooperation Movement. One of the claims raised by the strikers was ‘that day wages might be granted for public holidays declared on account of the arrival of H.R.H the Duke of Connaught’. The prolonged continuation of the strikes forced the Government to sanction pay for these holidays for all the ordnance factory operatives.²⁵⁰ Therefore, this case of reversal showed how sudden holidays could also be unwelcomed by the operatives, when the occasion especially did not directly connect with their overlapped sensibilities of religion, custom and life. Anyway, the rising instances of such clashes highlighted the assertive role essayed by the labourers themselves on the question of determination of the factory holidays.

In effect, the issue of declaration of the festive holidays for the factories in colonial Bengal during the late nineteenth and early twentieth centuries remained almost a marginalized issue, in the light of the series of legislative reforms undertaken for factory work by the colonial administration. The subject came to be viewed mostly through the lenses of comparison and parallel analogies. Such relative assessments were directed to achieve the purposive exchangeability between the Sundays and festive holidays on the one end. On the other end, the question of festive holidays also increasingly called for the comparative awareness of temporality across various factory establishments, or even across different parallel domains of work, including those especially related with manual labour. Under such circumstances, the conditions of deprivation, discrimination, inequality and discrepancy – as practised by the various factory authorities on the issue of the factory holidays, and as recorded in the official discourse – were at odds with, and were also increasingly confronted by the conjoined sensibilities of religion, custom and life of the operatives. Thus, the issue of the festive holidays,

²⁴⁸ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, pp. 269, 261.

²⁴⁹ *Report of the Committee on Industrial Unrest in Bengal*, Appendix-I, pp. lvi-lvii.

²⁵⁰ *Ibid.*, pp. lviii-lix.

an emerging field of conflict in the factories of colonial Bengal, also addressed mostly the unplanned and unstable side of the question of 'rest' during the late nineteenth and early twentieth centuries.

RECOGNITION OF 'LEAVES'

In colonial Bengal, during the time-frame of this study (i.e. the period till the mid-1930s), both the fields of festive holidays and leaves remained unregulated by legislation in the domain of factory work. Moreover, the notion of 'leave' appeared to be even more elusive than the case of the festive holidays. This was partly because the idea of 'leave' often overlapped with the concept of 'holidays'. Like 'holidays', the idea of 'leave' also came to be linked with the question of pay for the daily wage-earning operatives. No casual leave of absence without loss of payment was admissible to the factory labourers. Absence without leave was thoroughly condemned by the factory authorities. The operatives who dared to absent themselves without leave were fined, and were also under threat of losing their jobs for such actions.²⁵¹ Almost all labourers, who were witnesses to the Indian Factory Commission in 1890, mentioned that they took the risk of absenting themselves only in cases of illness. Still, they lost the wage of the day for taking such a day of leave.²⁵² Additionally, the bonus of the day for 'steady attendance' was also deducted, where there existed a bonus system in the factories.²⁵³ So, there was no special provision for sick leave in the case of the factory labourers, as was granted to the contemporary white-collar employees. In fact, far from getting such privilege, the factory operatives worked under extremely precarious conditions. A witness to the Factory Commission in 1890, Hem Chunder, a spinner, aged 24, employed for ten years at Empress of India Cotton Mill, narrated the dire consequences faced by the absentee labourers in his mill as under:

I am absent only when I am ill, and on these occasions if I am absent, they only cut the day's pay if I take leave; but if I am absent for two days without that leave, I am in

²⁵¹ *Report of the Indian Factory Commission*, pp. 83-89.

²⁵² *Ibid.*, pp. 76-90.

²⁵³ *Ibid.*, pp. 76-77, 79.

danger of losing six days' pay, because the four Sundays are also deducted from my pay.²⁵⁴

Exceptions only occurred in cases of injuries of the operatives while working. In such cases, the factory authorities were sometimes compelled to pay full or a part of the wage to the injured labourers undergoing treatment, as testified before the Commission by operatives like a weaver aged 34 of Budge-Budge Jute Mill named Shama Charan Samuth, or a pressman Kedar Dass of 32 years employed in Bengal Cotton Mill.²⁵⁵ Under such unstable and insecure conditions of work, the only situation when the labourers could really absent themselves was the occasion of the so-called 'long holiday'/'long leave'. During this period, especially the operatives from upcountry took leave for a stretch of about three months annually to visit their own villages. As most of the factories began working under electric lights by the middle of the 1890s, the Special Inspector of Factories in colonial Bengal, C. A. Walsh expressed his concern for the overworked factory operatives like the weavers, and stated that only this habit of taking 'long leave' could come to their rescue. To quote the Inspector, '[i]t would not be possible for the weavers, year after year, to continue working the hours they do at present, except for the fact that they take long periods of leave to recruit themselves.'²⁵⁶ However, such rare empathetic observation could hardly neutralize the negative stereotypical images cast on the factory operatives. We have also seen earlier in the section on 'night rest', how Walsh himself was not always assertive in his views on the overworking of the weavers around the close of the nineteenth century. According to the evidence of H. M. Scott, Manager of Hastings Jute Mill to the Indian Factory Labour Commission of 1907-08, the upcountry men employed in the factories like the weavers saved money from the wages for their habitual annual visit.²⁵⁷ This was however, the very reason why they were considered unreliable and ineligible for basic privileges such as leaves with pay, in their manual jobs. Therefore, the comments of A. Wighton, Chairman of the Indian Jute Mills Association submitted to the Indian Factory Labour Commission could be recalled in this context as the following. "They [the operatives] took three months' holiday a year and did not need any protection by Government. Their long holiday was not taken because they were exhausted by

²⁵⁴ *Ibid.*, p. 83.

²⁵⁵ *Ibid.*, pp. 78-80.

²⁵⁶ M. Finucane, Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department, 3-8-1897, Home, Judicial, March 1898, Nos. 107-154. [NAI]

²⁵⁷ *Report of the Indian Factory Labour Commission*, Vol. 2, pp. 237-239.

their work, but because they had land to till and families to see.”²⁵⁸ However, that long hours of factory work in the hot summer months happened to be particularly excruciating for the labourers, was proved by their increasing preference to take their long leave during this period. ‘Before the introduction of electric light’, Wighton stated that ‘the operatives took their holiday in the cold weather, and worked their hardest in the long and hot days.’ He further informed that after ‘the working days had been largely equalised’, the labourers now ‘took their holidays in the hot weather, and worked hard in the cold weather.’²⁵⁹ Notwithstanding such observations, neither A. Wighton nor H. M. Scott was ready to admit that the operatives needed this long leave to escape from the tremendous exhaustion of work during the hot season.²⁶⁰ This outlook of the mercantilists or the factory authorities hardly underwent any considerable change with time even in the late 1920s. The workers continued to be viewed as unreliable because of their practice of taking ‘long holiday’/‘long leave’. In this connection, I would like to refer to a testimony sent to the Whitley Commission (1929-31), where the Superintendent of Metal and Steel Factory at Ishapore opposed a proposal of introducing ‘any type of sickness insurance scheme’, then under the contemplation of the Government of India for the labourers. According to the Superintendent’s argument, the workers preferred to ‘immediately disappear to their own country’ when ill, or they pretended to be ill during their stay on leave in the village, and hence, did not deserve any kind of monetary help for sickness.²⁶¹ Ironically, the migrant operatives’ insecurity and helplessness, which induced the operatives to go back to their village with leave during the time of serious illness, was highlighted as the very indication of their unreliable character in this particular argument. In contrast to such denigration, Krishna Chunder Ray Chaudhuri, President of the Kankinarah Labour Union rather defended the immigrant workers’ usual habit of taking the ‘long holiday’/‘long leave’, in his oral testimony given before the Whitley Commission. Moreover, Ray Chaudhuri insisted that this yearly stay of the workers in their upcountry villages for one or two months be accorded the status of an ‘annual leave’, instead of the same being ‘treated as absenteeism’. If it was ‘recognized’ as ‘proper leave’ that could be applied for and sanctioned ‘for a reasonable period’, then the operatives on their return could rejoin their factories as ‘continuous workers’. In case this solution was not possible ‘by

²⁵⁸ *Ibid.*, p. 246.

²⁵⁹ *Ibid.*

²⁶⁰ *Ibid.*, p. 246, 239.

²⁶¹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 204.

voluntary arrangement’, then the President requested that ‘some steps might be taken to give them one or two months leave [sic] because they are pastoral people and happier at home and come back fit.’²⁶² The Royal Commission headed by Whitley ultimately attempted to bring the above disputes into a conclusion in the report published in 1931. The report ran as below:

We recommend that workers should be encouraged to apply for definite periods of leave, and should go with a promise that on their return at the proper time they will be able to resume their old work. The mere grant of regular leave, even when no allowance is attached to it, would mark a great advance on the present system. It would give the worker an increased sense of security and of attachment to a particular factory, and greater efficiency would follow.²⁶³

However, the recommendation of the Commission seemed more like a suggestion, without any concrete headway towards formal understanding and proper recognition of leaves. Consequently, the chances of the maltreatment of the workers remained open. Availing of a ‘recognized’ ‘long leave’ looked an uphill goal, when in reality the operatives were mostly denied the privilege of obtaining leave of any kind altogether. Obtaining leaves obviously implied the recognition of the operatives’ time off from work. As the endeavour to possess time in this way increasingly came to be associated with the sense of security, the struggle for obtaining leaves emerged as a conscious domain of tension and conflict. In their communication to the Royal Commission at the close of the 1920s, the representatives of the East Indian Railway Labour Union, Lillooah complained about the complete lack of privilege of the labourers on the matter of leaves as below:

The workers of Lillooah workshop are differentially treated as regards subsidiary privileges such as leave,...with the employees of other departments in the railway.

The workers do not know what is called leave, they are not granted off even on Sundays and gazetted holidays (except 15 days shop holidays out of 36), not to speak of leave under the fundamental rules.²⁶⁴

Thus, the level of deprivation of the manual labourers was immense, in comparison with the concessions offered to the white-collar employees in the government establishments. Nevertheless, like the case of the festive holidays, there were also a few cases where the grant of leaves was better and more systematic in the government factories, in contrast to the private

²⁶² *Ibid.*, Vol. 5, Part-2, p. 121.

²⁶³ *Report of the Royal Commission on Labour in India*, Calcutta, 1931, pp. 26-27.

²⁶⁴ *Royal Commission on Labour, Evidence*, Vol. 8, Part-1, p. 481.

commercial ones. In fact, the contrast between the government and private establishments in this respect could be surmised from the interview given by Krishna Chunder Ray Chaudhuri, President of the Kankinarah Labour Union to the Royal Commission. During the course of the interview, Ray Chaudhuri agreed to the fact that the millhands of his Union received no 'recognized system' of leave with pay, while the government employees got "a month's leave for a year's service".²⁶⁵ So, similar to the case of the festive holidays, the question of 'leaves' induced the tendency for comparative assessments. However, the way in which better privileges of leaves were granted to the government employees would require our closer scrutiny as well. I shall take the examples of the government presses to understand the point. The first example shows the privileged sanction of leaves. Thus, a communication sent from the Government of Bengal Press to the Commission cited that "one month's medical leave in a year on half-pay" had been allowed to the piece-workers of the Press since 1928.²⁶⁶ This communication can be contrasted with another intimation sent from another press to the same Royal Commission. So, in my second example, the compositors, distributors and binders of the E. I. Railway Press complained to the Commission how they as piece-workers were 'not entitled to any wages during...periods of enforced absence owing to illness, etc.' Unlike the 'salaried system', 'piece-work system' was 'based on the principle "no work, no pay"'.²⁶⁷ Thus in reality, the conditions of granting leave continued to be variable even in the government establishments. That the issue of leave without pay remained a major point of concern was evident from the communication sent to the same Whitley Commission by the management of the three oil enterprises of Burma Shell Oil Company operating at Calcutta. Their private enterprises in Calcutta were involved in manufacturing package materials for received cargoes of petroleum, and also in other functions like the packaging and distribution of the same. The evidence informs us about the niggardly terms followed by the Company in granting leave to the daily wage-earning labourers, as below:

Ordinarily leave is not given on pay. If any of our daily paid labour requires leave the usual practice is for the sirdar of the applicant's gang to provide a substitute,...but no pay is given to the applicant whether a substitute is provided or not....

