

CHAPTER ONE

INTRODUCTION

1.1 General Background of the Study

The definition of child labor constitutes any act where children between age of 5 and 14 years are directly or indirectly forced to work at home or outside it. As a consequence, children are not only deprived of their dignity but also their freedom to play and their scope to develop physically, mentally and emotionally is lost. These children are also denied education which is a fundamental right and should be available to them under any circumstance. It is unfortunate that even today the problem of child labor is greatly prevalent in our country and in the world. The latest statistics shows that about 250 million child workers exist all over the world, a recent survey conducted by the ILO states that 61 percent are in Asia, 32 percent in Africa and 7 percent in Latin America (Bhargara, 2003). These child laborers are paid a meager sum for all their hardship, which generally fails to ensure even one square meal a day. Driven to work at a crucial formative age and burdened with hard labor these ill-fated children are deprived of nutritious food, play time and education.

Child work has existed throughout history. It has been considered a potential learning experience or apprenticeship for the child therefore not harmful. But child labor is defined by differentiation from child work as being exploitative by nature and detrimental to the child's growing process, depriving the child of the right to survival, development, protection and participation (ILO, 1995)

Child is compelled to work in premature age for the low wages in factories, houses, hotels and restaurants, mines and such other fields. The condition of child is very worse in the working areas. They are out of family contacts, deprived of light education and health facilities (ILO, 1983)

A significant proportion of its population is very young about 26 percent of people are below 10 and 13 percent are between 10-14 years. Population between age of 5-17 years consist of 33.6 percent (CBS, 2002).

Economically active population of 10 years and above in the country is 65.43 percent. Who more strictly to be in school, found that economically active population is about $\frac{1}{4}$ th (that is 29%). Due seasonal nature of employment in agriculture sector, under employment rate is more pronounced in rural areas than in the urban areas (KC and ADHIKARI, 2004; 6)

Similarly, act of Nepal the group of under the age of 16 years persons are known as children. According to this law the person below the age of 14 years are strictly prohibited to work as labor but the children of the age between 14-16 years can work. Only when they get facilities like less working hours , 6 hours per day not more than 36 hours per week . In this ways if they work 3 hours continuously they must get rest for a half an hour.

Child labor is widespread problem in Nepal and can be found in much economic activity in agriculture in manual tread, in industrial sector large numbers of children are exploited in the service and domestic work, eating establishment pottering and rag picking the main cause of child labor, poverty is the fact of Nepal

Now days, child labor 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 animal, handicrafts and other employments. Many children are compelled to migrate in town in search of employment following the tragic calamity in their native life corrupted social relationship and so on. Children working in small towns and big cities are increasing continually .This working children are largely increasing in Kathmandu and Chitwan (CWIN 2001).

The problem of child labor has become an emerging issue in Nepal. These are a gradual increase in social awareness among different segment of society and this has helped to empower the movement. For the rights of working children, child labor in Nepal has two dimensions; one is connected with rapid urbanization and the growth of the industries. Children are engaged in various occupations such as the manufacture of carpet the construction of road building, quarrying and mining as well as working in domestic service in town way from their homes. The other dimension is in the traditional areas of work such agriculture, handlooms, porters, grocery shop,

other family operated business, domestic work; work in buses and hotel and restaurant.

Poverty is the main causes of child labor in developing countries. When family is poor every one has to work, even extra contribution help, but many children work because of the lack of their opportunities. School might be unavailable, independent or just too expensive (UNDP, 1993).

Today's buds are the blooming flowers of tomorrow; hence, the children are potential energy of nation on whom the fate of nation depends. No one was born without any purpose; god sent him or her special purpose on the earth. The life of human being to a far extent depends upon the development is the childhood as children are the future of the nation. The child age is the foundation of future life to build the foundation of child life one need quality education, balance diet, domestic or social environment individual freedom, for selecting opportunities. In Nepal 19 percent of the total population is not getting the primary education, 10 percent drop out rate in primary level education (CBS, 2007). It shows very poor situation of education and task of nourishing food. This is not only situation rate is also very poor i. e. 50 percent describing the wider gender disparity (CBS, 2001).

Not only human being but also all creatures go through beings the stage of childhood and it is considered as a best period of life, however a majority of our children lives in a horrible condition. We cannot say that the stage of childhood is the best period of life for every one. Due to family problem, domestic violence, natural disaster murder, quarrelling and miss guardians, poverty and illiteracy may of children are compelled to live miserable life. Their innocence and basic rights are threatened and victimized by all sort of exploitation. In Nepal, Narayangadh in Chitwan so far remain the major destination for migration of children, most of them have migrated from the adjoining and nearby districts, Kavreplanchok, Dolakha, Sindhupalchok, Nuwakot, Dhading, Ramechhap and Dhanusha. In the issue of child labor, Nepal is not different from other countries in the SAARC region. The ILO report of 1995 estimate that; more than 60 percent of the total children in Nepal are involved as child labor and about 8 percent children are working outside their own home.

Due to unfavorable social economic condition, social and family environment, carelessness of parents and abandoned by step father and step mother children leave their home and migrate to urban area in Nepal and often they work in hotel, restaurant, carpet industry, repairing shops, construction industries, stone quarries, brick kilns factories and so on the extend of exploitation is very high every where.

The hotel and restaurant employed children have no alternative and they stay there as long as the owner wishes. They always have to work from early morning to right. They don't enjoy or even get holiday. So they are deprived and exploited by their master. This study has attempted to find out the present condition of child labor and trace our socio-economic condition of the child laborers in hotel and restaurants of Chitwan in Narayangadh.

1.2 Statement of the Problem

Coming towards the topic "child labor" employed in hotel and restaurants of Chitwan district in Narayangadh is the place where So there are different categories of the hotel where different age of the child are employed. Among the different age group there are several hotels and restaurant where child are employed the child especially of the age of as prescribed by the national and international standard. The observation show that the child working in hotel and restaurant are in the worse condition they are neglected and they are in miserable condition. The researcher has chosen this topic to depict the actual condition of the children working there and the situation they are facing as the place of the researcher is of the international concern.

Children are the important parts of the society. Therefore, all issues concerning children are social issue. Child development is vital for the development of human resources of the country. They should be given a good care about their health education with proper rearing but the cause becomes just reverse. In the case of Nepal a poor and underdevelopment country, majority of child population, shelter, clothing, education and health care. Must of the people are even unable to feed their children.

Most of the developing countries in the world today have faced serious and wide spread problem of the child labor. Nepal is not far from this serious problem. Although the constitution of Nepal 1990 and the child act 1992 guarantees the right of

protection against exploitation of child labor, but not in practiced. Children play to run the human generation. They are also backbone of the nation. The issue of child become as the social issues that's why many NGO\ INGO are concerned to children issues. The vision of child right is also accepted by every nation in all over the world. Child development is vital for the development of human resources of the country so, the nation should give them good care about their health, food, education and health care. It is worthless to expect more from those children in the future.

Poverty is one of the most important reasons of the entry into the child labor. If a family is very poor and unable to provide their basic need for everyone, they have to work for their alive and the child can't get chance of study and deprived from child right, family violence, torture by parents make children escape from home and they involve in labor for survive themselves. Some children are also escape from home influence by friends and expected of better life in urban area as a result they involve in labor.

In present conflicts situation of Nepal the child labor is felt to be increasing. Conflicts have caused displacement of people and their children are engaged in hotel and restaurant, domestic work, prostitution, pottering, ragpicking, bricking brick and kilns garment and such other areas. Hotel and restaurant is one of the most favorite place of those child who are escape from home because they find work easily get food and shelter. Employment also delights by getting such cheep labor.

Child labor engaged in hotels and restaurants are generally worse than in other employing agencies. The employers are well aware about their weakness and problem. So, they prefer to employ child labor, because they are easy to handle in whatever they like children are cheaper more than pliable than adults so the employers tends to their children rather than adults labor. They have to work from morning to late hours at night. They are deprived from education minimum levels of nutrients and they have no holiday or any leave. However this problem is not getting stopped and is in continuous exhilarating. The hotels and restaurants employ children paying minimum wages 1.4 millions and of 17 million economically active children are unpaid which is 83 percent of the total (W.B, 1998).

They study is concentrate towards investigation the following question.

1. What is the socio-economic condition of child who is being labor?
2. What is the present working condition of child labor?
3. What are the problems faced by child in terms of labor?

