

CHAPTER – I

INTRODUCTION

1.1 Background of the study

Every child has "The right to be protected from economic exploitation and performing any work that is likely to be hazardous, or to interface with the child's education, or to be harmful to the child's health or physical, mental spiritual or social development"

- Convention on the rights of the child article 32

A child first setting foot in the urban area is most likely to gain easy employment in a roadside restaurants, tea or sweet shop. Cheap labour demands are high and skills are not required. At time the children get involved with the help of parents, relatives or friends. These children do not have any option other than working whatever job they can lay their hands on (CONCERN, 2003).

We everybody realizes that the world today is full of unrest, anxiety and grievances. Now we are in twenty first century but poor thing is that our problems of food, shelter and clothes are remained the same or found complicated than past. Million and million of people of this world are suffering from hunger, diseases, malnutrition, and the same size of people are surviving from hunger, diseases, and malnutrition and the same size of people are surviving without home and land. It means they are living the poorest life below the poverty line but on the other hand, a handful of people are getting richer and richer. It means the gap between have and have not is widening with every passing day. Child labour is being increased of such situations. Such poverty or the gap has created such

child labourers because they have no alternatives except to be the child labourers. They are far from education, a balanced diet and educational environment. So, poverty is, in this way, a cause of child labour.

According to the UN Convention on the Right of the Child, a child means, "Every human being below the age of 18 years under the law applicable to the child, majority is attained earlier" (UN 1989). The ILO Convention 182 defined the child on article 2 as the term "Child" shall apply to all persons under the age of 18. (ILO, 1999). According to children's act (First amendment) 1997 and Labour Act (first amendment) 1997 of Nepal the group of under the age of 16 years old person are known as children. According to this law, the person below the age of 14 years are strictly prohibited to work as labour but the children the age between 14-16 years can work, only when they get facilities like less working hour, 6 hours per day not more than 36 hours per week. In this way if they work 3 hours continuously they must get rest for half an hour. But still this law is only in or not in practice.

In this context, child workers or child labor means, "a person in the age group 5-14 employed for hire or reward on a full time basis and includes a self employed child and a child assisting his/her parents in their occupation for two or more hours (CWIN, 1988). Child labour is not only a problem of Nepal but it is universal and one of the serious problems of the world. Children are those persons who are physically and mentally incapable to do anything. However, the definition of the child is not same in all society. In this study the child labour is defined those workers who are under the age of 14.

Karl Marx believes in dialectical materialism which is just opposite to spiritualism. So, he says that matter control over consciousness, matter

comes at first. And he says that economic factor, structure controls over educational, religious, political factors (super structures). So, poverty (economic factor of base structure) seems to be the tentative cause of child labour is exploited. There are two issues a) child labour should be abolished and b) there should be child rights abolished. In this context the study concerns with the child labours of small restaurants/ tea shops of Kirtipur municipality area.

In this context, Prof. Chaitanya Mirsha in his book, 'Punjibal Ra Nepal' says that we can come to the conclusion that production system of Nepal and the nature of economy are mainly capitalistic. Besides, we can say that its present nature itself is also.

The main measurement of differentiating capitalism from feudalism is: nature of labour system or structure of labour and its trend. In this context, we can see the system of labour in Nepal. Kamaiya or the same half/slave, generational ploughmen and servants and then much more, landless, the untouchable, come under the dependent labour class- it will be reasonable. However, there is a much more quantity of free and waged labour relatively even if we keep all these labourers under the dependent labour.

Depended labour is still strong, though in its abolition of Kamaiya, especially a lot of 'untouchable' persons and familiar have been trapped in this system of labour such a system can be kept under feudal system of labour. But, it has been much weaker because of the incensement in of waged labour, transformed flow of labour, and the process of 'Mukti'. (Mishra, 2062)

1.2 Statement of the Problem

Child labour is a problematic issue for me because the child labourers are leading to the dark days. No good future to their part. And, such a condition will not be a beauty for the state and the society.

Child Labour remains one of the most neglected human rights issues of our time. The primarily adopted United Nations Conventions on the Rights of the Child (1989) affirms the right of the children to education, self-expression, and freedom from exploitative work.

It is estimated that in Nepal, 1,27,000 children are trapped in what referred to as the "worst forms of child labour" of forms of child labour whose condition are intolerable and inhumane. The definition of what constitutes a worst form of child labour is contained in the ILO's Worst Forms of Child Labour Convention no.182, Article 3). The seven worst forms of child labour identified in the Time Bound Programme for the Elimination of the worst forms of child labour, were selected during the 2001 National Stakeholders consultation. These forms include trafficked children, bounded labours, porters, mine and carpet factory worker, domestic workers, and rag pickers (Gillian, 2002).

Child labour has been one of the critical and neglected issues for a long time. It is a universal phenomenon that no country has been out of these problems. However, receiving a worldwide attention in recent years, the problems have been still critical. It is due to the poverty, that compels parents to make to children work for wages and the employer never hesitates to take advantage of it because of cheapness.

The ILO conventions have had a significant influence nationally and internationally and most have been incorporated in national legislation.

But the gap between principle and practice can become a chasm. Millions of children currently fall victim to this failure to implement minimum age legislation and provide universal schooling. Many children worldwide work in extremely dangerous situation and in exploitative and abusive condition. The types of hazards children face vary according to the occupation involved and specific working condition. The nature and extent of child labour, its forms, and severity of its exploitation vary from one region to another according to the country.

Child exploitation is the reflection of the socio-economic reality of the country, which is also a consequence of the feudal land holding system, which is still a bitter reality of many third world countries (Pradhan, 1998). Thus, child labour is a cause and effect of the exploitative socio-economic and political structure of the world. Like other developing countries, the rural communities in Nepal are going through a painful period created by increasing social injustice, economic exploitation, and backwardness. The growing migration among the rural population, rural migration, and urbanization have also contributed to an increase in the magnitude of child labour exploitation. Child labour is not a new phenomenon in a agriculturally dominant country like Nepal, it is a part of parcels of the feudal economy. For years, child labour has been perceived as a way of life in this country. In the rural economy, children have played a significant role in the family subsistence. Such as fetching water, collecting firewood, grazing cattle, caring for children and supporting parents in the fields are the most common works that children in the rural areas perform. In addition, many children of poor families also have to support as a family breadwinner working as domestic servants in the homes of village merchants. This reality makes the

children to migrate to the urban areas to search for happy life and this has led to the increase of child labour in urban areas.

Child labour in Nepal is not a new phenomenon. The child labour situation in Nepal is said to be worsening as development activities are being expanded. Migration of children to urban areas for employment is aggravating the child labour situation. However, there was not much concern over the practice and use of child labour in Nepal before 1990, when world summit for children highlighted the need of elimination of child labour from respective countries for healthy development of the children (Suwal et. al, 1997).

Beside these worst forms, child labour in restaurant/ tea shop is also worst. The most popular field among the child workers in Kathmandu is hotel boy which popularly known as hotel *Kanchha* (CWIN, 1987). The word hotel *Kanchha* is a popularly used for those working children of hotel restaurant bar and tea shop. Over there they serve the customers, collect and wash the dishes, clean the tables, cook in the kitchen. Besides, they should work wherever their masters order them to do. According to the survey the average age of these working children ranges between 7-14 years (CWIN 1987:12) Generally they are from the poor economic background. They are the children either of homeless and land less people or they are orphans.

According to the survey conducted by (CONCERN) in nineteen districts of five development regions of Nepal it is estimated that there are 71,767 restaurants child workers working in 20,505 teashops/ restaurants in Nepal. The survey depicts that the number of working children in each shop ranges from one to fourteen. Kathmandu district alone has 4,225

restaurants/teashops excepting tourists' standards restaurants. The number of working children in Kathmandu districts alone is 14,787.

Children work for predominantly economic and social reasons. Children work because their families are poor, mostly as a result of inadequate access to productive assets-be it skills jobs, credit or land. They work because they perceive that the rewards received from the labour are greater than those from educational or because the quality of education inadequate (ILO, 2001). Generally, child labour is an imperfect substitute for unskilled adult labour in production. Most employers care only about the effective cost of work and will prefer children if and only they are effectively cheaper (Ibid, pp 19).

This dissertation is about the socio-economic condition of child labours of Kirtipur area in which the following questions have been raised:

What socio-economic background do the child labours represent?

How did they become child labours?

What are the major problems faced by them?

What suggestion could be recommended for the improvement of the child labours?

The child labours strike me because they are near to the intellectuals. Even at the central library Kirtipur they are serving us at tea ship. And, we intellectuals accept their tea. So, this situation has touched me about them and there problematic situation.

1.3 Objectives

General objectives of this study is to analyze the situation of child labour in hotel/restaurant, at Kirtipur municipality.

The specific objectives are:

- a) To find out on push and pull factors that contributes in increasing child labour in Kirtipur.
- b) To trace out the existing situation of child labours working in hotel/ restaurants in Kirtipur.
- c) To find out the economic value of child to the family.

1.4 Conceptual Framework

Child Labour

A child is a labourer if the child is economically active. The ILO convention number 138 specifies 15 years as the age above which in normal circumstances, a person may participate in economic activities.

Push Factors

These are those factors which compel the children to leave their home or native place and join the many working places. These factors may include: death of parents, lacking of food, education and housing, illiteracy and ignorance.

Non-availability of medical facilities, lack of nutritious food, natural disaster and some other factors, in rural areas cause the untimely death of people. The death of the adult members of the family deserts the children leaving them with no alternatives for survival. Therefore they

leave the home and enter into the urban area to seek the work and food. The situation now takes the form of child labour.

Lack of educational opportunities available to children additionally contributes to child labour especially in rural areas. If the opportunities are available and children are at school for substantial part of time of day, they will not be employed, at least not full time, and will be less prone to exploitation. Education is considered by many to be the single most important weapon government can wield against child labour. Kerala's (a state in India) success in education from where all most all people are literate and incidence of child labour is very low as compare to other states of India where the level of literacy is low (Boyden,1995:8)

Pull Factors

Pull factors are those factors which attract children to join the working sectors in urban area. Many opportunities for work at least for survival, are responsible to pull the children into child labour market. And, it is because of free labour market created by capitalism, there are much more chances of jobs in the urban area, especially from the rural areas.

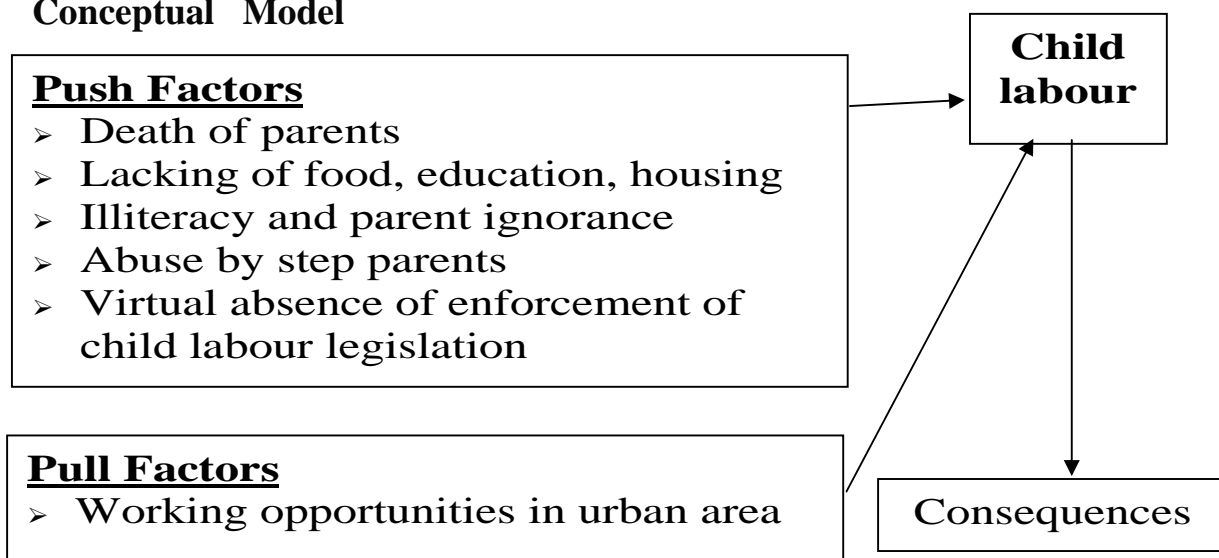
Consequences in Families

Nepal is a agrarian country. More than 82% of the Nepalese people (CBS, 2001) depend upon agriculture. Majority of the population in agriculture sector cultivate the land for their subsistence only. Due to the lack of advanced technology in cultivation, the productivity is becoming very low. This productivity ultimately cause the severe lacking of food in many areas of the country. This is also a factor that governs over the creation of child labour.

Migration

Migration is a global wide trend Internal and international migration has been in existence all over the world since the time immemorial. In Nepal, internal migration from mountain to Terai, begins with the initiation of programme conducted for the malaria eradication. These days the migration from rural to urban area is commonplace. Vicious cycle of poverty induces the people to leave their native home and migrate to urban area, where the children may find many opportunities to join the various working places.

Conceptual Model



Among the child labour force in the capital city are mainly rural areas of the country or it can be assumed that above 90% child labour force are migrated from different areas of the country. That's why after study of their present socio-economic condition, their problems and means of solution, it is necessary to know that, what may be the cause of migration to the city. For this, we should know the push and pull factor of migration and those factor may be the prime cause of child labour.

