

CHAPTER I

INTRODUCTION

1.1 Background

Nepal is a landlocked country. Gifted with the invaluable natural resources it is situated in the lap of Himalayas. Geographically, it lies in 26°22' to 30°27' North latitude and 84°5' to 88°12' East longitude and its elevation ranges from 305 meters to 8,848 meters with the total area 1,47,181 sq. km, with the length 885 km and the width ranging from 144km to 240km. The Human Development Index (HDI) produced by UNDP and computed for Nepal for the year 2004 is 0.527 (HDI lies between 0 to 1). Nepal ranks 138 and falls in the low human development category. (Source: HDR 2006. UNDP)

Children are future pillars of the nation, so their all round development is quite essential. Children are innocent, faultless and symbol of creativity. But in our society, the proper environment for them is not available in which they could grow happily rather they are ill-treated and exploited by bourgeois people. In Nepal children are facing various problems due to the backwardness. "Poverty" and "Illiteracy" are the main causes of "Child Labour" in Nepal.

Child labour is not only the problem of an individual or a family but also the general problem of society. Child labour may be regarded broadly as any work of under recreation that children require. It is the working of children at unfit ages for unreasonable hours or under unhealthy conditions (Patterson, 1943:229).

The minimum age convention of ILO 1973 (No, 138) has defined “child” as a person below the general limit of 15 years or in special circumstances 14 years. Similarly, according to Nepal Labour Act, 1992 “Child” means a person who has not attained the age of fourteen years, and a minor as a person who has attained the age of fourteen years but has not completed the age of eighteen years, but the children act (1992) defined a child to be a human being below the age of 16 years and prohibits employment of children below 14 years of age as a laborers.

Child labour in Nepal has two distinct dimensions: One is connected with the rapid urbanization and the growth of industries. Children are engaged in various occupations such as the manufactures of carpet, the constructions of road building, quarrying and mining as well as working in domestic service in towns away from their homes. The other dimension is in the traditional areas of work such as agriculture, animal husbandry, handlooms, porters, grocery shops, other family operated business, domestic work; work in buses and hotels and restaurants.

Nowadays, child labour in Nepal is being considered very seriously. It is deeply rooted in most part of the country. Traditionally, children in Nepal are involved in agriculture domestication of animals,

Different intuitions have set different age limits in the context of defining child labor. ILO Minimum Age Convention, (1973), which has defined child labor below the general limits of

15 years or in special circumstances 14 years. Similarly, Children Act 1992 and Labour Act 1992 of Nepal have specified the group of boys and girls under the age of 16 years as children.

According to ILO 1996 the main factors contributing of child labor have been identified to be:

- ❖ Poverty.
- ❖ social customs, values and attitude
- ❖ Illiteracy of parents.
- ❖ Lack of access to education for children
- ❖ Agrarian relations
- ❖ Migration from rural to urban areas.
- ❖ Family disharmony and diminishing family support

Every year hundreds of children leave their homes and migrate to urban areas, because of curiosity and unfavorable economic conditions at home. They often work at Hotel/Restaurant industry, repairing shoes in the street, stone quarries and so on. The extent of exploitation is very high everywhere. Their condition appears to be quite worse than their earlier days in village.

The Hotel and Restaurant employed children have no other alternatives, and they stay there as long as the owner wishes. They always have to work from early morning to late night. They do not have chance to enjoy or even get holiday. So, they are exploited by their masters. The main right of children 'education' is disregarded by them. This study attempts to find out the present condition of child labour and trace out the socio-economic conditions of the child labourers in hotel and restaurants of Janakpur Municipality.

1.2 Statement of the problem

The childhood is the formative stage of human life so any adverse impacts during the period can last whole life. In such situation it needs delicate social tact to shape up the children so that they will be conscious and able citizen in future. The field of child labour in Nepal is still not very well researched, despite increasing public interest. The amount of information on child labour is very limited. In the absence of facts, very little is known about the large number of working children. Many children in the world are brought up under exploitative and abusive conditions. Those who strongly advocate the protection of the child right may be exploiting children in practical life.

Because of the low GNP, high population growth rate and limited resources for entertainment, crude birth rate are becoming significantly high as compared with other countries in the world forcing people of Nepal to survive in difficult situation. Because of the religious and cultural trends, early marriage makes the situation even worse. In the other hand, poor trend of sending girls to school and limited job opportunities; it is extremely difficult in order for them to raise their children with the basic necessities, such as food and education. To cope with the ever-increasing financial pressures, more and more children from the low income generating family are being pushed onto the street. It is also quite common for children from middle class and rich families if they do not meet demand of their child

Child labour is a serious and wide spread problem especially in south Asia and Africa. The situation in Nepal is not different. Although the constitution of Nepal 1990 guarantees the right of protection against exploitation as a fundamental right and prohibits the practice of trafficking of human being, slavery, serfdom or forced labour in any form and its violation as punishable by law, but it remains only in paper but not practiced.

The problem of child labour in Nepal is principally, due to the acute poverty of the people particularly in the rural areas. Most people

live on subsistence farming; exploitative social relations in the village further aggravate the problem. The harsh living conditions and frequent natural disasters lead to season as permanent migration of families and in some cases, that of children who, on their own, move from the rural to the urban areas (ILO, 1996).

The condition of child laborers engaged in hotels and restaurants is generally worse than in other employing agencies. The employers are well aware about their weakness and problem. So the employers prefer to take child as a laborer, because children are easy to handle in the way they like. The child labours play a supplementary role of adult labour. Children are cheaper, easily available, innocent, native willing, easy to control and exploit, and more reliable than adults. Children are a complaining labour force than can be made to do any work for as much time in whatever wages the employers want them to give. In addition, employing children means a guarantee of stable work force as they can be exploited continuously for many years. There are the reasons why the employers tend to hire children rather than adult labourers. They make the children work from early morning to late hours at night. They are paid very normal wages. They are deprived from basic human and children rights, nutrients, entertainment, sports and they have no holiday or any leave. The misbehavior and harsh treatment against children from their employers make negative and immoral psychological impact in their mind; as a result their lives become miserable and sorrowful. Today's children are the citizen of tomorrow and future of nation. Child stage is the most effective stage of human development. But if they are deprived of 'basic child right' and 'good mental and physical development', they can't be qualified person for the development of a family, society and nation. Therefore, child labour is not the person of an individual or a

family but it is the common problem of society, nation and 21st Century's globalize world.

Though little substantive research has been done in the field of child labour, anecdotal and case study evidences suggest that the situation is definitely getting worse in Nepal. The principal factor, responsible for this has been labeled as urban migration aggravated and accelerated by rural poverty, which has led to greater exploitation of child labour in Nepal. With increasing number of people in absolute poverty in rural areas, especially in hills, the trend of migration of children from the Hills to Terai and from Rural to Urban areas has been increasing day by day which is creating more problems of child labour in Nepal. However, the critical issues of child migration and labour have not yet been comprehensively and systematically studied.

In Nepal, there is an increasing trend of shifting child labor of child labor from rural to urban areas and from agriculture to non – agriculture. Generally, child labor in hotel and restaurant can be viewed as a normal phenomenon in Nepal, but a serious social problem. It is because a child labors working in hotel and restaurant are at the top of facing problems. Some of the problems they face frequently are as follows.

- a. Exploitation by their employers in the name of giving protection
- b. Uncertain future
- c. Low wages
- d. Job insecurity
- e. No holiday
- f. Long and uncertain working hours
- g. Devoid of gaining fundamental requirements

The use of child labor as a problem is well recognized by concerned authorities and personals. Several studies have been conducted about child labor in various sectors, but there are few studies in connection to child labor working hotel and restaurants. So, it is time to understand the present situation and clearly recognized the problem of child labor working in hotel and restaurant. Nationally and internationally, the child labor is becoming a severe problem in developing countries including Nepal. The present study is directed to surface up the picture of child labor perennially existing and it's an associated problems. The present case study in small hotels, restaurants and tea shops is guided by following research questions:

- What is the socio economic background of child labor working at small hotels, restaurant and teashop?
- How did they become laborer?

1.3. Objectives:

The following are the main objectives of the study:

- ❖ To find out the socio economic condition of the child labours in small hotels, restaurants and tea shops.
- ❖ To examine the educational status of the child labours.
- ❖ To trace out the existing situation of child labours working in hotels and restaurants.
- ❖ To find out the health condition of the child labour.
- ❖ To suggest relevant way outs for the betterment recommend measures for the improvement of their situation and to solve their problem.

1.4 Significance of the study:

Child right including right of protection and right of development are exploited but the existing child labor in the country. The right of protection describes that every child labor in the county. The right of protection describes that every child deserves protection against discrimination, exploitation, misbehave and insulting behaviors, hazardous works and separation of parents. According to right of development, every child has a right to attend education, entertainment, supporting activities and health care facilities etc., which are indispensable to maintain reasonable quality of life. Nepal has ratified those UN child right conventions in 14 th September 1990.

The magnitude and incidence of child labor is quite large in Nepal and is increasing and rapidly owing to lack of authentic and comprehensive research studies, as a result several contradictory information in flown. However there are a few studies, among them the majority of which have focuses on quantification of number of child workers, working conditions of the child workers and level of the child worker's exploitation. This study has focused on eradicating the child labor without considering the development of viable options and the economic consequences of eradication of child labor.

