

CHAPTER I

Introduction

1.1 Background of the study

Child labour remains a serious problem in the world today. According to recent estimates, 218 million children between ages 5 to 17 world wide are child labourers. This excludes the activities of children 12 years and above who are working only a few hour a day in permitted light work and the activities of children 15 years and above who are working in non-hazardous sectors. Of these, 126 million children are involved in the worst forms of child labour. The largest number of child labourers – roughly 122 million –aged 14 and below are in the Asia-Pacific Region (ILO, 2006: 1).

Child labour remains a major challenge for the Nepalese society. According to the National Living Standard Survey (NLSS) 2003/04, it was estimated that there were 1.83 million working children in Nepal. Based on the NLSS, it can be estimated that close to a million of working of the working children aged between 5 and 14 years were categorized as child labourers. According to The Rising Nepal "Out of an estimated 3.6 million child labourers, 32,000 children are involved in stone quarries, 72,000 are working in restaurants/teashops, 46,000 are serving as child porters, 17,000 in mechanical works and 60,000 children are employed in brick kilns," from CONCERN Nepal (The Rising Nepal, 4th July, 2006).

Poverty is the main cause of child labour around developing countries. When a 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).

Nepal is one of the poorest countries in the world where poverty is widespread in Nepal. According to Nepal Living Standard Surveys (NLSS), in 2003-04, 31 percent of population was poor in Nepal. Out of total population according to 2001 census, 24.2 percent children age group 0-4, 28.3 percent age group 5-9, 26.2 percent age group 10-14 and 21.0 percent age group

from 15-19. Education is one of the fundamental means for all alleviating poverty and bringing improvement in the standard of living through different socio-economic activities. In the context of Nepal, since the illiteracy rate was 45.9 percent in 2001, the resolution implies that illiteracy rate should be reduced drastically to meet the target endorsed by national and international authorities (CBS, 2003)

According to the census 2001, out of the total population of 24.5 million, 52 percent consists of children below 18 years of age. Lack of fertile and irrigated land, illiterate large families, torment discrimination, present conflict problems and deprivation of education are some factors leading children and parents to urban areas in pursuit of economic opportunities and safer surroundings.

In brick kiln sector, as in others, children work for a meager hard-earned sum as parents prefer their children to work at a tender age rather than enrolling them in expensive private schools or educating them in government schools (CONCERN, 2005).

Child labour is not a new phenomenon in a agriculturally dominant country like Nepal. It is part of the feudal economy; children have played a significant role in the family's livelihood. Fetching water, collecting firewood, grazing cattle, carrying after children and supporting parents in the fields are the most common works that children in the rural areas perform. In addition, mainly a family bread winner works as domestic servants in the homes of village, merchants. The migration of children to urban areas has been tremendously increasing these days and this has led to the increase of child labour in the urban areas. Industries like carpet, garments, and confectioneries. Brick kilns and stone quarries are employing many children as they are meek and uncomplaining and a cheap source of labour. The rising number of slums and squatter areas has also contributed of the child labour population (Pradhan, 1995: 40).

Governments as well as international development agencies have started to focus on the welfare of children. The world summit for children held in 1990 epitomized this realization and reaffirmed the collective commitment to change the situation. Nepal is also heading towards the elimination of child labour. The effort to improve the situation of child labourers in Nepal dates back to 1989, when Nepal signed the United Nations Convention on the rights of the child. The

constitution of Nepal, 1990 reinforces this effort by guaranteeing the rights of children against exploitation. It prohibits the employment of minors in any hazardous work in factories or mines. Combating child labour has become an essential element of the national development plan. Nepal ratified the ILO Minimum Age Convention (No. 138) in May 1997 and the ILO Worst Forms of Child Labour Convention (No. 182) in September, 2001

1.1.2 Migration

Migration is one of the three components of population change. Any change in the volume and flow of migration will change the size, growth and other characteristics of the population both in sending and receiving areas. Migration within a country does not affect its the total size of the population and growth rate but it affects regional and sub-regional population and growth rate within the country. But migration into an/or outside the country does affect the size and the growth of the country's population. Migration unlike fertility and mortality is the least researched and understood component of the demographic dynamics in Nepal, despite the fact that many of Nepal's sub-economic and political problems are interwoven with the process of both internal and international migration (KC, 1998). In this research I studied about child migration with respect to child labour.

1.1.2.1 Child Migration

Much of the publicized child labour/work has a direct correlation with migration from rural areas caused by many factors, such as poverty, domination by powerful landlords, low literacy rates of villagers, lack of schools, maltreatment by step mother, death of the household head etc

CWIN (1993) revealed that among the children working in the carpet factories of Katmandu , 97.6% are migrants, labour contractors brought 47.2%, 11 % come with parents, and 28.3% come with relatives the rest come either with their friends or by themselves.

INSEC (1996) also quotes poor quality of teaching as a major cause of migration. Mostly, children from the economically deprived rural areas move to urban as well as to various parts of India in search of job with which they expect to fulfill compensation on their necessities.

Suwal et al (1997) found that about 68 % children aged 5-14 are literate, 75 % male and 60 % are females. About 81% of total children are reported to have completed 1-5 grade of education and only 17.2% completed 6-9 grade of education. A very small proportion (0.5%) of children is reported to have completed 10 and above grade of education.

CWIN (1998) shows that the migration of Nepali children from rural to the urban areas has been increasing tremendously and this has ultimately contributed to increase in the magnitude of child labour inside Nepal. Carpet and garments industries, confectioneries, brick kilns, road and building construction, transportation and atone quarries are employing many children as they are cheap source of labour and uncomplaining.

1.1.2.2 Migratory trends

Of the two types of child workers in brick kilns – local and migrant, the vast majority (74%) have migrated from other areas primarily in search of seasonal employment. Migrant child workers, categorized as Nepali or Indian, tend to arrive with family or friends and plan to return home when brick production season ends. Most Nepali child workers come from outskirts of Kathmandu valley and rural hilly regions around the southern Terai plains, whereas some come from as far as India's bordering states. The lower number of locally based child workers is due to a relatively higher level of awareness on education coupled with the availability of alternate economic opportunities.

“ At least primary education should be provided for brick kiln child workers. It's very difficult for us to attend school because we live half of the year in our village and work half the year in the city”- Saugat Surena, Sunsari

Contractors are another source of migration, hired to supply the required force in the brick kilns. Accordingly, they visit remote villages seeking children with, or at times without, parental consent. In most cases, children agree to work in brick kilns because there is no money for education or their families need financial support, however orphaned or abandoned children have little choice and are especially vulnerable with even fewer options for their livelihood and survival. Others are forced to leave home as they are subjected to abuse from a step parent. Debt- bonded child labour is serious problem in this industry as contractors offer a lump sum advance payment to parents in return for their child's work for an entire season. These children face extreme challenges as they are far from home, usually alone, and receive wages sufficient only for food.

1.1.2.3 Reason for Migration

Pushing and pulling factors play a big role in child migration. Leaving their villages of origin can be due to pushing factors consisting of a wide range of conditions including the prevalence of the untouchability, lack of income earning opportunities, family poverty and the presence of political crisis. Education deprivation, domestic conflict and discord, alcoholism, parental neglect or abusive guardian/s or step parent/s, school teachers' abuse backward ethnicities and language problems in school are also causative pushing factors for children migrating to work in brick kiln. Additionally, pulling factors such as city attractions, hope of job opportunities and less discriminatory social attitudes can lead to children's migration to Kathmandu and other urban settings.

Employment and income opportunities are rare in rural villages and massive poverty drives these children away from home to urban areas where they hope to find jobs. 44% of child workers in brick kilns cite abject poverty as their primary reason for entering this hazardous field of physical labour. Similarly, uneducated and unskilled, 13% of children leave because their parent/s cannot afford basic necessities and no other means of employment are to be found nearby. They must earn income for their own survival or to provide family financial support and as such are forced to leave for urban areas where they soon find that life is not easy in cities or towns either.