²⁶⁵ *Ibid.*, Vol. 5, Part-2, p. 136.

²⁶⁶ *Ibid.*, Vol. 5, Part-1, p. 231.

²⁶⁷ *Ibid.*, p. 238.

It is not really possible, when considering the leave taken by daily paid labour, to differentiate clearly between “leave” and “absenteeism,”²⁶⁸

The abysmal conditions of obtaining leave often gave rise to instances of the workers’ outbursts. Strike or deliberate stoppage of work came to be used occasionally as a mode of protest against the factory authorities on the question of securing leaves. During the industrial slump experienced after the First World War, the widespread labour unrest also led to the outburst of the workers’ grievances, regarding leave. Thus, in the unrest of February-April 1921, 7,000 Indian operatives of East Indian Railway Workshops, Lillooah struck work desiring ‘pay for absence owing to illness’, alongside other demands.²⁶⁹ One of the claims raised by 3,300 workers of Government Rifle Factory at Ichapore, who observed strike between February and April 1921, included the demand that ‘the foreman of a section’ be granted the power to sanction ‘leave upto three days (most sections)’.²⁷⁰ During the widespread ‘general strike’ of 1929, demands for the entitlement to leaves – often with full pay – featured prominently among the set of issues that induced the strike. In the massive strike of the jute millhands between July and September 1929, the pamphlets brought out under the leadership of Bengal Jute Workers’ Union contained various demands of the labourers like that of privilege leave with pay for each year and maternity leave with ‘full salary before confinement’.²⁷¹ The almost simultaneous strike of the workers employed at chief oil companies in Budge Budge raised several demands including rights of ‘privilege leave, casual leave and sick leave’ for all workers.²⁷² The strikes had some acknowledged results, as for example the introduction of maternity leaves in some factories, which I shall discuss now. Throughout the period under review, the question of leave was held as an issue of mutual settlement between the employers and the operatives, totally outside the sphere of legislation. Among the different types of leaves however, maternity leave in particular emerged as the topic of serious discussion in the official discourse in the 1920s, with respect to the framing of law. In fact, the main inducement for the consideration of ‘maternity benefits’ came after India’s involvement in the First International Labour Conference at Washington in 1919. Following the resolution adopted at the Conference, the topic of maternity leave and allowances acquired much

²⁶⁸ *Ibid.*, pp. 258, 254-255.

²⁶⁹ *Report of the Committee on Industrial Unrest in Bengal*, Appendix-I, p. lvi.

²⁷⁰ *Ibid.*, pp. lviii-lx.

²⁷¹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 160.

²⁷² *Ibid.*, p. 151.

attention in colonial India.²⁷³ At the instance of the Government of India, the lady doctor Dagmar F. Curjel studied the conditions of women labour in the various industries of Bengal. In her enquiry conducted between November 1921 and October 1922, Curjel investigated the existing conditions of the female labourers in colonial Bengal, and made some critical observations. According to this study, '[a]mong mill women the length of absence from work at the time of childbirth appeared to depend entirely on economic conditions, uninfluenced by social or religious customs, and varied from four days to two days. No form of maternity benefit was given.'²⁷⁴ Noting the international standards and the particularities of legislation introduced in other countries, Curjel mentioned that it was advisable for the women labourers not to engage in any industrial task 'for six weeks before and after confinement'. However, the study also admitted that such a rule would be futile here. This was because the female mill operatives in Bengal earned a very meagre daily wage, with no savings. So, without the support of any allowances, if she took her time off from work before and after confinement, she would have to most probably perish. Or, she would have to depend on her partner and other relatives for her resources – a help which would not be easily forthcoming. The other option for her was to go back to her home village, which Curjel did not find to be that common among the female operatives.²⁷⁵ The knowledge of such dismal conditions of the female operatives alongside international pressures led the Government of India to deliberate on the feasibility of legislation regarding maternity leave and allowances. The Government of Bengal however, continued to react negatively on the need of legislation in this matter first in its reply to the Government of India in July 1925, and later in its communication sent to the Whitley Commission.²⁷⁶ The stance of the Government of Bengal was largely partial to the mercantilist views, and was influenced by the involvement of the Indian Jute Mills Association on the question. Neither the Government nor the mercantilists were avid to bear the expenses of the allowances of the leave. The outbreak of the workers' strikes along with the articulation of their demands regarding the grant of maternity leave and allowances compelled the Association to involve itself in this matter under the mediation of the Government of Bengal.²⁷⁷ The Indian Jute Mills Association conceded in its

²⁷³ *International Labour Conference*, October 29, 1919–November 29, 1919, Washington, p. 277.

²⁷⁴ Dagmar F. Curjel, *Women's Labour in Bengal Industries*, Bulletin of Indian Industries & Labour, No. 31, Calcutta, 1923, p. 21.

²⁷⁵ *Ibid.*, pp. 3, 7, 21–22.

²⁷⁶ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, p. 20.

²⁷⁷ *Ibid.*, pp. 285–286.

evidence to the Royal Commission that individual factories mostly had ‘no particular rules’ regarding maternity leave and allowances to adhere to. Still, it regarded legislation to be ‘unnecessary’ in this matter, though it now encouraged the mills to separately come up more and more with suitable solutions.²⁷⁸ According to the information available for 1929, several jute mills had introduced their own ‘welfare’ schemes on ‘maternity benefits’.²⁷⁹ In 1930, one cotton mill and two paper mills followed suit.²⁸⁰ Nonetheless, the Senior Certifying Surgeon of factories in Barrackpore district, Captain W. O’ Conner singled out to the Royal Commission only two instances of ‘organized maternity benefit scheme’.²⁸¹ According to his description, Kelvin Jute Mill had ‘sanctioned the grant of leave with full wages for 2 weeks before and 3 weeks after child-birth’ to the women operatives, though the scheme was also stated to be misused by the operatives. Since 1927, Kankinarrah Jute Mills had been allowing female operatives, working for more than a year, leave of absence on full pay for four weeks before and four weeks after confinement. O’Conner also revealed that this particular scheme was relatively more successful in terms of immediate response of the operatives.²⁸² Compared to the above schemes, the scheme implemented later by Kesoram Cotton Mills appeared more stringent but also inclusive in application. The latter granted a leave of fifteen days with full wages to the prospective mothers who were in ‘continuous service up to six months’. Women operatives, who continuously worked for seven months or more, were given a leave of one month with full pay as ‘maternity benefits’. A woman worker, who was employed for three months or more, was handed a cash gratuity of Rs. 10 only.²⁸³ Thus, the late 1920s witnessed the sporadic and non-uniform implementation of maternity leave and allowances in some of the factories. In the annual report on the working of the Factories Act in Bengal for 1929, Chief Inspector of Factories R. P. Adams highlighted how in the wake of the promulgation of the Bombay Maternity Benefit Act of 1929, women operatives employed in the factories at all the chief cities of Bombay were not allowed to work for four weeks just after the date of confinement. If the female worker was in employment for at least six months, she was entitled to a daily allowance

²⁷⁸ *Ibid.*

²⁷⁹ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

²⁸⁰ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1930, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

²⁸¹ *Royal Commission on Labour, Evidence*, Vol. 5, Part-1, pp. 332-333.

²⁸² *Ibid.*

²⁸³ *Ibid.*, p. 416.

of eight annas for the period not exceeding three weeks before and four weeks after her confinement. The employer bore the cost of the benefits in Bombay. As the 'maternity benefits' in Bengal lacked in uniformity and were mainly limited to the jute industry, the Chief Inspector felt that the 'employers have done very little in the way of granting women not only leave of absence before and after confinement, but also adequate allowances' in Bengal. So, Adams opined that legislation like that in Bombay was 'called for' in Bengal too.²⁸⁴ Even though the implementation of maternity leave and allowances was very limited in the factories of Bengal at the close of the 1920s, it was however the only instance when the prospect of legislation came to be seriously deliberated on the question of granting leaves. The issue also led to the comparative assessment of the situation in Bengal with the other Presidencies. While underlining the importance of the issue, I would like to point out that the sidelining of the prospect of legislation on the subject of maternity leave and allowances at this stage, rather impeded the scope of recognition of the factory operative's permissible 'absence' as 'regular leave'.

In conclusion, it can be said that the discourse on 'rest' emerging around factory work in colonial Bengal became formally pronounced in relation to the framing of the factory legislation in colonial India. My study of the discourse on 'rest' in the last decades of the nineteenth and the early decades of the twentieth centuries shows that the terms like 'the weekly day of rest' and the 'midday stoppage' or 'interval of rest' were included in the clauses of the factory legislation. However, while the concept of 'night rest' only featured indirectly in the clauses of the factory legislation, the same law did not allude to the terms 'festival holiday' (i.e. festive holiday) and 'leave' at all. Thus in effect, the discourse on 'rest' surrounding factory work in colonial Bengal highlighted the contradictions and limitations of the different factory laws and regulations that directly or indirectly addressed the question of 'labour time'. The evolution of the temporal connotations like the 'weekly day of rest' and the 'midday stoppage' or 'intervals of rest' indicated the contradictions and the limitations lying within the myriad interdependent legal procedures of legislative enactment, official regulations, statutory surveillance and judicial rulings. Such contradictions and limitations in turn gave rise to the constraints and tensions that accompanied the process of interpretation, implementation and legalization of the temporal

²⁸⁴ Annual Report on the Administration of the Indian Factories Act in Bengal for the Year 1929, Annual Report on the Administration of the Factories Act in Bengal, Alipore, 1929-1946, OIOC, V/24/1644-47, BL.

concepts of 'weekly day of rest' and 'midday stoppage'/'intervals of rest'. The process of conceptualization of 'night rest', which came to be rather indirectly and selectively controlled by factory legislation, led to intense debates and discussions in particular on matters of allotment of the daily schedules of work and break. In fact, the extending discourse on 'night rest' revolved around the interrelation of the intense debates and discussions with questions of manipulation, interpretation, legislation and regulation of 'labour time'. Understandably, tensions and contradictions greatly engulfed the question of legalization of the 'weekly day of rest', 'midday stoppage'/'intervals of rest' and 'night rest'. The tensions and contradictions revealed how the instruments of legislation, regulation, interpretation, manipulation and implementation were mainly controlled by the factory authorities, different mercantile bodies and the government officials belonging to different tiers of the administration, with their vested interests in mind. The clash of the drive for profits with the urge of labour 'welfare' was further intensified by overseas reformist intervention and international regulatory pressure. The views and perspectives of the factory operatives themselves were hardly given importance on this matter. Their voices were only noted on rare occasions when acute grievances led to serious complaints and drastic protests. The frictions and instabilities that emerged on the question of the recognition of the 'festival holiday' and 'leave' on the other hand underlined the marginalization of these aspects in the process of legalization of the overall notion of 'rest' in factory work in colonial Bengal. The instabilities, grievances and the question of recognition prompted the invoking of comparisons and parallel analogies between different groups of employees, various types of establishments, and sometimes even regions. The conditions of deprivation, inequality, discrepancy and discrimination unearthed as a result could be explained by the lack of attempts to reconcile legislation with the religion, custom, rhythmic habits or lifestyle and the feeling of security of the factory operatives. Therefore, despite the rising influence of the ideology of labour 'welfare' especially by the turn of the 1920s, the evolving discourse on 'rest' foregrounded the putative antithetical boundaries between work and break, while work remained more or less alienated from the perspectives of life of the factory operatives in general.