So this study has helped to find out the condition of child labor in Nepal. The study has been significant in different ways, such as to search the remedies of problem faced by hotel child labors for planners and policy makers of NGOs, INGOs, Go's, researchers and civil society. It has also helped to manage the exiting situations as well as to reduce the number of child labor in this sector.

1.5 .Limitations of the study:

This study is limited to a defined geographical area covering only a small portion of the population. So the generalization of the research may not be equally applicable to other parts of the country. This study was done cover a short period of time and therefore has limitations in terms of time that was spent with each child interviewed .So the study in limited only in Janakpur Municipality (piddari chowk area ward no: 9 and some parts of Thapa chowk area) where a large number only includes the child labors less than 16 years of age. And this study is not a Universal study because it covers a very small area of Janakpur Municipality. The research study presents the child labors employed in small hotels, restaurants and tea shops. So this study does not cover big hotels, restaurants and where the child labor is prevalent as well.

The ILO convention 182 defined the child an article 2 as the term' child' shall apply to all persons under the age of 18.

1.6 Organization of the Study:

This study is divided into six chapters. The first chapter is concerned with introduction of the study dealing with the objectives, statement of the problem as well as importance, limitation and organization of the study. Chapter Two deals with the review of literature relating child labour in the hotels/restaurants. The literatures are taken from relevant books, study reports, journals and seminar papers relating to the child labour. The Third Chapter contains the research methodology of the study. In this chapter method of data collection, sample size, research design and selection of study area have been explained. The Fourth chapters, consists of physical setting of study area. The fifth chapter deals with the data

presentation and analysis such as socio-economic characteristics, family background, working condition and environment of the child labourers, these data show the profile of the child labours in terms of their age, sex caste/ethnicity and place of residence wage. Finally,chapter six summarizes the major findings of the study as well as conclusions and recommendations.

1.7 Opertaional Definition of the Terms used

Child Labour: In this study the term child labour refers the children below the age of eighteen who are working in hotel/ restaurants labours.

Hotel: According to the Oxford Dictionary Hotel means a building where people stay, usually for a short time paying their rooms and means.

Restaurant: A place where the people can buy an eat means. There is no significant difference between Hotel and Restaurant in terms o serving the study area.

CHAPTER II

REVIEW OF LITERATURE

In this chapter an attempt is made to present a conceptual framework on child labour and the relevant literature pertaining to child labour in general.

2.1 Child Labour: A Global Overview

Historically, the problem of child labour first appeared in the 16th century. This was further expanded in different forms and area in the 17th century and children were further exposed to high risk areas in the 18th and 19th century. In Germany, France and UK, the problem of child labour was obvious in factories, cotton mills, and glass and match making and brick kilns, whereas in Norway and Sweden, the problem existed in farming, herd and fishing. In France, a welfare act for child labourers was introduced in 1841 and in 1853. The Government of Germany introduced the first law regarding the health and safety of children and trade unions in Europe began to raise the issue of child labour as part and parcel of their movement. However, the implement actions of the laws were very poor. The developed countries not only Germany, UK, Norway, Sweden, France but also Japan, Portugal, Cyprus, Belgium and Malta and a serious child labour problem until less than fifty years ago. It has been observed that some countries are not yet free of the child labour problem because of different social problems, economic exploitation and family breakdown (Pradhan, 1995).

South Asia is a home to over 400 million children, one quarter of the world's children. The South Asian Coalition on Child Servitude (SACCS) estimates involvement of at least 88 million children labour in the region, and other estimates range from 40 million to over 100 million.

Even with such varying figures, it is clear that even the most conservative official estimates reveal that a substantial percentage of South Asia's children are affected by the problems associated with child labour (UNICEF, 1995).

The children in many countries in Asia share a common pain and problems of child labour in their everyday life, statistics have revealed that almost half of the world child labour problems exist in South Asia. Because of growing poverty famine, unfair economic relations and social injustice, the children of these regions are forced to take on a major burden for survival. Despite many national, regional and international commitments to combat child labour, the situation of children in the SAARC region is far from satisfactory (Pradhan, 1995).

Earlier estimates based on very limited statistical information obtained from about 100 countries indicated that there were 73 million working children 10 to 14 years of age in these countries in 1995. However recent experimental surveys carried out by the ILO's Bureau of statistics in a number of countries indicate that this figure is gross underestimation. They further indicate in substantial numbers. The Bureau now estimates that, in developing countries alone, there are at least 120 million children between the ages of 5 and 14 who are fully at work and more than twice as many (or about 250 million) if those for whom work is a secondary activity are included of course 61 percent are found in Asia, 32 percent in Africa, and 7 percent in Latin America.

Although Asia has the largest number of child workers, Africa has the highest incidence at around 40 percent of children between 5 and 14 years old. Though primarily a developing country's problem, child labour also exists in many industrialized countries and is emerging in many east European and Asian countries which are in transition to a market

economy. Child labour is widespread throughout the countries of South Asia. Millions of children in the region spend their formative years toiling long hours for little remuneration at occupations which endanger their health and well-being. These children generally do not attend school and thus do not acquire advanced skills which could increase the life opportunities available to them (ILO, 1996).

Although, not a new phenomenon, child labour is one of the most pressing issues currently confronting South Asia. Despite growing international awareness of the problem, trends indicate that the number of children involved in child labour in certain sectors geographical areas is increasing. Economic pressures of inflation and effects of structural adjustment programmed have placed more families in difficult situations. Export-oriented products such as hand-woven carpets rely on cheap child labour and have boomed in recent years.

“Globally, approximately 250 million children of age group 5-14 work for livelihood in conditions of various degree of exploitation. Among the, 120 million work full time regionally, 61 percent of all child labour in Asia over 80 million children in this region are working in the most difficult circumstances” (NHDR, 1998).

Evaluations are 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 February, 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 sources of child exploitation and abuse in the world today. The program 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.

In this chapter an attempt is made to present a conceptual framework on an attempt is made to present a conceptual framework on child labour and the relevant literature pertaining to child labour in general.

2.2 Child Labour in Nepal

Nepal (1998) conducted a survey on child labour in Nepal with the objective of finding out the status of child labour, employment structure and working condition of child labour, examining employer's attitude towards child labour. The further aims to deduce viable areas of intervention along with suitable recommendations. The studies were carried out by enterprise from all development region of Nepal. The study conducted that:

- a. A majority of child labour are employed on daily waged basis.
- b. Majority of the family members generating child labour are illiterate and have a very low income.
- c. The child labour work for exceptionally long hours at a very low wage rate and under adverse working condition.

Pradhan (1995) has attempted to analyze the problem of child labour against the background of rural migration and urbanization. He has pointed out that the prime cause of child labour in Nepal is the social recognition of it as a way of life in our society. Poverty, starvation and deprivation are obvious key factors that had contributed to growing number of child exploitative labour market. Most parents in the rural and poor urban areas send their children to work not only for an additional income, but also to reduce the number of the hungry stomachs to be fed and hence, their financial burden.

Concern for Children and Environment Nepal (1997) conducted a study to find the working condition of the porter child labour in Nepal. According to its porting constitutes the major field of child

labour in Nepal. Even in the capital city Kathmandu the child porters can be frequently located. Further this study concluded that child labours come mostly from the backward communities. The study claims that 49 percent of the children are from Tamang, Lama, Bhote and other occupational castes. These children lack proper clothing and shoes. They carry “Namlo” (made up of just rope for supporting on the head). This study estimate their number as 550 in Kathmandu. Since portering is physically exhaustively mostly boys are engage in this occupation. Loads up to 70 kilos are pottered on the average an adult porter earns an amount varying between Rs.100 and Rs.150 per day. As against it, child porter earns nearly Rs.100 per day. Porters travel in dense and crowded areas, which are inaccessible to motor cars, vans and carts. Even though they nearly earn rupees per day, most of the child porter has no adequate shelter. Backache and chest ache are common to these children. They usually suffer from fever, diarrhea and dysentery. As they walk bare footed they succumb to injuries. The problems of the child porters, according to it have been least discussed in Nepal.

According to ILO/IPEC (1995), child labour is a widespread phenomenon in Nepal. It lacks accurate information, but scattered information and educated estimate indicates that the incident of child labour has been rising mainly on account of migration from rural areas. Children are found working as an integral part of family work force in the agricultural economy of Nepal. Major causes of child labour in Nepal are identified as a Object poverty and financial pressure, employment or underemployment, family disruption, lack of opportunities, inadequacy of the educational system, inadequate enforcement of legislation, and prevalence of favorable public attitudes and values.

Child Welfare Society, 1996 analyses two kinds of street children of Nepal, those that live and worked in the street and those that

live with their family but spend most of their time playing and working in the street. It goes into detail in analyzing the factor that compels the children to leave their homes and pass their hard life on the street. Many of these children desert their homes because of their abusive and alcoholic, maltreatment by the step parent and also due to the attraction to the towns. The age group of the children falls in the age group of 9 and 16 years. In the central development region 86 percent of the children are males while remaining 14 percent are females. A little less than half of the street children (48 %) were illiterate.

The street for many of these children is not only their home but also their work place. These children are engaged in the activities like pottering, begging, guiding tourist, picking money in temples, peddling rickshaws, petty vending, vehicle cleaning, rack picking, working as a construction worker and working as a tempo conductor, etc. These children earn an amount varying between Rs.25 to 100 per day. The human stories of these street children move one's heart.