The pull factor of their migration to the city may be the modernization, urbanization and capitalistic mode of production. By the modernization and urbanization, the means of earning, factors of development such as transportation, communication, means of entertainment, college, university, opportunities of employment etc. are centralized only in city. Because of different opportunities, the city is the attracting point for rural people, so the children may not be the out of this fact. By the development of means of communication and transportation, rural people are attracted towards happy city, by this, the speed of migration to the city is increasing and as a result, the labour force is gathering in city and this situation is creating exploitative socio-economic condition. This situation may be the product of modernization. Another attraction point to the city is the capitalistic mode of production in industrial and commercial sector. According to Karl Marx, these types of production always want to maximize the profit by reducing the labour cost. For this, the (bourgeoisie) never hesitate to employ children, women and old because of cheapness. They always need cheap man power and poor people have to work in every cost for their survival. According to him, capitalistic economy is exploitative in its nature and never works any social activity. The child labour may be the product of capitalistic economy and the harassment of children and women also the product of this economy. It can be generalized with world system theory of Immanuel Wallerstein. After analyzing this theory, it can be generalized that Kathmandu valley as core and rural areas as periphery state. Every resource for survival is centralized only in the capital city and rural areas have only man power.

That's why rural people are compelled to migrate to the city and children also are not becoming out from this fact. So the pull factors of children to the city may be above three facts instead of this anticipation of better life

also found another pull factor. Unequal distribution of land and other natural resources may be one of the causes of poverty they (children) have to be forced to work by their parents. Another cause or push factor to the city from village on labour market may be familial disintegration. The family disintegration may be the cause of child labour or it may be the product of child labour. Family disintegration may create domestic violence and as a result children have to leave their home or running away from native land. Others factor such as heavy work load, no schooling, influenced by friends and disharmony of family etc. may be responsible for child migration to the city and as result child labour is increasing in organized and unorganized sectors as child labours.

After reviewing existing literature, child labours may be facing different types of problems as mentioned above framework and they may be harassed by master, driver, senior, friends, police, funny boys and passenger. However, it may not be true in every aspect. This process show the relationship between child labours and other social factor and this relationship is responsible for determine their present socio-economic condition. To identify their present socio-economic condition, is the main objective of this study.

1.5 Rationale of the Study

This research will be beneficial for those students/researchers who will be interested in this topic to gain insight or knowledge about this topic. The contribution of this study will be to study about the condition of the labour children of Kirtipur area. Study on child workers in restaurant hotel though, is not totally a new area, only a very few studies have oriented on it. ILO/IPEC has not also categorized restaurant/hotel child labour as a worst form of child labour. But, child labour existing in this

area is much worst. The children entering into the restaurant' hotel have been exploited and tortured mentally and physically only a very few organizations have addressed the problem of child labour in this area. Therefore, this study will provide various types of knowledge about the problems and nature of exploitation of child labour in hotel, restaurant.

1.6 Organization of the Study

The present study has been organized into seven main chapters so as to make the study specific and comprehensive. The first chapter gives a general introduction of the study, statement of the problem, and objectives, Rationale of the study, conceptual framework.

The second chapter presents the literature review that contains the review on Child Labour in general, childhood and child development consequences of child labour along with migration of children.

Likewise, third chapter deals with the research methodology applied to collect the necessary data required for the study along with the brief glimpse of approach to the study. Chapter four is related to socio-economic profile of the child labour. Which is also related to social and economic background of them. It includes from caste/ethnic composition to occupation and education in my study. Chapter five is related causes of child labour in terms of pull and push factors. Chapter six is related to the existing situation of child labour in hotel/restaurants in Kirtipur. It is again related to economic value. It includes working time, wages working experiences saving amount, facilities, problems and awareness.

Finally, chapter seven presents the summary of the study; its major findings, conclusions and recommendations.

CHAPTER – II

LITERATURE REVIEW

Review of relevant literature is an essential part of a social research. It provides a guidelines and some knowledge to the researchers that help them achieve the goal. The child labour is the major cause of child abuse and exploitation in many parts of the world. No one knows how many children are working. Much child work is illegal, and there is often an attempt to conceal it. Africa has highest proportion in the world of working children (nearly one third) whilst Latin America, with its high levels of urbanization, has the largest population of "Street Children". And in many Asian countries children comprise over 10% of the work force.

According to Dhital (2000), "Child labour refers to the employment of children for national income but in fact it is not a time framework or it is the time for overall development of their lives". In this chapter, the relevant literature pertaining to child labour and vehicle conductor is reviewed.

The problem of child labour in Nepal is principally due to the acute poverty of the people, particularly in the rural areas where most of have been living on subsistence farming. How many people are still depending upon agriculture for their subsistence in Nepal? Exploitative social relations in the village further aggravate the problem. The harsh conditions and frequent natural disaster lead to seasonal or permanent migration of families and in some cases, that of children who, on their own, move from the rural to urban areas (ILO, 1996).

Hopelessly, they have no alternatives except to be the child labourer. They do not know where their future is. They are engaged in hotels, micro-buses, garment factories, tea-shops, buses in the maximum. Some of them are working in the houses as the servants. However, there is exploitation: their life is not life as such and they have not future as such.

HDI Rank	US & billions 2004	PPP US \$ billions 2004	GDP per capital		Carbon dioxide emissions per capitametric tons 2002	
			US\$ 200	PPP US\$ 2004	1995-2005	1990-2004
138 Nepal	6.7	39.6	252	1490	2.0	2.1

The latest statistics show that about 250 million child workers exist all over the world, a recent survey conducted by the International Labour Organization (ILO) states that out of these 61% are in Asia, 32% in Africa and 7% in Latin America.

Child Labour in Nepal has two distinct dimensions. One is connected with the rapid urbanization and growth of industries. Children are engaged in various occupations, such as the manufacture of carper, construction of roads and building, quarrying and mining as well as working in domestic service in towns away from their home.

Approaches to child labour have evolved, based upon the discussion between two schools of thought. The 'Abolitionist approach' which, at its extreme, takes the view that all child work labour is intolerable and is based upon the Western concept of childhood. The other school takes the view that child labour/work can never be abolished and instead approaches should concentrate on improving their working conditions and socio-economic situation (ILO 1995: pp19).

2.1 Theorizing Child Labour in General

A number of researches have been conducted regarding child labour. Child Labour in South Asia: Towards a UNICEF Strategy, a publication by UNICEF ROSA defines childhood and it should be based on biological and psychological requirement of children by different, age group. The reading considers a need of discussion which will offer scientific reasons to determine the ages at which certain types of work can not be performed without hindering the physical social, and emotional growth of the child, he explains the three major interventions- poverty alleviation, primary education and improvement of coping skills- can play a very important and decisive role in strengthening the community and family capacity to manage their own resources in the best interest of children eventually stimulating a significant shift of children from work to learning. Despite these revealing facts the reading evaluation is unable to direct and suggest the role of state in fulfilling these needs.

A report (report of Amsterdam conference in Netherlands on 26 and 27 Feb 1997) entitled on 'Combating the most intolerable forms of child labour: a global challenge' put the view that the exploitation of children is a violation of their human rights and gross waste of human potential- Child labour is one of the main source of child exploitation and abuse in the world today. The programme developed by the conference was to focus on key areas such as education, enactment and enforcement of child labour legislation as well as poverty alleviation.

Child labour. Targeting the Intolerable, a report VI (I) prepared by ILO (1996) urge the world community to manifest its commitment to

act in solidarity by adopting an international convention which forbids all extreme forms of child labour.

A latest publication on eliminating the worst forms of child labour: An integrated and Time Bound Approach is reviewed. It has focused on the cause and consequences of the problems. Time Bound programme (a programme for implementing I.L.O. Convention no. 182 on the Worst Forms of Child Labour). It has described the "The Child Labour Market", the impact of Economic growth on child labour and some other issues. The lacking part is that it doesn't try to make an effort about how to create awareness programme of Child Labour law or Act among the child labourers and their employers.

The State of the World's Children (1997) conducted by UNICEF focused on the Convention on the Right of the Child (CRC). CRC Article 32 states that every child has "the right to be protected from economic exploitation and from performing any work that is likely to be hazardous, or to interfere with the child's education or to be harmful to the child's health or physical mental or spiritual moral, or social development.

2.2 Globalization and Changing Issues of Child Labour

Amsterdam child labour conference workshop no. 2: Globalization, liberalization and child labour conducted by ILO (1997) explains that for the developing countries, where over 95% of the worlds working children are to be found, adaptation to a globalizing economy basically means two things: first, they must be able to expand their exports, and second, they must be able to attract a greater volume of direct foreign investment. Giving a supporting argument for relationship between globalization and child labour the workshop discusses that child labour is indispensable to the competitiveness of developing countries in international commercial

markets. Example is carpet industry. Child labour gives developing countries a competitive advantage in international trade. Though foreign investor do not directly invest the child labour, sub-contract pan of their production to small families employ child work. Not in the least, it is not a help to reduce the child labour. Rather, it is inclearing dependency just like slow poison.

Child labour (1997) conducted by ILO Regional Department for Asia arid Pacific discusses an effects of globalization and structural change. Research shows that globalization and economic liberalization have led to increased emphasis on efficiency and competitiveness. Modernization and market integration have negative consequences also: rural poverty, migration, liberalization regional iniquities, consumerism and diminishing family support and community cohesion. These have modified the overall pattern of child employment.

Child labour has undergone such structural changes as a result of topic to the process of urbanization. Shifts are from agriculture to industry and services, a move to wage earning in industry as opposed to unpaid family work. Changes may be worsening the plight of child workers. Due to the movement rapidly from planned to a market economy different problems have emerged. Child labour in the organized sector used to be virtually non-existent, and well-developed social infrastructure looked after the welfare of children. Reforms have led to rising cost of education, while new labour- intensive industries have created a demand for cheap labour together, these factors have made schooling a less attractive option, and may have contributed to a higher incidences of child labour. However this publication does not try to give an analysing aspect to mitigate die situation thus, developed by globalization.

2.3 Consequences of Child Labour

Crawford argues that child labour has significant consequences for children, their families, their employers, and communities and countries in which they live. Although some types of work by children, such as work for a skilled trade or helping out with light household chores can be beneficial in terms of a child's growth and development. On the whole, child labour in South Asia is extremely detrimental to children. Wage employment is particularly exploitative, since children are vulnerable and do not have the power to organize for their rights as workers. Child labourers work at unskilled jobs and many do not attend school: thus in violation of Articles 28 and 29 of CRC similarly numerous South Asian children engaged in prostitution a direct violation of article 34 of the CRC. Crawford explains the situation of working children working in brick kiln industry, glass industry, and carpet industry and expresses how they are suffering from various diseases, such as chest infection, tuberculosis, etc. Even occupations which do not appear so overtly dangerous can be very detrimental to children's health. Children working in informal sector for hotels and shops are often forced to work very long hours in difficult conditions.

The long term economic costs of child labour in South Asia could be quite high. The low wages of child labour can restrict the purchasing power of the family. Cheap available child labour can prevent the payment of minimum wage and in some cases, devalues the labour market of adults. Domestic consumption is therefore limited, and national production will remain low. The country will be dependent on exports and will be vulnerable to international trade sections. Finally, it is assumed that, by allowing children to labour long hours at unskilled jobs, the country is not building skilled and educated future work force. Child

labour perpetuates poverty on large scale level as successive generations of children grow up to be adults lacking education and higher skills, who will continue to live in poverty, have large families, and put their children to work.

2.4 Child Labour and Legal Arrangements in Nepal

Article 9 of the U.N. clearly declares the rights of the child, "*The child shall be protected against all forms of neglect, cruelty and exploitation*"

"The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or 'education, or interfere with his physical, mental or moral development"

The first ILO convention on the protection of children was adopted in 1919 and standard setting activities have continued ever since.

Despite the above law on child, the countries are not implementing the same eradicate the Child labour. This is also the case for Nepal.

Expressing the ignorance of government of Nepal in implementing the norms of human right treaties on child labour (The Rising Nepal, 25 May, 1999), the newspaper argues that -government representatives, and private sector participants gathered to discuss ILO proposed convention on the worst forms of child labour, expressed their doubt over the administration's commitment to excuse both national laws and international convention related to the rights of child labourers.

Child Labour protection and promotion of their rights in Nepal, a report carried by HMG Nepal Ministry of Labour, ILO, IPEC. (1997), evaluating on legislative approach argues that the legislative approach, ,

is not sufficient to combat child labour. Many national laws tend to exclude the informal sector and agriculture where most children work. The report explains that even in industrialized societies enforcement is very much a big problem. Legislation is also responsible which unintentionally make the situation worse by driving child labour underground into the mushrooming unregulated sector where detection, and therefore protection are more difficult. The report emphasizes on the matter to ensure legislation is complemented by other reinforcing and complementary measures.

The representatives of government, trade unions, employers and NGOs converged to interact on ILO proposed convention concerning the prohibition and immediate elimination of worst forms of child labour. (The Kathmandu Post, 1999)

2.5 Child Labour and Legal Provision in South Asia

Child Labour is an integral part of our society, is the consequence of an exploitative socio-economic and political reality. The magnitude of the problem is more transparent in South Asia. Out of the total of 250 million child labour in the world as estimated by ILO and UNICEF, South Asia is the habitat of half of the world's child labour population (CWIN 1998).

In fact, it is extremely difficult to provide precise statistic on the number of working children. Many of the figures are simply not available, since so many working children are employed in agriculture, as domestic servants or in an information sector occupation where exact quantification would not be possible. Children working in the formal industrial sectors are often doing so illegally and are not registered. However, the data published by UNICEF (1998) shows that, in India, 60 million children are involving in different sectors. In Bangladesh 10

million, in Pakistan 10.2 million, in Srilanka and Maldives 0.95 million and in Nepal 3.85 million children are involving as a child labour in different sectors. (CWIN 2002)

In South Asia, child labour is wider spread and increasing. Numbers in millions are alarming. All countries of South Asia have ratified the UN convention on the right of the child but no one has ratified the ILO convention No. 138 of 1973 that sets the minimum age of employment. Some prohibitive or regulatory legislation against child labour exist in most countries, but the enforcement is poor. Children engaged in child labour are denied of their basic rights enshrined in the convention. Among the work affected are those in hazardous occupations and exploitative situation sexually exploited children from a part of this workforce. Trafficking of girls for sex work within and between countries is increasing. The factor that precipitates most of child labour is poverty. The primary conscience of child labour is the denial of opportunity for education and skills training. Children thus growing to be illiterate and unskilled adults perpetuate poverty (UNICEF, 1995).