1.3 Objectives of Study

The general objective of this study is to analyze the socio-economic and working condition of the child labors in hotel and restaurant of Chitwan district. The specific objectives of this study are:

- a. To explore the socio-economic background of respondent.
- b. To examine the working environment of respondent.
- c. To identify the problem faced by child labor.

1.4 Limitation of the study

The major limitations of this study are as follows.

- a) The study is base on primary data collection in Narayangadh Bharatpur municipalities in Chitwan district which will not be sufficient to represents whole country.
- b) This study present only the child labor employed in small hotels and restaurants. So it does not cover big hotels and restaurants.
- c) This study presents only the child labor engaged in hotel and restaurant so it dose not cover the other sector of child labor.
- d) d) This is based on child labor less than 16 years of age engaged in hotel and restaurants of Narayangadh.
- e) This study being a limited part of academic activities to both time and financial constraints and special topic of child labor.

1.5 Importance of the Study

Several studies have been conducted on child labor in various sectors, but there are very few studies on child labor in hotel and restaurants. Therefore this study will be significant in different ways such as to search the remedies of problem facing in government and non-government organizations. It also helps to the national and

international organizations. It will be useful for those who are interested to conduct new research on the same problem in future.

1.6 Organization of the Study

The study is divided into six chapters. Chapter first is about the introductory part which deals about the background, objectives research problem etc. In the second chapter some of the literatures are reviewed. Third chapter is about the methodology of the research. Fourth and fifth chapters deal with about research part where the data has been analyzed. Finally the study is conducted by prescribing the finding, conclusion and recommendation in the six chapters.

CHAPTER TWO

LITERATURE REVIEW

2.1 Theoretical Reviews

2.1.1 Child Labor

Child labor has been one of the critical but 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 is much greater, the problems have been still critical. It is due to the poverty, that compels parents to make children work for wages and the employer never hesitates to take advantages of it because of cheap labor.

Information on child labor is relatively scarce because of general tendency to conceal it since child work is illegal. Therefore, presenting comprehensive picture of child labor is a complex task. On the country, there is a serious outcry against child labor exploitation and a demand for speedy action to prohibit it (Bequele and Boyden, 1998) child labor is a serious and challenging issues for the future. Children are universally recognized as the most important asset of any nation. The endeavor of any society should be to offer them opportunities for their education, growth and development. Ideally children in their formation stage should not be exposed to any physical and mental rigors that natural particularly in developing countries like Nepal.

Child labor may be define in gainful occupation there are detrimental of their health and deprive them of their chance of development. Child labor implies the working children in industrial non industrial job and organized and un organized sector in an environment of hazardous condition for their physical, mental, moral and social development. Thus child labor assumes the character of social problem as much as it hinders arrest or disturbs the natural growth process and prevents the total personality development of the child. The definition of child labor varies from one society and from one time to another and also according to both class genders

Child labor an integral part of Nepalese society is the consequences of an exploitative socio-economic and political reality. The magnitude of the problem is very high and

more transparent in south Asia. Exploitation of child labor in this part of the world is so inhuman and intolerable No sector of labor is completely free of child labor exploitation (CWIN 1998)

Various international conventions have set minimum ages for work in specific sectors of the economic. The eleventh and most recent Minimum Age Convention, No 138 adopted in 1973, applied to all economic activities and is particularly significant. The convention stipulates that the Minimum Ages for employment or work should not be less than 5 years or at the end of compulsory schooling, whichever is higher. Light work may be performed from the age of 13 years. work is to be considered light if it unlikely to harm the child's health and development , and if it does not prejudice school or vocational orientation Hazardous work is prohibited below the age of 18 years or 16 years if safety and morals. Are fully supervised and protected. The convention is flexible and can be adapted to the situation of developing countries, allowing the basic Minimum age to be temporarily set at 14 years and 12 years for light work (ILO, 1995:2)

Child labor is not teenagers working for few hours to learn additional pocket money; not children helping on family farms, not youngsters doing household works, but children prematurely living adults lives , working long hours for low wages under condition to their health and to their physical and mental development , some times separated from their families frequently deprived of meaningful educational and training opportunities that could open for them a better future (ILO, 1983)

Child labor is a humanitarian issue, which has achieved a world wide attention. In recent years and the concept is still emerging. As a human being every child has an inherent right to justice, peace and freedom and to all kinds of necessary for life such as education, health care, protection, love and respect

According to the ILO, most children work but all the works by children cannot be considered "child labor" is some thing different than when young people are being exploitive or overworked or deprived of the right to health or education or just childhood. The united nations (1990) also define "child labor" in a similar fashion. In some instances "child labor\ workers" is define as a person in the age group of 5-14

employed for hire or rewarded 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 a day.

A child workers means a person in the age group of 5-14 employed for has define child work as those activities

hire or reward ‘ on a full time basis and includes a self employed child assisting his \her parents in their occupation for two or more hours a day’ In other words it is a situation when a child is forced to work for his own survival or to support his/ her family.(CWIN,1989) .

Glassionvich has define child work as those activities which “implies’ the participation of children in the production and commercialization of goods to be consumed outside the nuclear family the rendering of service to person, beyond the family or finally in those activities in which the boundaries between begging and work are blurred such as singing on public transportation or cleaning automobile wind screen, among others (myers; 1989)

Thus different persons and authorities have define “child labor’ in different ways however .In short the notion of the child in labor is intended to cover children under the age of 14 engaged in work or employment with the purpose of earning a living for themselves or for their family . All kinds of work cannot be harmful for children. Through work children can gain increasing status as family members and citizen. They learn the skills of their parents and neighbors. Work can, therefore, build their confidence and self eastern and can be a painless and gradual initiation into adult life. in practice ,many children work from an early age of 6 or 7 often an family farm work can clearly be a positive influence on child development (Fyfe, 1993}

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

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that children require. It is the working of children at unfit ages for unreasonable hours or under unhealthy condition (Potterson, 1943, 229).

Child labor is a source of cheap labor .It is due to poverty that compels patterns to make the children work for wage and the employer never hesitates of educational opportunities, that chances for vocational training stunts their physical growth hampers their intellectual development ,by facing them into unskilled labor (Pant, 1970; 405).

The phenomenon of child labor, which is a consequence of exploitative systems operating the national and international levels not only closes the future of millions of children in the third world countries, but it also drastically restricts the development prospects of these countries. The existence of child labor is a threat over the world development and to the solidarity and peace in the world. Eradication of child labor from the world is therefore a goal that must be achieved at the earliest (airway at al; 1995)

Most of the working children are engaged in activities permitted by national and international standards but many more are working in violation of these standards bonded children, children working underground mines, children in street trades, children working at junkyards and rag pickers, children employed as seasonal and cheap labor in pesticide soaked fields etc, are young people in difficult situation of this moderns age (ILO, 1986).

Most children who work doesn't have the power of free choice.They is not choosing between career options with varying between advantage, drawback and level of play. A few fortunate minorities have sufficient materials means behind them to be pulled towards work as an attractive option offering them even more economic advantages. But the vast majority is pulled into work that often damaging to inter development by three key factors; the exploitation of poverty, the absence of education and restriction of the tradition (UNICEF)

2.2 Empirical Reviews

2.2.1 Child Labor Situation in Nepal

Child labor remains a major economic and social phenomenon in Nepal. According to the national child labor survey undertaken in 1997, 2.66 percentage out of total 6.225 million children aged between 5 and 14 years in the country are economically active (economic active includes) both paid and unpaid casual and illegal work as well as work in the informal sector but excludes unpaid domestic service within own household, among 1.660 million economically active children boys 54 percentage and girls 46 percent (CDPS, 1995/96)

It is estimated that there are 5 to 6 million child labor in Bangladesh, up to 5 million in Brazil, 1.4 million in Egypt, 1 million in Guatemala, up to 40 million in India, and over 2 million in Indonesia, up to 80 million in Mexico 2 million in Nepal, 12million in Nigeria, over 2 million in Pakistan, 5 million in Philippines and 4 million as in Thailand. The UN estimate states that by 2000, there were 3.75 million child labor in the world wide context. (pradhan, 1998)

Authentic information with regard to the magnitude and nature of child laborers in Nepal is different widely, mainly because of lack of reliable information about the over all distribution of economically active population by age and the concentration of child worker in the informal sectors. Furthermore, there is general tendency to conceal the existence of child labor in both rural and urban areas because work by a child under 14 is legally prohibited in Nepal. Therefore, it is not quite possible to present a reliable estimate of child labor nationally. According to the population census of 1991, 4.5 million or 60 percent of child population in 10-14 age group was economically active in almost all sector of rural and urban economy in Nepal, with 50 percent employed in agricultural and other allied occupation in the country side, and other 20 percent were engaged in cities in such location as factories, construction and restaurant (Hurung, 1992).