NPC (1995) under the United Nations Convention on the Right of the Child stresses the causes of failure in implementing the Child Labour Act and lack of awareness about the child's right. Rural poverty, traditional social barriers and the plight of the child are directly related to the existing economic conditions prevailing in the family. As long as families do not have alternative source of income, children would continue to be deprived of their right. The report has pointed out that monitoring of different activities for the welfare of children has not been very effective. There was inadequate data collection regarding nutrition level and many other factors relevant to the proper knowledge of the status of children, in Nepal.

Pradhan and Sainju (1988) have analyzed the realities and challenges of urban child labour in Nepal with the aim of understanding

the nature and extent of child labour problem and highlighting and publicizing the situation of child labour. At present the number of children, both in rural and urban areas, is increasing and they miss every opportunity of their childhood. Since the country itself is predominantly agricultural, most children are found in agricultural based activities. In urban areas, the children are found in several types of work. The main employers of the children are carpet weaving industries, hotels/restaurants, rag picking, and domestic houses. In fact, they are found more or less everywhere including printing press, book binding, and street sweeping and so on.

The report has recommended some measures for the betterment of the child, which are as follows:

- a. Special education provision is urgently needed.
- b. Need to tackle the problem at its root cause, discourage the trend of migration from villages to city areas by implementing rural development program that can guarantee the rural population with their basic needs like food, shelter, clothing, education and security.
- c. Hiring young children in physical demanding work should be stopped as soon as possible.
- d. There should be proper laws and regulations to protect the children from exploitation and the bad working conditions. These laws need to be strictly enforced with severe penalties for offending employers sufficient to deter the abuse of working children.

With the main objectives as to find the actual scenario of hotel boys, CWIN (1987) conducted a study that was based on field observations and direct interviews with child workers, usually called Kanchha in hotels, restaurants and teashops, of Kathmandu. According to the findings of this study, the average age of children who came mainly

from the countryside ranges between 7 and 14 years. In Kathmandu, the adult to child ratio in the hotels, restaurants and teashops is 1:4. Each restaurant in an average employs 5.21 child workers.

The Kanchhas, according to this study, have to face a great deal of difficulties which are as follows: Uncertain working hours, polluted working environment, no work break, lower payment, no job security, maltreatment by the masters, no medical facilities, etc. The study has recommended that the problems of the child workers could be reduced, if the hiring of the younger children is stopped, if the tendency to leave the countryside is discouraged, if education is provided and, if a publicity campaign is launched to raise public awareness about the exploitation of child workers.

CWIN (1991) exhibits the socio-economic and working conditions of child labour as well as their problems. It has also tried to gather and disseminate information on the exploitation of child labour in Nepal. During the study period, CWIN has found 180-child laborer in government tea estates and 271 regular child workers in private tea estates. The number of children employed during the peak season is estimated much more than these numbers.

According to the report there are various reasons for the involvement of children in tea estates, which are as follows,

- a. Laborers tend to have large families.
- b. Parents prefer to send to their children to work.
- c. Most of tea laborers are impoverished and landless, so financial pressure is the primary reason why children are employed at the tea estates.

He has concluded that the issue of child labour in Nepal is of recent origin. However, premature child labour existed knowing and unknowingly in one form or other from the very beginning. Child labour

in Nepal is a response to the abject poverty due to the existence of unemployment and underemployment of adult family members in both rural and urban areas. Poverty in the rural areas bring boys to the city and finally to the child labour . Learning to survive and succeed on the streets is not without pain, fear and loneliness. The vulnerability experienced by new comers to the streets and those who have low status within the 'Khate'(street children, who do not have their parents and house) hierarchy even after several months or years on the trees are experienced. Experienced 'Khates' who demonstrate the techniques of success as 'Khate' also exploit new comers.

There should be complementary efforts by governmental, non-governmental agencies to resolve the problem. NGOs can, for example, be effective in advocacy, organizing communities and implementing small local projects. Similarly, the government can focus on the establishment of a conducive, legislative and policy climate, the provision of universal compulsory schooling, increasing access of poor households to employment and income, and ensuring strict adherence to certain minimum, labour standards such as prohibiting work on hazardous occupations.

ITAD (1994) conducted a study on "Status of Child Labour in Carpet Industries". This study was conducted after the introduction of a child labour free certification scheme of Nepal. In course of the study, the research team visited thirty carpet factories and interviewed twenty-four owners and thirty-four labors of carpet factories of Katmandu valley. The principal finding of the study was that children were found to be working in many factories for more than 6 hours a day, hence violating the labour laws. Carpet owner were skeptical and did not think it was practical for a poor country like Nepal to stop employing children.

The study has clearly deduced that the child labour cannot be easily abolished, but this can be managed and mobilized by implementing minimum conditions to employ children. In this regard, a few strategies are recommended, which can be useful only when all stakeholders will be seriously committed to implement starting right from the imposition of minimum working conditions.

2.3 Legal Provision on Child Labour

2.3.1 National Perspective

The constitution of the kingdom of Nepal is a fundamental law of the country and all laws inconsistent with it, shall, to the extent of such inconsistency, be void.

According to Nepal constitution (1990), the labour act was adopted in 1992. Following this, the labours rules were amended in 1993. The children's act was enacted in 1992 by addressing UN-CRC 1990. The common law code of 1963, the foreign employment act of 1985, and the human trafficking control act of 1986 also restrict the use of child labour and protect the healthy development of children.

The labour act, 1992 and the labour rules 1993

The current labour act prohibits the employment of children (under the age of 14 years) and provides various safeguard to minors (at least age of fourteen but less than 18 years old) children and minor are prohibited from operation dangerous machinery hazardous to health, maximum weight of load to be carried by a minor as, minor males (16-18) 25 Kg., minor females (16-18) kg, doing night duties (between 6 pm and 6am) and working more than 6 hours a day or 36 hours a week. It also sets a minimum wage for children.

2.3.2 Nepal's International Commitments

On September 1990 Nepal has ratified the convention on the rights of the child adopted on 20 November 1989 by the UN General assembly. Similarly, Government of Nepal endorsed the declaration on the survival, protection and development of children and undertook to “work for special protection of the working child and for the abolition of illegal child labour” of the world summit for children held at the United Nations in New York on 29-30 September 1990. As a member of the south Asian Association for Regional Co-operation (SAARC), Nepal has signed the Colombo Resolution. In accordance with this resolution, His Majesty's Government of Nepal is obliged to work for the following foals.

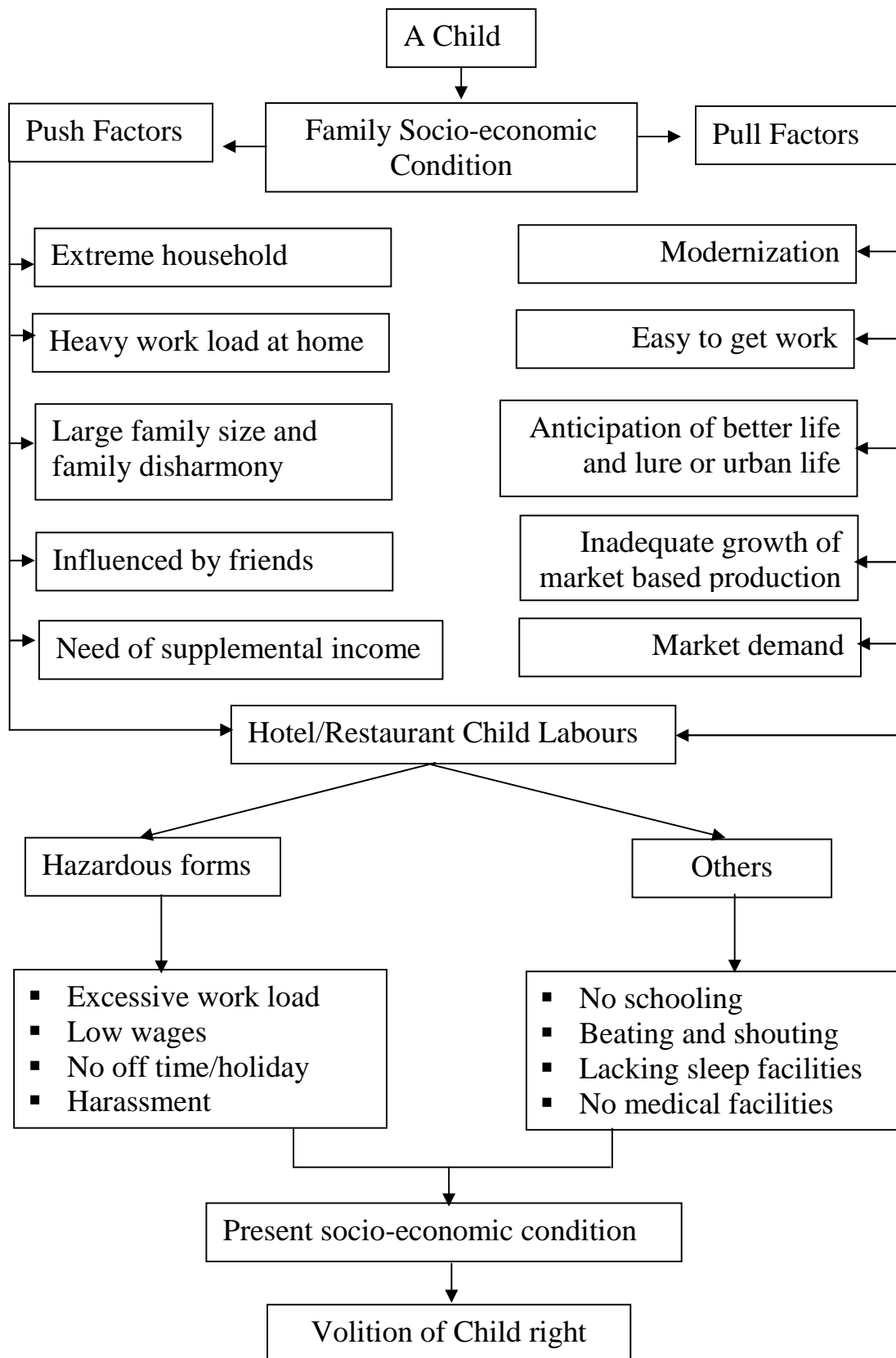
- Basic education: Access to, and enrolment in primary education for at least 80% of boys and 75% of girls and completion of primary education by at least 50% of girls as well as boys by 1995.