The system of child employment prevails despite several laws available to the enforcing agencies. For example, India Child Labour (Prohibition and Regulation) Act 1986 even legalized work of children in number of industries so much so even in hazardous occupations under family trade. In India due to dismal failure in implementation of child labour laws, and alarming rise of 4% per annum, have been observed in child development. Ironically, the present child labour law which provides for a fine up to Rs. 20,000/- and imprisonment ranging from 3 months to 2 years, has not been to convict a single offender since its enactment (UNICEF, 1998). Similarly, Pakistan and Bangladesh also have enacted laws prohibiting forced labour. For example, Bangladesh has some 25

special laws and ordinance to protect and improve status of children. The employment of Children Act 1983 and The Factory Act 1965 have prohibited the employment of children under 14 years. The law also stipulates that young workers can not be employed more than 5 hours a day. In Pakistan, child labour is interwoven with bondage, especially in carpet weaving, agriculture, brick making, surgical instruments, sports goods, leather, beedi making etc. Surprisingly this country has ratified ILO convention dealing with forced labour (UNICEF 1998).

2.6 Child Labour in Nepal

In Nepal, Child labour is punishable by law. According to the Children's Act 1992, section 53, in case any person commits any offence in contravention to section 131718 or abets other to commit such offence or attempts to do so, he shall be punished with a fine up to Rs. 3000 or with imprisonment for a term which may extend to three months or with both. According to the above mentioned sections (131718), the children under the age of 14 shall not be made to be engaged in work against his will, he shall not be employed in work as a labourer during the period from 5 o'clock in the evening to 6 o'clock in the morning, no child shall be engaged in work that is likely to be harmful to the child's health or to be hazardous to the child's life. However, these benches are not actively working because of lack of budget and manpower. Even today, their condition is no better at all. Again, there is existing the exploitation of the child labour. So, it is a serious issue.

2.7 Major Areas of Child Workers in Nepal

In the labour market, such children are cheap labourers. A lot of children are found to be involved in different dramatic sectors which have mostly been neglected by various reports.

Despite its legal prohibition, child labour exists everywhere in our country. No areas of the labour market are completely free of child labour exploitation.

Several CWIN research and survey studies have revealed that child labour is an integral part of labour market. From agriculture to industry, domestic service, plantation, construction, and transport service, one can find children employed as labour (CWIN/INICEF, 1995). The following areas can be taken as the main areas of child labour employment in Nepal. Most of the child from the rural area, they have come to be urban area in search of work. Therefore it is very difficult to find such a sector which is free from labour market.

1. Factory/ Industry; (Carpet, garments, handicraft's, printing press, welding confectionery, bread, loaf, match, pottery, brick kilns).
2. Mines; (stone quarry, Magnetite)
3. Plantation; (sugarcane, tea, tobacco, rice, maize millet)
4. Domestic service, such as fetching water, collecting fuels and fodder, taking care of young siblings, kitchen works, cleaning, and housekeeping.
5. Entrepreneurship/ shop; confectionery/ sweets, tea shops, restaurants and bar.
6. Transportation works; (helper, ticket collector)
7. Porter; (street porter/ loader, porters of businessmen, porters of treks, tourists)

8. Street; (street vendors, rag/ garbage pickers, beggars, street singers, shoe shiners, shoe makers, newspaper sellers, rickshaw pulling)
9. Construction works; (building roads, building house, building bridge, sewerage construction)
10. Sex work; (child prostitutes, middlemen, contractors, message parlors, child trafficking)
11. Bounded labour; (kamaiya tradition, debt bonded labours)
12. Refugee children, (child of Tibetan Refugees in carpet factories, children of Bhutanese Refugees in Eastern Nepal)
13. Migrant child labour; (migrate child labour from India, immigrant Nepali child labour in India, Rural migrant children)
14. Circus/music; (children in circus, children in puppet show/ magic, children in commercial musical programme)
15. Commercial advertisement; (children in TV advertisement, children in radio, children in print media)

Sattur (1993) points out 10 major areas where children are involving in Nepal. Those are as following:

1. Agriculture; is one of the major sectors of child labour. Mostly they involved in (livestock tending, planting, harvesting, plugging, fishing)
2. Cottage industries; is one of the major sectors of child labour. Mostly they involved in (pottery, carpet and clothe weaving, candle making, thanka painting, poultry farming)

3. Manufacture; (printing, bricks, bread, garments matches, cigarette soap, shoes plastics)
4. Selling (street hawking, petrol pump attendant, shop assistant, shoe shining, newspaper vending and delivery)
5. Manual labour; (rock breaking, mechanic, sweeper, road and building site worker, carpenter)
6. Tourist and travel industry (pottering, circus performer, rafting and tracking, guide, bus conductor, rickshaw puller)
7. Other way children, earn money; rag picking, prostitution, begging.

However, "CWA Save the Children (UK), 1997", divided working children into two forms. One is visible and another is invisible child work are as follows:

- Work within their own household seen as a natural part of growing up.
- Work in private homes (domestic work).
- Work in agriculture, on plantations and family farms.
- Hidden purposively by employers (inside factories, ship etc.)
- They work as unpaid helpers for adults, or as part of a "Group-work" contract.
- They work in illegal trade (done very discreetly)

2.8 Causes of Increasing Child Labour

We know that the main cause of child labour is poverty and lack of awareness and it is similar throughout South Asia. According to the available literature, the large number of people living incidence of child labour in this region.

The causal relationship between poverty and child labour has been the subject of controversy. As discussed earlier, an argument exist that child labour is not only a result but also a cause of poverty. Whatever the actual cause and effect relationship is commonly held view that poverty cause child labour raises the question of whether poor children should work while middle and upper class children should attend school. Poverty is seen as justification for the continuance of child labour and the attitude that it is acceptable for poor children to work instead of studying is prevalent. Much child labor legislation has been written with the tacit assumption that child labour is an economic reality of the country, since poverty is the cause (UNICEF, 1995).

Similarly, illiteracy and lack of awareness is another cause of child labour. (Ibid, 1995) Many parents who have had no education and skilled training themselves do not see the need for children to have such opportunities. Some parents see child labour as useful apprenticeship for their children to acquire knowledge and experience, which will help them as adult workers. Some parents prefer their child working to alternatives, especially when school is not seen as a visible investment for further gains (UNICEF, 1995).

The growing trend of the children in servitude should also be viewed in the broader perspective of the prevailing social injustice, lack of effective enforcement of laws and plans of action and inappropriate development

programmes. More concretely, the growing problems of children are not properly addressed nor are they critically analyzed. If we fail to do so now, the future will be uncertain and we will end up nowhere (Ibid, 1996). According to him, some of the major causes behind this problem are as follows:

1. There is unfair and exploitative economic relation.
2. They are socio-cultural exploitation and family disintegration.
3. There is lack of social awareness.
4. There is conventional approach of child development.

2.9 Child Labour in Hotel and Restaurant

Hotel and Restaurants are the major sphere of child labour in Nepal. CONCERN NEPAL restaurant and teashop work is one of the most visible and hazardous forms of child labour According to the report, there are more than 20,000 registered and non-registered tea shops restaurants in Nepal employing more than 71,000 child workers through out the country. All of these working children have been living in bleak and deplorable condition suffering, unhygienic working environments and long working hours at low payment.

"Voice of the Child Workers" (Pradhan, 1987) they come from these areas to urban area. Due to the poverty, homeless, lawlessness, orphans, the source of child laobur that is from where they come. Generally, the countryside is the first and major source of the child labour. The report argues that as in other sector of child labour Hotel *Kanchha* is also one of the major pan of this source. Generally, they are from the poor economic background and lower caste. They are the children of homeless and landless or they are orphans.

2.10 Migration and Child Labour

It is the large movement of a people seeking a permanent change of residence. In general, migration is the movement of people from one place to another with a purpose of settlement, recreation, seeking job as well as searching resources in potential places. In simple words, migration refers to a change of residence by an individual or a group. In previous periods, Nepali labourers used to migrate to Assam, Burma, Nagaland for earning money and in search of cultivable land. Now the trends have shifted from rural to urban.

A research report prepared by Sattaur on "child labour in Nepal" (1993) describes the trend of migration from rural to urban area. The author in his study clearly says. A migration becomes more a way of life for the rural peoples has given, rise to an informal labour industry to supply urban business with workers. Manufacturers and brokers exploit the naivety of rural immigrants, enticing them into indebtedness by offering loan at high interest, drawing their children into debt bondage, and bringing slavery to modern market".(clear this sentence)

A magazine 'Informal' on its title "Migration of Children, Causes and Consequences (1997) tries to reveal the causes of migration of child labour to urban area. Thousands of children pour into urban centers in search of job. The moment the children leave their homes their struggle for survival begins. Extreme poverty and landlessness in the rural areas are fuelling urban migration at unprecedented rates (clear this sentence).

A survey report on "Prevention of migration of children for the purpose of employment" conducted by INSEC (Informal Sector Service Center) (1996) reveals the results found out of 5 districts sampling that majority of migrant children belonged to Brahmin, Chhetri and Tamang

Caste/ethnic groups. 97% of the working children's families were engaged in farming and cultivated their land. Giving the operational definition of migrant children INSEC "explains that migrant children is understood as those children below the age of 14, who are employed in hotels, restaurants and tea stalls or as domestic servants in Kathmandu and Patan cities and who live a separated-life from their family, and have migrated to Kathmandu and Patan cities from other areas of Nepal. (clear this sentence)

CHAPTER – III

METHODOLOGY

This chapter deals about the methods applied by researcher to get research object. The researcher had employed various tools and techniques of anthropological research for collecting primary and secondary information from the field. The fieldwork was conducted on February to March in 2006.

3.1 Rationale of the Selection of the Study Area

This research was conducted in Kirtipur municipality area. The primary reason for selecting these areas is that these places are densely populated areas with several small hotels and restaurants. There was the high demand of labour because of much more tea-shops and restaurants. In this regard, this area is suitable for the researcher to find out the pull and push factors of child labour. Moreover, this area is suitable for researcher to find out the present situation of Child labourers and their economic value in their family. It is located on the eastern side of the Bagmati River and in the western side of Machhegau, Northern side of Kathmandu Municipality and Southern side of Chalnakhel. (There are nineteen ward numbers) I have carried out this study on our small hotel and restaurant limited in ward no. 3,4,1,2 only.

I was very much interested in their condition because often used to go there to have tea. And, the most serious moment for me there was that small children were washing the glass, serving tea and their condition was so miserable. So, I decided their and then to do some research (study) about them - it has been just to know their reality in totality. I have studied about them-their existing present condition, pull and push factors,

economic value of them. The more important reason for the selection of this area is that though there are also some cabin and high standard restaurant, only the densely concentrated small restaurant and hotel have hired child labour here. The former categories of the restaurant are found rather conscious on the age limit of the child labour.

3.2 Research Design

Research design is the most important component of any social research P.V Young (1949) defines research design as the logical and systematic planning which directs the research. Considering the reality that no single research design forms the totalities of a given research, two designs are formulated to this case study. This study has been descriptive in one sense as it documented the situation of child labour in hotel/restaurant. The exploratory design has been applied to explore some new fact regarding the pull and push factors, economic values and existing situation of child labour working in restaurant/tea shops.

3.3 Sampling Procedure

It was teashops/restaurants which are unknown about the no. of child labours and hotels and restaurants due to the lack of official records in Kirtipur, Municipality. All these teashop/restaurants were the universe of the study. Among them, however, all these 50 child labours teashops/restaurants were selected purposively by the researcher for the details study. A sample as name implies is a smaller representation of the larger whole (Goode and Hatt, 1981). At least one child labour is taken as a sample from each hotel and restaurant purposively.

3.4 Nature and Source of Data

Primary and secondary data were collected for the present study. Primary data are inevitable because a comprehensible analysis of situation of study area would accomplish prime and foremost objective. Besides, the various published and unpublished material equity were consult to the extent that the present study is related to.

3.5 Techniques of Data Collection

I did the questions related to the situation of the children. I observed their condition many days long and tried to identity myself with them to my best. And, I used these techniques.

3.5.1 Interview

The researcher applied the semi-structured interview in which some questions were pre-determined, some were not. Similarly, both qualitative and quantitative data have been collected through these tool. More over, this tool was helpful to understand pull and push factor of the in child labour, their present situation and economic nature of child.

3.5.2 Schedule

The schedule containing the set of questions were used to collect some of the basic data in terms of personal identification and population structure like family size, age, sex, main occupation of their family, their previous experiences, future attitude. It was also useful to get information on working place, working time and socio-economic condition of the respondent. I have used it for rapport building with respondents.

3.5.2.1 Case Study:

According to P.V. Young (1966) a comprehensive study of a social unit is that unit a person, a group, a social institution, a district, or a community is called a case study. In this regard, a few case studies have been conducted to acquaint more about child labours or to collect exhaustive as well as reliable information on their past and present situation of them, which helps to know the reason that pushed them to Kirtipur for searching the job have been done in this study five case studies which help know the fact. I have done the case study of Dinesh Tamang, Shankar Bhandari, Chandra Shekhar Rai and Manish Tamang to know their history and behavior. (see annex) And, I have analysed them in my tables also that represent the situation of other children labours of Kirtipur, Municipality.

3.5.3 Non-participant Observation

This is also an essential instrument to recognize the situation clearly and deeply. So this method was used to observe the behavior of the employers, physical appearances of the child workers, their fooding, clothing, lodging situations and their working environment. The relationship between owners and child labourers were also observed.

3.6 Data Analysis and Presentation

Data analysis is the most crucial constituent of any research work. Data don't speak themselves unless and until the researcher categorizes, manipulates, and places them in certain orders to make them easily comprehensible. The quantitative data collected through various methods and techniques were presented in table and analyze them on the basis of obtain information. Similarly, qualitative information were presented in

logical way under different/ various headings and sub-headings to make the argument more scientific.