Apart from high unemployment rates, economic and political crisis, social issues become a point of intolerance for many 74% migrant child workers in brick kilns. Suffering as members of the oppressed caste, from family conflict such as alcoholism, parental neglect or abusive guardian/s or step parent/s, these children often feel caught in an unending cycle of despair. Frustration

leads these children to urban areas in search of hope or escape. Very few 6% migrate from sense of adventure and the attractions of life in a big city. These migrant children live in a state of constant transition and suffer from a lack of stability and sustainability. Soaring migration rates may soon create a serious demographic crisis throughout the country's rural village areas. Likewise, poorly planned urban centers simply do not have adequate infrastructure to sustain this rapid level of growth. As migration continues to spiral out of control, there is little opportunity for migrant child workers but as cheap physical labour in hazardous brick kilns.

"I felt compelled to come here to work in the brick kiln to support myself because I couldn't stay at home due to family dispute and economic problems. It's a hard job, but really it is better than being at home with constant tension." Nisha lama, Bhaktapur

1.1.2.4 A Brief History of brick production in Nepal

The history of brick production in Nepal is as old as Nepal's civilization. The production of the use of brick for construction purposes came into vogue along with southern and northern neighbors India and china. This building style gained popularity especially in the southern plains of the Terai and the Kathmandu valley, both places that stone and boulders were not readily available. Bricks have been a part of Nepal's art and architecture right from the beginning and continue even today, often used as a decorative façade in addition to building to show social prestige and concern for preserving in the heritage of Nepal. Ancient and historic temples, palaces and monasteries in incorporating brick are testimony to a long and rich past.

1.2 Statement of the problem

Child labour is not accidental market; demand for child labour determines children employment in various enterprises and industries. Children are employed because they are docile, obedient, hired at cheaper rates than adults and dispensed off easing if labour demands should fluctuate (UNICEF (EAPRO, 1994). Migrations of children to urban areas are from both rural and small urban areas in Nepal. Rural poverty has led to more exploitation of child laborers in recent years and trend of child migration from rural to urban has increased alarmingly (ILO, 1995).

Poverty is the main factor of child labour because if a family is very poor and is unable it afford for their food, cloth and shelter everyone, then all the number of family have to work for living. But many children also work because their stepmother or father do not accept them easily and They not being able to tolerate their domestic violence, run away from their homes, And it is the main factor of a children working as labourers. These children have to work from their childhood for living. Lack of opportunities like education, good health, food and other facilities are also reasons for them to work at the early age. In most of the cases, the school are far from their reach, are unavailable, discriminating behavior of teachers and other children, in adequate or just too expensive (UNDP,1993).

One of the major problems related to child labour is hazardous environment Health and safety hazards in the working places are related it the nature of the work, such as hazardous process, (ILO, 1996). Chemical, physical, biological and psychological hazards are often found in the work. Physiological development, resulting in permanent disabilities with serious consequences for there adult lives (ILO, 1998 World Bank, 2000:2) there are numerous children in Nepal working industries which are simply dangerous and hazardous and which have large number of child labours.

Child labour is rampant in Nepal. It is estimated that over 2.6 million children are working as wage labourers in different sectors of our economy. Some sectors are more hazardous and risky, where children are even more vulnerable in terms of health, physical growth and safety. However, the use of the child labour continues to exist even in sectors considered most hazardous. An estimated 34% Of the total brick kiln labour force are child workers. Thousands of children work as wage or bonded labourers in brick kilns of Nepal, some for years and others newcomers. There are a number of documented reasons for children working in the brick kilns as labourers, their conditions often unsatisfactory in terms of wage, health and safety, working and living conditions and more (CONCERN, 2005:12).

Brick kiln industry is considered as the most hazardous work place especially for children. It is also one of the most labour intensive industry which absorb the great amount of child labour in Nepal. Children engaged in these industries have to face various hazards like injuries due to falling objects, exposure to harmful dust and noise, extreme weather condition and carrying heavy weight and load.

1.3 Objectives of the study

The main objective of this study is to find out the hidden facts and reality of the condition of the child labour in brick kiln industries in Bhaktapur district (Duwakot VDC Ward No.2) to provide overall quantitative as well as qualitative information related to child labour in brick kiln industries.

And, the general objectives of the study were:

- To find out the demographic and socio-economic characteristics of children working in brick kiln industries of Bhaktapur District.
- To examine the working condition, environment and factors responsible for their migration process.
- To access the nature and causes of exploitation and hazards faced by child workers in brick kiln industries of Bhaktapur District.

1.4 Significance of the study

Nepal is an agricultural country with a few small townships and a large number of scattered small villages. Majority of Nepalese people are depriving of such fundamental rights as pure drinking water, health services, schooling, electricity, telecommunication, road and transportation. Over 65.6% Nepalese people depend on agriculture for their livelihood (INSEC, 2001).

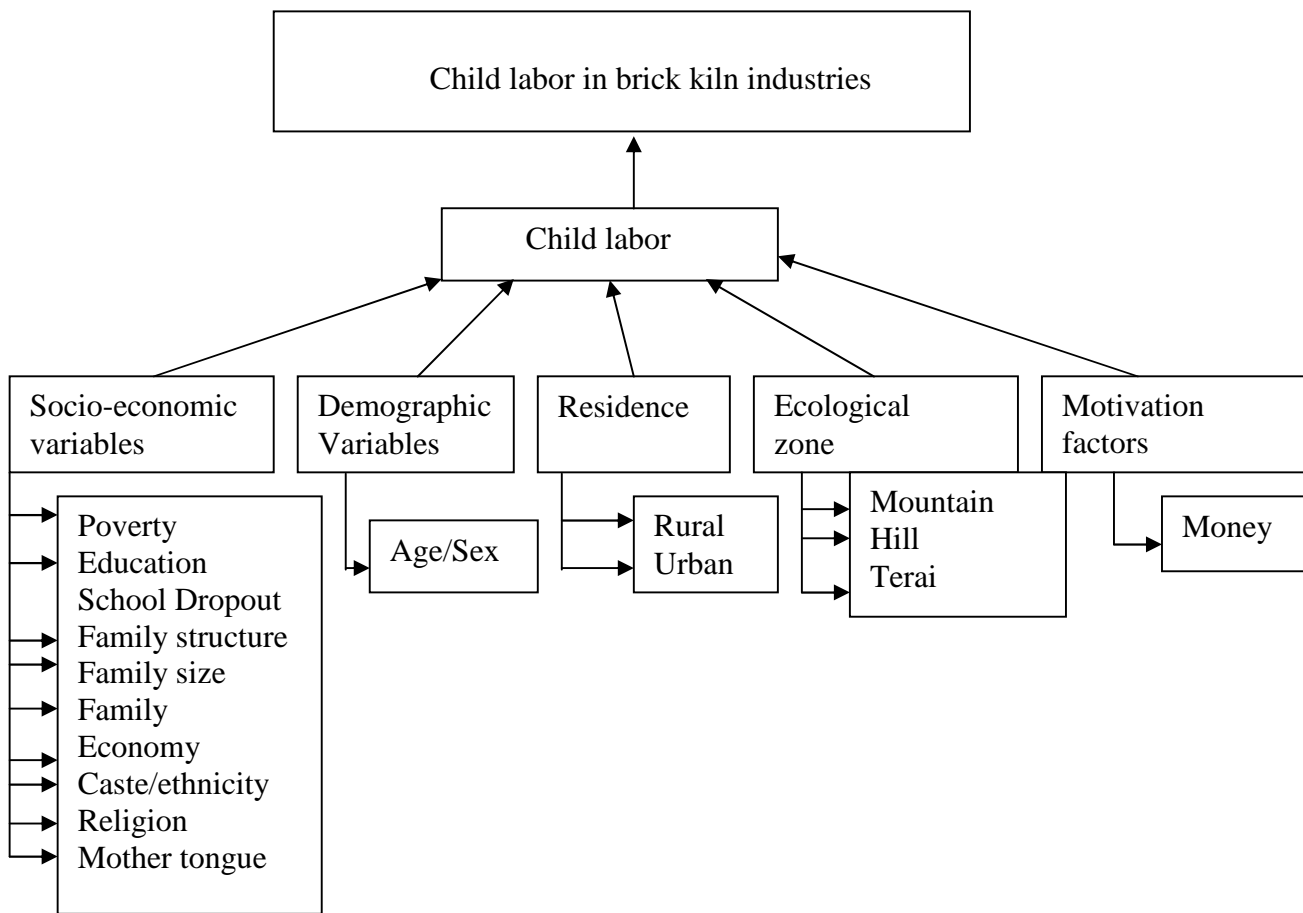
So child labour in brick kiln is relatively isolated from the view of development activists whereas street children and domestic child labour have specially been focused at present. Working in brick kiln is hazardous to children. It is one the worst form of child labour. In fact, children including adult workers come from outside of the Bhaktapur to work in brick kilns. It is necessary to trace their place of origin to get information in their family background, socio-economic status, cultural setting, social environment and individual situation in order to identify the causes of migration. It is crucial to understand the complexity of the phenomenon for designing policy, plans and programmers. Children of the most vulnerable groups in society are engaged in this form of child labour. They are mostly deprived of schooling and have to face various hazards in the worksite.