Furthermore, Nepal has ratified ILO convention 18, June, 1999 for elimination of worst and hazardous form of child labour. (The World Bank, 2001).

2.4 Conceptual Framework of Study

The literature reviewed on the related issues provides the basic of study. The present study is conceptualized with two phases of children's survival. The first phase is socio-economic condition of children and the second is employment in Hotel/Restaurants as labourers. There are related push and pull factors while living at home and other hazardous conditions while employed at Hotel/Restaurants. The conceptual framework of this study can be summarized as:

Figure No. 1: Conceptual Framework of Study



CHAPTER III

RESEARCH METHODOLOGY

This chapter deals about the procedure for the present study. It describes research design, selection of the study area, and general introduction of study area, nature and source of data, sample size, tools of data collection and method of data analysis

3.1 Research Design

This study is based on both exploratory cum descriptive research design. It is exploratory because attempts are made to investigate the minimum acquaintance about Hotel/Restaurant child labours as well as to explore the hidden facts and realities. On the other hand, descriptive research design is made to describe the socio-economic condition of Hotel/restaurant child labours and major problems associated with them which enables to present a clean picture of the phenomenon under investigation.

3.2 General introduction of Study Area

Janakpur is one of the popular religious places of Nepal, where there are many hotels and restaurants. This study is concerned about Child labourers working and their bosses exploiting them in different hotels/restaurants. Most of the child labourers are the migrants from different culture, ethnicity and geographical places. They might have different characteristics and behaviors in themselves. This study seeks best to examine their demographic socio-economic, ethnic, cultural characteristics and also working condition with causes and effect of child labour,

3.3 Nature and Source of Data

Different types of quantitative data and information have been collected and analyzed in this study. Both primary and secondary data have been used in this study. Primary data were collected during field study with the help of scheduled questionnaire. Similarly, secondary data are obtained from different sources such as published books, journals, publications and reports of different national and international organizations.

Thus, this study is based on both primary and secondary data. Primary data is used as the major sources of information.

3.4 Sample Procedure and Sample Size

For the purpose of present study, the term hotel has been used in the sense as general people here take it. These restaurants, teashops, Mom shops, coffee shops etc are grouped in hotel in this study.

This undertakes study has used simple random sampling for the purpose of selection of sample. 35 respondents from small hotels, 15 small restaurants and 10 tea shops were selected randomly. And one child labour from each hotel was selected randomly. Whenever there were one or more child labours in the sampled hotels, then the sampled unit was selected by lottery method by putting the name of the child labours in cup. And each selected was interviewed with the help of structured questionnaire. Hence, it has been assumed that the distribution of child workers is homogeneous in the different type of hotels. In total 60 child labours owners were interviewed with the help of structured questionnaire.

3.5 Tools of Data Collection

The following tools of data collection were used to get proper information:

3.5.1 Interview

Interview method, there is a direct contact between respondents and researchers to obtain required information from them. This method also aims at collecting information about qualitative facts such as ideals, feelings and views, behaviors that is very helpful to find out the truth.

3.5.2 Observation

Observation has been one of the basic techniques of data collection to document the present condition of the respondents. While interviewing the respondents (child labours in Hotel/Restaurant), the researcher observed his/her physical appearance, working condition, clothing, behavior of the employers activities of respondents during answering responding the questions. This method helps it find out the reality between doing, saying and whoring/existing situation of Hotel/Restaurant child labour

3.5.3 Case Study

In this field survey, a few case studies were prepared by interviewing each child and detailed account of their life, their experiences, their feelings and aspirations have been mentioned

3.5.4 Group discussion

Group discussion is an important tool for sociological study area. During study the case of field work the research had conducted informal group discussion among the discussion

3.5.5 Data analysis

The data collected through various tools and techniques has been analyzed in the subsequent chapters using both descriptive and statistical method of analysis. The data processing has been done by appropriate coding interpreted to make the meanings and implication of the study clear. The main aim of the analysis was to establish

relationship between root cause of child labour, their behavior, age group and ethnic composition

CHAPTER IV

4.1 Physical setting of the study area

Piddri chowk is located at the central part of the Dhanusha district of the Janakpur Zone which is headquarters as well as Hindus religious place. There are 103 VDCs in Dhanusha district. Piddari chowk is one which is situated between 26 degree 35' to 27degree 25' latitude and 85 degree 52'to 86degree to 20' longitude. The climate is tropical and temperature is maximum 30.3c and minimum 19.3c. Also the ecological area is Terai. The Annual average rainfall is 1479.8ml. It is situated an altitude of 90 meters above the sea level. The piddari chowk is surrounded by Thapa chowk and Janakpur Cigarette factory in the west, Ramanad chowk in the south and Mujeliya in the north. Also it is situated approximately 27 km from Dhalkewor (Mahendra highway).

Rice, wheat and maize are the major crop product in the arable land . The main cash crops are sugarcane. Mustard and ginger. Potato onion bean and green vegetables in the Bari and arable land. (Source VDC Profile 2010)

Child age is a schooling age. children should be school be sent to school as soon as possible so that all the children would to 7-19 aged children are engaged in the hotel and restaurants. Hotel owner does not support the children for the education.

This chapter deals with the situation of the hotel and restaurant child laboures especially deals with the background characteristics, family status, education status and economic characteristic of child labor. All the necessary data (primary and secondary) have been collected from small hotel/restaurants and tea shops in Janakpur municipality-9.(piddari

chowk) The data have been arranged in a systematic way to make up with the real situation of child labours employed in piddari chowk area.

CHAPTER V

DATA ANALYSIS AND INTERPRETATION

5.1 Socio Economic Aspect

Child labor reflects the poor economic situation of the under developed societies. Many children leave their home due to economic reason as well as family and social constraints. Usually problems of the child labours start when agriculture income is not sufficient to sustain the whole families in the rural areas. It is because; there are only limited alternative employment opportunities in rural areas. In such a situation, one of the viable opportunities is to send children in the urban level market. Sometimes they come with their own parents and relatives but some run away from the village without their parents consent. So the migration of child workers to the cities indicate that they are in search of a better livelihood, but the children end up with getting exploited and often experience a lifelong trauma. In this chapter an attempt has been made to analyze the data on social and demographic aspects of the child labours in the restaurants and hotels. The analysis covers socio economic characteristics, family background, causes of migration; working conditions and attitude and future aspirations of the children

5.2 Age and Sex Composition of Child labor

The researcher surveys the hotel and restaurant in Janakpur Municipality. There are total 60 child labour from the child development perspective, the age between 10-16 is critical period for child socialization, and for the formation of self identity and esteem the will be carried into adult hood. So this situation is much striking for

all. Those children who are seemed to be young are selected for this study, are predominantly from the age of 10 to16. Children belong to very poor families. Almost all the lower age children said that they had bread and butter problem while they were with their family and hence they were bound to work due to malnourishment. Almost all the children’s physical growth was lot less than the normal growth of Nepalese children. So they seem to be younger than their actual age. Table 1 shows that all respondents are divided into three groups based distribution on their age structure i.e. 5-10, 11-13 and 14-16 categories.

Table no: 1 Age composition of child labour

S.N	Age Group(in year)	Number of child	Percentage
1	5-10	8	13.00
2	11-13	40	67.00
3.	14 to 16	12	20.00
Total		60	100.00

Source: Field Survey, 2012

Researcher surveys the hotel and restaurant in Janakpur Municipality. There is total 60child labour. Table 1 show that most of the children (67%) belong to age group between 11 and 13 years and 20% of total children belong to 14 to 16 age group. Only eight children (13%) belong to age group 5 to 10, it may be because the children this age group cannot work the way that older can do. Beside this they need more guidance and follow up to their work so; the maximum number of child labours was from age group 11 to 13. It may be because they can acquire important occupational skills easily. Besides this, the older children get employment opportunities more than younger. Other reason may be that relatively older children may better serve the interest of the employers.

Hence, the employers prefer to hire older children in comparison to younger ones.

Table no: 2 Sex composition of child labour.