3.7 Limitations

This study has its limitation. It is just for the partial fulfillment of M.A. thesis, needless to say. So, the following are the limitations:

1. This study only includes the child labourers below 15 years of age.
2. This study is not a universal study because it covers a very small area of Kirtipur.
3. The research study presents the child labourers employed in small hotels and restaurants, this study does not cover big hotels, restaurants, and others sectors where the child labour is prevalent.

CHAPTER – IV

SOCIO-ECONOMIC PROFILE OF THE CHILD LABOUR

This chapter presents the socio-economic condition of the child labour in the study area. It is necessary to analyze the socio-economic situation of children labour to understand the pull and push factors of child labour in urban area and economic value of child in the family.

4. Socio-economic Situation of the Child Labourers

Socio-economic is characterized by caste/ethnic composition, age group, family background, education, occupation of family, which has important linkage with child labour. Therefore, it is necessary to analyze the pull and push factors of child labour, their present situation and economic value of child in the family.

4.1 Caste/Ethnic composition of the Child Labour

The field study shows the 50 respondents come from different caste/ethnic groups. Those are Magar, Rai, Tamang, Brahman, Chhetry and others. The table no. 1 has presented the caste/ethnic composition of respondents. Such Chepang, Bania, Paswan. are a few in number whereas such castes as Magar, Tamang Newar, Chhatri, Thankuri are a lot in number. Raw, Brehman, Kumal are much fewer in number. It is because they are either fewer in population or higher in their social status. Their representation in Kirtipur seems to be reflecting their social status of Nepali society also. The Bramins are high whereas the Magars are low.

Table No. 1

Distribution of Caste /Ethnic Group

Caste/Ethnic group	Number	Percent
Tamang	11	22
Chhetry/Thakuri	5	10
Newar	6	12
Magar	19	38
Kumal	2	4
Brahman	2	4
Rai	2	4
Paswan	1	2
Bania	1	2
Chepang	1	2
Total	50	100

Source: Field Survey 2006.

The table No. 1 shows that 10% comprises of Tamang, 22% are from the Tamang community and 4% are from the Brahmin community. The rest are from other caste/ethnic groups such as Newar, Magar, Rai, Chepang, Kumal, Paswan and Baniya.

The table shows Tamang is the main ethnic group occupying 22% of the total respondents (no match with previous paragraph). Poverty and illiteracy lead to the migration of Tamang children towards Kathmandu and other cities in search of better life and job.

Lack of economic opportunities, low agricultural productivity, lack of alternative income sources, hard life, illiteracy, death of parents, socio7 political conflict due to insurgency in the village level are the main push factors for these ethnic groups to leave their ancestral place and to join in the hotel and restaurant for their survival.

Brahman, Chhetri and Thakuri representing 14% indicate the marginalization and displacement of even the privileged caste group from the village. Poverty and dropout from the school enforce them to leave their village. In this context, I have met with one child of the name of Dinesh Tamang who says that poverty has made him child labour. If he were rich, he would be going to school.

Case Study 1: A Case Study of Dinesh Tamang

A Case Study of Dinesh Tamang

Dinesh Tamang, a son of Sanu Kanchha Tamang and a resident of Daxankali, Kathmandu came to Kathmandu 2 months ago. (2 months in the time of my study). He has a 7 family members out of whom are two elder brothers, a younger sister (school going) and a younger brother with parent. One of two brothers has been disappeared for one and half years. Without the consent of his parent he fled to Kathmandu city in search of work and better life and found job in Mo. Mo restaurant of Kirtipur but he has not yet received his parents depend upon agriculture with little more other job and earn little of crops for feeding their family hardly for few months. He wants to go back his home after two or three months and help his parents. He looks rough and not well dressed lacking the warm cloth even in such a winter season. He is always sad and other children are also sad because of this children labour culture. So, what I see is that his personality is also being negatively built because of this child labour culture or critical. It is, after all because of poverty. He says that obligation and poverty is the root case of his becoming the child labour.

In the course of my meeting with small children I have asked them their age because I want to know them more and their existing situation.

4.2 Age Structure

From the child development perspective, the age under the 14 is a very important for child, socialization and for the formation of the self-identity and self-esteem will be carried into adulthood. There is very close relation between age structure and child labours. Generally the owner of hotel always want to have the child labour. Therefore, this situation is much stacking for all. The table no. 2 presents the age structure of the child labour working in restaurants/ tea shops in the study area.

Table No. 2

Distribution of Respondents by Age

Years	Number	percentage
11	6	12
12	2	4
13	19	38
14	23	46
Total	50	100

Source: Field Survey, 2006.

Table No. 2 shows that most of them (46%) working as child worker in restaurants and teashops in the age of 14. The percentage of 13 years child labourers are found 38% and the percentage of 12 years and 11 years are 4% and 12% respectively. Maximum child labours are of 14 years because they can work very well and easily. The masters feel easy to dictate them for work.

4.3 Family Background of the Child Labourers

Family is the most important and effective institution in the process of child socialization. That is why, it is very necessary to know about their

family background or parental status, who are involving as a child labour in small Tea Shop/restaurants (Hotel). To understand their socio-economic background, family is very important because it is the central unit of society.

4.3.1 Family Size

It is the key institution in society. A family consists of one or more women living with one or more men and their children (Madan, 1989) Family is characterized by a socially approved sex relationship, and different rights and obligations. Common residence and economic co-operation are generally associated with the family. The family is the first institution into which the individual is born. The family size of child labours is very important to determine the flow of child labours. The table no.3 shows the family size of the child labourers in the study.

Table No. 3
Family Size of the Child Labourers

Family Size	Number	Percentage
Less than 3	2	4
4-6	2	4
7-9	20	40
10 above	26	52
Total	50	100

Source: Field survey, 2006.

The table no. 3 shows that most of the children are not from small family. This table shows nuclear family structure is not prevalent in the rural areas where the economy is based upon agriculture. The poverty-ridden family with relatively large size family can not afford sufficient food clothing, education, health, entertainments, and other there is a close relationship between family size and child labour.

Basic, necessities of life The condition is further aggravated by the lack of economic resources and alternative incomes. The child labourers in found that they are from their family. Children can not get proper care find guidance along with basic education. This situation leads the children to leave their home and seek the work in urban areas. We see that the family size 10 above has the most number of child labourers. So, the bigger the family size is, the more there create the child labourers.

4.3.2 Parenthood of Child Labour

Family is the part of socialization in which a mother takes care of the children and a father provides the economic needs of the children. In the absence of mother there would not be the proper care, love and affection to the children. Similarly, in the absence of father, it is difficult to get proper economic support. I wanted to know more about their family. So, I studied about their parenthood. Family is the most important and effective institution in the process of child socialization. That is why, it is very necessary to know about their family background or parental status, who are involving as a child labour in small Tea Shop and restaurants (Hotel). The table no 6 shows the parenthood of child labour's parent.

Table No. 4
Parenthood of Child Labour's Parents

Parent	Number	Percentage
Father deceased	10	20
Mother deceased	4	8
Both father and mother deceased	1	2
Both alive	35	70
Total	50	100

Source: Field survey, 2006.

Generally it is saying that the children of deceased parents have more chances to leave their home because of lack of proper care; pathological deprivations as well as they are free from any sort of control. But my findings show that despite this fact there is also high number of children who have both the parents alive. In this regards, death of parent is not the main cause of child labour, but other factors are behind for increasing the child labour in urban area. So, the death of their parents is a strong push factor of the child labour. The child labourers are from their place to Kirtipur because of their parents' death in their children's childhood.

Case Study 2: Death of Parent Compelled to Child to work as Labour

In the course of my study I met Shankar Bhandari who has come here (Kirtipur) because of death of parents and lack of food sufficiency. And he says that he is getting in food here. So, Kirtipur is the pull factor for him because he can earn more here.

A case study of Shankar Bhandari

Shankar Bandari, a boy of 14 and son of Man Bahadur Bhandari, is from Handhuvan VDC Ward no. 6 Bara District. He has 4 family members father, elder brother and a younger brother. His father and elder brother do work in their agricultural field but do not have land to feed their family for more than 6 months. He was studying in a village school in class 5. After sudden demise of his mother his father could not afford to continue his school and he left his school. After that his father sent him to Kathmandu with a view to continue school. It present he started working in a house of Kirtipur as a domestic worker. Due to frequent physical torture by his master, he life his owner and joined tens-hop at Kirtipur, Nayabazar. he is feeling better he regarding the security of food and shelter but on the other hand he is experiencing the domination of tea shop master as well as senior workers.

He wants to continue school, if chances come. He has idea of collecting money and go back to continue school.

And after meeting him, I became very much curious to know about their family occupation. Are they really poor or what socio-economic background do the child labours represent? And, about food sufficiency of the respondents' family also.

4.3.3 Primary Occupation of Child Labourers Family

In Nepal, majority of the people depend on agriculture for their survival. In addition to agriculture, some people are involved in animal husbandry, business, service, wage labouring and so on. Like Nepal, this research also reveals that the child labourers family have occupied different economic strategies for their survival. The table no. 7 presents the family primary occupation of the respondents.

Table No. 5

Distribution of the Child Labourers' Family's Occupation

Occupation	Numbers	Percentage
Agriculture	34	68
Wage Labour	4	8
Others	12	24
Total	50	100

Source: Field Survey ,2006.

Table No. 5 shows agriculture is the main profession of most of child workers, families but it can not sustain them all round the year. The table shows that occupation as agriculture occupies 63%, wage labourer 8% and others 12%. In the study, others include domestic worker, carpenter, small business holder, labour, working in the brick kiln, working as a porter, painting the house, holding the handicraft work. Because of their orphanage, they think that they can earn much more money in Kiritpur

than in their areas. So, they are thinking about the incensement of their economic value. So, such is the push factor for child labourers who are at Kirtipur. I found that most of the child labourers are from agricultural occupation. But they are lacking even sufficient food in the family. Now, they have come to Kirtipur to earn much more. That is, they think they will getting much more economic value.

Table No. 6

What I see is that all the child labourers are from the poor family. The lack the sufficient land and food.

Food Sufficiency of the Respondents

Food Sufficiency in month	Number	Percentage
(< 1)	2	4
1-3	8	16
4-6	21	42
7-9	13	26
10-12	6	12
Total	50	100

Source: Field survey. 2006

The table No. 6 shows that only 12% of the respondent's families have the land which can produce food for the consumption of almost all round the year. Out of which 14% respondents did not reply the real situation of land holding and food sufficiency. About 4% of the family have the land, which can produce food that supports for only less than one months, 16% family land supports for 1 -3 months 42% for 4-6 months and 26% for 7-9 months.

The study shows most of the families have no sufficient land. So they seek alternative resources and other jobs for survival. So at the off-farm

seasons most of the poor families migrate to the accessible cities and town with their children for earning. We see that as 42% family has the food sufficiency of 4-6 months only. It is also a factors of making child labour. So, poverty is a reason because lack of food sufficiency comes because of poverty. So, they are trying their best for better d ream in their life, and are even ready to leave their house.

To understand their education or educational background, I asked them some educational questions and found that they were no illiterate in the maximum. It is important to know their existing present situation.

4.4 Education

Education is obviously an important factor in the development of the nation. Unless the majority of the people are educated, the development of nation is impossible. Illiteracy in society causes the many social problems including social discrimination, unemployment, marginalization, and exploitation over mass of the people. Illiteracy is one of the factors to contribute in the creation of child labour. The table no. 13 gives the clear picture of child labourers due to parent literacy.

Table No. 7

Educational Status of the Child Labourers and Their Parents

Educational status	Parents				Child Labourers	
	Father		Mother		No.	%
	No.	%	No.	%		
Literate	20	40	20	40	40	80
Illiterate	5	10	5	10	10	20
Total	50	50	25	50	50	100

Source: Field Survey, 2006.

The literacy rate of working children in restaurants and hotels was found to be 80% which is higher. Most of the children were found to attend school until the primary level and are forced to leave the school because of poverty, parent's inability to provide basic requirements for schooling. Further, education of a child is given the least preference by the parents and they do not encourage their children to attend school, as they are of the opinion that education does not bear immediate return. Then they are pushed to labour in many urban areas.

Table No. 8

They have their views on education. They are not interested to read and write because they know that they can not afford. They know the hard reality but, if they get the chance, a few innocent children want to join school. There are some child labours who want to join school. Some others don't want to join school either. And, some child labours have never joined the school in their life.

Child Labour's Views on Education

Particular	No.	Percentage
Want to join School	24	48
Not want to join School	16	32
Never join School	10	20
Total	50	100

Source: Field Survey, 2006.

The table No. 8 reveals that 48% of the dropped out children wants to continue to rejoin school, if chances come. Most of them have idea of collecting money and go back home to continue school. 10% of the respondents see no alternatives to work in hotel and restaurants and have no ideas to rejoin the school. Those children who want to join and

continue school have the ambition and will be dependent or most of the children tried to explain that education is a key element to get employed themselves. There are some constraints for joining school. But they are not now reading at all they have a strong desire to earn more and more money.

So, caste/ethnicity, age, family size, parenthood, education are related to social profile of the child labour. Similarly, primary occupation and food sufficiency are related to economic profile of the child labour. But, our study is related to socio-economic profile of the child labour. And, we will be further discussing about it in the next chapter entitled "situation of child labour in hotel and restaurant.

CHAPTER – V

CAUSES OF CHILD LABOUR

This chapter deals about the arrival in Kathmandu. Moreover, the chapter also describes cause of child labour.

5.1 Arrival in Kirtipur

Due to different reasons like poverty, natural calamities and many other reasons (clarify these) the children migrated to Kathmandu and started to work in different sectors and some of them came with parents, friends, and relatives. Whereas some of them were ran away from the house in their own way or without permission of guardians. The table shows how the present the distribution of child labourers with whom they arrived in study area.

Table No. 9
Distribution of Respondents by Their Arrival Kirtipur, 2006

Came with	Number	Percentage
Family members	19	38
Friends	17	34
Self	5	10
Master or employer	2	4
From Kathmandu valley	7	14
Total	50	100

Source, Field survey, 2006.