In the context of Nepal child labor is pervasive problem. According to NLFC (1998/99) some of the 36,000 children aged 5 to 14 working in the manufacturing and construction industries may be working in such “at risk” situation (denoted by ILO,

worse forms). Similarly, about 60,000 children aged 10-14 (but hardly and children aged 5-9) was reported as paid employees about 50,000 of these children are doing activities, which are classified as elementary occupations, most of these being agricultural laborers.

The working children in rural are constitute 2476000, which is almost 21 times higher than in urban areas (120000). Among ecological zones, hill has 1282000 working children. If it is seen by development region, central (784000) and eastern (691000) region have majority of the working childrens CWIN estimated there were 7615 restaurants, bars, hotels, and lodges in Kathmandu at begging of 1989 of the 5940 workers, 7665 were children. A report published in 1979 by the underprivileged children's education project estimates that there were some 24,000 working children. Most of them worked as servants in hotel, bars, lodges and restaurant and tea shop. The number may have since growth to over 30,000S in Kathmandu alone. These servants are known as *Hotel Kanchha* or *Kanchhi* for girls in Nepal. Many have field the poverty of the rural areas and they are usually come from poor economic backgrounds and of a lower caste. They are the children of homeless and landless people, orphans or are children that have been abandoned (uncontrolled). Sometimes parents themselves are no longer able to feed their children and sell them into servitude at such establishments. Hotel and restaurants owner take advantages of these cheep source of labour, caring little for well being pf their young workers. They frequently misbehave the *kanchha* and often force from to service in their household as well as in their business (Sattaur and Omar, 1993).

2.2.2 Child Labor in Hotel and Restaurants

The most popular field among the child labors be engage in Kathmandu is in hotel and restaurants. The number of working children's estimated to about a million, where as the number of working children in Katmandu are about 30,000 (CWIN, 1987).

Hotel and restaurant in Kathmandu also employ sizeable numbers of child workers with age ranking from 7_14 years. Children are also employed as domestic servant in house holds although there are no reliable statistics on the actual number; an

estimated 30,000 bonded child labors are engaged in domestic service in Nepal (ILO, 1999)

Restaurant child labor is on major field of employment for children in Nepal. Children are found working in teashop and restaurant in both urban and rural area in urban areas children usually work for local teashop and restaurant rather than tourist standard establishment. Children generally learn basic washing and cleaning skill at a very young age in the home and these are predominating initial skills required by tea shop. Restaurant work is easily found and widely available in major city like Kathmandu. When Children migrate from rural village, the first option is often work in a restaurant where at least two meals a day can be secured of little else. However, once children becomes aware that they are exploited or cheated by their employers they either switch to another similar shop with better offer or run away, often lure street children and become rag pickers which is preferable "Independent" type of job (CONCERN Nepal, 2003).

In 2003, nineteen district of five development region of Nepal are estimated that there are 71767 restaurant child workers working in 20505 tea shops / restaurants in Nepal. The survey depicts that the number of working children in each shop ranges from one to fourteen. On average there is 220 restaurants in a district and the numbers of working children in a restaurants is 3.5 likewise, the survey found 770 working children in each district on average. However, country to the district alone has 4,225 restaurants and tea shops expecting tourist standard restaurant. The number of working children in Kathmandu district alone is 14,787 (CONCERN Nepal, 2003).

Hotel Kanchha in Kathmandu conducted a field observation and directs interviews with child workers usually called "Kanchha" in the hotels, restaurants and tea shops of Kathmandu. The average age of the children who come from country side ranges between 7-18 years. In Kathmandu the adult child ratio in the hotels, restaurants and teashops is 1:4 (CWIN, 1987:7).

2.2.3 Education and Child Labour

The child act 2048 mentions the child's right to education. Child is a voiceless section is unaware of their rights. The convention of child right has put force the concept of

compulsory primary education and free education to all. The human right declaration mentions the right of each person to education. Nepal has expressed its commitment every where in such declaration and making its efforts towards the improvement of education status of children (cited from Bohora, 2005).

In spite of great effort, the formal education in Nepal is still not effectively targeting the most vulnerable and disadvantage groups. Sixth percent of Nepals population is illiterate, but literacy is unevenly distributed. Thirty out of the 63 social groups in Nepal have literacy rate below 30% and some communities have literacy rate below 5% only 6% social group have a literacy rate above 60% (ILO, 2001:16)

Education is one of main indicator of human resources development. The average literacy rate is 54.1%. The male population rate is 65.5 percent and for the female population it is only 42.8 percent, which is lowest literacy in south Asia. Nepal has invested very low percent of its budget on education. According to 2001 census , the literacy rate of children age 6-14 stands at 67.7percent(72percent for male and 63.6 for female) about 80.3 percent of the children age (6-14), who are classified as literate have attained primary school level and 15.7percent secondary level and the rest mainly including those not attaining formal schooling. The gross enrollment ratio in primary level is 124.7, in lower secondary level is 63.2 percent and in secondary level it is 43.8 percent (CBS, 2001).

K.C,et ,al,(1998),showed that in most developing countries root of child labour has been attributed to over whelming poverty ignorance and illiteracy .It is obvious that lack of access to educational facilities and schooling is often connected with incidence of child labor. In Nepal, substantial number of child population is out of school or in the level market mainly because of following reason

1. Poverty and parents have inability to afford the educational cost of children.
2. Unequal distribution of school or educational institution.
3. Content of education and parents faith in it.
4. Lack of provision of compulsory educational and it prerequisites

Dating back to the 1948 universal declaration of human right, the international community has consistently articulated and reiterated the right to free primary

education. Other notable international instruments, which advocate primary education as a basic human right, including the international convention on economic, social and cultural rights are the widely ratified United Nations Convention on the Rights of the Child, which establishes education as a universal legal right for all children. As early as 1921, ILO Convention 10 highlighted the inextricable link between child labor and education. Children under the age of 14 years may not be employed the hours fixed for school attendance. A holistic approach to education is necessary, quality education should be provided for children from early childhood onwards and should continue up to at least 14 years or the end of compulsory schooling in keeping with ILO's minimum age convention (no.138, 1973), (ILO 2001:52).

Child labour are not only over worked but are socially and economically exploited. They are easy targets for exploitation because most of them are illiterate, uneducated and unaware of dangers inherent in their labor (ILO, 1999:5).

Most of the children get enrolled in school for their education but most of those from poor families discontinue their schooling. However, these children like to continue their study but there seem to be little opportunity for them. To make these children habitual to preschool education can play an important role to increase enrollment no. in spite of parent involvement in labor market of open economy (HMG: 2002:12)

2.2.4 Convention Perspective on Child Labour

ILO and child labour

The ILO was established in 1919 AD, which is a tri-partite organization of workers, employers and the government this organization is, perhaps the first organization for voicing the worldwide concern of workers, including child labour.

ILO does not oppose all types of child work. ILO is concerned about that situation where children are compelled to work on a regular or continuous basis to earn a living for themselves or for their families and as a result are deprived educationally and socially. ILO is against all kinds of works that are exploitative and damaging to their health and to their physical and mental development, where they're separated from their families often deprived from educational and training opportunities. It

oppose the child work as bonded labour and work, where children are forced to live prematurely adult lives condemned to cruel present to a back future (Assegai Bequele1986)

The minimum age convention, 1973 no (138) and recommendation (No 1216) provides general as well as specific guideline on which condition children may or may not work,” The minimum age for admission to any types of employment or work. Which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety and morals of young person shall to be less than 18 years”. If there conditions are protected and can get specific instruction or vocational training in relevant branch of activities. The minimum age may be lowered to 16 on the other hand, this convention states that national law or regulation may permit the employment or work of person 13 to 15 years of age on light work which is not likely to be harmful to there health or development, not such as to prejudice there attendance at school or orientation or their participation in vocational training programmers (minimum age convention (no 138) and recommendation (146), 1973)).

UN on the Right of child

In 1959, united Nation of the Assembly adopted the declaration of the rights of specified that “the child shall not be admitted to employment before an appropriate minimum age and he shall in no case, be caused or permitted to education or interface with his physical, mental or moral development(United general Assembly,1959).

Universal Declaration of Human Rights (10 December 1948)

As a member of the United Nation Nepal is obliged to respect and implement the provision of the universal Declaration of Human Right. Article is of the declaration that no one shall be held in slavery of servitude, slavery and the salve trade shall be prohibited in all their forms.