Measurement of Time: Relating Free Time with Printed Almanacs

CHRONOLOGIES OF CALENDRIAL TIME

The first printed lot of almanacs published from colonial Bengal was in English.¹ Graham Shaw's catalogue of printed titles published from Calcutta up to 1800 recorded about thirty English entries on calendars and almanacs. These titles, consisting of both calendars and almanacs, were brought out from the late 1770s to the 1790s. The almanacs seemed to have appeared in large volumes or miniature pocket forms or merely in sheet types in terms of sizes. Besides, a single title often consisted of a compendium of the almanacs of three religions, viz., 'English, Hindoo and Mahomedan'.² The notes and entries available for the almanacs, probably edited and brought out by James Augustus Hickey, described the volume of 1782 as 'containing the Christian and Bengal calendars, with the Mahomedan æra of the Hegira', while the citation for the volume of 1783 mentioned that it 'will contain the Mahomedan and Bengal almanacs...bengali months and festivals are given after words in a separate section, ...The Bengal almanac by a bramin who is the only hindoo astronomer in the place'.³ The existence of such early printed titles pointed towards the rising English interest and involvement in the subject of the indigenous methods of computation of calendrical time, and the preparation of almanacs suited to the circumstances of the colony. In fact, this tendency was especially triggered by the needs of executing the day-to-day administrative functions, or managing the regular plans, programmes and purposes of the East India Company.

The emphasis was on compiling a tabulated, standardized, regular and yet composite structure of yearly time which could be applied to the conditions of colonial Bengal. The government officials themselves often regularly embarked on this task of compilation. The task however,

¹ Sripantha, *Battala*, Kolkata, 1997, p. 22.

² Ashis Khastagir, 'Unish Shataker Panjika Du'char Katha', *Anushtup*, Vol. 50(4), 2016, pp. 50-51.

³ *Ibid.*

could only venture through a complex process of negotiation, especially because of the following facts. First, there were various local calendars that were in use in different parts of the Presidency. Second, the compilations had to take note of the various interpretations and calculations of native time by indigenous astronomers or scriptural authorities. Instances of such challenges and negotiation were particularly well corroborated by a series of publications that attempted to combine chronological lists of selected time periods. For elaboration, I shall look into a few random examples. A collection of chronological charts brought out in Bengali by Girish Chandra Mookerjea in 1857 sought to correspond the Christian year with the 'Bengalee San', 'Hijree', 'Juloos', 'Fuslee' and 'Willaity' calendars used in various regions of the Bengal Presidency, according to their respective dates from 1764 to 1857. An almanac in English, containing another set of chronological tables dated from 1842 to 1875, as compiled and edited by William Augustus Bonnaud, was published in 1875. Both the compilers acknowledged their debts to earlier collections of calendrical charts that were drawn out mainly at the behest of the Government. Thus, Mookerjea stated his Bengali work to be the translation of the existing 'English Chronological Table'.⁴ For his almanac, Bonnaud specified that '[i]t is a republication, with revisions and alterations, of the Chronological tables issued yearly by the Government, which are now out of print and very scarce.'⁵ In fact, Bonnaud's almanac began with the same introduction that was originally written for the 'Government Almanac' by J. F. M. Reid, and this essay pointed out at the very first instance how the 'Chronological Tables' of the Government were taken 'from the manuscript originals in the Register's Office of the Sudder Dewanny Adawlut at Calcutta'.⁶ Reid also mentioned how particular government officials could derive benefits from such publication:

They will be found extensively useful to the Officers of Government, Merchants, Indigo-planters, and others who have dealings with the natives of the country, in comparing the corresponding dates of the several æras current in the provinces...; and in ascertaining the correctness of law papers and other documents, which are frequently fraudulently

⁴ Girish Chandra Mookerjea, *Chronological Tables. Containing Corresponding Dates of Different Æras, used in the Provinces of Bengal, Behar, Orissa, and Benares, and the Ceded and Conquered Provinces*, Calcutta, 1857, Title page, unnumbered.

⁵ William Augustus Bonnaud, *An Almanac of Different Eras Prevailing in India. From 1842 to 1875*. Calcutta, 1875, Preface, unnumbered.

⁶ *Ibid.*, p. v.

altered in one or more of their dates, with a view to adopt them to the substantiation of a desired fact, or to negative their value or importance, as the case may be.⁷

As the government primarily sponsored such projects of comparative calendrical tabulation and government officials themselves often donned the cap of compilers, conveniences of the government appeared to be the priority in framing these charts. Those local and popular calendars that could facilitate the purpose of communication, or could prove to be directly functional for the colonial administration, found easy entry into the chronological tables. By this logic of selection, the 'Bengalee San', 'Willaity'/'Vilaity', 'Fuslee' and 'Hijree' eras received utmost attention in the aforementioned tables. This was because the 'Bengalee' and the 'Willaity'/'Vilaity' eras were applied to raise revenue for the Government, and were used to conduct one-to-one transactions in the provinces of Bengal proper and Orissa respectively. Although both the 'Fuslee' and the 'Sambut' eras prevailed in Behar, Benares and in 'the ceded and conquered provinces', the 'Fuslee' was often preferred over the 'Sambut' for insertion in the chronological tables. For, while the former era was used to collect revenue by the colonial administration, the latter was mainly employed by the 'native merchants and bankers' for private commercial purposes. On the other hand, the 'Hijree' era was in vogue almost entirely among the 'Mahomedan' community of the Bengal Presidency.⁸ These criteria therefore determined the selection or importance of the calendars.

Another collection of calendrical charts dated from 1764 to 1900, was prepared by Girish Chandra Tarkalankar, a *Vakil* of the High Court of Calcutta, jointly with a fellow colleague, Pran Nath Saraswati. This collection issued in 1894 reiterated many of the above points. Moreover, the chronologers underlined in the preface, how they faced challenges from 'appalling discrepancy that occurred in the calculations of the different systems'.⁹ To exemplify this point, the compilers mentioned the case of their confusion with the timing of the '*Sankranti day*'. This confusion stemmed from the different methods adopted for the calculation of the '*Sankranti day*' in Bengal, between the more commonly followed 'Serampore almanac' on the one hand, and the

⁷ *Ibid.*

⁸ *Ibid.*; Girish Chandra Mookerjea, *Chronological Tables.*, Preface, unnumbered.

⁹ Girish Chandra Tarkalankar and Pran Nath Saraswati, *Chronological Tables containing Christian, Bengalee, Moolkee, Muggee, Shaka, Burmese, Amlī, Vilaity, Tamil, Malayalam, Nauroz, Fuslee, Sumbat, Telegu and Hijree Eras with their Corresponding Dates From 1764 to 1900*, Bhowanipore, 1894, p. iii.

‘Bally almanac’ on the other.¹⁰ Such diverse techniques of calculation of time often sought to destabilize the layout of the calendrical charts.

In other words, the above discussion reveals how the whole process of chronologizing the calendars operated in layers and depended on varying conditions. The drawing up of comparative calendrical charts seemed more like a statistical representation of time. However, the execution of this task itself rested upon mathematical deductions of the native astronomers, who supposedly were proficient to measure time through interpretation of the rules given in traditional scriptural astronomy. Again, as these astronomical deductions were in turn reached by following different techniques and interpretations of native astronomy, the outcome of computation often provided varied figures or conclusions. The ready reference for such deductions could be found in the *Panjikas* or the indigenous almanacs. The following sections of this chapter will seek to explain and elaborate these important layers of the process of chronologizing the calendars as mentioned before, while teasing out the connection that these dimensions or layers shared with the arrangement of free time.

TIME IN EARLY ENGLISH ALMANACS

The categories of almanacs and calendars published in English from colonial Bengal often overlapped in content. Both the categories in fact, presented yearly fixtures and divisions of time. This would illustrate why Bonnaud preferred to call his compiled work of chronological calendars ‘An Almanac’, as referred to in the previous section. However, while the calendars sought to provide the precise time schedules in a more capsule form for ready use, the almanacs also alluded to the explanation and computation of these temporal schedules. In fact, the production of printed English almanacs from Calcutta abounded throughout the nineteenth century, especially under English proprietorship. The very early forms of almanacs featured the regular Gregorian calendrical dates, along with lists of feasts and holidays of the Christians, Hindus and Muslims. However, the speciality of the early almanacs lay also in the alternate arrangement of the printed calendrical dates with blank pages to provide space for maintaining

¹⁰ *Ibid.*

yearly diaries.¹¹ This day-to-day functioning of the almanac as also a diary served to reinforce its importance as a marker of calendrical time.

Though the English almanacs did not get into the computational nuances of indigenous time, soon the new titles began to embody statistical collation of temporal facts regarding colonial Bengal. Thus, local aspects of free time like the list of holidays continued to feature in the almanacs, even though the printed titles themselves took on different shapes to catch up with the larger global trends and forms relating to this particular genre. The English almanacs published from colonial Bengal were often accommodated within voluminous directories and large registers that sought to imbibe the contemporary style of statistical collation of scientifically backed facts. Therefore, these English almanacs seemed to act as the counterpart of what Maureen Perkins calls the ‘statistical almanac’, a genre that arose from around the late 1820s in the British metropole.¹² Even the temporal contents of the almanacs reflected such a statistical outlook. In her study of the rise of the ‘statistical almanac’, Perkins demonstrates how astrological discussions were sidelined from about the middle decades of the nineteenth century in Britain to favour the inculcation of “Newtonian time’s regularity”.¹³ Though largely modelled on this British ‘statistical almanac’, the features on time present in the early English almanacs of colonial Bengal had certain peculiarities of their own. ‘The Bengal Directory and General Register for the year 1824’ briefed its readers about the chief features of an upcoming almanac, to be inserted subsequently as its appendix. The statement ran as below:

Almanac for the Year.

To which is added, The Planets and their Relations. Signs of the Zodiac, Chronological Cycles, Moveable Feasts, Ember Days, Ecliptic and Equinoctial Relations, Solar and Lunar Eclipses, Time of High Water, Terms in the Supreme Court, Hindoo and Mahomedan Days of the Week, Hindoo and Mahomedan Holidays; Local Observations on each month in the year, &c. compiled expressly for this Work.¹⁴

The above statement on content certainly highlights the tendency to uphold statistical facts on time in the almanacs, based on astronomical or other scientific observations, calculations and

¹¹ Of the different early English almanacs that I have consulted, ‘The Calcutta Almanac, for Anno Domini 1800’ is one such volume, which is printed in such a way as to be also used as a diary. See, *The Calcutta Almanac, for Anno Domini 1800*, Calcutta, 1800. For a later volume, vide, *D’Souza and Co.’s Bengal Almanac and Companion, for 1836*.