S.N.	Particulars	Number	Percentage
1	Boys	45	75.00
2.	Girls	15	25.00
total		60	100.00

Sources: Field Survey 2012

Both the male and female are engaged in this job. Table no, 2 exhibits that there were only 25% female child labours working in sampled hotel and restaurants. This lower percentage of female child labours in sampled hotel and restaurants may be because boys were preferred by owners than the girls. The table shows that maximum

Number of child labour is male child labour are engaged in the hotel and restaurant.

5.3 Ethnic/ Caste Composition of Child Labours

The caste composition of child labour in this area has wide varsity. As documented in Table no:3 children ethnic groups from various. The field study shows that the 60 respondents come from various ethnic/ caste groups. Among those are Shah (Teli), paswan, Nayak,, Mandal, Yadav etc. The table below presents the ethnic. Caste composition of respondents.

Table no3: Ethnic/ Caste Composition

S.N	Ethnic/ Caste Group	Percentage	Number
	Shah	3%	2
	Paswan	24%	15
	Nayak	2%	1

	Mandal	8%	5
	Yadav	7%	4
	Magar	3%	2
	Mahato	7%	4
	Mochi(Cobbler)	13%	8
	Sunuwar	3%	2
	Pradhan	5%	3
	Giri	2%	1
	Jha	2%	1
	Sharma	3%	2
	Raut	7%	4
	Dhobi	7%	4
	Sada	2%	1
	Mallik	2%	1
Total		100.0	60

Source: Field Survey, 2012

For all caste/ ethnicity, male were predominantly higher than females. Out of 60 samples taken, 75 percent were boys and only 25 percent girls. A wide ethnic/ caste group of children were found in this study. Paswan is in highest numbers. This had covered 24 percent of total respondents. And others is shah (3%), Nayak(2%), Mandal(8%), yadav (7%), Magar (3%), Mahato(7%), Mochi (13%), sunuwar (3%), Pradhan, (5%), Giri (2%), Jha (2%), Jha (2%), Sharma (3%), Raut (7%), Dhobi (7%), sada (2%), Mallik (2%). This study shows that the marginalized population in socio-economic stratus is more vulnerable to enter into the child labour market of economic opportunities, low agriculture productivity, lack of alternative income sources, hard life, illiteracy, death of parents and pervert are the major push factors for these ethnic groups to leave their ancestral place and join in the hotels and restaurants for

their survival. The number of respondents was highly dominated by the low caste and ethnic groups whereas the number of high caste and advantaged groups was very nominal.

5.4 Child Labour by District of Origin

Child labour of different hotels and restaurant of dhanusha district have come from different places because of their own problem.

Table no: 4 Child Labour by District of Origin

S.N	District	Number	Percentage
1	Dhanusha	22	36.00
2	Siraha	9	15.00
3	Sarlahi	8	13.00
4	Sindhuli	5	8.00
5	Mahottari	10	16.00
6	Udayapur	1	2.00
7	Jhapa	3	6.00
8	Bihar(sitamadhi)	2	4.00
Total		60	100.00

Source: Field Survey, 2012

The above table shows that 15% of the children are from outside the Siraha district and among them the majority is from Udaypur which holds 2% of the total respondents. Sindhuli district comes 8% with, Mahottari 16% and Sarlahi with 13% percent of respondents, Jhapa 6%, Bihar(sitamadhi), 4% Rest of the 36% sampled children comes from the Dhanusha district itself. The table also illustrates that majority of child labours from rural areas. This study shows that most of the respondents from neighboring district because it is easily accessible and near from their district.

5.5 Family Background of the Child Labour

Parental status is one of the important factors for the hotel and restaurant child labours which determine the future of the children. Nepalese society is basically male dominated society and although the existing law prohibits polygamy, it is not totally eliminated from Nepalese society, in

our society, if one of the parents of a child dies, the remaining parent usually gets married, Beside this if the parents are separated or divorced, the parents usually get married. As a result of these factors in most of the cases, the children are usually neglected or abused by step father or step mother. So. Domestic conflict and step father/mother's behavior towards their children are also the main causes which push their children to leave home and working hotel and restaurant as servant in urban areas.

5.5.1 Size of the Family

Size of family is influenced, in general, by sociological reasons besides economics condition. The level of education, culture, tradition, customs And religion is some of the factors that play a significant role to determine the size of family. Uneducated and poor families are usually found to have bigger families. Most of the children of in this study from big families.

Table no: 5 Size of the Family

S.N	Family Size	Number	Percentage
1	Up to 5	7	12.0
2	5- 6	16	27.0
3	7 - 9	28	46.0
4	11 - 13	9	15.0
Total		60	100.0

Source: Field Survey, 2012

The Collected information shows that only 12 percent are in up to 5, member family size category. Similarly 27 percent, 46 percent, 6 percent in 5to 6, 7 to 9 and 11 to 13 family size category respectively. This shows that the most of the children are not from the small family. They are from big and moderate sized family. This shows nuclear family structure is not prevalent in the rural areas where the economy is based upon agriculture

5.6 Parental status(Father alive or dead)

Well being and security of the children depends mainly on their parents. If the mother or the father is not alive or not with, then the life of the children becomes really difficult. They are bound to support themselves. In some cases small children are also forced to work to support their parents.

Either one or both of parents death leads in many cases to fulfill the vacancy by step parent, which is one of the main reasons for driving children out of their homes. This observation may not be true in all cases because most of the respondents of this study had their both parents alive. But it is almost definite that the death of any one of the parents brings stress and strain beyond the management of the child and it finally invites family dissolution. If dissolution of family does not take place the children may feel alienated and drive them away from the family.

Children are forced to work to support their parents. For instance, if the parent cannot or earn and if they do not have any alternative sources of income, in that situation children are bound to work and support their parents. One or both of the parents death leads to fulfill the vacancy by step parents, which is one of the main reasons for driving children out of their homes. This observation may not be true in all cases because most of the respondents of this study had their both parents alive. But, it is almost definite that the death of any one of the parents brings stress and Strain beyond the management of the child and it finally invites family dissolution.

Table no: 6 Parental status

S.N	Family Size	Number	Percentage
1	Father alive	45	75.00
2	Father dead	15	25.00
Total		60	100.00
1	Mother alive	46	76.00
2	Mother dead	14	24.00
Total		60	100.00

Source: Field Survey, 2012

The study shows that 25 percent of the child labours are fatherless and 24 percent of the child labours are motherless. It signifies that loss of mother is more likely cause to drive the children away from their home for work. But the hard fact is that though the parents are alive. Still a significant number of children are running out of their home for labour works.

From this survey study it is found that higher number of working children Those, whose parents are still alive, Because of the problem of hand to mouth problem their parents have no think about their children. They were compelled to leave their home and work outside. (Box1)

Box1: A case study of Ramu paswan , hotel and restaurant child labour who is far home due to his step mother.

Ramu paswan, 15 years old, young, handsome boy from Sirha district (Gautari VDC). He was very happy before his mother expires. A after some time his mother death. His father got married second women. After that marriage he fell alone his stepmother started misbehaving him. Firstly he drop out from school and he sent to him Anti's home in saptari district. After that his anti left him in Janakpur to do work as hotel servant. At present he has been working in in his master as well hotel and restaurant for five years. Now he does not like to go back at home due to misbehavior of his step mother. His duties started from 6 O'clock in the morning to 11 O'clock at night cleaning washing cooking

Are his responsibly\ties. At present his employer has joined his in informal education class. He is very satisfied with his employer
(Field survey 2012)

5.7.Parent’s Occupation

The finding reveals that the main occupation of child Labour’s family was agriculture. The table below presents the family occupational of the respondents.

Table no: 7 Parent’s Occupation

S.N	Family Size	Number	Percentage
1	Agriculture	7	11.0
2	Wage Labour	16	26.0
3	Domestic Servant	32	54.0
4	Service	3	5.0
5	Business	2	4.0
Total		60	100.0

Source: Field Survey, 2012

The study shows that the agriculture is the main profession of most of the child labour families but it cannot sustain them all round the year. The table shows that occupation in agriculture occupies 11 percent, wage labour 26 percent, domestic servant 54percent, service holders 5 percent and finally business 4 percent. Except a minute number of families, all other are involved in less productive occupations as a result the parents send their children to labour market or the children run away from home to labour market expecting a better life.

5.8. Education

5.8.1 Parent's Education

Ignorance is the night of mind and a night without moon and stars and there is no cure for it other than the education. So there could be no clue against the immense magnitude of education. Education is at the same time a guiding factor and children. Unless the majority of the people are educated the development of the nation is impossible. Illiteracy in society causes many social problems. It is also one of the factors to contribute in the creation of child labour.

In developing countries like Nepal, illiteracy rate is high and is serious drawback. This problem is further accentuated by quite inadequate provision of elementary education in most of the countries. In Nepal illiteracy has dropped from 76.50% in 1981 to only 60.40% in 1991 (CBS 1993) although government budget on education is high the process in literacy is very slow.

Table 8 Parent's Education

Educational status	Number	Percentage
Illiterate	22	36.00
Just Literate	14	23.00
Primary	8	13.00
Secondary	4	7.00
Above S.L.C	2	4.00
Don't know	10	17.00
Total	60	100.00

Source: Field Survey, 2012

Among the respondents of 60 child labour, it was found that 36% of these children's, s parents are illiterate and only 23% just literate. The data reported in table no: 8 further indicated that 13% of the respondents have primary level education, 7% parents of child labour of the children have secondary level education, 4% parents above S.L.C. and 17% parents don't know.