Convention on the Rights of the child (20 November 1989)

Recognizing that children need special care and protection because of their universality, the UN, General Assembly adopted the child on 20 November 1989. This convention was ratified by Nepal on 14 September 1990.

The convention defines for its purpose a child to be a human being below the age of 18 years, unless under applicable to the child, majority is attained earlier.

World Summit for children

The world summit for children was held at the United Nations in New York on 29 and 30 September 1999 where His Majesty's 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 abolition of illegal child labor".

Colombo Resolution on children (18 September 1992):

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 obliged the basic education access to and enrolment in primary education by at least 50 percent of girls as well as boys by 1995 and elimination of the worst forms of child labor.

2.2.5 Legal Provision on Child Labor in Nepal

According to Nepal's constitution (1990) the labor act was adopted in 1992 following this, the labor rules were amended in 1993 the children's act was enacted in 1992 by addressing the UNCRS 1989. 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 labor and protect the healthy development of children.

The labor Act 1992 and the labor Rules 1993.

This act prohibits the employment of children and provides various safeguards including restriction on the operation of dangerous machines hazardous to individuals health prohibition of excessive loads and performing right duty, a limitation on working hour (six hour per day) of the child labor (prohibition and regulation) act, 2002. The child labor provision of the labor act, 1992 was dismissed.

The children's Act 1992 and Regulation on children, 1995

The children ACT 1992 states that or child labor the age of 14 shall not be employed in any work as a laborers and engaged as a laborer against his will. It prohibits the employment of a child in environment harmful to his/her health or hazardous to his/her life. It also prohibits a guardian from engaging their children in work which requires more labor them his/her physical capacity or which may go against his/her religion or cultural beliefs.

2.2.6 INGO and NGO Perspective:

2.2.6.1 Non-Governmental Organization

The role of NGO is advocacy on the rights of the child, information collection and dissemination is indispensable. In Nepal NGO slide CWIN first raised the issue of child rights and child labor exploitation.

The child welfare society (CWS)is also supporting children by operating common rooms as well as literacy programs for working and street children. The informal sector service center (INSCES) is involved in the issues of human rights and bounded labors. At the local level, the underprivileged children's Associate (UPLA) in Dharan, the children contract center in Butwal and the Narayanghadh youth club in Bharatpur are also working in the fields of the child rights other NGOS like concerns CDS, DPS (Biratnagar), SAFG (Nepalgungj) are also contributing to help protect the rights of children at risk.

For the co-ordination of the activities of different NGOs an networking group called the children at risk networking group has been formed in 1992, Now CAR-NWG has 25 members NGO through which a variety of research and action program are being carried out focusing on child right.

2.2.6.2 International Non-Governmental Organization (INGOs)

There is no of INGOs involved in the field of child rights and welfare by providing financial and technical support for varies activities in the field. They include action aid save the children fund UK, USA, Japan and Norway, plan international and DANIOA, UNICEF and ILO\IPEC have also been actively involved in this sector in Nepal. UNICEF has helped the government prepare a ten year plan of action program for child development and ILO is supporting the ministry labor in drafting a ten year master plan of action for the elimination of child labor in Nepal.

CHAPTER THREE

RESEARCH METHODOLOGY

To achieve the main objective of the study, different research methodologies have been attempted to get necessary information, formal as well as informal procedures are used.

This chapter deals about the study. It describes research design, selection of the study area, general introduction of study areas, nature of data collection interviews, observation and case studies and method of data analysis.

3.1 Sites Selection and Rational for Selection of the Study

The Chitwan district area is selected for the study. The number of child laborers available in this city. This study concentrate in the main small hotel/restaurant and rent area such as Balkot, Dhadhikot, Kausaltar, Thimi Durbar Square, Surya Binayak, Pulchowk, Shahidchowk, Pokhara buspark.

There is high magnitude of physical worker such as industrial laborers, transportation laborers porters and hotel/restaurant labors. This study is concerned about hotels/restaurants form different parts of country having different ethnicity and tradition. They might have different characteristics and behavior in themselves. These studies were seeking its best to examine their demographic socio-economic characteristics working condition problems and cause of child labor.

The researcher has selected this area for the study purpose because for both personal efficiency and for the reliability of the study. As the Chitwan district area is municipality there are numbers of small hotel and restaurant. Most of the NGO's and INGO's working in this field is available for the data.

3.2 Research Design

As most legal research is conducted using exploratory and descriptive research designs, this study is on the basis of these two different research designs simultaneously. It is hoped that the exploratory method of research will aid in finding

the facts regarding the situation of child labor and the descriptive method of study will also be equally effective in analyzing the facts and findings to discover the depths of the study on the basis of the simultaneous use of these techniques. It is expected that the q quantities parts of the study will be successfully coordinated.

3.3 Nature and Sources of Data

Quantitative data is collected and used in the present study. The data was collected using both primary and secondary sources.

3.3.1 Primary Sources

This is the main component of the study. Primary data is collected through interviews, observation and case of the working children in hotel/restaurant of Chitwan district. The data needed for this study has been derived mainly form primary sources during the field survey with the help of schedule questionnaire.

3.3.2 Secondary Data

The secondary data is collected form different sources. The main sources of secondary data are newspaper, NGO/INGO research report, books, journals magazines others relevant books in the library along with different cites visited on different dates.

3.4 Tools of Data Collection

The following tool of data collection is used to get adequate and proper information.

3.4.1 Interview

Interview method is one of the ubiquitous methods of instrument used in structured interviewed obtaining information form respondents. In this method there is a direct contact between respondents and researchers to obtain information from them. This method also aims at collecting information about qualitative facts such as ideas, feelings and views, behaviors that is very helpful to find out the truth. It took about ½ month to complete the interview of the child laborers.

3.4.2 Observation

Observation is also one of techniques of data collection to document the existing condition of the respondent. While interviewing the respondents (child laborers in hotel/restaurants), the researcher observed his/her physical appearance, working condition, clothing behavior other affected person, and activities of respondents during responding the question. This method helps to find out the realities between doing, saying and working existing situation at hotel/ restaurant child laborers.

3.5 Universe and Sampling

The proposed study area is "Chitwan district" where many numbers of small hotel and restaurant has been situated which has employed several children for the purpose of labor. The study will be conducted among different child working in the hotel. The child will be selected disregarding the age, religion, culture; tradition etc and those studies will be analyzed and manipulated quantitatively. The data are generated by using Random sampling design. Out of total child laborers' employed in hotel and restaurant of Chitwan district, only 60 samples of child workers from 40 small and middle size of hotel and restaurant were selected.

3.6 Reliability and Validity of the Data

A great deal for qualitative and quantitative data will be collected for the study using the primary data collection technique. The Narayangadh is one of the city having small hotel and restaurant employing child as worker. Therefore, it is expected that the data collected from the source will be reliable and valid accurate and factual.

Moreover since this research will be based on the interview done through questioner there is low possibility of sampling error. Because of the easy access of the study multiple interviewed child study will be conducted until complete and reliable data are collected.

3.7 Data Processing and Analysis

In this study the analysis of collected information (data) form both qualitative and quantitative method is made through the particular rules the quantitative data are

present in terms of percentages, frequencies and mean table. Basically numerical and percent distribution of hotel/restaurant child laborers by age, sex, composition of child labors, size of the family, caste/ethnic composition, income and calculation of mean have been applied for interpretation and analysis of data

CHAPTER FOUR

SOCIAL-ECONOMIC CONDITION OF CHILD LABOUR WORKING IN HOTEL AND RESTAURANT

Social economic condition refers to the level of social status in the society. It refers to the economic condition, their living standard, their education level, the level of civilization and many other things which is related to individual in connection with the society.

Child born as the individual in the family but after his/her birth he/she come the member of the family and finally the member of the society as a whole. Child has to live as per the family and whole development of the child is related to the and as the status of family.

Above and all a part from other social cause the economic problem play the vital role in shopping the future of the individual child. We can see in the society the child which family economic condition is strong get the chance of well physical and mental development but on the other hand the poor family's child is deprived from all this opportunities. There is the wide disparate in Nepalese society as there is the huge gap between the haves and have not.

The following factor which will be described below is the major cause which the child of poor family a part the exception to engage in different labor work among which he child work the hotel and restaurant is one which is delta here.