In the case of migration of children from their native land to the capital city, the table 9 (is it copy of other thesis or your own writing?) shows that majority of the Child Labours (38%) arrived to Kathmandu with family members in search of better life. Whereas, many of them (34%) arrived with their friends with or without permission of their parents/guardians. Similarly, 10% of them arrived in Kirtipur

municipality on their own. Maximum Child labourers have come with family members and minimum child labourers have come there in touch with master or employer.

5.2 Child Labour by District of Origin

I wanted to know about their origin and I see that majority of children are out of the valley. Due to the free labour market the movement of labour is not limited in a particular area of locality. They move from one place to another place in search of labour or work just for better life. The people normally do not want to give up their place of origin without any reason. Moreover, if they move from the place of origin to the destination, it is normally limited within the short distance. In the case of child migration, their parents do not allow to go a far distance. Therefore, movement of child labour is not limited in the particular area. The table no. 10 shows the distribution of child labour by districts of origin.

Table No. 10
Child Labour by Districts of Origin

Districts	Number	Percent
Kavreplanchowk	10	20
Sundhupalchowk	7	14
Dolakha	6	12
Ramechhap	4	8
Bhaktapur	4	8
Kathmandu	3	6
Bara	2	4
Okhaldhunga	2	4
Dhading	2	4
Argakhanchi	2	4
Gulmi	2	4
Sindluli	1	2
Rupandehi	1	2
Udayapur	1	2
Sarlahi	1	2
Nuwakot	1	2
Ilam	1	2
Total	50	100%

Source: Field survey, 2006.

The table No. 10 shows that 86% of the children are from outside the valley and most of them are from the adjoining districts of Kathmandu valley such as Kavreplanchowk, Sindhupalchowk, Dhading etc. Out of which most of the children are from Kavrepalanchowk (20%) and Sindhupatchowk (14%). From valley (Lalitpur and Bhaktapur) are only 14% and from Terai and inner Terai are only 10%. Most of the child labourers are from the surrounding districts. And finding shows majority of child labourers are from rural hill areas. They are 76%. Due to the lack of infrastructure development and hardship, the children migrate from these hill areas in search of better life and work.

5.3 Causes of Child Labour

Child labour is as old as human history. Nobody wants to leave his/her home without any cause. Therefore, Child labour is the result of lack of basic needs in their home and better life and good opportunity in the labour market place.

In the context of Kirtipur, there is not only a single factor which motivated them to immigrate. Mainly children are motivated by various causes like poverty, access to cities of Kathmandu, Large size of the family death of the parents, illiteracy and better economic value. On the other hand, they left their home due to lack of poverty, lack of working opportunities in the village, conflict due to insurgency, death of parents, and do not get support from relatives.

5.3.1 Push and Pull Factors

The push factors mean those factors which compel the children to leave their home. Indeed one can not normally leave his/her home with only one reason. Several reasons can push simultaneously at a time. Therefore, all 50 respondents were asked the detailed reasons of arrival in Kirtipur

and at last according to frequency of their response poverty, hard life, maltreatment and death of parents are found to be push factors. Those causes (write causes of living their home). Pull and push factors play vital role for entering the children into the labour market. The table no. 11 presents the main push factors of child labour according to the frequency.

Table No. 11

Causes of Push factors Child labourer

Push factors			Pull factors		
Causes of leaving	No of Res.	%	Factors	No of Res.	%
Poverty	28	56	Monetary value	28	56
Hard life in the village	9	18	A lot of food	10	18
Maltreatment in the Family	1	2	Good shelter	12	24
Death of parents	12	24			
Total	50	100		50	100

Source: Field Survey, 2006.

Table no (11) reveals that monetary value also plays an important role in making children come to Kirtipur. Among the total studied population, 56% were migrated to Kirtipur because of better monetary value. The second important cause was related to sufficient food which covers 20% of the respondents. They are not getting food for the whole year, they are coming to Kirtipur and this situation is an increasing one because of gradually low productivity. Similarly, the third major reason is good shelter which covers 24% of the total respondents. So, under the push factor are.

a. Poverty: In my study area of the children go to Kirtipur because of poverty. 56% to prove this argument, I present the case study of Shudama Singh, Dinesh friend. *He is from Sanothimi. He has two mother and seven brothers and sisters including himself. He was rich but his father was a gambler and drunkard. So, he finished all the riches and died. Now, he has been*

working as a child labour for 3 years from the age of 11 his case will be similar to that of Chandra Shekhar.

b. Hard Life: In my study area, children are to go to Kirtipur because of hard life (18%). To prove this argument, I present the case study of Bhagirath Tamang: *He is from Bara. He has a hut. He has no fertile land. So, he has to break the stone with the hammer. He has worked it for 2 months but felt hard to do it and is now working here for 6 months, from the age of 12.*

c. Maltreatment: So, it contains 2% and I present the case study of Madhusudhan Thapa Magar Shankhar friend. *He has three mothers and 10 brothers. And, he is from the first just dead. He says that all the property is in the name of his last step mother. And, he hates him and forces him to overwork. He does not make the reading environment for him. So, he has run away from the house he is working here for 3 months. He hears that his father is looking for the lost son. He says that if there were his mother, she would love and save him. But, his father is just like a step father. He is 13 years old. So, maltreatment and death of parents are push factors in his life.*

Pull Factors

a. Monetary value – In my study area most of the children come to Kirtipur because of monetary value 56%. To prove this argument, I present the case study of Dinesh Tamang's friend Depesh Acharya. *He is a poor Bharhman. So, his own parents have made him come to Kirtipur in this hotel. He sends salary to his parents. And, there is not known place for earning in his Okhaldhunga. So, it is his obligation and nobody know and saves his poor situation, he says.*

b. A lot of food – A lot of food 90% or food sufficiency is there in Kirtipur and the poor children are coming to Kirtipur. To support this argument I present the case study of Bhoj Bahadur Baniya Dinesh Tamang's friend from Hetauda. *He has food sufficiency of 4-6 months. So the*

family of 6 has to work for 6-8 months for others. And, they work including Bhoj of 12 years old. He has been admitted to class 4 but he failed in his examination twice. And, he is getting a lot of food here. And, he has not any alternatives and not any sources.

c. Good Shelter – In my study area, most of the children come to Kirtipur because of good shelter 24%. To support this argument, I present the case study of Ram Sharan Rai of 14. He says that he belongs to a simple family of members. Last year, Bagmati river flooded away all their land and swept away their house itself. The government did not do anything remarkable. And, one of his relatives (Kaka) brought him here. Now, he says that he has to be happy with the situation.

5.4 Children Entering into the Labour Market

Mainly there are pull and push factors playing the vital role for entering the children into the labour market. Again I

Table No. 12
Entry

Particular	No.	Percentage
Self	8	16
Relatives	29	58
Parents	8	16
Middleman	2	4
Employer	3	6
Total	50	100

Source: Field survey, 2006.

The table No. 12 shows that about 16% of children come to Kathmandu by themselves. They flee alone or in a group of their village fellows. The basic privileges can not be met and are rejected by their parent then they choose to flee to meet the better opportunities. In this study children's relatives are found to be more active in making a bridge between the children and hotel owner. This Study shows that the majority of them are their relatives, which occupies 58% Study reveals relatives of children's parents are asked to seek the job for their children in urban area who have

already made their linkages with hotel owners. Parents themselves are also found to send their children to labor market which occupies 16% of the total respondents. Middleman and the employer themselves occupy 4% and 6% respectively. So, better life in Kirtipur is the pull factor and maximum children have their relatives as the access to the city.

Pull factors: There are some pull factors which are responsible for child labour. From the case study of Dinesh Tamang and Shankar Bhandari I have come to know that a) Lack of poverty b) a lot of food c) good shelter are the pull factors that attract the children to Kirtipur. And, now they are living their life as the child labourers. In the same way, push factors are a) Poverty b) hard life in the village c) maltreatment in the family and d) death of parents through my study of child labour of Kirtipur area 41% are saving and sending their salary to their house. So, it is the pull factor for them to come to Kirtipur.

Consequences: After coming to Kirtipur, they are to work too much to work for a) too little wage can b) save a little money c) to have poor facilities d) Poor health—exploitation in a word, their life. So, such are the consequences of child labour, through they are earning money from it. Even from the case studies of the pull/push factors, all are not from free will but from obligations like poverty, food insufficiency, death of parents. I do not find them all happy except ones Shankar Bhandari Ram Sharan, Bhoj Bahadur, Dipesh. But, they use 6 have to or obligation in their response. They 11-14 years or 16 years old children are working and children up to 44 should not work or to be worked according to children. Act 1997 and labour act 1997. We can better see it in the case study of Manish Tamang of chapter VI.+

CHAPTER – VI

SITUATION OF CHILD LABOUR IN HOTEL AND RESTURANT

6.1 The Existing Situation of Child Labour

Case study 3: A case study of Manish Tamang

Manish Tamang is a 13 years old boy from Dolakha. He is working at Kirtipur in a hotel. Here the working condition of child labourer at hotel restaurants is very miserable. While observing the situation of child labour in most of the hotel restaurants it is witnessed that during this season children have to work in severe chilly conditions due to the lack of warm clothing, shoes, proper health care with runny noses and coughs. He looks rough dressed wearing a single thin shirt, sad and wrinkled face can be seen obviously with cramping frequently due to coldness. Likewise, he washes dishes in cold water with skin freezing, peeling, cracking and bleeding and wounds that are unable to heal. He has to wake up early in the morning for shopping and start to chop vegetables, cook food, make tea and serve the customers. It is almost impossible to go to bed until the customers stop coming even late almost 12 o'clock night. I have come to know about his condition because I have been the regular costumer of that hotel for three years. So non participant observation has made me clear about it and he uses benches or straw mattress to sleep in the floor.

To know their existing situation and the economic condition, I asked them and come to know about them such things.

6.2 Working Hours of Child Labourer

The children who are employed in hotels and restaurants have to work for long hours as compared to the other works such as child employment of buses and vehicles. The working time of children in Hotel and restaurant began before the sun rise and remain to nearly mid night. It is depended on the arrival of the customer in the hotel and restaurant for having foods. The table no shows the working of hours of child labour in hotel and restaurant in the study area.

Table No. 13

Working Hours of Child Labourer per day

Hours	Child labourers	
	No.	Percent
Less than 11	4	8
11-12	18	36
Above 12	28	56
Total	50	100

Source: Field survey, 2006.

The study reveals that only 8% of the children working for about 10 hours a day whereas 36% of the children were working for about 12 hours. Rests of the 56% of the children were found to work for more than 12 hours. This clearly indicates that overwork is the prevailing factor in most of the hotel/restaurants. Hence, the children work for tedious hours in improper working environment that exhaust them mentally and

physically. So, they have to work more than 8 hours, which is over the standard of ILO so there is exploitation even on the basis of working period.

6.3 Working period of child labour in hotel and restaurant

They are not only working permanently because of mistreatment of master, it is also the main feature mode of production (Mishra, 2062) of capitalist. There is the mobility of free child labour in urban area shifter from own occupation to another occupation if they get better opportunities/facilities. The table shows the working period of child labour in my study.

Table No. 14
Working Period

Duration	No	Percentage
One month or less	13	26
Two month or less	11	22
Six months or less	14	28
One year or less	9	18
More than one year	3	6
Total	50	100

Source: Field Survey, 2006.

The table No. 14 shows that the duration of work varies from one to six months, one year and more than one year depending on the children and nature of work. 26% of the children have been working for one month or less, only 6% have experienced working for more than one year whereas 18% of the children worked for one year or less than one year. Table shows two months or less and six months or less occupy 22% and 28% respectively. The finding shows their job mobility is very high because

their business is getting flourishable. They say that they are getting better chances of short period like six months or less.

And I wanted to know if they were going home. And their responses were all most half and half.

6.4 Going Home

Generally, it is true that the love and affection plays great role to return to home to the children who are outside of homeland. Here, the question "do you go to your home?" clarifies that whether they were getting love or not by their parents. And 58% want to go home. So, the majority of the children are not getting love. The table no. 15 presents distribution of respondents going home in the study area.

Table No. 15

Distribution of Respondents Going Home

Go to home	Number	Percentage
Daily	4	8
Weekly	2	4
Monthly	4	8
Half Yearly	3	6
Yearly	6	12
Sometimes	10	20
Do not go home	21	42
Total	58	100

Source: Field Survey, 2006.

The table no. 15 show that, out of 50 child labours, 29 boys or 58% used to go to their home to meet their family. But out of 50 boys 42% do not go to home to meet their family. Some of them said that they don't have either mother or father and some of them said their step father or step mother are very cruel, so, they don't want to go to home and some of

them said that after five/six years they will return to home when they became a good person.

The table no. 15 also shows that, only 8% child labours used to go home daily who are staying with their family in Krtipur area and only 4% child labours used to go to their home weekly, whose family is in Kathmandu valley. Another way 8% child labours used to go to their home monthly and 6% half yearly. The percentage of child labours, who are used to go home yearly is 12%. Generally, the child labours who used to go to their home yearly, are in Dashain Festival. 20% of child labours used to go home, sometimes. Generally, they go to meet their family 3-4 times a year. However, they have been suffering from homesickness. As maximum labours are suffering from poverty of their house, they don't want to go there. They want to earn much more. But are they really earning? There comes the question.

Case Study 4: A Case Study of Chandra Shekhar Rai

A Case Study of Chandra Shekhar Rai

Chandra Shekhar Rai, a child of age 13 and son of Amnt Bahadur Rai hails from Mauwansi, Udayapur. He has been accompanied by his parents. He has the family-members of five. parents two sisters and himself. But two sisters are already married away. After entering into Kathmandu, he joined a school at Sitapaila, studied in class one but not completed and returned back home. After one year he again came to Kathmandu and stayed in Disabled (Apang) Liberation Service Organization, an NGO for disabled children and his mother took him to "Asharam" a school for disabled and poor children completed his class 5. At this time he had to leave school it was because, his father drank much, went to school frequently and misbehaved with school staffs and teachers. Due to his father's behaviour, his peer group irritated him and rejected him, and then he left school. After that he joined to a hotel at Kalimati worked there for 6 months and left it due to low payments. This time he is

working at Sekuwa Restaurant at Kirtipur where he a relatively satisfied with the working condition. Despite this fact he wants to continue his schooling if chance came. But his wish is prevented by his family's condition that his father is drunkard and working as a construction worker at Dhapasi, his mother is living in Dharan and he has not meet her for few years. He has to earn for himself.