5.8.2. Educational Status of Child Labours

Education is essential in order to be liberating from all sorts of exploitation and oppressions. Education is the most important component for the development of child. Children are categorized in the following table.

Table 9 Parent's Education

S.N	Particular	Number	Percentage
1	Literacy	44	73.00
2	Illiteracy	16	27.00
Total		60	100.00

Source: Field Survey, 2012

The literacy rate of working children in small hotels, restaurants and tea shop was found to be 73 percent, which is a significant proportion. Most of the children were found to be attending school only up to primary level and are forced to leave the school because of poverty, parent's inability to provide basic requirements for schooling.

5.9 View of Child Labours Towards Education

The study reveals that 46percent of the dropped out children want to continue or rejoin the school if any chances is offered. Most of them have an intention to collect money and go back to home and rejoin their study which in real is quite unlikely. 30 percent of child labours no alternatives than continuing the profession w3hat they are currently doing and do not have any thoughts of rejoining school. Rests of the 24 percent have ever been admitted to school and they have no idea of schooling and about education so there can't be any question regarding their willingness about studying. The mentioned details are illustrated in the following table.

Table 10 View of Child labour towards Education

S.N	Particular	Number	Percentage
1	Want to join school	28	46.00
2	Don't want to join school	18	30.00
3	Never had the school experienced	14	24.00
Total		60	100.00

Source: Field Survey 2012

5.10. Cause of Drop Out/Not Joining school(poverty)

Poverty, home conflict, hard work at home etc are working as the decisive factors to enforce the children to migrate to urban areas in search to work and better opportunities. When agricultural income, which is the main source of income of most of the villages, is not sufficient to sustain large families, villagers migrate to urban areas. Rural families migrate to urban areas because there is hardly any employment opportunity in the village. It is often said that some of the children come in the urban areas along with their family members. Sometimes rural children run away from their home. Both direct and indirect costs of schooling could be major disincentives enrollment at school. Although primary level education is free in Nepal. The below table shows that poverty and financial constraints faced by the family are the primary reasons experienced by the children for not joining or dropping out or their children form school as 61 percent of the respondents blame the poverty for their hindrance for education. Similarly, Worked load at home dropout 12 percent another vital factor for the drop outs. 18 percent of the children were affected by school is far from home whereas 4 percent of them left out due to their own unwillingness and 6 percent gave other reasons.

Table 11 Causes of Drop Out

S.N	Cause of drop	Number	Percentage
1	Poverty	37	61.00
2	Workload at home	7	12.00
3	School is far from home	11	18.00
4	Not interested	2	4.00
5	Others	3	6.00
Total		60	100.00

Source: Field Survey, 2012

Box 2: Hari sah as child Labour due to poverty

Hari sah is a 10 years old boy from Dhanusha district (Tarapatti V.D.C.). He has two sisters and five brothers. His family is very poor. According to him his family has no land (only 2 dhur property of land) to grow crops his parents died when he was 8years old his parent's death he use to go to village school and was studding. After his parents death he had to leave school. At home it was very difficult for them to get meal once a day. Whole day he use to wander and didn't know what to do so. One day his empty stomach forced him to enter in Janakpur Municipality. He came here with his cousin who works in garment factory. After some time his cousin did not look after him and was left alone. He wandered around small hotel and knocked of doors seeking some kind of job only for two meals. Few boys are walking around and few boys are washing plate everyday he decided for the same job and joined small hotel as a child labour .

5.11 Reason behind Leaving Home

Boys self image may change also he experience the social arena o the city. Poverty, home conflict, hard work at home etc are working as the decisive factors to enforce the children to migrate to urban areas in search to work and better opportunities. Three causal factors, poverty, at problematic relationship, and the attractions of the city are the main causes of a children leaving home.

Table 12 Causes of Leaving Home

S.N	Family Size	Number	Percentage
1	Parent advice	24	40.0
2	Domestic conflict	28	46.0
3	Step mother/father	3	5.0
4	self	2	4.0
5	Others	3	5.0
Total		60	100.0

Source: Field Survey, 2012

Majority of respondents 40percent have left their home due to parent's advice. Due to step mother/father worst behavior on them 5 percent respondents left their home with the condition of never going home to their home. Due to domestic conflict 46 percent of hotel and restaurant child labours have left their home and 5percent of respondents said that they had left their home by home by their own self interest

5.12 Income Distribution of Child Labour's Family

This study supports to the general assumption that child labours are directly related to the poverty of the family. Fulfillment of basic requirements of the children has been the obligation of their parents. The children of the under employed or unemployed parents and poor families must have to work for the family survival. Income less than sufficient to survive is one of the factors that forces children to work.

Table 13Income Distribution of Child Labour's Family

S.N	Family Income	Number	Percentage
1	Just Sufficient	30	50.00
2	Sufficient	15	25.00

3	Insufficient	8	14.00
4	Others	7	11.00
Total		60	100.00

Source: Field Survey, 2012

Table13 shows that only the 25 percent of child labour's family income is sufficient for survival, 50 percent child labours' family income is just sufficient for survival. Data reveals that about 14 percent of the respondent family have not sufficient for survival for whole year. 11 percent respondents reply that they don't know the income distribution situation of their family.

5.13 Nature of Work

The working condition of child labour at hotel, restaurant is very miserable. Children had to work hard from early in the morning to late night. They serve the customers, collect and do the dishes clean. The children are assigned different types of work in hotel such as waiters, cleaners, cooks, dish washers etc. This researcher carried out the field survey during the monsoon season of Jetha & Ashad. While observing the situation of child labour in most of the hotels it is witnessed that during this season children have to work in severe chilly condition due to the lack of various necessities (warm clothing, shoes etc.) They look rough dressed, wearing damp clothes. Sad and wrinkled faces can be seen obviously with cramping frequently.

Table 14 Nature of Work

S.N	Hours	Number	Percentage
1	4-8	27	45.00
2	9-11	10	16.00
3	11-12	20	34.00
4	12+	3	5.0
Total		60	100.0

Source: Field Survey, 2012

The study reveals that majority of child labours 45 percent work 4to 8 hours a day 16 percent of the children have been working for 9 to11 per day 34percent have experience of working 11-12 hrs whereas 5 percent children had worked for 5-8 moths. The table shows that some child labours serve as "full time workers" so in practice, existence laws are not enforced and is not legal security for them.

5.14 Working Period

According to the table 15 it shows that the duration of worked varies from one to six months, seven to nine months, nine to twelve months and over one year depending on the children and nature of work.

Table 15 Working period of child Labours

S.N.	Duration	Number	Percentage
1	1 to 6 months	25	41
2	7 to 9months	18	30
3	9 to 12 months	14	23
4	More than 1 year	3	6
		60	100

Sources: field Survey,2012

According to above table the study reveals that only 41 percent of the children are working for about 1-6 months whereas 30 percent of the children were found to be working for about 7-9 months. 23 percent of the child workers were found to be working 9to12months. Rest of child workers found to be 6% working more than 1 year.

5.15 Problems Faced by Child Labours

Most of the working children in hotel and restaurants seemed to be facing various problems. While questioned about problems at their

work place, most of the children expressed no intention of disclosing any information that might be perceived as negative for their employment. From the study it is found that a lot of the workers are facing the problem of over work. They wake up early in the morning at 5 am and go to bed at around 12 pm. Only a few of the respondents answered that they have no any problem.

Table 16 Problems Face by Child Labours

S.N	Abuse Experience	Number	Percentage
1	Physical	27	45.00
2	Mental	15	25.00
3	Nothing	10	16.00
Total		60	100.00

Source: Field Survey, 2012

Table 16 shows that 45 percent of the children are physically tortured whereas other 25 percent of the respondents are mentally abused. The rest of the 16 percent children experience no abuse. The observation shoes that working children are not in comfortable position that means they are not feeling better way out in getting the facilities of feeding and lodging.

5.16 Housing and basic Amenities

Housing is the basic need of human. Generally, child laborers in the hotel and restaurant live in attached cooking room. Many child workers are working in the 3D. It means Dark, Danger & Dirty. So that the child labourers work in risky and dirty areas.

Table N0 17 Distribution of child Labour their types of housing

S.N.	Housing	Number	Percentage
1	Rented room	2	3.00
2	Kitchen room	45	76.00
3	Store room	8	13.00
4	Gallery	3	5.00
5	Outside	2	3.00
	Total	60	100.00

The above table shows that 3percent child labourers are sleeping in a rented room. It also shows 76percent child labourers are sleeping in a kitchen room. Similarly 13percent child labourers are sleeping in a Store room. It also shows that 5percent child labourers are sleeping in gallery. Likewise 3percent child labourers are sleeping in outside the building.

The study shows s that most of the people have not got chance to sleep in the bed room. The people who have not opportunities to sleep in the bed room have not good physical mental health.

5.17 Health condition

“Health is wealth”. So, good health is the most essential part of life in every living being. An unhealthy person can do nothing good. An unhealthy person always becomes physically as well as mentally back in society. Health is the primary concern in any study of human being The study attempted to find out the nutritional condition and harmony faced by the hotel and restaurant child labours. There are different health problem with the child labours according to their living and working environment. Most of the children's health status is decreasing they have encounter health hazards associated with various surrounding environment such as lack of sanitation, hygienic facilities and clean water, occupational accidents. Most of the hotel and restaurant child labours do not have good health. They usually suffer from many types physical injury like, scabies, headache, stomache and other disease.