4.1 Age/Sex of Child Labor

The age under 18 is very important period of a child to develop physically and mentally. The age of child is also important for the formation of self-identity and self-esteem. So, this situation is much striking for all this regard. Table 1 gives some actual information of hotel/ restaurant child laborers' under the different age groups as well as sex.

Table 1: Distribution of child by age and sex

Age in years	Boys		Girls		Total %
	No.	%	No.	%	
8-10	9	15	3	42.86	20.0
11-13	15	25	2	28.57	26.67
14-16	22	36.67	2	28.57	40.0
Above 16	7	13.33	-	-	13.33
	53	100	7	100	100%

Source: Field survey 2009

Table 1 show that the age of child laborers ranges from 8 to 18 years, of which 90 percent are male and 10 percent are female. The highest percent of child laborers are found in the age 14 to 16 that is 36.67 percent for boys and 8 to 10 age and 5 percent for girls. The participation of younger children is higher than elder children because it is easy to exploit the younger children for the owner of hotel / restaurant

4.2 Origin Place of Child Labor

The research shows that the child working in the hotel / restaurant as labor are not merely from the Chitwan. They are from the different parts of the country which is shown in the table no. 2. The place found is usually the near one from the target area. Though their are some place which is far from the target area

Table 2: Distribution of child labor by their origin place

Place	Boys		Girls		Total %
	No	%	No	%	
Syangja	8	15.09	3	42.85	18.34
Gorkha	6	11.32	1	14.29	11.67
Lamjung	7	13.21	1	14.29	13.33
Dhadhing	3	5.67	-	-	5.0
Parsa	6	11.32	-	-	10.0
Birgunj	3	5.67	-	-	5.0
Newkot	2	3.77	-	-	3.33
Chitwan	6	11.32	-	-	10.0
Jankpur	6	11.32	-	-	10.0
Nawalparasi	5	9.43	-	-	8.34
Udhypur	-	-	2	28.57	3.33
Bihar	1	1.88	-	-	1.66
Total	53	100	7	100	100

Source: field survey 2009

4.3 Caste/Ethnic Composition

Children from different ethnic group were found the survey. The caste/ethnic composition of hotel/restaurant child laborers in Chitwan district has a wide diversity. These child laborers were from different caste/ethnic groups. The caste and ethnic composition of hotel/restaurant child laborers is presented in table 11.

Table 3: Distribution of child laborer by caste/ethnicity

Caste/Ethnicity	Boys		Girls		Total (%)
	No.	%	No.	%	
Brahmin	5	9.43	1	14.29	10
Chhetri	4	7.55	1	14.29	8.34
Magar	4	7.55	-	-	6.67
Gurung	5	9.43	1	14.29	10
Newari	2	3.78	-	-	3.34
Tamang	5	9.43	-	-	8.34
Chepang	6	11.32	1	14.29	11.67
Sanyasi	1	1.87	-	-	1.68
Rai	4	7.55	-	-	6.62
Tharu	1	1.87	2	28.58	5
Dalit	5	9.43	1	14.29	10
Lama	5	9.43	-	-	8.34
Others	6	11.32	-	-	10
Total	53	100	7	100	100

Source: Field survey, 2009

The table refers that majority of child laborers during the field survey was Brahmin 10percent, Gurung 10percent, Newar 3.34percent and others 10percent. Other caste ethnicity of the child labourer can be clearly viewed from the table

4.4 Religion

As rightly stated by great king Prithvi Bir Bikram Shah Dev, Nepal is a multi religious country. In the past Nepal was a Hindu country but not the interim constitution declared as secular country. It is here studied whether there is prominent

diversity in the religious of children. The religious composition of the respondents is presented in table 10.

Table 4: Distribution of child laborers by religious

Religious	Boys		Girls		Table %
	No.	%	No.	%	
Hindu	35	66.04	5	71.42	66.67
Buddhist	12	22.64	-	-	20
Christian	5	9.43	2	28.58	11.67
Others	1	1.89	-	-	1.66
Total	53	100	7	100	100

Source: Field survey 2009

It is obvious that majority of the child laborers (66.67%) belongs to Hindu religions. 20percent child laborers are Buddhist, 11.67percent are Christian only 1.66percent belong to other religions i.e. Muslim.

4.5 Education Condition

Education is the sign of civilization for every human being education is important thing to have their life in a better way. It is also the fundamental right for every Individual. Education help to develop society and it is the basic requirement to develop the personality of every individual. The following tables help to find out the education condition of family of the child laborers and the child laborers himself / herself.

Table 5: Distribution of Education condition of Child laborers parents

Education condition	Nos	Percent
Literate	30	50
Illiterate	30	50
Total	60	100

Source: field survey 2009

The table shows that the child laborers parent education condition. 50 percent are literate and 50 percent are Illiterate. In part of literate they only know the right certain things only.

Table 5.1: Education condition of Child laborers by sex according to education condition

Education	Boys		Girls		Total %
	No	%	No	%	
Illiterate	22	41.50	1	14.28	23
Literate	31	58.50	6	85.72	37
Total	53	100	7	100	60
Education attainment	-	-	-	-	-
Up to primary (1-5 class)	17	54.84	5	83.33	22
Up to lower secondary (6-8class)	12	38.70	1	16.67	13
Up to secondary (9-10 class)	2	6.46	-	-	2
Total	31	100	6	100	37

Source: Field survey 2009

Table 5.1 shows that a large number of children are deprived of ‘right to education’ though the majority of them are literate but have studied only up to class 7 out of 60 respondents only 37 child laborer are literate 23 of the total child laborer illiterate . They are deprived of education right. Among literate children ,22 have attended primary level of education 13 have studied up to lower secondary and only 2 have completed up to class 9.

Children left their study for the sake of work, which are categorized in the row of 1 to 5 and 6 to 8 grades. During the survey period, no one was studying at school.

4.6 Reason for Discontinuing Education

Most of the children have left the school due to the poverty of their parents. Poverty is the significant reasons for children’s school no attendance and dropout. Due to the parents inability to afford schooling cost children do not go to school. Many parents can’t afford money for their children to study. They can’t buy the stationary. Some have hand to mouth problem. So, some of children are out from home for the hope of acquiring income and education both. The major reasons behind dropped out or not joining school reported by Hotel / restaurant child laborers are presented in table below.

Table 6: Distribution of child laborers according to reasons for discontinuing school

Reasons	Boys		Girls		Total %
	No	%	No	%	
To earn money	6	13.95	1	16.67	14.29
Poor economic condition	18	41.86	4	66.66	44.89
Failed in exam	5	11.63	-	-	10.21
Death of father	5	11.63	-	-	10.21
Hard life in village	3	6.98	1	16.67	8.16
Others	6	13.95	-	-	12.24
Total	43	100	6	100	100

Sources: Field survey 2009.

According to the table out of the 60 respondent only 49 responded answer to the question ‘what is the reason behind leaving the school. The reason mentioned above shows that more or less are attached to the economic condition. The majority of children leave their school due to the reason of extreme household poverty. Most of the child informed that they have no money to support themselves and to continue the education.

4.7 Interest for further education

It is found that most children are positive towards education by the survey. They want to join the school and expect to make better future. Though they are familiar with the importance of education in human life, they are compelled to drop-out their schooling due to various reasons. The table below shows that whether Hotel / Restaurant child laborers are interested towards education or not.

Table 7: Distribution of child labor as per their for their further education

Interest for future education	Boys		Girls		total%
	No	%	No	%	
Yes	39	73.58	7	100	76.67
No	14	26.42	-	-	23.33
Total	5	100	7	100	100

Field survey 2009

In this regard the structured interview was able to explore attitude of hotel/restaurant child laborers towards education. Majority of children 46 out of 60 are strongly interested for further education. If anybody is ready to help them The attitude is almost absolute(100%) than boys and (73.58%) on the other hand,(26.42%) boys and zero percent girls are not interested to further education because of ageing, dislike to study, have to support their family and not sure fixed job in future.

4.8 Family size

Economic region poor families normally have higher fertility rates and finally bigger family sizes. A bigger family size means many mouths to eat and many pressing needs, which might have pushed the children to work into the labor market. The family members were recorded during the interviews after asking the questions about the total number of families they have

Table 8: Distribution of child labor by their Family size

Family size	Male		Female		Total member %
	No	%	No	%	
Less than 6	56	93.33	52	86.67	18.33
6-8	4	6.67	8	13.33	61.67
9-11	-	-	-	-	16.67
Above 11	-	-	-	-	3.33
Total	60	100	60	100	100

Source: Field survey 2009.