1.5 Flowchart of the study

This figure shows that the proposed conceptual framework, which provides the basic of available literature where selected variables are used in designing the framework for the purpose of analysis of the situation of child labour in brick kilns industries. This study is conducted as presented conceptual framework

The literature reviewed on the related issue provides the basis 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 brick kiln industries labors. There are related pushes and hazardous and others of working condition while employed at brick kiln industries, the conceptual framework of this study can be summarized as:

Flowchart of the study



The figure shows that socio-economic variables of child labor in brick kiln industries.

Demographic variables, residence and ecological zone influence to child to be a child labor where as motivation factor motivated to child into child labor in brick kiln industries for income.

Chapter II

Review of literature

2.1 Defining a child

The United Nations Convention on the Rights of the Child defines a child as "every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier." Biologically, a child is anyone in the developmental stage of childhood, between infancy and adulthood.

In many countries a child is defined in terms of age limits, which differs, with various activities. United Nations children's fund declares, "age limits are a formal reflection of society's judgments about the evolution of children's capacities and responsibilities" (UNICEF: 1997)

The Nepal labour act 1992 defines a child as a person below the age of 16 years and states that a child who has not attained the age of 14 shall not be employed in any work as a labourer.

According to the ILO proposed convention (1999) "no person under the age of eighteen is to be in worst form of child labor". For the purpose of the present study, I have set to study children ranging from the age of eight to fifteen years. The rational selection of children of this age group was to enable the research to interview them independently.

2.2 Defining child labour

Child labour, or **child labor**, refers to the employment of children at regular and sustained labour. This practice is considered exploitative by many international organizations and is illegal in many countries. Child labour was utilized to varying extents through most of history, but entered public dispute with the beginning of universal schooling, with changes in working conditions during industrialization, and with the emergence of the concepts of workers' and children's rights.

UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should therefore be eliminated.

ILO (1995) defines child labor as exploitative by nature and detrimental to the child's growing process depriving the child of the rights to survival, development, protection and participation.

Child labour is common in some parts mostly in Asian and African countries of the world, and can be factory work, mining, prostitution, quarrying, agriculture, helping in the parents' business, having one's own small business (for example selling food), or doing odd jobs. Some children work as guides for tourists, sometimes combined with bringing in business for shops and restaurants (where they may also work as waiters). Other children are forced to do tedious and repetitive jobs such as: assembling boxes, polishing shoes, stocking a store's products, or cleaning. However, rather than in factories and sweetshops, most child labour occurs in the informal sector, "selling many things on the streets, at work in agriculture or hidden away in houses—far from the reach of official labour inspectors and from media scrutiny." And all the work that they did was done in all types of weather; and was also done for minimal pay.

According to UNICEF, there is an estimated 158 million children aged 5 to 14 in child labour worldwide, excluding child domestic labour. One in every six children in the world is a child labourer. Millions of children are engaged in hazardous situations or conditions, such as working in mines, working with chemicals and pesticides in agriculture or working with dangerous machinery. They are everywhere but invisible, toiling as domestic servants in homes, labouring behind the walls of workshops, hidden from view in plantations.

According to recent estimates, 218 million children between ages 5 to 17 world wide are child laborers. This excludes the activities of children 12 years and above who are working only a few hours a day in permitted light work and the activities of children 15 years and above who are working in non-hazardous sectors. Of these, 126 million children are involved in the worst forms of child labour. The largest number of child labourers – roughly 122 million –aged 14 and below is in the Asia-Pacific Region (ILO, 2006: 1).

Several studies on child labour have been conducted in Nepal. The situation of the child labourer has been very often described pathetically inhuman. Working in various factories for long hours in unhealthy working conditions, the child labourers in Nepal suffer from serious physical and mental illness and are deprived of education and economy (CWIN, 1989 and 1993).

Due to overwhelming traditional agriculture economy, children constitute an integral part of the family work-force and they are also engaged in both formal and informal sectors. Many studies found that both boys and girls begin to work around six years of age and surprisingly spend significant amount of their time in house and significant part of that in household activities. For instance, in a Nepalese village, a child aged 6-8 spends almost 5 hours, a child aged 9-11 spends 8.4 hours, and a child aged 12-14 year spends almost 10 hours a day for all types of work (Nag et al., 1978:296). They specially help around the home, running errands, helping in farms, animal cares, and taking care of younger children.

Child labour in Nepal has been increasing day by day. The increase is 18.1% per year (Pathak, 1999). Child work is not always restricted to the home or without leaving home and parents. By definition, when did work outside home for a wage or a livelihood that is usually facilitates the migration of children.

In Nepal the latest Nepal Labour Survey 1998\99 reported that about 2.0 million children are employed in various kinds of works. This constitutes 41% of the total population between ages 5-14. (CBS, 1999). Nepal is one of the poorest countries in the world where poverty is widespread in 1. According to Nepal Living Standard Surveys (NLSS), in 2003-04, 31 percent of population was poor in Nepal. Out of total population according to 2001 census, 24.2 percent children age group 0-4, 28.3 percent age group 5-9, 26.2 percent age group 10-14 and 21.0 percent age group from 15-19. Education is one of the fundamental means for all alleviating poverty and bringing improvement in the standard of living through different socio-economic activities. In the context of Nepal, since the illiteracy rate was 45.9 percent in 2001, the resolution implies that illiteracy rate should be reduced drastically to meet the target endorsed by national and international authorities (CBS, 2003)

In urban areas, migrated child labourers are visible in many laborer sectors. Such as home service, carpet and garment industries, confectionary, brick kilns, road and building construction, transportation, stone quadrisection. Similarly migrant children make a large chunk of street children in the city centers.

Unfortunately many children from the third world country suffer a lot from hunger, malnutrition and are often exploited. They are far from enjoying their basic rights. Child labour has emerged as a social problem in the developing world today. The rapid increasing population economic stagnation, structural, adjustment, drought, war and disease have decreased the ability of family to earn a decent living. Poverty and deprivation are the key factors that have contributed to growing number of children involvement on the exploitative labor market. It is hard to say how many children work globally. The Himalayan times quotes that world wide, almost 246 million children are involved in labour work. A recent report has also revealed that about 179 million children between the ages of five to seventeen, one in every eight children in the world are still exposed to worst forms of labour, which endanger the child's physical and moral well being. (Himalayan times, June 12, 2002).

Poverty is the main cause of child labour around developing countries. When family is poor every one has to work. But many children work because of the lack of their opportunities. School might be unavailable, independent, or just too expensive (UNDP, 1993).

In brick kiln sector, children work for meager hard-earned sum as parents prefer their children to work at a tender age rather than enrolling them in expensive private schools or educating them in government school (CONCERN, 2005).

Child labour is not a new phenomenon in an agriculturally dominant country like Nepal. It is part of the feudal economy, children have played a significant role in the family subsistence, fetching water, collecting firewood, grazing cattle, looking after siblings and supporting parents in the fields is most common works that children in these areas perform. In addition, mainly a family bread winner working as domestic servants in the homes of village, merchants. The migration of the children to urban areas has been tremendously, increasing these days and this has led to the increase of child labour in the urban areas. Industries like carpet, garments, and confectioneries, Brick kilns and stone quarries are employing many children as they are weak and uncomplaining also a cheap source of labour. In Kathmandu children are working specially as beggars in streets, rag pickers, street vendors, waiters in restaurant and bars, sweet shops etc. large no. of children and their families have let to increase in the no. of slums hence increasing the child labour population (Pradhan, 1995:40).

The UN Convention on the Rights of the Child (1989) states that children have right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. In fact, economic exploitation and worst forms of child labour not only endanger the life of children but also perpetuate the poverty and underdevelopment.