¹² Maureen Perkins, *Visions of the Future: Almanacs, Time, and Cultural Change 1775-1870*, Oxford, 1996, pp. 46-88.

¹³ *Ibid.*, pp. 231-237.

¹⁴ *The Bengal Directory and General Register for the Year 1824*, Calcutta, 1824, ‘Table of Contents’, unnumbered.

explanations. Evidently, the emphasis was more on collection, arrangement and dissemination of such facts in these early English almanacs. For a relatively more elaborate study of this approach towards time, a close examination of a title like ‘The Bengal Almanac’ will help. ‘The Bengal Almanac’, printed by the Bengal Hurkaru and Chronicle Press, appeared as a steady annual title of production spanning from the late 1820s to the 1850s, and it could be taken as a typical example of the early English almanacs emerging from Calcutta. A variety of statistical data collated in the form of a directory that happened to have any relevance for colonial Bengal, was compiled on the subject of time. In ‘The Bengal Almanac For The Year 1828’, the calendrical aspects of the almanac featured in two parts.¹⁵ However, certain sectional adjustments and shuffling took place in the discussion of the properties of calendrical time in the subsequent editions of the same almanac published in later years. Hence, the edition of the almanac brought out in 1833 covered the subject of the yearly fixtures and calendar in three parts.¹⁶ Thereafter, the coverage of the calendrical aspects of time became more extensive and elaborate in the later editions of this almanac. Thus, an examination of ‘The Bengal Almanac For 1846’ shows that the calendrical description contained in the almanac was divided into three parts. The first part contained ‘Local Observations for every Month’ and the “Gardener’s Calendar”.¹⁷ The second part formed the main body of the almanac. It assembled within the fold of the calendrical time, the following items as records of astronomical observations and calculations, community-based divisions of time, temporal intricacies of the clock-time and the calendar of noteworthy events:

The Almanac for the twelve months of the year, exhibiting the Phases of the Moon; the English and Hindoo days of the month, distinguishing remarkable days and occurrences; the time of the Sun’s rising, Meridian and Setting, the Moon’s Age and Meridian; the Time of High Water for every day and month in the year morning and evening.¹⁸

Besides, the second part also tabulated other astronomical features on time such as ‘Calculations of the Almanac’, ‘Eclipses of the Sun’, ‘Ecliptic and Equinoctial Relation’, ‘The Planets and their relations’, ‘Chronological Cycles’ etc. The second part also listed several broad and overlapping religious as well as community-based rhythmic functions and divisions of time, like

¹⁵ *The Bengal Almanac For the Year 1828 with an Appendix*, comp. Samuel Smith and Co., Calcutta, 1828, ‘Table of Contents’. unnumbered.

¹⁶ *The Bengal Almanac For the Year 1833 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1833, unnumbered, pp. XXXIX-XLIX, ib.

¹⁷ *The Bengal Almanac For 1846 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1846, unnumbered.

¹⁸ *Ibid.*

‘English, Bengalee, and Mahomedan Days of the Week’, ‘Ember Days’, ‘Fixed and Moveable Festivals, Anniversaries, &c.’, ‘Hindoo and Mahomedan Holidays’, etc. The new official working calendar showed up conspicuously in the almanac too, especially in the context of the time-schedules of the ‘Terms in the Supreme Court’ and in the lists given for the number of holidays observed in public offices, which would be discussed later in detail. In keeping with the contemporary predilection for statistical and scientific precision on the one hand and the abhorrence of astrological cycles on the other, the English almanacs of colonial Bengal alluded to the lunar cycles and the ‘Signs of the Zodiac’ only as side references.¹⁹ In other words, the first two parts of this almanac clearly referred to the multi-faceted rhythmic orientations of the calendar. The third part of the said almanac adduced to the explanations and clarifications of the various fixtures of time mentioned in the earlier two parts of the title. Hence the third part was rightly called ‘The Companion to the Almanac’. The ‘Companion’ specifically touched upon the topics like ‘the Calendar, and its successive reforms’, the ‘Days of the Calendar’, the ‘Celestial Phenomena of the Year’, ‘Nature and Use of Chronology’, ‘Principal Eras’, ‘A Perpetual Almanac’, ‘An Almanac by which may be found, the day of the month in any year, from A.D. 1810 to 1860 both inclusive’, ‘Time Table, showing the number of Days from the 1st of January to any day in the year’, ‘Table of the Sun Rising and Setting’, ‘Calcutta Tide Table, showing actual time of High Water’, etc. Therefore, such approach towards statistical collation implied the juxtaposition of clock-time and calendrical time in the almanacs. Besides presenting the local statistical know-how of calendrical time, the ‘Cones and Co.’s Directory and Almanac’ regularly mentioned the daily time-table of sunrise and sunset, the positions as well as the local ‘mean time’ of the dropping of the Time-Ball at Fort William, Calcutta and at Saugor Light House. According to the information, the Time-Ball was ‘dropped daily, Sundays and holidays excepted, at 1 P.M., mean-time’.²⁰

As the appended ‘Companion’ became a regular feature of the almanac, the almanac came to print an explanatory definition of the ‘calendar’ within the discussion that related to the calendar and its gradual reforms. This definition of the ‘calendar’ was reprinted annually as follows: ‘The CALENDAR is a table of the days of the year, arranged to assist the distribution of time, and to

¹⁹ *Ibid.*, pp. XLI-XLIV, ib.

²⁰ *Cones and Co’s Directory and Almanac for 1878*, Calcutta, 1878, pp. 7, 9; *Cones and Co’s Directory and Almanac for 1895*, Calcutta, 1895, pp. 9, 11.

indicate remarkable days connected with devotion or business.’²¹ This definition reiterated the unique role of calendrical time in singling out the days of special observances or holidays. The emphasis was on the interpretation of the time of indigenous festivals and holidays, with respect to the corresponding dates in the Gregorian Calendar.²² In other words, there was an evident thrust over the Gregorian Calendar in these almanacs.

Serving as a more extensive and elaborate version of the calendar, the almanacs came to play an important role in marking such special days or holidays. Therefore, the printed English almanacs regularly featured inter alia, an annual list of the regional holidays for wider public awareness. Like the official holiday list of 1790 notified by the Government and referred to in the first chapter, the early English publications too surprisingly did not mention any holiday, which was English in origin and celebrated in the colonial territory. In fact, the lists provided in the almanacs rather indicated an inexplicit logic of classifying, ordering and listing of holidays at this stage. The English almanacs of 1803 and 1807 paid attention to the ‘Bengallee/Bengalee Holidays’ and the ‘Mahomedan Holidays’. Naming of almost all popular local Hindu and Muslim celebrations with dates acquired precedence in these holiday fixtures, arranged more like a calendar under the two respective religion-based headings. Such representations clearly indicated how specific imports of the terms ‘holidays’ and ‘festivals’ were not well drawn out.²³ However, this lumped style of listing could not persist for long. For instance, the English directory-cum-almanac of 1813 laid out the names of all ‘Bengallee Holidays’ in the beginning, and then inserted a numbered, abridged statement of only those of the above holidays which were ‘observed at the Public Offices’. Finally present was the group of the generally known ‘Mahomedan Holidays’.²⁴ The English directory-cum-almanac of 1820 suggested the clear break in the style of listing holidays. It printed the dated statements of only those ‘Hindoo Holidays’ and ‘Mahomedan Holidays’ which were allowed in the government offices.²⁵ In addition to the changing patterns of representation, these early holiday lists also revealed

²¹ *The Bengal Almanac For 1846 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1846, p. XLVIII.

²² For example, the list of ‘Muhammadan Festivals’ provided for 1852 in ‘Scott and Co.’s Bengal Directory and Register’ contained the names of the Muhammadan calendrical dates. On the other hand, the list of ‘Hindoo Holidays’ provided for the same year did not contain the indigenous calendrical dates. See, *Scott and Co.’s Bengal Directory and Register, with Almanac and Appendix, for 1852*, Calcutta, 1852, unnumbered.

²³ *The Bengal Kalendar and Register for Anno Domini 1803: With An Almanac*, Calcutta, 1803, unnumbered; *Directory and Almanack, for the Year of Our Lord 1807*, Kidderpore, 1807, unnumbered.

²⁴ *The Calcutta Annual Register and Directory, for the Year of Our Lord, 1813*, Calcutta, 1813, unnumbered.

²⁵ *The Calcutta Annual Register and Directory, for the Year of Our Lord 1820*, Calcutta, 1820, unnumbered.

constant fluctuations in the number of yearly office observances. The first chapter mentions about the 1790 Notification List of the government, which sanctioned 25 'Hindoo Festivals and Holidays' and four 'Mahomedan Festivals' for Public Offices. It was not officially revoked with the turn of the nineteenth century. Nonetheless, the almanacs of 1813 and 1820 revealed a spiralling of the 'Hindoo' observances to 32 holidays and then, a fall to 26 respectively. The 'Mahomedan' office observances recorded relatively lesser change from four days in 1790 to five in 1820. A study of 'The Bengal Almanac' for the 1820s and 1830s reveals how the earlier trend of fluctuations in the number of 'Hindoo Holidays' got stable. The number of 'Hindoo Holidays' which was 34 in total remained constant for a long period till 1845. The number of 'Hindoo Holidays' changed from 34 (as found in the almanac of 1844²⁶) to 36 in 1845. This was because of the two additional holidays newly allowed for the 'Lukkhi Puja in 1845'.²⁷ While the dates for the 'Mahomedan Holidays' were regularly mentioned in 'the Bengal Almanac', the latter did not specifically stipulate the number of days for which such closures were allowed in the Public Offices. Change however, could be noticed in this respect from the 1840s. Therefore, in the almanac of 1840, the number 'Mahomedan Holidays' observed in the public offices were shown to be 18.²⁸ However, the almanac of 1846 surprisingly, recorded a sudden rise in the number of the 'Mahomedan Holidays' to 49 days, which included 30 days of holidays for 'Ramzaun'.²⁹ This sudden rise in the number of 'Mahomedan Holidays' in the public offices cannot be corroborated with the contemporary holiday list issued by the government. However the fluctuations of the 'Mahomedan Holidays' continued according to 'The Bengal Almanac'. Thus, the almanac of 1851, revealed how the number of such holidays again receded to 43.³⁰ A comparison with the different structures of office holidays prevalent in the colonial Bengal reveals that a long 'Ramzaun' vacation was only allowed in district courts or in the different offices of the Judicial Department. Thus, these almanacs did not seem to differentiate between the executive and judicial lists of holidays, which was the norm followed in the pattern of the

²⁶ *The Bengal Almanac for the year 1844 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1844, pp. X (ib).

²⁷ *The Bengal Almanac for the year 1845 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1845, pp. X (ib).

²⁸ *The Bengal Almanac for the year 1840 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1840, p. XL (ib).

²⁹ *The Bengal Almanac for the year 1846 with a Companion and Appendix*, comp. Samuel Smith And Co., Calcutta, 1846, pp. XLIV (ib).