I try to understand their economic value between the previous and the present jobs. And I wanted to know their mobility of the jobs. Because of previous experiences they are getting more chances in hotel and restaurant.

6.5 Previous Experience

Table No. 16

Previous Experience of the Child Laborers

Particular	No.	Percent
Domestic servant	4	8
Hotel and Restaurants	21	42
Others	6	12
No previous work	19	38
Total	50	100

Source: Field Survey, 2006.

This table No. 16 shows that only 62 % of the working children have gained previous experience in many working fields. Out of which 42% of the working children have gained previous experience by working in restaurant and teashops while sonic 8% of the children worked as domestic servants and some 12% of the children worked in many 'other fields'. These 'other fields' include grill industry, agro works, brick kiln, cloth shop. This reveals that the rest of 38% of the children gained no

working experience previously. The finding is that the mobility of children in hotels/ restaurants is high. They shift from one place to another. This is because they are misbehaved or paid low or not given the basic facilities of food and clothing. Here , because of free labour market they are struggling to get better places like big hotels.

6.6 Wages

Most of the children are found to have informed that what amount of wages they will be paid and most of them are paid whenever they ask. Nevertheless, some of the children working in hotel/ restaurants are found to be unknown about their amount of salary. The table shows

Table No. 17
Salary Received by Child Labours

Salary Per Month	No.	Percentage
Less than 100	2	4
100-300	17	34
300-500	2	4
500-700	5	10
More	14	28
Total	50	100

Source: Field Survey, 2006.

Table no. 17 shows about 34% children are paid between Rs. 100-300. Similarly 4% children are paid less than Rs. 100 20% are paid between Rs. 300-500, 10% are paid between Rs. 500-700 and 28% of the respondent are found to be paid more than Rs. 700, 34% of the respondents are found to be unknown about the amount of their salary. This shows the variation in wage payment. Even 4% are getting less than

100. It is because of the nature of the work and the nature of the children regarding their capacity to bargaining with their masters. The study shows that they are weak in bargaining it is because they see no alternatives to get employed. Unknown about the amount of money they are paid means either they are going to be unpaid or the owners do not want to reveal the field amount so that they could deceive them easily. Some say that they themselves are getting the salary, others say that they themselves are not getting it.

Collection of salary:

What I see is that salary collection is done by the child labours themselves in the maximum. However relatives excluding the parents are also collecting their salary.

Table No. 18

Salary Collection of the Child Labour

Particular	Numbers	Percentage
Self	21	42
Parent	8	16
Employer	15	30
Relatives	6	12
Total	50	100

Source : Field survey, 2006.

The table No. 18 reveals that only 42% of the children keep their salaries themselves. They spend their money for their family in the maximum, they say. Similarly, parents of the children and relatives keep 16% and 12% of the children's salary respectively. The table also shows 30% of the children's salary was kept by employers and they were given whenever they asked with their masters. About 34% did not know

anything about their salary. Whoever kept their salary except few, most of the children replied that they had to send salary to their family. The table no shows the distribution of children who sent salary to their family.

The table (18) shows the contributing of children salary towards their family. As they have come to Kirtipur, it being the pull factor for them. But have they contributed or are they contributing for their family? What I have found in my study is yes in the majority.

Table No. 19

Distribution of children according to sending salary to family

Contribution	No.	Percentage
Yes	41	82
No	9	18
Total	50	100

Source: Field Survey, 2006.

The factors such as poverty, low productivity, absent from schooling of children enforce the children's parent to send their children to labour market of different urban areas in order to make them survive as well as to earn money for the family. On the other hand, the children themselves manage to enter into this market. This situation collectively helps increase the child labour. The salary received by the child workers, albeit, is found very low, the children's families living in bard core poverty feel that even this least amount of money would mitigate their hardship to some extent. The table no. 19 reveals that about 82% of the respondents have to send money to their family and about only 18% of children are found they do not have to support to their family. This meant that economic contribution of the working children towards their family is high. The rest of the children who do not feel they have the responsibility

towards their family are found to be deviated from normal behaviour of family and laid to urban area and joined to labour market by themselves it means that some children are not answerable for their family. They say that they can not earn such money in their area. So, Kirtipur is providing them such chances as the pull factors.

6.7 Saving from the Salary

It is found that the remuneration of small boys is very low. However, the question is raised whether do they save money? If save, how much? And if no, what is the reason? The table shows the saving done by the children.

Table No. 20

Distribution of Respondents by their Saving

Saving	Number	Percentage
Yes	41	82
No	9	18
Total	50	100

Source: Field Survey, 2006

The table No 20 shows that the majority of child labourers can not have money from their actual remuneration because of different reasons. Like low income, spending their money in other activities like cloths and entertainment. However, 82% responded that they can save a little bit.

6.8 Saving Amount

The respondent who can save money form their salary is asked about their saving level is given below:

Table No. 21

Distribution of Respondents by Their Saving amount

Saving in Rs. per month	Number	Percentage
Rs. 100-Rs. 200	16	32
Rs. 300-Rs.400	20	40
Rs. 400-Rs. 500	14	28
Total	50	100

Source: Field Survey, 2006.

The table No. 21 shows that 40% child labours can save Rs. 300-400/month. 32% a save Rs. 100-200 and only 28% can save Rs. 400-500 per month among the respondents. So, economic value between their origin land and Kirtipur is different in the sense that they are not getting money in their place. But here they are getting money. So economic value or monetary value of child labour in Kirtipur has the pull factor for them. So, these child labours are their in Kirtipur.

They are human beings (children). So, they have also child rights and I have been moved with their condition, specially in the case of facilities and problems.

6.9 Facilities Provided in the Working Place

Almost all of the working children are found to getting the facilities like food, lodging and lighter health care. Types of facilities are however varied. Especially the hotel and restaurants are such places where lodging and food are available to some extent. While observing the situation researcher finds that the lodging facility is not good for all. Generally, restaurants and hotel child workers are provided with some sorts of bedding and other sleep on straw mattresses and even on the table without mattress. It is found that those who get the bed as lodging facilities take it

as good for them. This is because they are provided with quilts which fire enough to avoid the coldness and sleeping space is somehow comfort.

The table no. 22 shows the facilities available for the child labourers in the study area.

Table No. 22
Distribution of Respondents by the Facilities at Work

Getting facility for	Number	Percentage
Food	34	68
Clothes	5	10
Resident	6	12
Medical	5	10
Total	50	100

Source: Field survey, 2006

According to the respondents 68% and 10% of 50 child labourers are getting the facilities of food and clothes respectively except their salary. Similarly, the child labourers who feel the major facilities, which they are getting now from their owner, shelter and medical are 12% and 10% respectively.

6.10 Place for sleeping

The below table No. 23 shows that the place to go for sleeping at night of child labourers. They are living in their own family, who are from Kathmandu Valley. The maximum child labours are sleeping on the seat of vehicles, specially in Kirtipur Yatayat. Minimum child labours are sleeping in the rented house of poor standard. The reason is that they can not afford the high room because of lack of money. So, Kirtipur Yatayat seems to be their gathering place.

Table No. 23

Distribution of Respondents by Their Sleeping Place

Staying	Number	Percentage
Family/ relatives	10	20
Owner's house	6	12
Rented house	2	4
Seat of the vehicles	26	52
Friends	6	12
Total	50	100

Source: Field Survey, 2006.

As mentioned by child labourers, majority of them (52%) sleep on the seat of the vehicles. According to above data, percentage of child labourers (20%) are staying in their family/relatives. 4% of them are sleeping in their rented house managed by their master. (12%) of them are staying with their friends. Only 12% of them are getting lodging facilities by their owner. It is because they don't have much money.

6.11 Problem Faced by Child Labourers

While questioned about problems about their workplace most of the children workers do not express openly about problems such as physical and mental faced by them by their owners. However, when the researcher observed the treatment of the owner towards the child labourers, it was found that most of the child labourers were suffering from the misbehaviour of hotel owners. The table no.24 show torture faced by child laboures in the Study.

Table No. 24
Torture faced by Child Labour

Torture	No. of Child labour	Percentage
Physical	20	40
Mental	20	40
Both mental and torture	10	20
Total	50	100

Source: Field survey, 2006

The above table No. 24 shows that it is found that majority of them were facing problem such as physical and mental torture. The table shows 40% of the children are physically tortured whereas other 40% of the respondents are mentally abused. Under the physical tortures are seen age beating, overwork and insufficient food and under the mental tortures scolding, a little salary and lack of love.

Karl Marx "exploitation is the root cause of conflict between the two classes of the society" (Communist Manifesto). The two classes of the society are no other than the master and the slave. As there is exploitation so there is conflict. But until and unless the labourers are organized as a unit, they can not fight against their masters. So, both with the society and the government, NGO and the INGOs should pay attention to their condition. Otherwise, one thing can be that they can be in the conflict in the otherwise forms. They are not getting any love and affection as the child rights. They have been exploited and exploited. So, it should be ended as soon as possible for a better society. They are not raising the voice themselves because they don't have any awareness about it.

6.12 Extra Involvement at Master's House

In study of the child labourers are also found to involve in the domestic works of the hotel owner in the free time. Such kind of activities

increased extra burden to child workers. The table no 25 shows distribution of respondents by work at the master's house in the study area.

Table No. 25

Distribution of Respondents by Work at the Master's House

S.N	Do you have to work?	Number	Percentage
1.	Yes	40	80
2.	No	10	20
	Total	50	100

Source: Field Survey, 2006.

According to the above table No. 25, minority of child labourers (20%) don't have to work at their owner's house. The child labours have to do much more things like cleaning house, washing clothes, washing dishes, care of children, shopping vegetable and others. Maximum children have to work at their masters. So, they are being exploited in such a way.

6.13 Leisure Time for Child Labourers

During field work, it is found that the child labourers are working 13/14 hours a day, The table no. 26 has presented leisure time for children in the study area.

Table No. 26

Distribution of Respondents by Their Leisure Time

Having leisure time	Number	Percentage
Yes	10	20
No	40	80
Total	50	100

Source: Field survey, 2006

The table no. 26 cleared that majority of the child labourers (20%) got leisure time and rest of them (80%) replied that they did not. As noted during the field work that the child labourers working on monthly basis were given leave one day or generally half day ones a week. It is also noted that the owner did not allow holiday for them. They go to watch field to play different games like cards, Khopi, to meet family also in their leisure time.

6.14 Attitude on Job

There are not harmonious attitude towards job. Most of them have high ambitions in life which is almost unachievable for them. Very few of them are satisfied with their present work.

Those they are working, are they really satisfied with their job? I wanted to know from the observation. I studied their behavior and interviewed them as a close friend.

Table No. 27
Level of Satisfaction

Satisfaction	Number	Percentage
Yes	30	60
No	20	40
Total	50	100

Source: Field Survey, 2006.

This study reveals that relatively a small majority of the children are satisfied with their job. This view is supported by two facts: first, they are provided with some facilities, like food and lodging than own house. Secondly, they see no other alternatives to survive. As far as they leave their present job they would loss the opportunity to live in. 40% of the children's response is they are unsatisfied. They are low paid, physically

or mentally tortured and sleeping place is not good. Since they don't have any alternatives, except child labour, they seem to be satisfied

6. 15 Future Aims of Life

Every one has an aim in life because man without aim can not get success in life. In the studied population, there is no homogenous aim in their life. Diffeen children said different aim of their life. The table no. 28 show.

Table No. 28
Distribution of Respondent by Their Aims

Aim to be a	Number	Percentage
Driver	21	42
Mechanics	5	10
Army	4	8
Policeman	3	6
Businessman	3	6
Don't know	14	28
Total	50	100

Source: Field Survey, 2006.

The above table shows that majority of the child labourers (42%) have aim to be a driver in future. When the reason for being a child labourer was asked, all of them immediately replied that they would have a very happy life. As noted in the field that some of them have been given opportunity too. But other child labourers gave different priorities such as mechanics (10%), Army (8%), policeman (6%), businessman (6%) however, 28% are not decided at all. They have such aims in their life because this professional people are their role models.

6.16 Problems in the New City

It is really that when children leave their homeland alone, they might have faced different kinds of problems such as sickness, hunger and bed less. The table No. 30 shows whether they had to face the problems or not.

Table No. 29

Distribution of Respondents by Their Problems

Problem	Number	Percentage
Yes	30	60
No	20	40
Total	50	100

Source: Field Survey, 2006.

According to the table, the majority of the child labours (60%) have expressed that they suffered from many problems and few of them (40%) did not have any problem. As they were living with their relatives, family and they are loved by their masters.

Human beings are not out of problems or they have to face different types of problems in their life time where they occurred. Children also are not out of this limitation. Generally, the child labourers alone in this capital city, so the researcher put the mind on this situation that how do they solve the problems if they are in trouble or in sick? The below table has been presented about this as follows:

Table No. 30
Distribution of Respondents by the Way for Solving Their Problems

How do you solve?	Number	Percentage
Owe with master/driver	18	60
Owe with guardians (family)	3	10
Owe with relatives	3	10
Owe with friends	2	6.66
Owe with police	1	3.33
Return to home	3	10
Total	30	100.00

Source: Field Survey, 2006.

According to the survey data, most of them (60%) replied that they owe help with their owner. It means they depend upon their master. But, 10% and 10% said that if they are in trouble or in sick, they owe help with guardians (family) & relatives respectively. The children who are staying with family such as parents, brother, uncle, aunt beg with their guardians. Similarly, 6.66% of them replied that their home if they are in trouble in sickness.