Table 8 shows that out of the total child laborers 61.67 percent have the family size 6 – 8, 18.33 have less than 6 members, 16.67 percent have 9 – 11 members and 3.33 percent have above 11 members. the table indicates that most of the children are from the bigger family size i.e. 9 – 11.the table also shows that the male members in the family is more in the family which have less than 6 members i.e. 93.33 percent are male and 86.67 percent are female.

4.9 Housing Condition

The health and security of the person can be determined from the shelter in which individual is sheltering. The following table shows whether the child laborer is sheltering in their own home or not.

Table 9: Distribution of child laborer whether they are living in their own home

Living in their own house	Boys		Girls		Total
	No	%	No	%	%
Yes	5	9.43	1	14.28	10
No	48	90.57	6	85.72	90
Total	53	100	7	100	100

Source: Field survey, 2009

This table shows that whether the child laborer are sheltering in their own home or not. Though this question seems quite unsuitable but this question is asked to depict the reality which also shows how the child laborers are living. The question is also unsuitable in respect as most of them have migrated from near by city. However the table shows that 10 percent lives in their own home and 90 percent of the child labor does not take shelter in their own home. The table also clearly shows the living condition distributed on the basis of sex.

4.10 Child laborers' Whether They are Staying with Their Family Parent

This question was asked; “Are you living with your parents” helps to depict the reality whether the child migrated alone or with their parents in search of livelihood. Thus the below table will show the reality.

Table 10: Distribution of child laborers whether they are living with their parents or not

Live with own Parent / family	Boys		Girls		total%
	No.	%	No.	%	
Yes	18	33.97	3	42.87	35
No	35	66.03	4	57.14	65
Total	53	100	7	100	100

Source: Field survey 2009.

The table shows that 35percent lives with their own family 65 percent dose not live with their family. They either live with their master where he / she are working or with the collique per forming the similar nature of home. The table also clearly shows the sex classification of the child laborers staying with his / her family / parents or not.

4.11 Parent's Occupation

It is evident to us that a Nepal is a agriculture country. Most of the people's occupations are agriculture. In the concerned research the carrier development of children depends upon the occupation of their parents. The occupation determines their economic status and economic status determines their personality and carrier, Therefore, the development of child in every factor is determined by the occupation of parents. Table 11 shows the source of income of the parents of the sampled child laborers.

Table 11: Distribution of Hotel/Restaurant child laborers by source of their family

Source of Income	Boys		Girls		Total (%)
	No.	%	No.	%	
Agriculture	23	43.39	5	71.43	46.67
Business	8	15.09	-	-	13.33
Wage Labor	18	33.96	2	28.57	33.33
Other	4	7.55	-	-	6.67
Total	53	100	7	100	100

Source: Field survey, 2009

The table shows that most of the families 46.67percent of the respondent rely on agriculture for their livelihood, but it is not sufficient to make them survival through out the year. There fore, they have to look for other kinds of work and most likely one is wage labor 33.33percent. The table shows that only 13.33percent are engaged in Business. This data clearly shows that occupation or source of income is basically low.

4.12 Reason for Leaving Home

Migration of people from one place to another in search of livelihood is our social reality along with the children which a family is unable to earn sufficient for survival, then a child or whole family migrate for the sake of expectation of better life or work.

Migration of child labor from rural to urban areas has been increasing rapidly day by day. The main cause of the migration is wide spread of poverty, land less unemployment, hardship of live, lack of opportunity and expectation of livelihood. In such cases, children also migration with their parents but sometime children runs away themselves or their parents send them to the urban area.

Table 12: Distribution of child laborers by their reason for leaving home

Reason for leaving home	Boys		Girls		Total(%)
	No.	%	No.	%	
Step father	3	5.66	2	28.57	8.33
Hard life in village	5	9.43	1	14.29	10
Step mother	6	11.32	-	-	10
Migration of family	4	7.55	1	14.29	8.33
Finical problem	31	58.49	3	42.85	56.67
Others	4	7.55	-	-	6.67
Total	53	100	7	100	100

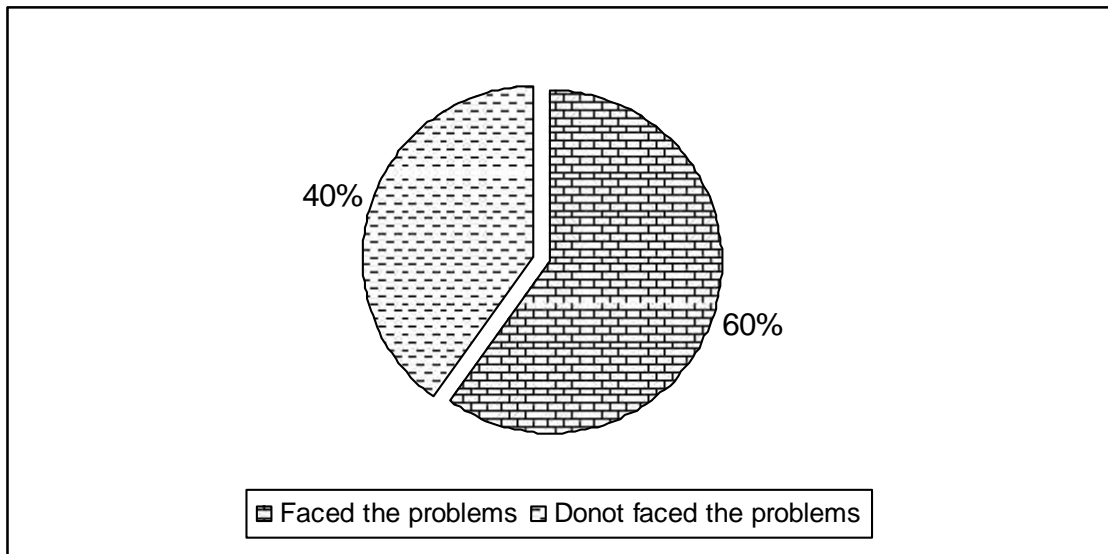
Sources: Field survey 2009

This table shows that, majority of child laborers 56.67 percent left home due to the poor economic condition. This is followed by problem of step father 8.33 percent, hard life in village to percent, problem of step mother 10 percent, migration of family 8.33 percent and other 6.67 percent also made important causes for leaving home.

4.13 Problem Faced While Working in Hotel / Restaurant

The survey found that most of the children working in hotel / Restaurant faced several problem but they do not wanted to expose what type of problem they faced this may be because of the threat by the master . Their were other responded which says that they do not face the problem at all while staying here.

Figure 1: Distribution of Hotel / restaurant child laborers according to their problems while staying here



Sources: Field survey 2009.

This figure shows, 60 percent child labourers of Hotel / restaurant reported that they are facing certain problems while working in the Hotel / restaurant. They face the problem like misbehavior from low words both by master and customers. 40 percent of the respondent does not face any problem.

4.14 Place of Sleeping

Table 13: Distribution of child laborers by the types of bed they are sharing

Have bed facility	Boys		Girls		Total (%)
	No.	%	No.	%	
Yes	20	37.74	1	14.29	35
No	33	63.26	6	85.71	65
Total	53	100	7	100	100

Source: Field survey 2009.

This table clearly shows the sleeping conditions of the child laborers in Hotel / restaurant. As per table only 1 girl i.e. 14.29percent sleeps on the bed other i.e. 85.71

percent sleeps on the floor. Talking about the boys 20 out of 53 which are 37.74percent sleeps on the bed and other sleep on the floor.

In totality among respondents 35percent have bed facility where as 65 percent do not have bed facility. They sleep on the floor.

4.15 Treatment by Owner

It is face that behavior of human being is not same or behavior of everybody is different in every aspects / sectors. In the same way, the employer of the children doesn't treat them well. They provide limited facilities to them. Information the prevalence of mistreatment or punishment made by owner / employer is shows in table 14 below.

Table 14: Distribution of child laborers by treating of their owner

Mistreatment of owner		Boys		Girls		Total %
		No	%	No	%	
Scold	Yes	39	73.55	7	100	76.67
	No	14	26.42	-	-	23.33
Beat	Yes	7	13.20	4	57.14	18.33
	No	46	86.80	3	42.86	81.67

Source: field survey 2009

The table shows that the mistreatment done by master is in two ways. The either scold or beat but sometime they even both scold and beat to the child laborers of hotel / restaurant 76.67 percent of the child laborer is scolded and 18.33 percent of the child laborer is beat by the master 23.33 percent of the child laborer is not scolded by the master and 81.67 percent of the child laborer is not beaten by the master.