Governments as well as international development agencies have started to focus on the welfare of children. The world summit for children held in 1990 epitomized this realization and reaffirmed the collective commitment to change the situation. Nepal is also heading towards the elimination of child labour. The effort to improve the situation of child labourers in Nepal dates back to 1989, when Nepal signed the United Nations Convention on the rights of the child. The constitution of Nepal, 1990 reinforces this effort by guaranteeing the rights of children against exploitation. It prohibits the employment of minors in any hazardous work in factories or mines. Combating child labour has become an essential element of the national development plan.

Nepal ratified the ILO Minimum Age Convention (No. 138) in May 1997 and the ILO Worst Forms of Child Labour Convention (No. 182) in September, 2001.

2.3 Child rights

The first general laws against child labour, the Factory Acts, were passed in Britain in the first half of the 19th century. Children younger than nine were not allowed to work and the work day of youth under the age of 18 was limited to twelve hours.

The United Nations and the International Labor Organization consider child labour exploitative, with the UN stipulating, in article 32 of the Convention on the Rights of the Child that:

...States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

In 1999 the Global March Against Child Labour the movement began with a worldwide march when thousands of people marched together to jointly put forth the message against child labour. The march, which started on January 17, 1998, touched every corner of the globe, built immense awareness and led to high level of participation from the masses. This march finally culminated at the ILO Conference in Geneva. The voice of the marchers was heard and reflected in the draft of the ILO Convention against the worst forms of child labour. The following year, the Convention was unanimously adopted at the ILO Conference in Geneva. Today, with 169 countries having ratified the convention so far, it has become the fastest ratified convention in the history of ILO. A large role in this was played by the Global March through our member partners.

The specific purpose of child labor laws is to safeguard children against harm generally associated with child labor, such as exposure to hazardous, unsanitary, or immoral conditions, and overwork. Child labor legislation primarily applies to business enterprises, but in some states nonprofit activities are within the purview of the law.

The Constitution of Nepal, 1990, seeks to protect the interests of children by conferring on them certain fundamental rights and imposing for their benefit certain 'directive principles and policies of the State'. The State shall make necessary arrangements to safeguard the rights and interests of children, ensure that they are not exploited, and make gradual arrangements for free education.

Apart from the Constitution, the following three laws make important provisions for the protection and advancement of the interests of children and child labourers:

- J) **The Children's Act, 1992:** This Act was enacted to protect the rights and interests of Nepalese children and to ensure their physical, mental, and intellectual development. It also contains a number of provisions on child labour, and it has recently been amended to make the Act more abuse-specific, especially in relation to sexual abuse. The Act defines a child as a person below the age of 16 years and states that a child who has not attained the age of 14 shall not be employed in any work as a labourer;

- J **The Labour Act, 1992, and Labour Rules, 1993**, contain specific provisions for the prohibition of employment of children below the age of 14 years and prohibits admission to hazardous work for minors (aged between 14 and 18 years);
- J **The Child Labour (Prohibition and Regulation) Act, 1999**, followed Nepal's ratification of the ILO Minimum Age Convention (No. 138), and has made important amendments in the Labour Act, 1992. The Child Labour Act enlists specific occupations as hazardous work and prohibits the use of children below 16 years of age in such activities. The Act has not yet been enacted.

Other legal provisions restricting child labour and trafficking in the country include: the Citizen Rights Act, 1955; the Begging Prohibition Act, 1962; the Prison Act, 1962; the Common Law Code, 1963; the Public Offence and Punishment Act, 1970; the Foreign Employment Act, 1985; the Trafficking Control Act, 1986, and the Drug Trafficking (Control) Act.

Finally, the Self-Governance Act, 1997, makes important provisions for decentralized action for children and against child labour. For instance, much of the power for protecting girl children has devolved on the Village Development Committees (VDCs), which are obliged to give priority to development projects that directly benefit children.

Nepal is a signatory to the:

- J ILO Worst Forms of Child Labour Convention (No. 182);
- J ILO Minimum Age Convention (No. 138);
- J ILO Forced Labour Convention (No. 29);
- J UN Convention on the Rights of the Child (CRC).

In many developed countries, it is considered inappropriate or exploitative if a child below a certain age works, excluding household chores or schoolwork. An employer is often not allowed to hire a child below a certain age. This minimum age depends on the country; child labor laws in the United States set the minimum age to work in an establishment without parents' consent and restrictions at age 16.

In the 1990s every country in the world except for Somalia and the United States became a signatory to the Convention on the Rights of the Child, or CRC. However according to the United Nations Foundation Somalia signed the convention in 2002, the delay of the signing was believed to be due to Somalia not having a government to sign the convention. The CRC provides the strongest, most consistent international legal language prohibiting illegal child labour; however it does not make child labour illegal.

2.4 Magnitude of child labour in Nepal

Statistics shows that of about 7 million children between 5-14 years old working in Nepal, about 3 million are found to be regularly working and 1.7 million children are found to be economically active. For the year 2000, the ILO projects that there will be 1,277,000 economically active children, 553,000 girls and 724,000 boys between the ages of 10-14, representing 42.07% of this age group. Almost two fifths children of school-going age are economically active. The number of child labourers is estimated at around 2,060,000 where about, 94.7% are involved in agriculture and household work and the remaining 5% are engaged in service and manufacturing industries. For every 100 children in the 6-14 years age group, 4-5 are engaged in paid work. CWCD in 1998 found that 71% of rural, 52% of urban and 63% of Kamaiya children are economically active. According to the ILO-sponsored national survey, of the 6.2 million children between the ages of 5-14 years, 2,596,000 are child workers, which forms 41.7% of this age group. Of 2.59 million working children, 278,000 or 4.5% of all Nepali children are in paid work and 1.38 million or 22.2% of all children are in unpaid work. Of all children aged 10-14 years, about 40.8% are economically active. The corresponding figure for the 5-9 age group is 12.5%. About 1.7 million children in Nepal are estimated to be involved in economic activities.

-) About 70% of the economically active children are between 10-14 years old.
-) About 95% (1.58 million) of the economically active children in rural areas perform agriculture related work, in comparison to 78.5% in urban areas. Some 1.6% (27,000) of economically active children work as service workers. 5.3% (87,000) are involved in non-agricultural work. 1.6% (26,000) are in construction, transportation and communication. Children who work as general technical workers constitute 0.8% (14,000). Another 0.8% work as production workers and 0.4% as sales workers. According to Tribhuvan University estimates there were 261,000 children working for wages in Nepal in 1997. According to recent statistics availed by CBS (1996), of total wage earners in the country, about 4% belong to the 10-14 age group. Of Nepal's 2,596,000 working children between the ages of 5-14 years, 2,407,000 are non-migrant and 162,000 are migrant. It is estimated that migrant child labourers, those who moved due to economic reasons and those who moved due to non-economic reasons but were working in economic activities before and after migration, number about 120,000, of which 68,000 were boys and 51,000 girls. Of the total children aged 5-17 years, migrant child labourers constituted 1.58%. The corresponding proportions for male and female are 1.77 and 1.39% respectively. Rural areas overwhelmingly dominate urban areas in terms of migrations of child labourers who move for economic reasons. Of the 80,000 migrant child labourers who migrated for economic reasons, 76,000 (1.12% of all children) moved from rural areas and 3,000 (0.048% of all children) moved from urban areas. In 1995, there were 1,200,000 economically active children, 521,000 girls and 678,000 boys between the ages of 10-14, representing 45.21% of this age group. Based on the 1991 Census, there were 531,835 economically active children between 10-14 years of age, or 22.85% of the total age group. According to a study by CWIN, about 62,000 children are working in urban areas among whom 20,000 are in Katmandu Valley. 50% of these child workers are below 14 years. (ILO-IPEC, Country Paper: Nepal, September 1999)
-) Up to half of all children work, mostly in agriculture. (EI, EI Barometer on Human and Trade Union Rights in the Education Sector, 1998)
-) 473,492 children between 10-14 years working in the agricultural sector. (ILO-IPEC, Trafficking in Children and their Exploitation in Prostitution in Nepal)

2.5 Child labour movements in Nepal

Before 1990, many INGOs including ILO and UNICEF did not have any policy and programme for child labour in Nepal. In 1987, a group of post-graduate university students took initiative to raise the issue of child labour. This group formed an organization called Child Workers in Nepal Concerned Centre, which was supported by Child Workers in Asia, Thailand.