6.17 Health Status

The below tables presents the health status of the child labourers as follows:

Table No. 31
Distribution of Respondent's by Their Health Status

Any Disease	If, yes related to	No.	%	Since	No.	%
Yes	Chest/ bone	10	33.33	before (his job	20	66.66
No	Head+ eye	10	33.33	After this job	10	33.33
	Stomach	10	33.33	-	-	-
Total		30	100	-	30	100

Source: Field Survey, 2006.

In my observation, I find that the life of child labourers is very hard. However, only few of them (18%) have been found physically weak with some problems such as chest, bone, head, eye, stomach problem. In this study, large number of child labourers (41) or 82% have been found having no disease. This above mentioned table shows that 20% of among nine respondent are suffering from stomach problems such diarrhea, dysentery etc. Similarly, three respondent or 60% are suffering from disease related to chest & bone and one respondent is suffering from headache & eye trouble. The researcher raised another question to them that from when they are suffering from those disease? In this question, they informed that 60% of the respondents are suffering this disease before working this work and 40% of them are suffering after working this work or working as child labourer.

Some of them replied that sometimes even during sickness, they have to go for work because of daily wages system. In the question of treatment some of them get money from their owner for treatment and some of them replied that they have to pay themselves for treatment.

6.18 Awareness about Legislation/Labour Acts regarding Child Labour

It is saddening to know that 98% of the child workers in restaurants/ hotel are not aware of their own child rights and only a 2% are known about it but not in helpful way or meaningful detail. This is more or less the similar case with the owners. Only about 8% of the owners have very little knowledge on the child labour's act/right. They also can not explain it in detail. 82% of them are fully unaware of this. This shows the virtual absence of enforcement of child labour. This is because of the lack of awareness programme to be carried by the HMG and ineffectiveness of

the control mechanism in the same department. This is the greatest factor in pushing the children in labour market.

From the discussion, we can say that economic value is related to the child labourers. They are from their places to Kirtipur because they are earning a) money b) getting more and better chances of earning money, but they are not getting money in their areas. Rather, they are to be working just for food. 82% say that they are sending salary to their family. And, majority of them (48.78%) are saving Rs. 300-400 out of 41 respondents. 1 respondent says that they don't save or send money to their home. Since they can not add any money to their family in their areas and can add some salary to their family, there is the economic value of child labour in the eyes of the family. And the child labour is existing just like a culture. And, the use of salary in the productive case will create economic value but that of the unproductive case will kill economic value, for example, if the parents spend the salary in drinking or gambling, no economic value.

CHAPTER – VII

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

7.1 Summary

This study on child labour in small hotel/ restaurants/ tea shops is the outcome of field survey conducted at ward no 1,2,3,4, and 8 of Kirtipur. The restaurants/tea shop work is one of the most visible and hazardous forms of child labour. All of the working children are found to have been living in bleak and deplorable conditions, suffering unhygienic working environments and low pay.

50 respondents were selected for detail study. Regarding age group of child labourer, 13-14 age groups occupied 74% and 11-12 age group occupied only 26% (no match with your table) showing the incapability of smaller children into child labour market.

Different caste/ ethnic groups of child are also found in tea shops. Brahman, Chhetry and Thakuri were in large numbers. This had covered 14% of total respondents. Total percentage of other ethnic groups surpassed the number of former group which was 50% including Tamang (22%) , Newar (12%), Magar (38%), Kumal (4%), Rai (4%).

Regarding the district of origin, majority of children (i.e. 86%) were from out of Kathmandu valley. Most of them were from the adjoining districts of the valley such as Kavreplanchowk, Sindhupalchowk, and Dhading. Family size of the respondents were divided into 4 categories - up to 3 (4%), 4-6 (52%), more than 6 (44%) and 4-6 family size were found to be largest one.

The finding was that the family of large size could not sustain all of its members for the ultimate survival. This is one of the push factors to contribute to child labour.

Among 50 child labourers about 20% and 8% were fatherless and motherless respectively and 70% respondents had both parents. The death of the parents, though, functioned as the main contributing factor to make enter. The child labour market the finding of this research shows that only few of them (28%) were parentless.

Majority of the people hold the agriculture as their main occupation. The research conducted over 50 respondents in hotel and restaurants revealed that about 68% of the child labourers family had involved in occupation while the rest of 8% and 24% respondent's family worked as wag labour and other worker respectively.

Out of 50 respondents, only about 12% of the child labourer's family had sufficient land to feed their family but 80% had not sufficient hind to grow enough food for whole of the year.

Mobility of working children was found to be high. The finding revealed that 62% of working children had previous working experience and rest of 38% had no experience anywhere before entering into the hotels/restaurants.

The finding shows that only 47.5% of respondent's father and 13.04% mother were literate. So far as the literacy rate of working children is concerned 50% of the children working in hotels/restaurants were found to be literate.

The researcher found that there were various reasons for dropping out or

never joined school were poverty (48%), parents illiteracy (14%), for helping to patents (16%), no school around (2%) and other cause? (20%)

Regarding the nature of child labourer's work the finding shows that the working condition was very miserable. Most of the child in winter season do not get warm clothes, shoes, proper health care with running noses and coughs. They worked for long hours and they were found to use benches or straw mattress to sleep in floor 8% of she children were found to work for 10 hours. 36% of them worked for more than 2 hours, whereas majority of them (56%) worked for more than 12 hours.

The children working in hotels/restaurants do not remain at one place for long time They were found to shift from one working place to another more frequently. Only 6% of the respondents were found to work at a place for more than one year. Similarly, 26% were found to remain for one month or less, 22% for two months or less, 28% for 6 months or less, 18% for one year or less.

Wages or salary of working children was very low. Only 28% of the working children were found to get more than Rs 700 a month. Similarly, 34% of them received Rs 100-300, 24% of them received Rs. 300-500 and 10% received Rs 500-7000 out of total respondents. One of the major consequences of child labour is that their economic contribution towards their family was found to be very high 82% of them replied they had to support their family whereas only 18% of them explained they did not have.

Facilities provided in hotels/restaurants were not varied These privileges were found to be more or less similar, food, lodging 42% of the children were found to sleep on the mattresses, 42% on the bed and rest of 16% on the table.

Regarding future preferences 42% of the respondents were no longer interested to remain in present work and they wanted to go back home 46% of the respondents wanted to continue this work. Rest of the children wanted join in any other alternative job seeking the better chances.

In the context of harassment and exploitation, 40% responded that they are harassed and exploited by different persons, such as master, police, senior friends. In the course of field study, it is found that, child labours are falling in different kinds of bad habit.

7.2 Conclusion

There are a lot of causes of child labour. Not a single factor is responsible for it. However, my finding shows that a) poverty, b) insurgency, c) access to cities of Kathmandu d) illiteracy and e) large size of family and death of the parents are basically responsible for the children into the child labour market. The never-ending flow of child labour to Kirtipur is just like a culture in which these causes are responsible for.

Majority of the children from ethnic group to join this sector does mean that their family's earning mid agricultural production are unable to sustain them for whole of the year. Only 12% have food sufficiency of 10-12 months. They have been facing with the problems of poverty since time immemorial. Therefore their offspring are more vulnerable to enter into child labour market. The second largest group-Brahman, Chhetry and Thakuri (44%) entering into (his sector reveals the facts that etcher these people encounter with the conflict caused by insurgency so displaced from rural areas or facing hardship of life there. This situation is functioning as the push factor to create child labour. Majority of the working children are from the adjoining districts of Kathmandu valley

because it is an easy access to cities of Kathmandu. Abuse of parents did not bear their impact on the creation of child labourers in this research. No respondent was found for this cause. Large size of the family and death of the parents are also responsible to the children into child labour market. It is obvious that main occupation of Nepalese people is agriculture. Drought and natural calamities and traditional way of farming result in low production ultimately because the severe poverty that functions as another push factors to create child labour.

Parents, relative, employer, middleman encourage the children or create an environment to push them "into child labouring. Children themselves seek the way to flee to different places in search of work. The result concludes so. Therefore, these forces or environments are also the push factors. Urbanization leads to the free labour in the society. Regarding education, the majority of the working children (80%) are literate means they ultimately drop out from the school so as to not attending higher grade. Parent's literacy rate is low (father 47,5% , mother- 13,04%) Dropping out of school or never joined school is another push factors to create child labour. Poverty, parent's illiteracy, helping to parents, no school around and other causes of fear as Maoist abduction in school, not interested in study, lack of educational materials, parent's negligence) enforce the children to dropout from school and never joined the school. Not continuing the school in turns an environment for child laboring which is also push factor.

Regarding the nature of child work, they work for long hours means majority of them are round to work for more than 12 hours. Therefore, overworking is the main feature of working children working in the hotels/ restaurants. Another feature is not to remain at one place for long duration. Only 18% of the respondents are found to remain at one place

for more than one year uncovers situation. There is not link with child labour and government policy. There is a difference between theory and practice in the field of child labour in hotel and restaurants.

Wages are low. Result shows only 10% of the children receive more than Rs. 700 as salary reveals the fact that they are living with meager salary it is because they see no other better alternatives or at least they are provided with enough fooding and lodging. With this meager salary, they can not think for survival of the whole of the family. So there is the economic value of the child labour in the family. They are supporting their family through their labour.

From the research, it is found that the child labourers have to support to their family. That is, the child labourers contribution towards their family is high.

Regarding facilities provided in the working place, almost all of the working children are found to getting the facilities like food, lodging and lighter health care. Whatever the quality may be they get the lodging facilities (a very few with good quality and a larger number with bad and moderate quality). 68% of the working children are found to get enough food. These are some of the consequences to their life after joining this sector. Urban child labourer are the supplementary source of their family income.

Regarding problem faced by them. Majority of them are physically tortured and some of them are mentally abused. This implies that the working children are not in comfortable position, or they are not feeling better except in getting the facilities of food and lodging. Health condition of some of them is not good. This is a consequence of child

labour to their life. Somehow, their economic condition is better in urban area than in their original area.

So in conclusion, pull and push factors: The push factors of the child labourers are: poverty, step-parents lack of education, Maost insurgency and access to Kathmandu.

The Pull factors of the child labour are better economic value of their labour, free labour market and fashion or trend of their friends and relatives to go from their area to Kirtipur.

Economic Value of Child labour: The children are in Kirtipur because they earn more money here. But in the case of the village there is not such a market that they can get such a job. That's why there is mobility of child labour in Kirtipur and the more they get at the place the sooner they get to the place in Kirtipur.

Existing Situation of the Child labour: Their situation is poor. There is no laws or implementation of laws. So, poverty n every respect is synonymous to their situation. They are poor in income, health, education, facilities, saving and love getting.

7.3 Recommendation

The employment of children under 14 is against the international convention adopted by ILO on minimum age (1973) and the employment under 12 is against the UN convention on Rights of the Child (1989). Employing the children are against the Nepalese children's Act (1992) and Labour Act (1992). The researcher found that there is much lacking of knowledge over these laws and conventions adopted by HMG/ Npeal, being the enforcement mechanism very weak, child laboring situation is prevalent nation wide. Different NGOs/ INGOs are working in the

field of child labour. But their implementation is not effective. Only an effort of Rugmark and CWIN, an NGO working in children's right has been effective to curb the child labour problem in restaurant/ hotels of Kathmandu, the researcher identified the following recommendations.

1. Considering the high rate of children's literacy and school dropouts they need to be provided with educational support and remittance to school. The trend of dropping out should be reduced by enforcing the compulsory education.
2. The main reason for dropping out of school is economic difficulty, which in turn, create child labour. To ameliorate the situation of child labour, economic sustainability among the family of children should be guaranteed.
3. Child labour comes because of the structure of the society. The finding is that the socio-economic factor is really responsible for the situation.
4. NGO and INGO should do something for the betterment of them.
5. A co-ordination forum should be formed between HMG and many INGOs, NGOs working in the field of child labour.
6. A mechanism should be developed on the part of government to enforce the existing national and international laws, conventions on child labour/ child rights.
7. To implement the above action programme a monitoring body should be formed.

7.4 Recommendation for Further Research

The further researcher should focus about health and hygiene, abuse and neglect, sexual exploitation and harassment, and implementation of laws,

National and international level commitment of Government and their implementation for the welfare of the child. And it is also that, the further researcher should research about the activities of related NGO/INGOs and their impact on society.

REFERENCES

- CWIN, 1988. Urban Child Labour in Nepal, Child workers in Nepal, Kathmandu
- - -, 1995. Survey Study of Child Labourers in Kathmandu Valley. Child Worker in Nepal, Kathmandu.
- - -, 1995. Survey Study of Child Labourers in Kirtipur Area. Child Workers in Nepal, Kathmandu.
- - -, 1998. State of the Right of the Child. Vol-25, Child Workers in Nepal, Kathmandu.
- - -, 1999. Voice of Child Workers, Issue.No.28, November, Child Workers in Nepal, Kathmandu.
- - -, 2001. The State of the Rights of the Child in Nepal 2001: Summary of National Report, Child Workers in Nepal, Kathmandu.
- Dhital T., 2000. One Decade of Convention on the Right of the Child commitment, implementation and Achievement. Workshop paper, CWIN, November-23.
- Gillian, B., 2002. Child Labour in Nepal: Understanding and Confronting its Determinants, Innocenti Research Center, Italy.
- Goode, W.J. and Hatt. P.K. 1952. Method in Social Science Research, New York: MC Graw Hill Book Company
- ILO,1993. Full text of Convention and Recommendation on the Worst Forms of Child Labour, ILO, Geneva.
- ILO/IPEC, 1995. Child Labour in Nepal, Vol (1): ILO/IPEC
- Madan, S.N., 1989. Dictionary of Anthropology, New Delhi: Anmol Publications.
- Mishra, C., 2062. Puji Bad Ra Nepal: Mulyankan Prakasan Pra. Li., Kathmandu.