³⁰ *The Bengal Almanac for the year 1851 with a Companion and Appendix*, comp. Samuel Smith and Co., Calcutta, 1851, unnumbered.

separate Government notifications. Besides such general English titles, Christian almanacs and calendars were also brought out from colonial Bengal, which also provided holiday lists alongside specific facts related to the Christian missionary activities. Thus, 'The Churchman's Almanack' of 1852 also provided similar lists of 'Hindoo Holidays' and 'Mahomedan Holidays', where both 'Ramzan' and 'Mohurrum' were shown to be observed for one month and ten days respectively.³¹ 'The Calcutta Diocesan Calendar and Directory for the Year 1877' contained usual statistical facts related to temporality that also included a list of 'Christian, Mohammedan, Hindoo, and Public Office Holidays'.³² The focus of the early English printed almanacs was on collection and dissemination of information on both calendrical and clock-time.

READINGS OF TIME IN *PANJIKAS*

However, for amassing the precise astronomical figures specifically related to the local conditions of colonial Bengal, the English almanacs had to depend on their native counterparts, i.e. the *Panjikas*. The *Panjikas* often served the role of counsellors for the government in matters of fixing holidays, and in understanding the working of the indigenous calendrical and diurnal measurements of time. The *Panjikas* contained consolidated indigenous fixtures of time, where the astronomical deductions and interpretations suggested by the indigenous scriptural authorities were included. The rise of the printed *Panjikas* especially from the second decade of the nineteenth century further promoted the consolidation of such fixtures in newly printed forms, in contradistinction to the earlier tradition of the oral circulation of such knowledge and the manuscript versions of such texts.³³ The *Panjikas* provided information regarding the various divisions and subdivisions of indigenous time in colonial Bengal, which determined the pace and rhythms of the native calendrical and diurnal time. A *Panjika* consisted of five elements (or, *panchanga*). These were *vara* (the 'week day'), *tithi* (an indigenous equivalent of day determined by 'the position of the moon with respect to the sun'), *nakshatra* (a computation relating to 'the place of the moon in the path of the sun'), *yoga* (a calculation of time done in

³¹ *The Churchman's Almanack, MDCCCLII*, Calcutta, 1852, unnumbered.

³² *The Calcutta Diocesan Calendar and Directory for the Year 1877*, Calcutta, 1877, unnumbered.

³³ Anindita Ghosh, *Power in Print: Popular Publishing and the Politics of Language and Culture in a Colonial Society, 1778-1905*, New Delhi, 2006, pp. 130-134.

view of ‘the joint motion in longitude’ of the sun and the moon) and *karana* (a sub-division of time equivalent to ‘half a tithi’). These indigenous astronomical temporal computations were derived from the traditional *Siddhanta* literature.³⁴ Such calculations allowed the indigenous almanacs or *Panjikas* to fix the timing of the rites and rituals of the different traditional festivals and day-to-day actions.³⁵ In fact, this was the reason why the making and the functioning of the *Panjikas* were considered to straddle both the realms of traditional astronomical knowledge and the scriptural *Smriti Shastras*.

Among the vernacular ‘popular books’, the Bengali almanacs were printed in both old and new representational styles during the nineteenth and early twentieth centuries. The *Panjikas* of the old style only mentioned the traditional five elements of time for each of the calendrical dates of the year, referring to the dates of the Hindu festivals as a result. The timing of the festivals were given in the traditional units of mainly *danda* or *ghatika* (which is equivalent to twenty four minutes) and *pala* (a sub-division of time which when sixty in number forms one *danda*). Thus, the old-style almanac i.e. ‘Puratan Panjika’, which was computed and compiled in two volumes for the periods 1844-1874 and 1875-1904 by Srichandra Vidyanidhi of Bali, adhered to this traditional format of representing time. The Gregorian calendrical dates were the only expressions of Western sense of time that found place in this ‘Puratan Panjika’.³⁶ In contrast, the new-style almanacs not only covered all the *panchanga* aspects, but also referred to the daily Western calendrical dates along with the daily clock-times for both sunrise and sunset. The time of indigenous festivals was given along with the print images of the important festivals. Besides providing the list of the festivals, these new almanacs also gave a specific list of office holidays, in view of the evolution of this new concept of free time in colonial Bengal. The aforementioned characteristics were found in different forms of ‘Nutan Panjika’ that were published from different places. The one published from Serampore in 1858-59, names the Hindu and Vaishnava festivals, but lists only the Hindu holidays.³⁷ The one published from Calcutta for the same year additionally shows the names of the Christian holidays, while another earlier ‘Nutan Panjika’

³⁴ Robert Sewell and Sankara Balkrishna Dikshit, *The Indian Calendar*, London, 1896, pp. 2-3, 7; Joges-chandra Ray, ‘Centenary of Chandra-sekhara, and a Reformed Hindu Almanac’, *The Modern Review*, Vol. 50 (1), July, 1936, p. 57.

³⁵ W. Ward, *Account of the Writings, Religion and Manners, of the Hindoos*, Vol. 2, Serampore, 1811, p. 331.

³⁶ *Puratan Panjika*, Vol. 1, 1844-1874, c. 1904; *Puratan Panjika*, Vol. 2, 1875-1904, c. 1904.

³⁷ *Nutan Panjika*, 1858-59, Serampore, pp. 240-242.

published from Calcutta for 1854-1855, lists the Hindu, Muslim and Christian holidays.³⁸ The accumulation and presentation of the names of such different community-based festivals and holidays could be attributed to the contemporary trends of collation of facts and information exhibited by the other printed almanacs (particularly the English versions). Alongside the inclusion of the indigenous temporal calculations, the propensity to make more elaborate use of the Western notion of clock-time to translate the indigenous calculations became more explicit in many of these new titles. Such trends could be seen even more in the early twentieth century. The vernacular directory almanacs that followed the style of representation of the English 'statistical almanac' particularly exhibited such trends. Thus, the 'Gupta Press Panjika' (c. 1905), the 'P.M. Bagchi Directory Panjika' (1925), the 'Bangabasi Panjika O Directory' (c. 1926), the 'Gupta Press Directory Panjika' (1930) provide examples of the juxtaposition of clock-time with calendrical time.³⁹

Side by side, the vernacular almanacs followed the trends of calculating both the indigenous forms of calendrical and diurnal divisions of time. In relation to the calculations of the indigenous calendrical and diurnal divisions of time, the Panjikas often offered different Shastric injunctions of time as well. The injunctions were related more to astrological assumptions and temporal superstitions that attracted both ridicule and scorn.⁴⁰ The traditional calculations of the *malamasa*, *kshaya masa*, *barabela* and *kalaratri* revealed the astrological, superstitious assumptions associated with time. These in turn affected the fixtures of festivals and holidays. In fact, the calculations were based on the operation of a luni-solar calendar. The problem of balancing the calculations of the solar year with the lunar months in this calendar gave rise to the needs of making some temporal adjustments. The problem of making adjustments gave rise to the temporal notions of *malamasa* and *kshaya masa*. The difference of one new moon to the next was the duration of the lunar month, consisting of 29½ days. Therefore, the twelve lunar months were equivalent to 354 days, while the twelve solar months equalled 365 days. So, one lunar month per 32½ (approximate) solar months came out as extra. A solar year could not exceed the duration of twelve months. So, in the solar year when lunar months were calculated to be thirteen, the extra month came to be regarded as the *adhika masa* (intercalated month).

³⁸ *Nutan Panjika*, 1858-59, Calcutta, unnumbered; *Nutan Panjika*, 1854-55, Calcutta, unnumbered.

³⁹ *Gupta Press Panjika*, c. 1905, Calcutta; *P. M. Bagchi Directory Panjika*, 1925, Calcutta; *San 1333 Saler Bangabasi Panjika O Directory*, c. 1926, Calcutta; *Gupta Press Directory Panjika*, 1930, Calcutta.

⁴⁰ The Western scholars often depicted such astrological injunctions with a sense of ridicule. See for example, W. Ward, *Account of the Writings, Religion and Manners, of the Hindoos*, p. 332.

According to the Smriti Shastras, this extra month was to be ignored. It was considered unsacred from the standpoint of performing rites and observances. Hence, this month was known as *malamasa*.⁴¹ As the solar and lunar positions were computed in terms of the values of *tithis* and *nakshatras*, calculations revealed that there were therefore eleven unadjusted or extra *tithis* in each solar year. In a *malamasa*, there was no *Sankranti*. On the other hand, when there fell two *Sankrantis* in a lunar month, that month was regarded as a *kshaya masa*, calling for the complete rejection of the month.⁴² Both the calendrical concepts of *malamasa* and *kshaya masa* were used for the purpose of calculating and fixing the time of the festivals and holidays.

The concepts of *barabela* and *kalaratri* were related to weekly and diurnal notions of time. The day was traditionally divided into eight parts (*prahars*). Accordingly, the fourth and fifth parts of a Sunday, the seventh and second divisions of Monday, the sixth and second divisions of Tuesday, the fifth and third parts of Wednesday, the seventh and eighth divisions of Thursday, the third and fourth parts of Friday, and finally the first, sixth and eighth parts in case of Saturday fell under the category 'barabela'. In a book on the Shastric injunctions of the almanacs, Dwaraka Nath Vidyaratna pointed out that 'a journey or any auspicious functions during barabela is prohibited in the *Shastras*. If anyone disobeys the rule, it will invite bad omen.'⁴³ Similar computations and injunctions existed for *kalaratri* as well. In the case of Sunday, the sixth division of the night, for Monday the fourth part of the night, for Tuesday the second part of the night, for Wednesday the seventh part in the night, in case of Thursday the fifth part in the night, for Friday the third part in the night and in the case of Saturday the first and the last parts in the night formed the *kalaratri*. To quote Vidyaratna, in a *kalaratri* 'journeys, marriages, *bratas* and auspicious ceremonies should not be undertaken.'⁴⁴ As per the Shastric injunctions and astrological calculations, the fixtures of festivals, observances and holidays also depended on the above allotment of the *barabela* and *kalaratri*. Interestingly, Joges-chandra Ray Vidyanidhi revealed the dilemma caused by the clash of scientific knowledge with such astrological injunctions provided in the almanacs in colonial Bengal:

A non-believer would feel safe; superstitions in regard to sneezing and lizards, *kalabela* and *barabela*, *yogini* and *dikshul*, *tryahaparsha* and *magha* are thankfully driven out of

⁴¹ Joges-chandra Ray Vidyanidhi, 'Panjika-sanskar', *Bharatbarsha*, Vol. 1 (4), 1925, p. 564.

⁴² Robert Sewell and Sankara Balkrishna Dikshit, *The Indian Calendar*, pp. 25-26.

⁴³ Dwaraka Nath Vidyaratna (ed.), *Panjika-Darshanbibhrat-Samsodhak*, Calcutta, 1904, p. 10.