The Chhauni Childrens Home established in 1985 and situated in Swayambhu area played a key role for the removal and rehabilitation of street children in Kathmandu. The objective of this organization was to rescue young abandoned children roaming in the streets of Kathmandu and send them in rehabilitation centre. It rehabilitated a signification number of rag-picking children through its correction homes. This is the first organization in Nepal, which actually started programme for the street children living in risk. But now this organization does not exist.

Mr. Gauri Pradhan's fight against child labour exploitation started from 1987 with the initiation and establishment of Child Workers In Nepal (CWIN) concerned center, which is the pioneer child rights organization in Nepal.

CWIN, with a vision to build up a new society, where the rights of every child is fully guaranteed and every child can live a dignified life without any discrimination, exploitation and injustice and can enjoy a right to participation, has established itself as a synonym to child rights in Nepal due to its continuous hard work and struggle to for child rights.

Since 1987, Mr. Pradhan has been leading CWIN with a mission to work for children with the children themselves as an advocate with special emphasis on community link, networking and support service to promote and protect the rights of children in general and the rights of children at risk in particular.

CWIN, from its years of working experience with the child labour and child rights, have adopted different approaches to work with the children in different situation such as: For Children, With-Children; Advocacy in Action; Rights-based Approach; Gender Equity in Action; Partnership and Networking Strategies. With these approaches and determination to eliminate child labour exploitation, CWIN has been able to win public and government confidence, CWIN's major achievement so far are as below:

- J Issues of children are converted into social and political agenda;
- J Increasing Political Commitment of HMG/Nepal
- J Establishment of the Institutional Infrastructure both in government and NGO Sectors
- J Networking building among the NGOs, Trade Unions and professional Organizations for the rights of children
- J Partnership with different Agencies of HMG/Nepal and UN and INGOs
- J National plans of action on child labour, trafficking in women and children for commercial sexual exploitation, bonded labour formulated
- J CWIN established a support system to provide 10,000 plus children in need in the forms of education, health care, emergency help, legal aid, empowerment, and social reintegration every year.
- J A First helpline and hotline service established to render sos help to children in need.
- J Issues of child participation and rights based approach incorporated in the approach paper of the 10th Five Year Planning.

J Increasing public solidarity on CWIN Movement on the Rights of children.

Some positive steps have, been taken with regard to child labour and policy development. One of these is the ten-year National Plan of Action for Children, based on the UNGASS Declaration. The plan has been through several rounds of consultations and is about to be finalized. The ILO's International Programme on the Elimination of Child Labour (IPEC) has been an active partner of the Government in the development of the plan. Through its rights based approach, the plan differs considerably from earlier plans and programmes, which were more welfare oriented. Child labour issues are highlighted in the plan under the chapter on protection. HIV/AIDS is another central issue of the plan, an issue on which IPEC has taken the lead in Nepal. The Ministry of Labour and Transport Management (MOLT) and its Child Labour Section assume responsibility on issues concerning child labour. The Ministry was coordinating and finalizing Government of Nepal's Master Plan of Action for the Elimination of Child Labour.

The Master Plan outlines strategies and programmes that are aimed at the elimination of child labour. The time-frame of the Master Plan has been expanded from earlier drafts, from 2006 to 2010 for the Worst Forms of Child Labour, and from 2010 to 2014 for all forms of child labour.

Nepal has prepared a core Education For All (EFA) document for the period of 2004/09. The EFA envisages that by 2015, there should be universal access to quality basic education. A key measure to be implemented under the proposed EFA 2002/09 is providing 60 per cent of the education budget directly to schools. This is expected to increase the net enrolment rate from the current 81 per cent to 96 per cent, and the literacy rate of those above 15 years of age from the current 48 per cent to 60 per cent by 2009. Also under the EFA is an initiative for five donors to provide financial assistance that will be spent in bringing 2.6 million new students to pre-primary schools. These various initiatives are expected to improve the access to and quality of schooling and will hopefully also benefit children in the worst forms of child labour. Among other important efforts figures the decision taken in July 2000 by Government of Nepal to outlaw the Kamaiya system of bonded labour, under which debt-ridden rural farmers and their children work as bonded labourers to pay off debts incurred by their ancestors. From the perspective of child development, the Ministry of Women, Children and Social Welfare and its Central Child Welfare Committee assume the responsibility for children and their right to development and protection. The Ministry also leads the efforts to combat trafficking and, with the assistance of IPEC, has revised the National Plan of Action to include combating trafficking in women and children for sexual exploitation.

In addition, Government of Nepal has formed a number of commissions and bodies, including the Child and Women Development Section in the National Planning Commission and the Social Welfare Council, which is responsible for monitoring social welfare activities in the country. Under the coordination of the chief district officer, District Child Welfare Boards have been set up at the district level. These agencies are responsible for coordinating policy planning and for formulating action programmes related to the welfare, development, and rehabilitation of children working in difficult situations. Juvenile benches have also been established in district courts.

2.6 Factors Responsible for Child Labour in Nepal

Factors responsible for child labour is similar throughout South Asia. In the context of Nepal, rural children in Nepal often help their families to raise their economic status according to several studies done. The main factors enhancing to child labour in Nepal are:

- i. Poverty:** Poverty is widespread in Nepal. According to Nepal living standard surveys (NLSS), in 2003-04, 31 percent of population was poor in Nepal. High dependency on agriculture, declining productivity, unequal land distribution and land fragmentation has caused increasing unemployment, under employment and poverty. Family poverty is the primary reason for children are sent to work. Problems such as insufficient food, proper shelter and other factors like unemployment among the adult family members, or death of the bread earner compels children to work form an early age. The family manages the extra resources needed to cope with the crises by taking children out of school and sending them to work. Most of the children migrate to cities in search of better living conditions.
- ii. Family Disintegration:** In spite of legal prohibition, child marriage and polygamy are still a reality in the Nepalese society. Physical exploitation, beating verbal abuse and neglect often force children to escape from their home. This is specially so when the mother dies and the father re-marries. Due to the increasing rates of desertion and separation, many children are vulnerable to socio-psychological problems at a very early age.
- iii. High Level of Illiteracy:** About one third of males (32%) and three in five females (60%) have no education in Nepal, with females being far less educated than females. Men are twice as likely to be literate as women are (70 percent and 35 percent respectively), with rural women and men being less literate than their urban counterparts (Nepal 2001 Demographic and Health Survey report). Illiterate parents are not able to perceive the long-term benefits of education and this substantially decreases the future prospects for gainful employment of children. Some parents even seem to prefer their child working to other alternatives, especially when school is not attractive and not seen as a viable investment for future gains.
- iv. Lack of Legal Enforcement:** Existing legislative measures concerning child labour are not only inadequate, but also have not been fully enforced due to constraints of resources and staff as well as lack of political commitment. Although slavery system

was abolished by law seventy years ago (1933) it still prevails in the form of bonded child labour, prostitution and trafficking of children as a part of present day reality in Nepal (IPEC, 1995).

- v. **High Demand for Child Labour:** High demand for child labourers from employer's point of view is a significant factor enhancing child labour. Employers have different intentions and interests while employing children but the main reason seems to be economic benefit.

Child labourers are a cheap and easily available labour force, are uncomplaining and easy to control, can be forced to adjust even in difficult circumstances. Children have no collective bargaining power and the employers themselves decide everything. They are provided just a normal wage and are not subject to receive any other basic facilities or allowances for their hard work. In fact they are paid very little without any difficulty because they usually come from very poor families and can be hired and fired at any time. Moreover, trade unions are not taking any interest in this regard. According to the country's law, employment of children in any factory or any health hazardous area is illegal. Employers, however, seem to face no direct threat from the existing rules and regulations in this regard which goes to prove how ineffective their implementation has been.

2.7 Different Sectors of Child Labour in Nepal

A number of studies on the situation of children working in different sectors such as manufacturing industries, construction works, carpet industries, tea estates, street children, domestic workers, tempo boys and so on have been conducted by several individuals and organizations.