5.17.1 Drinking water and Toilet facilities

Water is second important basic need of human life. Contaminated water may cause the different diseases like: diarrhea, typhoid etc many disease are by dirty water. We should always use toilet other use the environment will be polluted and it brings diseases. It said that 80% diseases are dirty water.

Table No18 Distribution of Facilities by Number

S.N	Facilities	Number	Percentage
1	Pure drinking water	48	80.0
2	Toilet facilities	12	20.0
	Total	60	100.0

The above table shoes that only 80 percent persons have got the facility of clean drinking water where as 20 percent child workers have got facilities of toilet

The researcher views that 80 percent diseases come from impureness in water and some diseases come from unsaved use of toilet. All people should drink pure water and use safety toilet.

5.17.2 Disease (Health problem) by number

Diseases effect on health. Many child workers are suffering from have some disease problem. They are respiratory problem fever, pain, Headache, Athletes food ring worm etc.

Table No19 Distribution of Disease (Health problem) by Number

S.N	Disease	Number	Percentage
1	Respiratory problem	12	20.0
2	Fever	3	5.0
3	Joint pain	10	16.0

4	Headache	2	4.0
5	Digestive problem	8	14.0
6	Athletes foot	20	34.0
7	Ring worm	5	8.0
	Total	60	100.0

Respiratory problem includes cough, chest pain and throat problem. Digestive problem include stomach, toilet problem and stomach. The data shows most of the child labourers clean pots and clothes so. Child labourers have Athletes food, respiratory and digestive problem.

5.18 Recreation

Every child has a right to have for reception. Children are bound to work in hotel and restaurant. Child laborers work hard with adult workers and not get leisure time. They get leave only in the period of Dashain festival.

Table no.20 getting time for Recreation by sex

S.N	Types of recreation	Number	Percentage
1	Watching T.V.	35	58.0
2	Listening Radio	10	16.0
3	Cinema	5	9.0
4	Playing games	10	17.0
5	Total	60	100.0

The table 20 shows that 58percent child labour get chance to watch television and only 16 percent get chance to listen radio. It also includes that 9 percent child labour gets chance to watch cinema and 17 percent labour gets chance to playing games.

The researcher concludes that every child has to have a time for recreation. All the child labour includes getting time for recreation. In context of Nepal there are numbers of communication media (F.M. Radio,) which playing different role in building the career of people. They are conducted with new program which are related to different ages of people.

CHAPTER VI

SUMMARY, CONCLUSION AND RECOMMENDATION

6.1. Summary

The thesis entitled "child labour in small hotel, restaurants and tea shops is the outcome of field survey conducted in 1 wards of Janakpur Municipality of Dhanusha district. Piddari chowk. The main objectives of thesis are to find out the socioeconomic condition of small hotel, restaurant and tea shops.

The present study covers 60 child labours of hotel and restaurants. The small hotel, restaurants and 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 environment and long working hours at low pay. Both children and owners lack knowledge on the provision in national legislation, the Children Act, UN convention on the right of the child and other ILO related conventions.

Both Primary and Secondary data have been used in this study taking 60 respondents (Child labour) by purposive sampling procedure. Descriptive and explorative research design was formulated regarding the nature of the study. Observation was employed in collecting the primary data from the respondents by conducting structure and unstructured interview, semi participant observation and even the Questioners was prepared. It was kept in mind that the Questioners from was prepared to get personals details, family background, education status health and Hygiene earning, future life and attitude towards work. The summary of the finding is as follows.

Regarding age group of child labourer, 5-10 age groups occupied 13 percent and 11-13 group 67 percent and 14-16 age of group occupied 20 percent. It's showing that 11-13 age children are the majority of children working as a child labour.

For all caste/ ethnicity, male were predominantly higher than females. Out of 60 samples taken, 75 percent were boys and only 25 percent girls. A wide ethnic/ caste group of children were found in this study. Paswan is in highest numbers. This had covered 24 percent of total respondents. And others is shah (3%), Nayak(2%), Mandal(8%), yadav (7%), Magar (3%), Mahato(7%), Mochi (13%), sunuwar (3%), Pradhan, (5%), Giri (2%), Jha (2%), Jha (2%), Sharma (3%), Raut (7%), Dhobi (7%), sada (2%), Mallik (2%). This study shows that the marginalized population in socio-economic stratus is more vulnerable to enter into the child labour market.

Most of the children working in hotels/ restaurants in Janakpur Municipality-1 were in migrant and most of them were from the adjoining districts of Dhanusa, Saptari, Udaypur, Mahottari, Sindhuli, and Sarlahi. This type of respondents covers 66 percent. From Dhanusha District they were found to be 36 percent.

Regarding to family size of the respondents were divided into four categories up 0 to 5(12%), 5-6(27%), 7-9(46%) and 11-13(15%) where 5-6 and 7-9 family size were found to be the largest ones. The findings were that the family of larger size could not sustain all of its members for the ultimate survival. This is one of the push factors to increase the child labours.

Among 60 child labourers about 25 percent and 24 percent were fatherless and motherless respectively and 75 percent and 76 percent

respondent of father and mother alive. Deaths of the parents, though, functioned as the main contributing factor to make enter then into child labour market the finding of this study shows that only few of the 38 percent were parentless.

Main occupation of 11 percent of the child labourer's family was agriculture. About 26 percent of child labourer's family was wage labours, 54 percent used to work as domestic servant and 5 percent were involved in services and small business respectively by 4 percent of the child labourer.

Education is obviously an important factor in the development of a child and therefore, development of a nation. Illiteracy of the parents of children makes them enforce their offspring to work in their early age. It was found that only 14 percent of children's father and 2 percent mother were literate. Maximum of them were found to be illiterate. It can be said that the higher illiteracy rate of children the greater the chances of encouraging with child labour situations.

A large number of children were deprived of the rights to education. Out of 60 respondents 27 percent were illiterate and rest of the other 73 percent were literate. High rate of literacy does not mean that they have been provided with the chances of education but the situation was that the dropout rate was found to be very high so that they could not stand the schooling for higher education. Among 60 respondents, 46 percent of the respondents wanted to join schooling if chances provided whereas 30 percent of them did not want to join school and 24 percent for children never joined school.

Nearly 61 percent of the respondents left their school due to poverty. Among the death of their parents, while 12 percent responds

work load at home, 18 percent of them discontinued going to school at their personal will. Rest of the percent children left school due to various reasons.

The result of this study indicates that only 25 percent of the child labours said that their family income was sufficient enough 50 percent respondents said that their family income was just sufficient for survival. As reported by the children 14 percent of the children's family income was not sufficient for survival and 11 percent of the children did not have any knowledge about their family earning.

Regarding the nature of child labourer's work it was found that the working condition of them were very miserable, since the researcher carried out the field survey during rainy seasons it was witnessed that the children had to work in severe chilly condition due to the lack of warm clothes, shoes, etc. They worked for long hours and they were found to use benches or straw matters to sleep in the floor. This research found that 45 percent of children were work for 4-8 hours, 16 percent of respondents worked for 9-11 hours, whereas 34 percent of children worked 11-12 hours and above 12 hours 5 percent work. This situation tells us that the children worked for tedious hours in improper working environment that exhausted them mentally and physically.

Child labourers working in hotels/ restaurant do not remain at one place for long time. They were found to shift from one working place to another more frequently. It means all the children were found working on temporary. The children were found working in the state of insecurity of job. Only 6 percent of child labourers were found to work at a place for more than 1 year. Similarly, 41 percent were found to remain for one month to 6 month, 30 percent for 5 to 9 month and 23 percent for 9 to 12 months.

The children working in hotel and restaurant were facing a lot for problem. Abuses experienced by child labours were also different. 45 percent of the children were physically tortured whereas 25 percent of them were mentally abused. The rest of the 16 percent children were no abuses experienced. By this observation it was found that working children were not in comfortable position except in getting facility of fooding and lodging.

It shows that (3%) child labourers are sleeping in a rented room. It also shows (76%) child labourers are sleeping in a kitchen room. Similarly (13%) child labourers are sleeping in a Store room. It also shows that 3(5%) child labourers are sleeping in gallery. Likewise (3%) child labourers are sleeping in outside the building.

It shows that only (80%) persons have got the facility of clean drinking water whereas (20%) child workers have got facilities of toilet. The researcher views that 80% diseases come from impureness in water and some diseases come from unsaved use of toilet. All people should drink pure water and use safety toilet.

It shows that (58%) child labour get chance to watch television and only 1(16%) get chance to listen radio. It also includes that (9%) child labour gets chance to watch cinema and (17%)labour gets chance to playing games

The researcher concludes that every child has to have a time for recreation. All the child labour includes getting time for recreation.

6.2 Conclusion:

The issue of child labour in Nepal is of recent origin. However premature child labour existed knowingly or unknowingly in one form or the other the very beginning. Child labour origites from the unequal

hierarchical socio-economic stratification in the society. In other words child labour in Nepal is a response to the objective poverty due to and existence of under unemployment of adult family members in both rural and urban areas. They bear the brunt of harsh economic reality of their family.