CHAPTER FIVE

WORKING CONDITION, INCOME CONDITION AND HEALTH CONDITION

This chapter primarily focused on the working condition, Income condition and Health condition of the Hotel / Restaurant child laborers working condition denotes the situation and types of work performing in the hotel / Restaurant. It also denoted whether the working place is clean or not, hazardous or not, wants type of work they perform etc.

No one should be employed in profitable job without sharing the income. Hotel is the profession of profit the worker employed their should be given income, But there is the high exploitation of the child labourers employed in Hotel / restaurant in terms of wage.

There can be found no written employment agreements between employers and employee when children engage in hotel and restaurants. As a result, the boss or owner of the Hotel / restaurant treats the children as per his own will children have to work hard from early in the morning to the late at night. They prepare food, serve the customers, collect and wash the plates and glasses etc.

Regarding the health conditions, the physical appearance of the child labourers does not sounds good apart from exception most of them were dressed in dirty cloth which will ultimately affect their health. Master does not seem serious regarding the health condition of the child when the child felt sick, the master even does not look at them they only bring simple medicine or takes to the health post in serious illness.

5.1 Types of work

The Research is done in the hotel and restaurant so the work like cleaning, cooking, serving, is done their. During the study period, child laborers involved in Hotel / Restaurants were found working for a long hour. They were assigned to do all kind of work which is to be performed in hotel like cooking cleaning tables and floors, washing utensil, serving etc. they generally work continuously for 12 hours and also sometime more than that which is contrary to the law

Table 15: Distribution of child laborers by sex according to their types of work they perform there

Types of work	Boys		Girls		Total %
	No	%	No	%	
Cooking	13	18.05	1	14.28	17.72
Cleaning	23	51.94	5	71.44	35.44
Serving	24	53.33	1	14.28	31.64
Other	12	16.68	-	-	12.2
Total	72	100	7	100	100

Source: field survey 2009

As per the table though here the number of respondent exceed edit is because the same individual child laborer of hotel / Restaurant is performing the two works at the same time like serving and cleaning. As per the table 17.72 percent are engaged in cooking 35.44 are engaged in cleaning, 31.64 are engaged in serving and remaining 12.2 percent are engaged in other types of work.

5.2 Working Hours

The child right Act (1992) clearly prescribes about the working hours for children, accordingly it prescribed the working hours for children should be limited to 6 hours a day and 36 hours a week but this provision is not applied in the case of Hotel / restaurant child labourers.

But from the survey, it was found out most of the labourers in this field have to work more than 10 hours per day and they have had no holiday though out a week

Table 16: Distribution of Hotel / Restaurant child laborer by their working Hours per day

Working hours per day	Boys		Girls		Total %
	No	%	No	%	
2 – 5	1	1.86	1	14.28	3.33
5 – 8	11	20.75	2	28.58	21.67
8 – 12	29	54.72	3	42.84	53.33
Above 12	12	22.67	1	14.29	21.67
Total	53	100	7	100	100

Source: Field survey 2009

As per the table most of the child laborer work in between 8 – 12 hours. About 53.33percent of child labourers in Hotel and restaurant work in between 8 – 12 hours per day. 21.67 percent of child labor work above 12 hours and same percent of

children work in between 5 – 8 hours. Only one child was found working very low hours is from 3 – 5 hours.

5.3 Holiday in the Work

A question was asked in the field survey that ‘did you get holiday in your work? The question was targeted to find out whether the child laborers get holiday in a week as per the survey, the range of the hotel restaurant child laborers is working from 8 to 12 and above hours per day. Table 18 provides a glimpse whether they get holiday once in a day or not.

Table 17: Distribution child laborers according to holiday they get or not per week

Holiday per week	Boys		Girls		Total%
	No.	%	No.	%	
Once in a week	10	18.87	1	14.29	18.33
More than one week	-	-	-	-	-
No holiday	43	81.13	6	85.71	81.67
Total	53	100	7	100	100

Source: Field survey, 2009

The table clearly shows that only 18.33percent of child labourers of Hotel/restaurant get holiday once a week other remaining 81.67percent doesn’t get holiday. They are compelled to work all the 7 days of the week.

5.4 Perception Towards Their Job

Table 18: Distribution of respondents by perception towards their current job

Perception towards job	Boys		Girls		Total
	No.	%	No.	%	
Satisfied	23	43.39	-	-	38.33
Not satisfied	30	56.61	7	100	61.67
Total	53	100	7	100	100

Source: Field survey, 2009

The question was asked to seek the view of child labourers towards their work 38.33percent of the child respondent that they are satisfied with their job. The reason was the compulsion, no other good job etc. About 61.67percent of the child laborer was unsatisfied with their job. The reason for dissatisfaction was hard work but low salary, continues work, scolding and beating the master etc.

5.5 Wage/Earning/Income Per Month

The answer relating to this question clearly shows that the child labourers of hotel/restaurant are extremely exploited by the master of the hotel/restaurant instead of their hard and continuous work, they are provided very few and good health treatment facilities. A part from this they even do not get good accommodation.

Table 19: Distribution of child laborers' by their monthly wages/Income

Monthly wages/income	Boys		Girls		Total
	No.	%	No.	%	
Below Rs. 900	11	20.75	2	28.57	21.67
Rs. 901-Rs. 1100	8	15.02	2	28.57	16.67
Rs. 1101-Rs. 1300	12	22.64	2	28.57	23.33
Rs. above 1301	22	41.52	1	14.29	38.33
Total	53	100	7	100	100

Source: Field Survey, 2009

The table relating to wage clearly shows that the child labourers are even exploited in terms of wage per monthly 21.67percent of them salary was below Rs. 900, 16.67percent has salary between Rs. 901-1100, 23.33percent has salary between Rs.1101-1300, and 38.33percent of them have salary above Rs. 1300/-

5.6 Health Condition

Health determines the over all development of the child as there is the famous saying 'Health is wealth'. An unhealthy person can do nothing good. He is unable to work both physically and mentally as results she/he become back in the society. The below table shows the health condition of the hotel/restaurant child labourers

Table 20: Distribution of child laborers' suffered from sickness during work and what is the response of Master towards their sickness.

Suffered/ Suffering from sickness during work	Boys		Girls		Total
	No.	%	No.	%	
Yes	21	39.62	4	57.14	41.67
No	32	60.38	3	42.86	58.33
Total	53	100	7	100	100
If yes, did master take for treatment					
Yes	32	60.38	4	57.14	60
No	21	39.62	3	42.86	40
Total	53	100	7	100	100

Source: Field survey, 2009

As per the table 41.67 percent of child laborer has suffered or suffering by different sickness and 58.33 percent have not yet suffered from sickness. Among the respondent 60 percent accepted that their Master takes them for treatment when the felt ill but 40 percent denied this statement.

5.7 Meal Having Per Day

There is the general perception that in the first instance that an individual does, he/she does he\she does for the stomach. As such food is the basic need of all human beings. No one can live without food. For good health ,proper food should be taken in proper time, unbalanced food , insufficient and untimely food don't provide proper energy and health to body .

Table 21: Distribution of Hotel / Restaurant child laborers by the times they have meal per day

Per day	Boys		Girls		Total%
	No.	%	No.	%	
2 times	1	1.88	-	-	
3 times	20	37.74	5	71.43	41.67
More than 3 times	32	60.38	2	28.57	56.66
Total	53	100	7	100	100

Sources: Field survey 2009

Among the child laborers most of them have meal more than 3 times i.e.56.66percent .It is so because they eat whatever they get from the hotel / restaurant 41.67percent of child laborers have 3 times meal per day and only 1.67percent have 2 times meal per day.

CHAPTER SIX

FINDING, CONCLUSIONS AND RECOMMENDATIONS

6.1 Findings

Though the constitution guarantees and requires that no minor shall be employed to work in any hazardous work. Although the constitution doesn't define the term minor it is defined by the child Act 2048 and child labor prohibition Act. It is therefore necessary the child should not be employed in work but the research has found most of the worker in the worker in the hotel /restaurant are children.