Table1: Types of child labour

S.N.	SECTOR/AREA	TYPES OF WORK
1.	Agriculture	Livestock tending, planting, harvesting, ploughing, fishing
2.	Cottage Industry	Pottery, Carpet and Cloth weaving, Candle making, Thanka painting, Poultry farming
3.	Manufacture	Printing, Bricks, Bread, Garments, Matches, Cigarettes, Soap, Shoes, Plastics
4.	Plantation	Tea, Sugarcane, Tobacco, Rice
5.	Domestic	Caring for parents, Caring for younger siblings, Cooking, Cleaning and being servant
6.	Catering	Hotels, Tea shops, Restaurants and bars
7.	Selling	Street hawking, petrol pump attendant, shop assistant, Shoe polishing, Newspaper vending and Delivering.
8.	Manual Labour	Rock breaking, Mechanic sweeper, Road and building site worker, Carpenter
9.	Tourist and Travel Industry	Pottering, Circus performer, Rafting and Trekking guide, Bus conductor, Rickshaw puller
10.	Other ways children earn money	Rag picking, Prostitution, Begging

Source: ILO Nepal, 1998

In Nepal, there have been identified fifteen main areas of work (CWIN) which are as follows:

1. Mines & Quarry

2. Factory/Industry
3. Plantation
4. Domestic service
5. Shop keeper/service
6. Transportation
7. Porters
8. Construction work
9. Street work
10. Commercial sexual exploitation
11. Bonded labour
12. Migrant child labour
13. Refugee children
14. Circuses/Music industry
15. Publicity and Advertising

But out of all the above types of works of children are not necessarily harmful such as domestic work, helping their parents at home and work in publicity, advertising where children do TV advertisements, radio programs.

2.8.1 Child Worker in Brick Kilns

Bricks production is mainly confined to Kathmandu valley due to rapid growth of urbanization along with the soaring population. Altogether about 200 large and medium scale brick factories are operating in the valley. There is an average of 409 workers in each factory both male and female. Apart from the Kathmandu valley, an estimated 700 small to medium scale brick factories are running throughout the country having 120 to 150 labourers in each factory. There is no brick production factories in the districts of the Himalayan ranges in Nepal.

Kathmandu valley has the highest percentage of child labourers at 37 percent (152 working children out of 409) whereas the percentage is lower in outer districts, at 31 percent. An average of 34 percent of the total work force in brick kiln production are working children under the age of 16 years. There are 67 kilns in each district of Kathmandu valley. The total number of brick kilns working children throughout the country is estimated to be 59,925 out of a total labour force, of 176,250 involved in all brick kilns. The number of workers lowers in the months of June, July and August during monsoon period (CONCERN, 2005: 3). In the brick factories of

Kathmandu alone 2,500 children between 9-14 years were working. (ILO-IPEC, Country Report: Nepal, October 1998)

2.8.2 Child Workers in Stone Quarries

The stone quarry is one of many areas in which child labour is used, and often exploited. Although accurate statistics are unavailable on the number of stone quarries and workers employed, it is estimated that 1600 stone quarries exist in different part of the country, situated particularly in and around urban and suburban areas. 32,000 children are working in them. The nature of work it is one of the most hazardous and worst form of child labour and exploitation. As children are innocent and often careless by nature, they frequently fall victim to different types of accident and injury (CONCERN, 2002: 10).

2.8.3 Child Workers in Restaurants and Tea Shops

Restaurants and tea shops are the major fields of employment for children in Nepal. Children are found working in tea shops and restaurants in both urban and rural area. The life of child restaurant worker normally starts before sunrise, often more than 12 hours without any rest. According to the survey conducted in Kathmandu district alone has 4,225 restaurants/teashops excepting tourist standard restaurants. The number of working children in Kathmandu district alone is 14,787 (CONCERN, 2003: 5: 10). 7,665 children work in hotels and restaurants all over Nepal (ILO-IPEC, Country Report: Nepal, October 1998)

2.8.4 Child Labour in Carpet Industries

Carpet industry is one of the hard currently generating industries in Nepal. It provides job opportunities more than 2,50,000 people directly and indirectly (Shrestha, 1992). The records of the department of cottage and small industries (1993) shows that there were 4,167 registered carpet industries throughout the kingdom of Nepal in 1991/92.

According to CWIN, in 1992, found that over 47 percent of the children come to the factories alone or groups with 'naike', 'labour', 'recruiter'. Among the child workers in the carpet industries in the Kathmandu valley, 90 percent have come form nearby rural districts.

Carpet Industry - According to a study by BISCON about 1.62% of child labour exists in carpet industries. (ILO-IPEC, Country Paper: Nepal, September 1999)

- J The estimated number of child labourers in the carpet industry is 3,000. (US Dept of Labor, Sweat and Toil of Children: Consumer Labels and Child Labor, 1997, citing AAFLI, Survey of Child Workers In Nepal Carpet Factories, 1996)
- J 2,891 children are in the carpet industry. (ILO-IPEC, Country Report: Nepal, October 1998, citing AAFLI, 1996)
- J In 1992, based on a sample survey, Child Workers in Nepal(CWIN) estimated the number of children working in carpet factories of Kathmandu Valley as 150,000 or 50% of the total work force. (CWA, Child Workers In Nepal (CWIN), "Carpet Children in Nepal", Child Workers in Asia, Vol. 9 No. 2, April - June 1993)

2.8.5 Child Rag pickers

The term rag picker currently refers to people who collect rags or recyclable materials that can be sold for money. Rag picking entails the sorting, collecting and selling of these various waste materials that can be found at dumpsites, riverbanks, street corners, or in residential areas, and consist primarily of plastics, bottles, cardboard, tin, aluminum, iron brass, and copper. Bases on this study it is estimated that there are 3,965 children engaged in ragpicking in the various urban centers of Nepal, with the highest concentrations located in Kathmandu valley and Dharan.

- J The findings are based on the interviews of 300 children ages 5-17 years working currently as rag pickers in six major municipalities. Based on respondents' and key informants' assessment, the total number of child rag pickers was estimated to be 2,969 for the sample sites and 3,965 overall for urban centers in Nepal, with the highest concentration in the Kathmandu Valley and Dharan. (ILO-IPEC, Bal Kumar KC et al, Nepal, Situation of Child Porters: A Rapid Assessment, Geneva, November 2001)
- J An estimated 1,500 children are engaged as rag-pickers all over Nepal. (ILO-IPEC, Country Report: Nepal, October 1998)

2.8.6 Child Domestic Workers

Domestic child worker is internationally as children working in an employer's house with or without a wage. Child domestic workers are ubiquitous in Nepal and estimating 51,340 children being employed in this sector in urban areas of the country alone. Domestic child labours work 14 hours or more per day, usually at 5:00 AM. Their main chores include kitchen work, dish washing, child minding, clothes washing, house cleaning, cattle raising, and shop keeping.

About 50 percent of domestic child workers are not paid wages for their services. In the majority of cases of the 40 percent who do receive a salary, their parents collect the money.

-) 31,000 children and adolescents work as domestic servants. (US Dept of Labor, Sweat and Toil of Children: Efforts to Eliminate Child Labour, 1998, citing Sinaga Women and Child Labour Resource Centre, "Domestic Child Workers", July 1997)
-) Some 62,000 urban domestics are under the age of 14. (UNICEF Innocenti Digest on Child Domestic Work, May 1999, citing CWIN, Urban child domestic labour in Nepal, 1995)
-) On the basis of a survey, it can be estimated that at least, 10,600 children are working as domestics in Kathmandu, Bhaktapur and Lalitpur in Kathmandu valley and over 31,000 are in the 33 municipalities of Nepal. (CWA, Child Workers in Nepal (CWIN), "Domestic Child Workers in the Kathmandu Valley", Child Workers in Asia, Vol. 10, No. 1, January - March 1994)
-) A large number of children are involved in child labour, including in the informal sector, particularly as domestic servants, in agriculture and in the family context. (UN CRC, Concluding observations on Nepal, 1996)

2.8.7 Child porters

The total number of child porters working in Nepal is estimated at 46,029, based on the results of this study. (ILO-IPEC, Bal Kumar KC et al, Nepal, Situation of Child Porters: A Rapid Assessment, Geneva, November 2001)

There are 550 child porters in Kathmandu. (ILO-IPEC and Foundation For Economic And Social Change, Annotated Bibliography on Child Labour in Nepal, citing Concern for Children and Environment, Nepal, Burden on Childhood, 1997)

In the Kathmandu Valley, portering is currently the major form of employment for children. (CWA, Bijaya Sainju, Concern for Children and Environment - Nepal, "Child Porters in Kathmandu", Child Workers in Asia, Vol. 10, No. 3, July - September 1994)

2.8 Consequences of child labour

Child labour has significant consequences for children, their families, the communities and the countries in which they live. Most occupation possesses particular hazards, which could be detrimental to children's physical moral and social development. These children are exposed to life threatening illness of AIDS as well as extreme degradation and other negative consequences. In many cases, the family needs the income of the working children in order to survive. Agricultural family benefits form the full time help of the children in the field.