⁴⁴ *Ibid.*, p. 11.

the country, a great boon for the country. Had this fact been true, both believers and non-believers would perhaps heave a sigh of relief. However, the belief is actually hidden inside and the unbelief is only apparent.⁴⁵

Due to the nuances in the astronomical calculation of the luni-solar time, and the lack of corroborating the reactions on the basis of actual scientific observations with the mode of temporal calculation followed in the almanacs, there rose differences between the calculations followed in the traditional *Panjikas* and the newly published almanacs. The newly published almanacs claimed to be based more on accurate scientific observations and calculations following the lines of the English Nautical Almanac. Such a newly created genre of almanac was the 'Bisuddha Siddhanta Panjika' created by Madhabchandra Chattopadhyay in 1890.⁴⁶

However, there prevailed a long tradition of disputes among the almanacs and the Brahmin Pundits regarding the temporal fixtures of particular festivals in colonial Bengal. The disputes arose from the different methods of calculation and interpretation followed by the indigenous *Pundits*. As the almanacs and the Brahmin Pundits were consulted by the colonial government, these disputes and differences in their turn affected the sanction of public holidays in colonial Bengal. On 23 October 1830 a newspaper report of the 'Samachar Chandrika' recorded one such debate or contestation held on the occasion of Shyama Puja:

This city faces a pandemonium on the occasion of Sri Sri Shyama Puja— some authorities have declared that the Puja will be held on Friday while some have preferred Saturday. Srijuta Ramtanu Tarkasaraswati living at Pataldanga is erudite and a renowned teacher. He has specified Saturday as the day of the Puja and has got the fixture prepared with justifications, printed and published.

After this, another fixture by Srijuta Ramjoy Tarkalankar has come out, where Friday has been cited as the day of the Puja.⁴⁷

Such disputes and debates continued throughout the nineteenth and the early twentieth centuries. For instance, 'P.M. Bagchi Directory Panjika' (1925) again referred to the disputes between the different almanacs regarding the temporal fixtures of the *Kali Puja* festival. [See Image 1. at the

⁴⁵ Joges-chandra Ray Vidyanidhi, 'Panjika-sanskar', p. 565.

⁴⁶ *Bisuddha Siddhanta Panjika*, 1933, Calcutta, See 'Preface'.

⁴⁷ Bandyopadhyay (ed.), *Sambad Patre*, Vol. 2, 549.

end of this chapter.] The publication of the ‘Bisuddha Siddhanta Panjika’ further stoked the scope of such disputes.

The role of the colonial state in spearheading the introduction of a standardized notion of calendrical time has already been found to be quite questionable by different scholars. In the context of the British colonial rule in nineteenth-century Natal in South Africa, Keletso E. Atkins discusses how the indigenous Zulu tradition of ‘lunar month’ did not match with the Western temporal concept of a ‘month’. The predicaments of engaging the Zulu migrant labourers in the new industrial schedules of work induced the British administration in Natal to introduce an official calendar by legislation in 1894. However, the new legal calendar with twelve months, where each month consisted of thirty days, could not solve the ‘time disputes’ and win over the indigenous Zulu labourers.⁴⁸ Given the tensions and oppositions faced on the issue of the standardization of clock-time among the various sections of the colonized population, the British government was highly apprehensive about initiating any calendar reform in colonial India. Vanessa Ogle shows that the British government discouraged any intervention on the issue of calendrical time, although the League of Nations was conducting an opinion poll on the feasibility of calendar reform between the third and fourth decades of the twentieth century.⁴⁹ In colonial Bengal, as the differences of the Brahmin Pundits often gave rise to prolonged conflicts and competitions among the different patrons, investors, calculators and Pundits who were associated with the process of publication of almanacs, persons like Joges-chandra Ray regretted about the lack of interference of the British colonial government on matters of advocating calendrical reform.⁵⁰

APPROPRIATING AND NEGOTIATING FREE TIME

As the *Panjikas* also served the function of disseminating information, their roles created a conflict and scope of appropriation of free time. The gap between the proclamation and practice of observance of fixed holidays became pronounced as the locally circulated *Panjikas* showed affinities to maintain the ‘local holidays’ instead of the gazetted ‘public holidays’. Thus the

⁴⁸ Keletso E. Atkins, ‘Kafir Time’, pp. 231, 237-238.

⁴⁹ Vanessa Ogle, *The Global Transformation of Time, 1870-1950*, p. 194.

⁵⁰ Joges-chandra Ray, ‘Centenary of Chandra-sekhara, and a Reformed Hindu Almanac’, pp. 57-60.

Panjikas often followed the rules that did not tally with the official holiday lists endorsed by the government. For a quick example we can turn to the *Nutan Panjika* of the year 1854-55.⁵¹ The *Panjika* listed 38 Hindu holidays, recording two more holidays compared to the official Treasury list of 1852. The discrepancy was due to the fact that the *Panjika* also chose to ‘declare’ holidays on its own on the occasions of Lunar and Solar Eclipses. Certainly, the *Panjika* was more widely read than the notifications of the Government Gazette. This revealed how different rules of ritualization and negotiation were followed by the local almanacs catering to the ‘popular’ socio-cultural practices and customs. Again, a comparative study of the almanacs clearly shows that they did not always register the official changes made in the executive holiday list. For example, Indranarayan Ghosh’s ‘Nutan Panjika’ of 1864-65 did not record the 1862 official revision of holidays, and kept the number of sanctioned holidays at 34.⁵² Once again, this instance of discrepancy directs our attention to the gap between the official agencies of deliberation and proclamation on the one hand, and the social networks of circulation on the other. The case of the curtailment of the holidays for *Chadak Puja*, as already mentioned in the first chapter, could also be recalled in this context. Benimadhab De’s ‘Lord Ripon Panjika’ published in 1885 did not recognize the official cut-down of the holidays to one day.⁵³ [See Image 2. at the end of this chapter.]

Almost all the nineteenth-century *panjikas* that I could access were exclusively devoted to the Hindu holidays, and several were silent about the Muslim holidays. This indicated how the traditional notions of time remained the mainly popular with the Hindus, and how the almanacs were mainly published keeping the Hindu population in mind. The prejudices of the almanacs become even more pronounced when viewed in the light of the injunctions of socially entrenched authoritative agencies of the Brahman Pundits regarding religious festivals and holidays. The considerable authority of the Brahmin Pundits in the declaration of the official holidays throughout the nineteenth century could be easily delineated by the honour given to the suggestions of Mahamahopadhyaya Mahesh Chandra Nyayaratna by the Government of India in July 1890. Pundit Nyayaratna’s intervention ensured the inclusion of 23 October 1890 within the fold of *Durga* and *Lakshmi Puja* holidays in the public holiday list, though this could only be allowed at the expense of the replacement of the public holiday offered on the Christmas Eve

⁵¹ *Nutan Panjika, 1854-55 / BS 1261*, Calcutta, 1854.

⁵² ‘*Nutan Panjika*’, 1864-65 / BS 1271, comp. Indranarayan Ghosh, Calcutta, 1865, p. 186.

⁵³ Sreepantha, *Battala*, Calcutta, 1997. See Illustration 54.

(i.e. 24 December) with a general executive holiday assigned for that day of a somewhat limited scope.⁵⁴ One instance of the fixing of the *Durga Puja* holidays during Lord Dalhousie's time was poignantly narrated in Ishwar Gupta's poem 'Chuti' highlighting the role played by Sri Gopal. All speculations and fears regarding the reduction of *Puja* holidays to eight days came to an end with Sri Gopal's declaration of a fortnight long vacation.⁵⁵ The Brahmin Pundits and the almanacs were entrusted to play a mediating role between the Government and the indigenous population. As a matter of fact, the colonial Government had to systematically depend on the *panjikas* and the Brahmin Pundits for the calculation of the days of Hindu festivals and rituals. Gautam Bhadra states that the Bengali almanacs not only published print images of the traditional festivals round the year, but also contained lists of official holidays, time-table of the court showing the commencement or duration of terms and vacations, along with other disciplinary rules and regulations of the Government.⁵⁶ My observation is that apart from acting as a popular printed medium for circulating and publicizing different social registers of time-discipline in colonial Bengal, the *panjikas* often played important social roles as the indigenous consulting authority for scriptural matters in the institutionalization of holidays in the public offices. Most of the time two or more *panjikas* were consulted by the administrative authorities or related bodies to know about the festive dates of a particular year to avoid any mistake and confusion. Thus the Bengal Chamber of Commerce furnished in one of its correspondences, the names of three almanacs which were used to get the holiday list for the year 1890-91, namely, the New Pocket Almanac of Rajendra Lall Ghose, Gupta Press Almanac for (1297) 1890-91 and Sen Press Almanac for (1297) 1890-91.⁵⁷

The role of the almanacs as a 'popular' print medium, lay in the dissemination of the fixtures of holidays, associated with the regulation and appropriation of free time. Thus, in a poem 'Harishe Bishad', Sukumar Ray narrated the great disappointments of a school-going boy who was searching for the occasions of holidays in an almanac. The boy's disappointment stemmed from the fact that as per the almanac, the holidays for *Id* fell within the duration of the summer vacation, while the last day of the Bengali year and *Dol* coincided with the already allotted

⁵⁴ H. J. S. Cotton, Officiating Secretary to the Government of Bengal, to the Secretaries, Bengal Chamber of Commerce, Bengal National Chamber of Commerce, Calcutta Trades' Association, British Indian Association, Indian Association, 19-1-1890, in Financial, Miscellaneous, 19 January 1890, Nos. 18-22. [WBSA]

⁵⁵ Ishwar Gupta, *Ishwar Gupter Sreshtha Kabita*, Calcutta, 2002, pp. 102-104.

⁵⁶ Gautam Bhadra, *Nyara Battalai Jai Ka'bar?*, Kolkata, 2011, pp. 410-411

⁵⁷ S.E. J. Clarke, Secretary, Bengal Chamber of Commerce, to The Secretary to the Government of Bengal, Financial Department, 14-11-1890, Financial, Miscellaneous, January 1891, Nos. 28-41. [WBSA]

holidays on Sundays.⁵⁸ It revealed how the almanacs were popularly consulted for the list of holidays in the general middle class household, as the official gazette notifications remained inaccessible for the common people.

As the *panjikas* popularly disseminated the new and old forms of knowledge on time, often the process of the making of a new festive occasion depended on the fixtures of the *panjikas*. Again, the drawing up of the fixtures of the almanacs also depended on the existing socio-cultural importance of a festive occasion or observance. Such reciprocal relationships of the regulations of the almanacs with the socio-cultural practices became more pronounced with the rising wave of nationalist sentiments in colonial Bengal in the twentieth century. A few examples will explain this point. Saraladevi Chowdhurani recounted in her reminiscences, how she was flipping through the pages of an almanac to find an appropriate national day of festival that could be dedicated to the practice of physical culture. She recalled how she hardly needed to introduce a new day of festival, as the occasion of *Ashtami* day of the Durga Puja was already mentioned in the almanac as '*Birashtami*', a day already known to be devoted to the rituals of *Birashtami brata* and the chanting of the *brata* tales.⁵⁹ Hence, *Birashtami brata* witnessed a resurgence under Saraladevi's initiative in 1903 as the day observed for physical empowerment. Again, while reporting on the 'political situation' prevailing in Eastern Bengal and Assam in the wake of the Swadeshi Movement, the Chief Secretary to the Government of Eastern Bengal and Assam reported to the Government of India in May 1911, how 'the "Sarasvat Pamjika," the most widely reputed and popular Bengali Almanac in Dacca, has this year for the first time struck out all allusion to the commemoration of the "Rakhibandhan" against the 16th October.'⁶⁰

Il allusion to the commemoration of the "s Among the popular printed editions of the almanacs brought out by members of different communities and groups, large number of almanacs preferred to follow the styles and the formats of the English printed almanacs. Thus, the directory format of compiling information on time for dissemination among the general public was followed by the 'Brihat Mahammadiya Panjika' of 1907. This genre of Muslim almanac was published from around 1893-94 in Calcutta.⁶¹ 'The Brahmo Pocket Diary and Almanac' on the other hand followed the style of providing space for maintaining a diary within the pages of an

⁵⁸ Sukumar Ray, *Sukumar Sahityasamagra*, eds. Satyajit Ray and Partha Basu, Vol. 1, 1987, p. 64.