- Pradhan, G., 1987. Voice of Child Workers: Hotel Kanchha in Kathmandu. A Survey Report of CWIN: CWIN.
- - -, 1994. Dimension of the Child Labour Problems in Nepal. CWIN, Kathmandu.
- - -, 1996. Children in Nepal. Situation Problems and Prospect, CWIN, Kathmandu.
- - -, 1998. An Overview of the Child Labour in Nepal. CWIN, Kathmandu.
- Sainju, Bijaya, 2003. Child Labour in Restaurant and Tea Shops in Nepal: CONCERN.
- Sattaur, Omar, 1993. Child Labour in Nepal. CWIN, Kathmandu, Nepal.
- Suwal B.K. and B.K. Adhikari, 1997. Child Labour in Nepal, Central Department of Population Studies, T.U. Kathmandu.
- UN, 1989. The UN Convention: on the Right of the Child, Oxford University Press.
- UNDP, 2004. Human Development Report. Oxford University Press, New York.
- UNICEF, 1996. Survey of Children, 5-14 years old, Kathmandu.
- - -, 1998. An Overview of Child Labour's Situation in South Asia, Kathmandu.
- - -, 1998. Child Labour in Nepal. Vol-3, Child Workers in Nepal, Kathmandu.
- Young P.V. 1966. Scientific Social Surveys and Research (4th ed.). Prentice Hall, Inc., Englewood, Cliff and, N.J. U.S.A.

Appendix: A

1. The Constitution of the Kingdom of Nepal, 1990 Part: 3 Fundamental Rights

I. Rights against exploitation

1. Traffic in human beings, slavery, serfdom or forced labour in any form is prohibited. Any violation of that provision is punishable by law, but nothing mentioned herein shall bar the provision for compulsory public services by law.

2. No minor shall be employed in any factory, mine or other similar hazardous

II. labour Act, 1992.

Chapter 2: Employment and Job security

Section 5: Employment

1. No child shall be employed in any establishment.
2. Except in prescribed circumstances, minors and women may ordinarily be employed for the period from 6 a.m. to 6 a.m.

III. The Children's Act, 1992.

Chapter2: Rights and Interests of Children

1.7 Restriction on employment of young children.

1. A child who has not attained the age of 14 years shall not be employed as a labourer.
2. A child who has attained the age of 14 years or above shall not be employed in work as a labourer during the period from 6 o'clock in the evening to 6'o clock in the morning.
3. A child who may be employed in work as a labourer shall not be made to be engaged in work against his/her will.
4. Every child labour shall be provided equal remuneration for the equal work without discrimination of any kind, irrespective of the child's sex, religion, color, caste and community.

5. Protection from engaging in hazardous work:-

Child shall not be engaged in work that is likely to be harmful to the child's health or to be hazardous to the child's life.

Chapter 5: Working hours and leisure

46. Particulars to be given by the person engaging a child as a labourer

1. The person or organization engaging a child as a labourer shall send a photograph and particulars of the concerned child in the prescribed form to the District Children Welfare Board.
2. The District Children Welfare Board, if it deems necessary, may cause to submit the particulars in addition to the particulars submitted pursuant to subsection (I), and check or cause to check whether the statement written in the particulars are correct or not. In case anything is found in contravention to this Act or existing law. or statement mentioned in the particulars while checking, the person who checked on behalf of the Board may give necessary directives to correct it.

47. Working Hours and Leisure:

1. While engaging a child as a labour pursuant to section 46. He shall not be engaged more than 6 hours a week.
2. Generally, after continuous work of three hours, a leisure of half an hour and a holidays of one day for each week shall be given to the child engaged in the work pursuant to sub-section (1) the leisure is half an hour for each day and a holiday for each week provided thus shall also be regarded as the working hours for the purpose of this section.

48. Punishment:

iv) Begging (Prohibition) Act (1962)

If guardian of another person has induced, abetted or aided children for begging shall be punished with a fine not exceeding Rs. 75 or

imprisonment up to three months or both by the order of the district judge.

v) Prison Act (1963)

Jailed child shall not be employed for work.

vi) Contract Act (1966)

Children must be 16 and above to be party to a contract.

Appendix: B

HMG/Nepal Policy on Child Development for the 9th Five Year Plan

1.1 Objective:

The objective of HMG will be to carry out physical, mental and educational development of the children with a view to preparing active, disciplined and responsible citizen of the country, and protecting and promoting their right and interest.

1.2 Policies and Strategies:

Child protection: The preventive, protective, and curative services and facilities aimed at ensuring the health of infant and adolescent will be improved and extended.

Legal Measures: The laws relating to child labour will effectively be implemented with a view of guaranteeing child rights and development. The practices of employing children illegally, in risky job, and bonded child labour will gradually be eliminated and special programme for blind-disabled, orphan, beggar and mentally retarded children will be earned out in order to make them self-dependent. For this purpose, all governmental and semi governmental, non-governmental and international non-governmental agencies will be mobilized. The programmes related to child rights and development will be carried-out in community based approach. Early childhood development programme will be launched to provide educational and other opportunity to the children will be launched to provide educational and other opportunity to the children under five years of age living in remote rural areas of Nepal.

Development: During this plan period, primary education will be made compulsory in a practical way. The qualitative and quantitative status of the children visiting nursery to pre-nursery level will be increased. In this regard, the participation of girl children will be encouraged. The

programmes as such will be carried out in coordination with governmental, semi-governmental, and international non-governmental agencies.

Participation: Children will be encouraged to participate in the communication media such as radio and television and particularly in broadcasting programmes for children since media has impact on the personality and psychology of children. Children will be encouraged to participate in the programmes meant for the promotion "of children's psychological and intellectual levels

Coordination, follow up, and Evaluation: Institutional arrangement will be made for the coordination, follow-up and evaluation of the programmes run by the Government, International NGOs, national NGOs and other organizations for the promotion of children's rights and development.

Appendix C

The Colombo Resolution on Children

At the second SAARC Conference on Children in South Asia in Colombo in September 1992, ministers and senior government officials from South Asia recommended intermediate targets towards the goals for the year 2000. Some of these include;

- Access to, and enrolment in primary education for at least 80 per cent of boys and 75 per cent of girls; and completion of primary education by at least 50 per cent of girls as well as boys by 1995.
- Progressive reduction of gender disparity in all the goal-related indicators.
- Raising the minimum female age of marriage to at least 18 years.
- Progressive and accelerated elimination of child labour. Strategies for achieving these goals include:
 - Increasing resources for human development, reduction of poverty and organizing and empowering communities to meet basic needs.
 - Assisting communities, especially of the poor, in mobilizing, empowering and activating themselves as viable groups in responding to the needs of children.
- Devolution of power to local level in order to establish a system of effective local self-government responsible for the community's goals for children.

APPENDIX: D

UNICEF CONVENTION ON THE RIGHTS OF THE CHILD

UNICEF is guided by the convention on the Rights of the Child and strives to establish child rights as enduring .ethical principles and international standards of behavior towards children. The convention is human rights treaty that came most rapidly into force. Ratified by 187 countries as of 15 April 1996, it is close to being the first such convention to achieve universal ratification. Among key provisions are:

Non-discrimination Article 2 requires countries to apply the convention to each child without discrimination of any kind.

Survival and development Article 6 affirms that every child has the inherent right to life, and calls on countries to ensure children's survival and development.

Freedom of thought, conscience and religion Article 14 guarantees children the right of freedom of thought, conscience and religion.

Abuse and neglect Article 19 requires the protection of children from all forms of violence, injury, abuse, neglect, maltreatment or exploitation, including sexual abuse.

Health and nutrition Article 24 stipulates that children have the right to the highest standard of health care and nutrition available.

Standing of living Article 27 calls on countries to recognize the right of every child to a standard of living adequate for physical, mental, spiritual, and moral.

Child labour Article 32 requires that children be protected from work that is exploitative, hazardous or interferes with their education.

Sexual exploitation Article 34 mandates that children be protected from all forms of sexual exploitation and abuse, particularly prostitution and pornography.

Armed conflicts Article 38 provides that States take all feasible measures to ensure the protection and care of children affected by armed conflict.

APPENDIX-E

ILO Convention 183

Convention concerning the prohibition and immediate action for-the elimination of the worst forms of child labour adopted by the conference at its eighty-seventh session, Geneva, 17 June 1999.

The General Conference of the International Labour Organization, having been convened at Geneva by the Government Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and 1 June 1999, and considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main plenty for national and international action, including international co-operation and assistance, to complement the convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour, and the main (key) provisions are :

Article 1: Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst foams of child labour as a matter of urgency.

Article 2: For the purposes of this Convention, the term "Child" shall apply to all persons under the age of 18.

Article 3: For the purposes of this Convention, the term "the worst forms of child labour" comprises:

- a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances:

c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

d) Work which, by its nature or the circumstances in which it is earned out, is likely to harm the health, safety or morals of children.

Article 4: (1) The types of work referred to under Article 3 (d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5: Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this convention.

Article 6: 1) Each Member shall design and implement programmes of action eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers¹ and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7: 1) Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention 84 including the provision and application of penal sanctions or, as appropriate, other sanctions

2. Each member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

- a) Prevent the engagement of children in the worst forms of child labour
- b) Provide the necessary and-appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.
- c) Ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- d) Identify and reach out to children at special risk; and
- e) Take account of the special situation of girls.

3. Each member shall designate the competent authority responsible for the implementation of the provisions giving effect to this convention.

Article 8: Members shall take appropriate steps to assist one another in giving effect to the provisions of this convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education

APPENDIX F:

United Nations Convention on the Right of The Child

Summary of some of the key rights stated in the 54 articles of the Convention on the Rights of the Child which came into force on 2nd September 1990. As in 20th April 1993, 134 states were parties to the convention including Nepal. The main areas covered are survival, protection, development and participation

- Children have the right to enough food, clean water and health care.
- Children have the right to an adequate standard of living.
- Children have the right to be with their family or those who will care for them best
- Children have the right to protection from all exploitation, physical, mental and sexual abuse
- Children have the right to special protection when exposed to armed conflict.

Norway in October, 1997. The conference adopted a declaration that resolves to eliminate child labour.

16. Colombo Resolution on Children - The Colombo Conference on Children focuses on progressive and accelerated elimination of child labour with access to and enrollment in primary education.

17. The Third SAARC (Ministerial Meeting in Rawalpindi (1996)- The SAARC Meeting on children held in Pakistan in 1996 adopted a Declaration expressing commitment to abolish child labour in forced or hazardous work by 2000 and child labour in general by 2010.

18. The Ninth SAARC Summit in Male (May 1997)-^The Ninth SAARC Summit held in Male in 1997 declared the years 2000-2010. The SAARC decade of the Rights of the child.

19. The Tenth SAARC Summit in Colombo (1998) The Tenth SAARC Summit of the Heads of States In Colombo. July 199| proposed a Draft

convention on Preventing and combating trafficking women and children for prostitutions.

viii) Not providing food at home ix) Seeing others earning money and work x) Because of friends

xi) Nothing else xii) Others

i) Do you have contact with your friend Yes No

j) If yes, how many times do you go to your house?

Once Twice Thrice Four times

More than four times

k) Whom do you live before leaving the house?

Parents Father Father and step mother

Mother and step father Grandparents

Sisters and brother-in-laws Brother and sister-in-laws

Brothers Friends Others

3 Economic Work:

a) What did you do at home?

Household work To look after the cattle

To bring the wood and the grass labour

Others

b) Are you happy with the present work?

Yes No A little

c) If yes, why?.....

d) If not, Why?.....

i) A little money ii) Difficult to work

iii) Trouble given by others iv) Other reasons

e) How much do you earn in a day?

i) Less than Rs. 25 ii) To Rs. 50 iii) to Rs. 75

iv) To Rs. 100 v) More than Rs. 100

f) Do you maintain with the earned money?

Yes No

g) What do you do if you don't maintain with the earned money?

- i) To borrow ii) To pickpocket iii) To steal
- iv) To beg v) to do nothing but just sleep with empty stomach vi) To do nothing just save it

h) Where do you keep the saved money?

- i) Relatives ii) Myself iii) Shopkeeper

i) How long do you work in a day?

- i) 8 hrs. ii) 10 hrs. iii) 12 hrs

iv) More than these

4. Inhabitation:

a) Where do you live?

- i) By the street ii) On the bank of the house or shop

iii) House iv) With friends in the house

v) Some where vi) On the bank of the temple

vii) Others

b) Are you suffered by the police?

- i) Yes ii) No iii) Sometimes

c) If you have money, do you want to take a room?

- i) Yes ii) No

d) Are you suffered from shopkeepers/ rogues?

- i) Yes ii) No iii) Sometimes

5. Concept

a) What do you want to be?

- i) Rich man ii) A doctor iii) A policeman

iv) A teacher v) A businessman vi) I don't know

vii) Others

b) Do you want to read?

- i) Yes ii) No

c) What do you want to read?

- i) To be a great man ii) to earn much more money

- d) Why don't you want to read?
- e) If you want to read, how much will you want to read?
- i) To the school ii) To the college or more
- iii) I don't know

6. Do you want to earn money?

- i) Yes ii) No

7. What do you want to do?

- i) Play ii) Sing iii) Play iv) Visit
- v) I don't know vi) Others.....

8. Facilities got at the working place

a) What types of facilities have you got?

- i) To live ii) To have food iii) Clothes
- iv) Health Care v) All

b) If you have got the chance to live, how will it be?

- i) Mattress ii) Bed iii) Table iv) Bank

9. About health and personal sanitation

a) Have you ever been sick since you worked here?

- i) Yes ii) No

b) If yes, what types of diseases have you got?

- i) Cold ii) Fever iii) Diarrhea iv) wound
- v) Others

c) How did you get recovered?

- i) From hospital ii) Using medicines
- iii) From rest

d) Are you been provided with sufficient food?

- i) Yes ii) No

10. About the future?

a) What is you wish?

- i) Going back to the house ii) Continuing the work

iii) Searching other work iv) Others

b) Do you know about child labour Act?

i) Yes ii) No

c) Do you know about child rights?

i) Yes ii) No

d) Do you have reaction to b) and c)

If any