CHAPTER THREE

Research Methods

The basic task of this field study was to document the situation of child labourers employed in brick kiln industries. Therefore, the present study was undertaken mainly to study the socio-economic background, terms and conditions of work and to find out the major factors which force children to work in hazardous places like brick kiln industries. This study was primarily exploratory and descriptive in nature. In this study an attempt had been made to describe the socio-economic characteristics of the children and the actual situation under which they are working in the brick kiln industries in the Bhaktapur district actually, following steps and procedures had been applied to complete this study systematically.

3.1 Selection of the Study Area

The Bhaktapur District had been selected for this study. Brick kiln industries are also increasing for brick production where great amount of labour force including significant proportion of child labour is engaged in brick making activities. It is the most hazardous work especially for children and exploits their childhood. Thus, Bhaktapur District was specially chosen as the research site to observe the prevalence and situation of child labour in brick kiln industries. In addition time, economic constraints were responsible for selecting Bhaktapur District for study area, which is easily accessible and not too much expensive to conduct field work. In addition to the above factors Bhaktapur is very famous for its old kilns which have been existing there since ages and is one of the districts which is very famous for its huge number of kilns and brick productions.

3.2 Research Design

This study was based on descriptive as well as exploratory research design which may be considered as appropriate and best for the analysis of this type of research work. This study was exploratory because it made the attempt to explore the process of study area. It was descriptive because it made an attempt to describe natural condition of the area and the socio-economic status of the community.

3.3 Sources of Information

Both qualitative and quantitative data was collected and used in the upcoming study. Quantitative data were used to show the characters like age, sex, family size, and economic structure etc., whereas qualitative data were used to show the working behaviors, attitude etc. The data was collected using both primary and secondary sources.

a. Primary Sources

This was the main component of the study. Primary data was collected through interviews, observations and cases of the working children in the brick kiln industries in the Bhaktapur District and the employers of factory managers' owners.

b. Secondary Sources

The secondary data was collected from various published and unpublished information sources which were collected by visiting different libraries, information and documentation centers of governmental and non-governmental organizations. The major places visited were: documentation center, CWIN, Tribhuvan University central library, Central Department of Population Studies, International Labour Organization, Books, of different author from different libraries, journals, research reports, newspapers, website, magazines and other reliable sources.

3.4 Technique of Data Collection

The following techniques will be considered to collect data:

a. Questionnaire

The structured questionnaire was used to collect basic information about child labour employed in brick kiln industries in Bhaktapur District. The questionnaire was prepared in terms of personal identification and population structure like family characteristics, sex, age, caste, work, experience, income, saving, attitude towards work etc. I prepared about 80 questionnaires and I myself filled out them.

b. Interview

A set of appropriate Interview Schedule was prepared as to carry out the factual information about educational status, socio-economic and problems of the migrant child labourers who were engaged in the brick kiln industries. It was not easy to interview the children, some of them were denying to be interviewed so I had to request their parents several times and also convince them that they weren't about to get into any kind of problem because of the interview. While taking photos of some working children I had to promise them that I would print and give them there photos, while some were very friendly and also offered me a cup of tea. I filled out all the answers myself because it was more appropriate instead of giving them to fill out. Every child aged between 8 to 15 years whom I met was chosen as respondent. For the purpose of the study, 4 brick kiln industries had been chosen purposively. Then, each and every child working in selected brick kilns were considered as relevant respondent for interview. Altogether, 60-80 children workers were included in this study as the target population of four industries surveyed. Out of the total children surveyed, 25 were girls and 52 were boys. Altogether I interviewed 77 children. Numbers of boys interviewed were more as; they have no difficulty in running coming to work from home whereas girls have to face different types of problems which hold them back to their homes. In this interview, children from urban and rural areas were also differentiated.

c. Observation

Observation was also one of the techniques of data collection to document the present condition of child labour. Information was collected through observation of the working condition, behavior of employers, physical appearances and even the food given them but the responses I got from the employers were not good. They did not trust my reasons about interviewing the children for thesis, they thought of me as someone from government agencies who had come to take some action and prohibit those children from working at the kilns. They gave incomplete answers and I had a hard time in convincing them and getting out the full answers.

d. Case Study

In the field survey, 3-5 cases were studied to collect in-depth information on their past and present situation focusing on how they came to join the brick kiln work and on what condition they were working:

e. Key informant

In this study I enquired about eight people about the Brick kilns. I inquired:

1. According to Chairman of Duwakot VDC,

-) Children are brought to work by their own parents through someone who knows about the sector and helps them get into the industries.
-) The brick kilns have adverse effects not only in the VDC but the whole surrounding environment still no one has taken any step to shut these kilns as these kilns have great importance in Kathmandu they've been running in the valley since time immemorial. Each year the kilns have to pay some amount of money (around Rs.19,000-20,000) which keeps on increasing by Rs.2000per year
-) According to one clerk working in the VDC, the VDC has not taken any step to stop the children from working in the kilns as the children come with their parents or friends or brokers work for the season and return home they are not compelled to work, hence the VDC is not able to interfere in the working.
-) Though the VDC could not interfere directly, a school was opened for these children to study but since they stay at the kilns seasonally it was not possible for them to continue their studies and attend school hence the school slowly shut down as no children came there to study, parents of these children being money minded, did not let their children attend school.

2. According to CWIN and concerned agencies and organizations

-) CWIN and a number of governmental and non governmental organizations have taken various steps to stop child labour since ages.

- J But in the brick kiln sectors the children are brought to work by their own parents due to their financial condition hence they come at work seasonally and go when asked about their studies they lie that they are studying in their villages after returning from work but its impossible for them to continue studying as their half year is spent in the kiln and half at the village.
- J When the agencies go and try to aware them that it is illegal to work for children below certain age but both parents and children lie about their ages.
- J Since they work because of their financial condition they turn a blind eye towards the agencies and child right awareness.

3. State of children in the brick kilns

- J The condition in which the children are working is not at all hygienic, the environment is quite muddy and dusty prolonged work in such environment can lead to various respiration problems and lung diseases.
- J The temperature inside the kiln where the bricks are heated is very high and is dark cell where they have to stay for prolonged hours which is very dangerous for their eyesight.
- J The children live in very unsanitary and unhygienic condition which results in various air and water borne diseases.

3.6 *Process of Data analysis*

In this study the analysis of collected information (data) from both qualitative and quantitative method will be made through the particular rules. The quantitative data obtained form pre-coded structured questionnaires will first be processed through editing and responses of open ended questions have been edited through specific coding keeping them on relevant categories. After this the processed data will be presented in tabular form and hence be interpreted and analyzed. The population structure, ethnicity/caste composition, age and sex composition of the child labours, size of the family, income and calculation of mean will be applied for interpretation and analysis of data.

3.7 *Limitation 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 will do over a short period of time and therefore has limitation in terms of time that was spent with each child interviewed. The present study will represent only the child labour who are 8 to 15 years of age working in the brick kiln industries in Duwakot VDC ward no .2 at Bhaktapur district.

CHAPTER IV

General Background of the study area

4.1 Bhaktapur

Bhaktapur, also Bhadgaon or Khwopa is an ancient Newar town in the east corner of the Kathmandu Valley, Nepal. It is located in Bhaktapur District in the Bagmati Zone. It is the third largest city in Kathmandu valley and was once the capital of Nepal during the great Malla Kingdom until the second half of the 15th century. Bhaktapur is known for its fabulous culture and indigeneous lifestyle. It is listed as a World Heritage by UNESCO for its abundant rich culture, temples, artworks in wood, metal and stone. Many tourists visit Bhaktapur yearly to feel the indigeneous lifestyle and to see the majestic view of the himalayas. The term "Bhaktapur" refers to "The Town Of Devotees". This Bhaktapur City is also known as "Khwopa" or "Bhadgaon" or "Ancient Newari Town" through out the Kathmandu valley. It is the home of traditional art and architecture, historical monuments and craft works, magnificent windows, pottery and weaving industries, excellent temples, beautiful ponds, rich local customs, culture, religion, festivals, musical mystic and so on.