-) The majority of child laborers are seen to be boys among the 60 responded taken randomly only 7 were found to be girls.
-) As the site selection for the Research was taken as Chitwan district so most of the child workers seems to be from the near places Pulchowk, Sahidchowk, Pokhara Buspark of the selected area i.e. Ghitwan. Though some are found to be from the district which is far like Syangja, Janakpur. One worker was found to be from the India.
-) Majority of the Hotel/Restaurant child labourers have their both parents alive and it is followed by both died, step mother and step father problem are also seen respectively.
-) Regarding the home of the child labourers most of them have their home in their native place but not here where they are engaged in the work and only significant proportion of child labourers families do not have their own house .
-) Regarding the education of the children though most of them have completed the primary level education but at present while working none of them are continuing their study with work.
-) Most of the child labourers faced hard and harsh voice from the master and even sometime beating from their masters. When they are late in working, spoil the work unknowingly, sometime they even give physical punishment too.

-) The child worker doesn't get proper health check up from the master. Wearing dirty clothes, not combing the hair. Most of them get chance to wash the body on one time in 10 – 15 days. Master brought some common medicine while they get sick. Only in complex health sick, they brought them to Health post for primary treatment center.
-) Talking about the nature of work most of the child labourers in hotel / restaurant are engaged in serving and cleaning the utensil in the whole day and even till night up to 8.00pm.
-) Regarding the family condition some are sitting with their patents at night in the room and most of them sleep in the place where they sleep mostly on the floor. Their families have poor economic condition mostly of them are engaged in the agriculture, wage laborer and small business.
-) Most of the children expressed their satisfaction with present working life. The reason behind their satisfaction where family poverty, most have to work for their livelihood, death of earning family numbers. The laborers who are dissatisfied the cause of dissatisfaction is mainly due to low wage and not avail ability of basic physical facilities.

6.2 Conclusions

Child labor has emerged as a major social problem in much of the third world countries where rapid increase in population, economic stagnation, structural adjustment policy implication, drought, war and disease have decreased the ability of families to earn a decent living. As part of family survival strategy used to cope with financial pressures, more and more children are being pushed in to the labor market. In terms of the size of the population involved child labor is probably the issue that involves the largest number of children world wide.

The definition of 'child', 'labor, "exploitation hazard and developmentally' damaging" need to be given serious attention in this context. Different societies may have different thresholds for demarcating child hold and adulthood but in the context of child labor the ILO has clearly stated that childhood is a period of life which should

be dedicated not to work but to education and development:, that child labor , by its nature or because of the conditions.

In which it is undertaken, often jeopardizes children's possibilities of becoming productive adults, and finally child labor is not inevitable and progress towards its reduction and even its elimination is possible when the political will to fight it exists. The fundamental objectives of the ILO policy in this matter are the abolition of child labor.

Talking about the Nepalese context, while little substantive research has been done in the field of child labor, anecdotal and case study evidence suggests that the situation is definitely getting rapidly worse in Nepal. Urban migration aggravated and accelerated by rural poverty has led to more exploitation of child labor in recent years in Nepal. The trend of child migration from Hill to terai and from rural to urban areas has also been increasing day by day, as some preliminary studies have shown. However, the critical issues of child migration and labor have not yet been comprehensively and systematically studied.

In conclusion we can say that child labour is a reflection of the socio – economic reality of the country. This is also regarded as a consequence of the feudal land holding system, which is still a bitter reality of many third world countries. 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 marginalization among the rural population rural migration among the rural population, rural migration and urbanization has also contributed to an increase in the magnitude of child labour exploitation.

The extreme household poverty is the leading cause of child labour in general and Hotel / Restaurant child labourers in particular, However, other factors like large family size, lack of schooling facilities process of modernization, migration, family disharmony, lack of proper love and care etc contribute children to enter in to labour market from their early age.

At last it is concluded that the child workers in Hotel / Restaurants are one of the worst forms of child labour. It is not only the extreme household poverty but also

parent Illiteracy, lack of schooling facilities, lack of employment opportunities and weak legal enforcement are also the contributing factors for children to be engaged on such labour.

6.3 Recommendations

-) The main cause of child labor is poverty so the strategy for developing economic status's of their family should be improved. At the village level, poverty reduction, in come generating programs should be launched specially during the off farm seasons. For this purpose easy loan should be provide to the poor people to engage them in economic activities. On the other hand training and technical knowledge should be given to develop their skills.
-) The employers need to be educated for the rights of the children and encouraged send the children to school, encourage them to give them proper wages. They should be educated now to treat them as any other human being by not exploiting them and giving the amount of work as they are capable of. The employers should realize that the domestic child workers are working in their house because of the need if money but they also need the other human need like love, care affection from their employers .and the employers who treat child workers badly should be charged against the law.
-) The children Acts should not limited to papers only. The government should execute them properly. On the other hand a publicity campaign should be launched born by government and Ngo/ INGO to raise awareness against the exploitation of child workers.
-) The provisions relating to employment and self employment of children and work done by children and [e.g. domestic work, work in hotel etc] should be consolidated in one Act to the extend possible labor inspection system should be extended progressively to cover all kinds of work places and there should be clear provisions to specify the minimum age for admission to different types of employment or work and to increase the minimum ages as the economy and education facilities develop.

-) There should be provision for medical examination of young person at the time of entry in to employment and there after periodically to ensure that they fit to perform the work on which they are employed.
-) The penal provisions of the labour Act (1992) should be made more stringent so as to act as deterrent.
-) The definition of an enterprise in the labour Act (1992) should be made more explicit so that there is no ambiguity about the application of the Act for instance it is not clear as to what kinds of shops or establishments are covered under the labour Act. Beside there should be a provision for compulsory registration of the work place covered under the act.
-) Young persons between 10 – 18 years should be given adequate protection at work.

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QUESTIONNAIRES

1. FAMILY BACKGROUND

a. Are you living with your parents ?

Yes-----(1) NO------(2)

b. If not with whom you are living ?

Alone------(1) with some body else -----(2)

c. How many members are there in your family ?

Female -----(1) male------(2)

d. what is source of income of your family ?

Agriculture------(1) Occupation----- (2)

Business------(3) others------(4)

e. do you have sufficient land to feed your family ?

yes------(1) No ------(2)

f. Are you living in your own home ?

Yes ------(1) No ------(2)

2. EDUCATION STATUS

a. Up to what class did you studied ?

Not studied -----(1) 1---5 class------(2)

6---8 class------(3) 9---10 class------(4)

b. Are you still continuing your study with work ?

Yes ------(1) No------(2)

c. If not what is the reason for leaving the school ?

d. Are you even studied in the study ?

Yes-----(1) no------(2)

e. what is your parents education ?

Literate------(1) Illiterate------(2)

3.INDIVIDUAL QUESTION

a. what types work do you perform in hotel ?

cooking------(1) cleaning------(2)

servicing------(3) others------(4)

b. how many hours did you work in day ?

2---5 hours------(1) 5----8 hours------(2)

8----12 hours------(3) above 12 hours ------(4)

c. do you get off time or holiday ?

yes------(1) No------(2)

d. If yes how many hours?

e. Are you satisfied with this job ?

Yes------(1) No------(2)

f. If no what is the reason ?

Low wage------(1) over load of work------(2)

Dislike of job------(3) lack of others facilities------(4)

g. Before joining this work what types work did you perform ?

Same-----.(1) others------(2)

h. do you want to continue this job ?

yes-----(1)

no------(2)

i. what is the wage per month ?

j. what is the reason that made you leave the home and come to work in hotel ?

4. WORKING ENVIRONMENT

a. Is your work place clean?

yes-----(1)

No------(2)

b. Is your working place hazardous ?

yes-----(1)

No------(2)

c. Have you ever been scolded or beaten for neglecting your work?

yes-----(1)

No------(2)

5. HEALTH CODITION

a. Are you suffering from any diseases ?

Yes-----(1)

No------(2)

b. If yes what types of diseases ?

fever-----(1)

diarrhea------(2)

headache------(3)

others------(4)

c. how did you get this diseases ?

due to dirty environment------(1) due to impure environment-----
(2)

d. Did your master take for treatment when you are sick?

yes------(1)

No------(2)

6. FOOD AND SHELTER

a. How much meal do you have per day ?

one meal-----(1) two meal-----(2)

three meal-----(3) more meal-----(4)

b. Where do you sleep?

on the floor-----(1) on the bed-----(2)

others place-----(3)

c. How many people sleep in your room ?

two-----(1) three-----(2)

four-----(3) more than four-----(4)

7. PROBLEM

a. Have you ever face any problem?

Yes-----(1) No-----(2)

b. Have you ever face any harassment while staying here ?

Yes-----(1) No-----(2)

c. Does your master/ mistress allow to go to home ?

Yes-----(1) no-----(2)

d. How often do you visit your home village in a year ?

One time-----(1) two time----- (2)

Three time----- (3) more than three time----- (4)