Based on the field survey, available material and extensive literature review the following conclusions are drawn. Because of short period of time and limited resources it is extremely difficult to draw firm conclusions. However, materials, data and information available from the various NGOs working in this field and field survey point toward serious problems in the days ahead if the concerned government organizations, and other social organization who are working in this field do not take it positively.

- ❖ The most influencing population wise group is 11-13 years and average age is 13 years.
- ❖ Children interviewed cited the following reasons for leaving home: family violence, parental alcoholism, abuse, poverty, personal reason, social causes, economic causes etc.
- ❖ Most of the child slaviours are from adjoining districts of the Dhanusha and sirha district.
- ❖ Brahmin and Chhetris ethnic background child labour are higher than the other background.
- ❖ Almost half of the child labour is literate. They only know Nepali alphabet to read and write.
- ❖ Most of them have one set of clothes i.e. the cloth they are wearing.
- ❖ Community people are treating delinquency behavior to child labour
- ❖ Child labour is harassed by government organization.

- ❖ Older age group force child labour new comers and younger age group street children to follow them.
- ❖ Child labour is found to be not interested for schooling.
- ❖ Child labour knows about children right and Juvenile Justice little bit.

At last it is conducted that the child workers in hotels and restaurants are one of the worst forms of child labour. It is not only the extreme household poverty but also parents' illiteracy, lack of schooling facilities, lack of employment opportunities and weak legal enforcement are also the contribution factors for children to be engaged on such labour.

The necessity of today is, to protect working children from exploitation abuses, improper influence, illiteracy, ignorance and hazardous condition to develop their physical mental, social and moral development.

6.3: Recommendation

All we know that child labour is becoming one of the social problems. It is therefore that the government has to come up with a concrete plan and program that should address to resolve child problem. However, we all know that child problem could not be fully resolved. In this study the researcher has proposed that the government should start short-term and long-term plan to resolve this issue. Otherwise this would be a disaster since population is increasing drastically but no resources are available to feed them all round the year and no mechanism has been

On the basis of the analysis and personal observation of the researcher of this study, the following strategies are recommended to be undertaken to solve the problem of child labour.

SHORT-TERM PLAN

- ❖ By establishing peace in the country
- ❖ To conduct research study and identify those communities from where massive street children are coming. Different NGOs' and INGO's experiences could be a basis of research study.
- ❖ By opening child care centre,
- ❖ By launching awareness program,
- ❖ Strictly following the CRC recommendations with needful action from government side,
- ❖ Providing job opportunity to all,
- ❖ Commitment from all political parties
- ❖ Free vocational and skill development training programmes should be launched in rural areas specially targeting poor families
- ❖ Generally, children working in hotels and restaurants are working for long hours. But according to children's Act 1992 and other laws, working more than 8 hours is prohibited. So, it is necessary to strictly enforce the existing laws and follow up.
- ❖ The trend of migration to cities from the village. So, employment opportunities should be created in the rural areas, which discourage the migration.

LONG-TERM PLAN

- ❖ Compulsory provision of enforcement body in VDC and municipality level concerning elimination and regulation of child labour .
- ❖ Capacity building, income generation activities programmes for self sustainability should be launched by the NGOs and INGOs.

- ❖ Indigenous solution needs to be sought to address the problem areas of the community which could minimize the number of child labour
- ❖ Free education program to all children without any discrimination between girls and boys,
- ❖ Infrastructural development should be carried out in the nations with people's participation approach so that ownership can be felt,
- ❖ Social security program should be launched by the government,
- ❖ Clear cut street child policy should be promulgated to meet the CRC recommendations and child helpline desk should be established.

6.4 Future Area of Research

The results of this study do not cover the situation of Hotel/Restaurant child labourers in all urban centers in Nepal. The study therefore should be conducted in additional urban centers with different characteristics to help understand overall attributes and incidents of Hotel/Restaurant child labourers in urban Nepal.

Even in the study area, the information from the side of the parents of Hotel/Restaurant child labourers has not been explored. Detailed information like attitudes and perceptions of parents and employers are necessary to invoke the reality behind the cause of being child labourers

Appendix 1

United Nations Convention on the Right of the child summary of some the key rights stated in the 54 articles of the convention on the Rights of the child which came into for on 2nd September 1990. As of 20th April 1993,134 states were parties of the convention including Nepal. The

main areas covered are survival, protection, development and participation.

- J Children have the right to enough food, clean water and health care.
- J Children have the right to an adequate standard of living.
- J Children have the right to be with their family or those who will care for them best.
- J Children have the right to protection from all exploitation, physical, mental and sexual abuse.
- J Children have the right to special protection when exposed to armed conflict.
- J Children have the right to be protected from all forms of discrimination.
- J Children have the right to be protected from work that threatens their education, health or development.
- J Children have the right to special care and training.
- J Children have the right to special care and training.
- J Children have the right to play.
- J Children have the right to education.
- J Children have the right to have their opinions taken into account in decisions affecting their own lives.
- J Children have the right to know what their rights are.

Appendix 2

The Colombo Resolution on Children

At the second SAARC Conference on children in South Asia in Colombo in September 1992, ministers and senior government official 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 percent of boys and 75 percent of girls; and complete of primary education by at least 50 percent of girls as well as boys by 1995.

) Progressive reduction of gender disparity in all goal- related indicators.

) Rising the minimum female age of marriage to at least 18 years.

) Progressive and accelerated elimination of child labour.

Strategies for achieving these goals included:

) 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 need 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.

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Others

Constitution of Nepal(1990), Labours Act (1992), Child Act(1992).

APPENDIX-3

Questionnaire for Child Labour

Section A: Personal information

1. Name:
2. Age :
3. Sex : Male [] Female []
4. Cast :
5. Home/ Address:
6. Where did you live before being to this place?
House Other (Specify)
- 7) What is the reason to leave hour house?
 - a) Expectation of better life b) Too much work in home
 - c) Poverty d) Influenced by friends
 - e) Maltreatment by parent f) Other (Specify)
- 8) Who did bring you here?
 - a) Broker b) Parent
 - c) Step-parent d) Own self
 - e) Other (Specify)

9) Duration of away from home?

Ans :.....

10) Does your gradient come here?

Yes []

NO []

11) What types of work you used to do when you were backing home?

a) Farming

b) Take care of siblings.

c) Study

d) Grazing animals

e) Service

f) Domestic works

g) Others (Specify)

Section B: Family Background

1) Are your parents alive?

Father a) Alive b) Death c) Don't know.

Mother a) Alive b) Death c) Don't know.

2) Parent education :

Father a) Literate b) Illiterate c) Don't know d) Other

Mother a) Literate b) Illiterate c) Don't know d) Other

3) Number of siblings at your home :

Brother

Sister

- 4) Do you have stepparents?
Yes [] No []
- 5) What is your family's (Parents) occupation?
a) Agriculture b) Domestic servant
c) Service d) porter/ worker
e) Business f) don't know
g) Other (Specify)
- 6) Do you family earn sufficient income for family's survival?
a) Sufficient b) Insufficient
c) Just sufficient d) don't know
- 7) How much your parents earn monthly?
Rs.....
- 8) How much land does family have?
Ans.

Section C: Working Condition & Economic Status

- 1) For how long you have been working here?
a) 1-4 hours b) 5-8 hours
c) 9-12 hours d) more than 12 hours

2) How many hours do you work per day?

a) 2-6 hours

b) 6-10 hours

c) 10-12 hours

d) 12 and above

3) Do you save money?

Yes []

No []

4) If yes, how much Rs. If no, why?

a) No idea

b) Robbed by others.

c) Loss

d) Not enough

e) Other

5) Do you have support your family

Yes []

No []

If yes, How much Rs. Per month/year?

Ans :

6) Do you get other facilities from your employer?

Yes []

No []

If yes, what kind of facilities you get now?

a) For study

b) For food

c) For clothing

d) Medical facilities

e) Others

7) Are you satisfied with your parent work?

Yes [] No []

8) Whom are you staying with now?

- a) Family
- b) Relatives
- c) Friends
- d) In master's house
- e) Others

9) Do your master love you or not?

Love [] don't love []

If not, how he treat you?

- a) Beating and shouting
- b) Give work load
- c) Keep hungry
- d) Maltreatment
- e) Others

10) Do you have any problems?

Yes [] No []

If yes, what sort to problem are you facing not in this city?

- a) Difficulties to get job
- b) Difficulties of get room
- c) Risk of accident
- d) being sick
- e) Not fixed job
- f) others

Section D: Education Status

1) Are you literate?

Yes [] No []

A) If yes, how much have you studied?

a) 1-3 class b) 4-7 class

c) 7 and above

B) Are you going to study now?

Yes [] No []

2. If anyone wish to help you in study and give another job, at that time would you like to give up this job.

Yes [] No []

If no, what is the reason?

Specify:.....

Section E: Health and Nutrition

1) Have you any diseases?

Yes [] No []

A) If yes, which disease?

a) Related to chest b) Related to stomach.

c) Related for bone d) Related to head

B) From when you are suffering by this diseases?

a) Before working this work.

b) After working with work.

2) Do you have any suggestion for the betterment of your live?

Ans:.....



Conversatation between child labour and researcher



Washing& cleaning small dish ,pots in hotel



Making the breakfast in hotel by child owner



Group discussion with child labour in hotel