⁵⁹ Saraladevi Chowdhurani, *Jibaner Jharapata*, Calcutta, 2007, pp. 132-133.

⁶⁰ N. D. Beatson Bell, Offg. Chief Secretary to the Government of Eastern Bengal and Assam, to the Secretary to the Government of India, Home Department, 10/12-5-1911, Home, Political, May 1911, Nos. 69-70. [NAI]

⁶¹ *Brihat Mahammadiya Panjika*, 1907, Calcutta

almanac.⁶² Both the Muslim and the Brahma almanacs however, mentioned the lists of office holidays, including the holidays allotted for the Muslims and the holiday allotted for only the Brahmans on *Maghostab*.

We have already seen how the early English publications of almanacs included 'Sheet Almanacs' alongside the printed volumes. The cheap one-page printing of a calendar-like sheet almanac aided the purpose of easy circulation of an almanac and easy dissemination of temporal knowledge. So, the Sheet Almanac came to be chosen as the format of printing almanacs even by the indigenous people in colonial Bengal. An example of such a Sheet Almanac is Bhoobun Mohun Gangooly's 'Nitya Panjika' of 1873-74.⁶³ [See Image 3. at the back of this chapter.]

The concomitant indigenous practices of measurement and ritualization of time manifested the modes of computing, assimilating and disseminating both calendrical and diurnal (often clock-time) notions of time in relation to the making and circulation of the popular editions of the almanacs. The temporal debates and discussions surrounding the medium of the almanacs at the outer exoteric level made the almanacs long for a gradually enlarging frontier of temporality that was geared to showcase a broad, popular, participatory base for the indigenous religious observances and social customs. At the underlying esoteric level on the contrary, the questions and differences regarding the scientific measurement of time based on observations and the Shastric injunctions sought to promote and preserve the dominance of the Brahmin Pundits on matters of regulating the cycles of indigenous festive and ritualistic practices. The result was that ultimately, the almanacs sought to absorb, but at the same time sought to appropriate, challenge and thereby regulate the institutionalized concepts of free time in their own paradoxical ways in day-to-day life.

⁶² *The Brahma Pocket Diary and Almanac*, 1909, Calcutta; *The Brahma Pocket Diary and Almanac*, 1915, Calcutta.

⁶³ Home, Public-B, March 1873, Nos. 367-368. [NAI]



Image 1. Difference of Opinions on the Dates of the *Kali Puja* in 1925. [Source: *P.M. Bagchi Directory Panjika*, 1925, p. 211.]

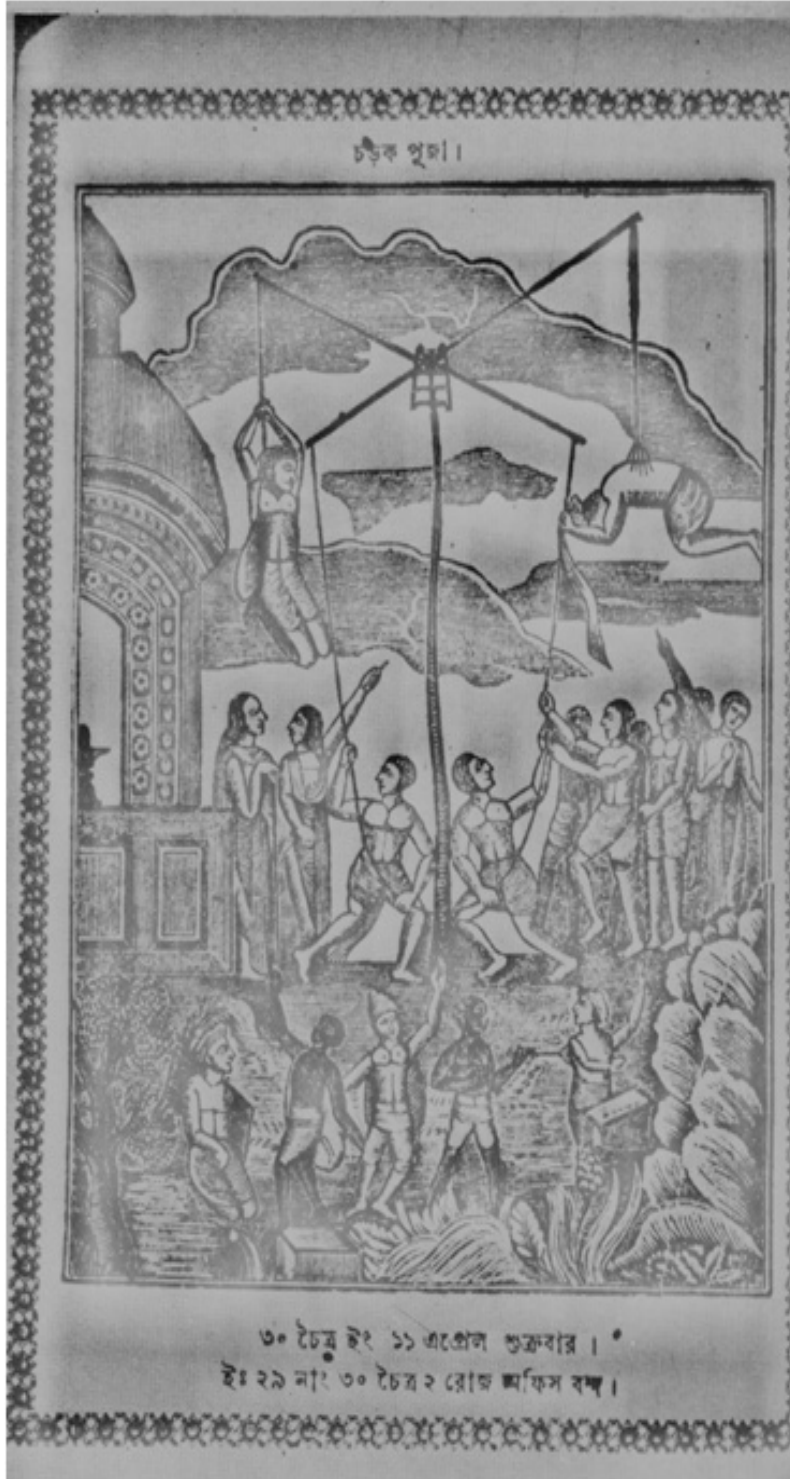


Image 2. Charak Puja holidays given in Benimadhab De's 'Lord Ripon Panjika' (1885), [Source: Sreepantha, Battala, Calcutta, 1997, Illustration 54.]

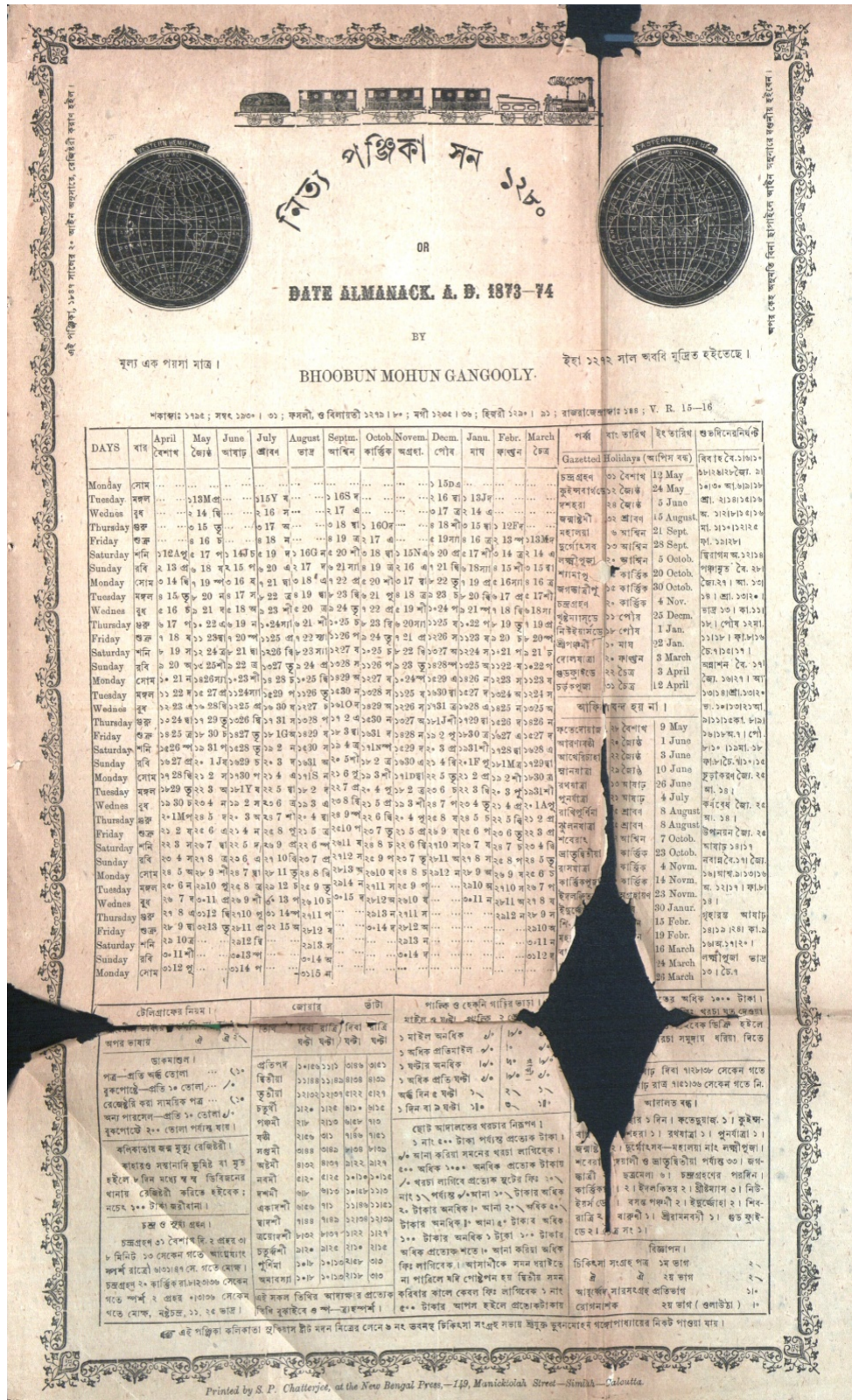


Image 3. Annual temporal fixtures in Bhoobun Mohun Gangooly's 'Nitya Panjika' of 1873-74, a sheet almanac. [Source: Home, Public-B, March 1873, Nos. 367-368, NAI]

Conclusion

‘Those who are the Sirdars of this kingdom, are competent men and can be regarded as well-experienced. They are the intimate courtiers of the King. By virtue of their watchful administration, the uninterrupted flow of mining activities is maintained with no scope for shirking, and *Yakshapuri*’s prosperity thrives continuously.’¹ The foreword of Rabindranath Tagore’s famous Bengali play ‘Raktakarabi’, penned by him in 1923-24, locates the imaginary town with the gold mine, called *Yakshapuri*, to be under the continuous trammels of capitalist labour production. Everybody in this town is stuck in a conditioned mode of life, curbed by the unavoidable rigours of capitalist work-discipline. However, the entry of Nandini, the chief female protagonist of the play, suddenly hurls the conditioned people of this town towards a state of conscious self-awareness. The interactions and frictions, which are triggered by the appearance of the spontaneous and vivacious Nandini, induce people from different walks of life to recognize the limits of the imposed temporal discipline of work and break. Thus, Phagulal, a coolie employed as a digger in the mine of *Yakshapuri*, chooses to spend a holiday by getting drunk from the very morning. He contrasts the alienating effects of this imposed temporal discipline in *Yakshapuri* with the spontaneous rhythms of work and life in his native village. To quote Phagulal’s dialogue from Tagore’s own translated version of the play, ‘[f]reedom itself was enough for the holidays in our village. The caged bird spends its holiday knocking against the bars. In Yaksha Town holidays are more of a nuisance than work.’² Bishu, a singer and a miner, who also holds Nandini as a close companion and inspiration, speaks of the despair of the coolie under the all-pervading effects of discipline. Bishu laments that ‘the road [to escape] is closed, and we seek consolation in the stolen wine of the prison house. No open sky, no leisure for us’.³ As a play, ‘Raktakarabi’ is already largely read as an ultimate expression of protest that heralds the transition to a new promising time of the future by the self-capitulation of the

¹ Rabindranath Tagore, ‘Raktakarabi’, in *Rabindra-Rachanabali*, Vol. 8, Calcutta, 1989, p. 335. Translation is mine.

² Rabindranath Tagore, *Red Oleanders*, London, 1925, p. 34.

³ *Ibid.*, pp. 41-42.

capitalist order of exploitation.⁴ However, what I want to particularly emphasize here is Tagore's metaphoric usage of the subtle ideas of free time to differently signify both the extended hangover of work-discipline and the future hope of freedom through struggle. Thus, the expression '*chuti*' (differently translated by Tagore himself as 'holiday' or 'leisure') is invoked throughout the play as an elusive but cherished ideal of temporality. Nandini's presence brings such underlying expressions to the fore. The Professor of Yakshapuri pines for 'leisure' in front of Nandini in the following way:

The privilege of wasting time proves one's wealth of time. We poor drudges are insects in a hole in this solid toil, you are the evening star in the rich sky of leisure. When we see you, our wings grow restless. Come to my room. For a moment allow me to be reckless in my waste of time.⁵

Even the so-called disciplinarians are captivated by the layered dimensions of '*chuti*'. So, the King himself is compelled to review his schedules before Nandini as follows. 'My busy time, overloaded with work, dragged along against obstruction, is not for you. On the day when you can arrive, full sail before the wind, into the bosom of my full leisure, the hour of welcome will strike.'⁶

In fact, the metaphoric attributes of '*chuti*' is shown to be related as much to the sequences of work, as to the natural rhythmic lifestyle. Bishu observes that '[i]n this world there is hunger to force us to work; but there's also the green of the woods, the gold of the sunshine, to make us drunk with their holiday-call.'⁷ The expression underscores the interactive promises of connecting with the natural rhythmic experiences or popular practices in day-to-day life. Nandini is projected as the interactive medium, who seeks to bridge this connection throughout the play. The traditional popular festival of *Nabanna*, which earmarks the prosperous times of the autumnal harvest in the rural calendar, is used as the symbolic backdrop of the play. In short, in

⁴ For example, in his recent interpretation of Rabindranath Tagore's 'Raktakarabi', Sayan Bhattacharyya demonstrates how the 'closed netherworld' of *Yakshapuri* represents 'an absolute and total rule of capital over its subjects.' However, despite the absolute control of capital over labour, Bhattacharyya underlines that there is this 'possibility which is realized by the end of the play – of an imminent, Dionysian and creative resistance that would constitute capital's own self-overcoming.' Nandini appears as the symbol of this 'resistance' embodying 'a creative and productive force' in the world of the play. See, Sayan Bhattacharyya, 'A World-Oriented Disposition: Rabindranath Tagore's Political Imaginary in the Play *Raktakarabi* (Red Oleanders)', in Arnab Bhattacharya and Mala Renganathan (eds.), *The Politics and Reception of Rabindranath Tagore's Drama: The Bard on the Stage*, New York and London, 2015, pp. 51-59.

⁵ Rabindranath Tagore, *Red Oleanders*, p. 8.

⁶ *Ibid.*, pp. 31-32.

⁷ *Ibid.*, p. 40.

this play, Tagore attempts to view '*chuti*' as a layered experience of life. It represents the contradictions of the putative boundaries of work and break on the one hand, and opens up the interactive scope of appropriating or subverting the fixed temporal parameters on the other hand. In a way, my study seeks to understand why such complex and layered understanding of free time emerged in colonial Bengal, that sought to address the paradoxical and yet interactive implications of free time in day-to-day life.

This thesis maps the courses of defining and regulating free time in colonial Bengal during the nineteenth and early twentieth centuries to show how certain new primary concepts were formulated in the process. The new concepts and the associated practices emerged within the different institutional domains of work controlled by the principles of time-discipline. The evolving concepts of free time like the holidays, vacations, leaves of absence, weekly rest on Sundays, recess or stoppages within the time of work came to exist with inherent contradictions and limitations that crucially affected the norms of colonial subjectivity in the society. These concepts were introduced by the colonial government as part of the policy of temporal reforms that enabled the imposition and supervision of the disciplinary structures of work and free time. The structures of work and break in the white-collar professional domains of the offices were more formal and elaborate than the schedules emerging in the domains of manual labour, like the factories. The specificities of the concrete concepts of free time often evolved through a continuous dialectical relationship with the understandings that existed in the realms of practice and implementation of the same concepts. In fact, the question of regulation of the concrete concepts in day-to-day life also depended on the nature of popular rituals and practices associated with the concepts.

The formulation and the practical implementation of the structural concept of the 'public holidays' went through a complex process of interactions, oppositions and negotiations in the case of the government offices. The widespread debates and discussions generated in the process manifested the interplay of different administrative interactions, policy-oriented ideologies, commercial interests and missionary zeal on the one hand. On the other hand, the wrangles and adjustments with the indigenous population involved particularly the elites, office employees, groups or associations, scriptural authorities and other consultants. Such debates and discussions mainly converged around the oppositions and negotiations of commercial concerns with the community-based impulses. As the ultimate deciding authority, the government handled the

holiday question with considerable note of caution in the beginning, but increasingly displayed pro-commercial and imperial biases in the long run. The debates, deliberations and controversies highlighted the exclusionary and fractured implementation of the process of institutionalization and standardization of 'public holidays' in terms of demography, space and genealogy. In contrast, the process of classification and codification of the different forms of 'leaves' denoted a more personalized notion of free time, that gradually picked up through ramifications and new incorporations in the site of the government offices. The formation of the new structures of leave rules witnessed the rise of new classifications like 'Leave of Absence on Medical Certificate', 'Special leave of absence on private affairs', 'furlough' in the first phase at the first half of the nineteenth century. Further vital sub-categories were added in the next phase from the second half of the nineteenth to the early twentieth centuries that included 'privilege leave', 'casual leave', 'subsidiary leave' or 'preparatory leave' and 'maternity leave', whose level of application however remained more or less optional during this period. However, the codification and classification of leaves reproduced the discriminations, gaps and divisions that the office-going population faced in their different racial, hierarchical and gendered conditions of employment. Often because of the whims of the official sanctioning authorities, the individual impulses had to go through oppositions and compromises to considerably adjust themselves with the colonial subjective positions. For the domain of factory labour, the evolving formal idea of 'rest' came to be directly or indirectly defined alongside the framing of factory legislation, and in the process acquired several internal contradictions and limitations. Thus, tensions and frictions persisted in the process of interpretation, implementation and legalization of the temporal concepts of 'weekly day of rest' and 'midday stoppage'/'intervals of rest', while manipulation and intense debates were very pronounced in the process of legalization, implementation and regulation of the question of 'night rest'. The notions of 'festival holiday' and 'leave' were marginalized and not recognized by the factory laws, which exacerbated the levels of deprivation, inequality, discrepancy and discrimination encountered by the factory operatives in their manual labour. The opinions and perspectives of the operatives were ignored in the process most of the time. Factory legislation could not safeguard the sentiments of religion, custom, rhythmic habits or lifestyle and feelings of security of the factory operatives. The regulation of these primary concrete concepts of free time was in turn induced by the concomitant indigenous practices of measurement and ritualization of time. Thus, the modes of computing, assimilating and

disseminating calendrical time, particularly revolved around the making and circulation of the popular editions of the almanacs. The temporal debates and discussions surrounding the medium of the almanacs spanned across two levels. At the outer exoteric level, the almanacs sought to project a gradually enlarging frontier of temporality that was geared to showcase a broad, popular, participatory base for the indigenous religious observances and social customs. This extended version of temporality in the almanacs tended to bind the imposed notion of clock-time with calendrical rhythms for the purpose of assimilating and negotiating with the institutional formatting of time-discipline. However, at the underlying esoteric level, there lay the questions and differences regarding the scientific measurement of time based on observations that sought to promote and preserve the monopoly of the Brahmin Pundits on matters of prescribing and reinforcing the Shastric injunctions of time, based on the cycles of indigenous festive and ritualistic practices. By maintaining these different practical and ritualistic registers of free time, the almanacs sought to absorb, but at the same time sought to appropriate, challenge and thereby regulate the institutionalized concepts of free time in their own paradoxical ways in day-to-day life.

Hence, this thesis attempts to primarily highlight how the process of configuring free time depended on the institutionalization of the different concrete concepts associated with the process. The process continued at varying paces and at different sporadic levels in the white-collared and blue-collared domains of work. The international flow of commerce and waves of 'welfare' reforms reoriented the process as much as the gradual interfaces created by the comparative perspectives of the different domains or establishments of work. Moreover, the process of configuring free time also indicates how these institutionalized concepts were negotiated and appropriated in the course of their regular interaction with the concomitant practices and rituals in the realm of day-to-day life. My thesis aims to underline the inbuilt sense of contradictions, limitations and alienation faced by the indigenous population at various levels in varying proportions, because of the imposed formal institutional bifurcation of the schedules of work and break in colonial Bengal. At the same time, my thesis also seeks to direct attention towards the dynamics of the process of configuration of time. The dynamics could be discerned in the dialectical relationship of both the popular and implemented practices and rituals with the institutionalized concepts, and the resultant broadened scope of appropriation and subversion of the same concepts in day-to-day life. While the contradictions, limitations and alienation of the

process cramped the vibrations of life of the indigenous subject population, the dynamics induced the indigenous groups to exercise their agency at various levels. The reactions and impulses coming from the middle class groups of salaried bhadraloks proved more regular and assertive, while the responses coming from the manual labourers in the factories were mostly drastic and scattered. Therefore, this thesis suggests the necessity of interpreting free time in colonial Bengal in the light of the peculiar dialectical interplay of the institutional concepts with both the popular and newly implemented practices and rituals, experienced in the course of day-to-day life. The proper understanding of this peculiar dialectical interplay demands further exploration and research as a subject.

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