Bhaktapur is still an untouched as well as preserved ancient city, which in fact, is itself a world to explore for tourist. From time immemorial it lay on the trade route between Tibet/China and India. This position on the main caravan route made the town rich and prosperous: each autumn the traders from Tibet came with sheep ("changra"), fitting nicely with the main Hindu holidays, 'Mohni' (Parbatiya: Dashain; Hindi: Dussehra), when nearly everyone in Nepal sacrificed male animals to the goddess Durga. On the return trek the traders brought back to Tibet grains, sugar or Buddhist scriptures. This prosperity fueled the cultural life: ie. the temple builders developed a Pagoda-style, spreading it through Tibet all the way to Japan. Finest of all is the five-tiered, heaven piercing Nyatapole. The rivalry between the 3 kingdoms of the Kathmandu valley extended to include arts and architecture. Some of the fabulous pieces of work can be found in the Durbar square area which is surrounded by temples and palaces. Most of the buildings were constructed during the 15th century Bhaktapur is around 13 km east of Kathmandu and lies on the old trade route to Tibet. It occupies an area of around 10 km² at an altitude of 1,401 meters above sea-level. Bhaktapur district, in which the Bhaktapur city lies, is the smallest district of Nepal. At the time of the 1991 Nepal census it had a population of 61405 and had 9187 houses in it.

4.2 Duwakot

Duwakot is a village and Village Development Committee in Bhaktapur District in the Bagmati Zone of central Nepal. At the time of the 1991 Nepal census it had a population of 5157 with 905 houses in it. Located near the Changunarayan Temple and on the shore of holy river Manohara, Duwakot is one of the developed villages in Kathmandu Valley. Border: North: Changunarayan V.D.C.; South: Bhaktapur Municipality; East: Jhaukhel V.D.C.; West: Madhyapur Municipality. It is about 20 Km away from centre of Kathmandu. It is located on the north of the valley. About 90% of the population is educated. Most of the people are government servants. Electricity facility was started from late 30's. Duwakot has 9 ward and each of the ward

has asphalted road. The V.D.C. office is located at Ward No. 3. Jagaran Samuha is the oldest club of Duwakot established during early 30's. located at the border of Ward no. 4 and 6. Soccer is the favourite sport. Nepal Engineering college and Kathmandu Medical College are the major educational institutes located in Duwakot. The oldest High school is Shree Changunarayan Madhyamik Vidyalaya, established on 2006 B.S. The direct way to reach there is to pick a route no. 1 bus from Purano Bus Park, Ratnapark, Kathmandu. The bus leaves every 10 minutes. The bus will take about 1 hour to reach the beautiful place, Duwakot

There are 90 Brick kilns in Bhaktapur in total, among these about 50 kilns are running under non registered condition. Among them there are nine brick kilns in my study area Duwakot they are as follows:



Picture no. 1

Pictures taken by Monica Ghimire



Picture No. 2

1. Tripura Sundari Brick Industries, Duwakot-2
2. Phetoka Ganesh Brick Industries, Duwakot-2
3. B.A Brick Industries, Duwakot-9
4. Laxmi Chimni Bhatta, Duwakot-1
5. Jay Guru Chimni Bhatta Industry, Duwakot-2
6. Yapi Bhairab Brick Industries, Duwakot -2
7. Agni Brick Industries, Duwakot-2
8. Jay Barahi Brick Industries, Duwakot-2

CHAPTER V

Data Presentation and Analysis

In this chapter I have distinguished children on different basis i.e., according to the questionnaires.

5.1 Urban and rural migrant children

In this section, rural and urban children are being distinguished. It is most likely that children coming from rural areas are to be found in large numbers as they are pretty backward as compared to those in urban areas and urban children are most likely to be from educated background.

Table 2: Distinguishing on the basis of urban or rural MCL

Area	No. of MCL	Percentage %
Urban	11	14.3
Rural	66	85.7
Total	77	100

Source: Field survey 2008

The above table shows that only 11(14.3) of 77 interviewed children have migrated from urban areas whereas 66(85.7%) have migrated from rural areas. (Table 2)

5.2 Age and Gender Composition of Respondents

In this section we differentiate the children on the basis of their age and gender. We interviewed about 77 children among which 52 were boys and 25 were girls.

Table 3: Distribution of Age and Gender Composition of the Respondents

Age (yrs.)	Male		Female	
	Number	Percent	Number	Percent
8	1	1.9	0	0
9	2	3.8	1	4
10	1	1.9	3	12
11	4	7.7	2	8
12	7	13.5	4	16
13	9	17.3	3	12
14	12	23.1	5	20
15	16	30.7	7	28
Total	52	100.0	25	100.0

Source: Field survey, 2008.

The children selected for this study were between 8-15 years. Among the child workers interviewed, 29.9 percent were 15 years of age. But even very young children of 8 years formed significant portion i.e., 1.1 percent of the working population

Among the total of 77 children interviewed, 52 (67.5%) were boys and 25 (32.5%) were girls. Table shows that the proportion of boys was higher than that of girls. (Table 3)

5.3 Caste/Ethnic Composition of Child Labourers

As revealed by different studies, the prevalence of child labour in brick kilns varies greatly by caste/ethnicity. Most of the children working vary in castes and come from different ethnic groups.

Table 4: Distribution of Child Laborers by Caste/Ethnicity and Sex

Caste/ethnicity	Male		Female		Total	
	Number	Percent%	Number	Percent %	Number	Percent %
Chhetri	5	9.6	3	12	8	10.4
Magar/Gurung/Tamang/Rai/ Newar	27	51.9	12	48	39	50.6
Dhanuwar	8	15.4	6	24	14	18.2
Sahani/ Mushahar/ Indian	7	13.5	0	0	7	9.1
Others	5	9.6	4	16	9	11.7
Total	52	100.0	25	100.0	77	100.0

Source: Field survey, 2008.

Table shows that child laborers come from different caste/ethnic groups and have been doing the same types of job in different brick kiln industries. Table shows that the highest, 18.2 percent of brick kiln child laborers are Dhanuwar, followed by chhetri 10.4 percent, Magar/Gurung/Tamang/Rai/Newar 50.6 percent, Others contribute 11.7 percent of the total and the lowest percent of brick kiln child laborers are Indian/Sahani/Musahar i.e., 9.1 percent. (Table 4)

5.4 Origin Place of Child Labour

Child workers in the brick kilns of Bhaktapur district are found to be originated from different districts. Among the 77 children interviewed, it is observed that majority of child workers come from hill districts where agricultural production is low.

Table 5: Distribution of MCL in brick kilns on the basis of place of origin

Place of origin	Boys		Girls		Total	
	No.	%	No.	%	No.	%
Central Mountain						
Sindhupalchowk	12	23.1	7	28	19	24.7
Central Hill						
Kavrepalanchowk	15	28.8	9	36	24	31.2
Ramechhap	12	23.1	6	24	18	23.4
Bhaktapur	7	13.5	3	12	10	13
Makawanpur	2	3.8	0	0	2	2.6
India	4	7.7	0	0	4	5.1
Total	52	100.0	25	100.0	77	100.0

Source: Field survey 2008

Table shows that the highest proportion of children 31.2 percent coming from Kavrepalanchowk, among them boys 28.8 percent and girls 36 percent. The next highest majority 24.7 percent is from Sindhupalanchowk, among them boys 23.1 percent and girls 28 percent hence here girl child workers are more than boy child workers. Data also shows that there are some children i.e., 5.1 percent who come from India (Bihar). (table 5)

5.5 Housing status of MCL working in brick kilns

Table 6: Distribution on the basis of housing status of MCL working in brick kilns

Owens house	Boys no.	Boys %	Girls no.	Girls %	Total no	Total %
Yes	47	90.4	18	72	65	84.4
No	5	9.6	7	28	12	15.6
Total	52	100	25	100	77	100

Source field survey 2008

The table above shows that 47(90.4%) boys and 18(72%) girls have their own homes whereas 5(9.6%) boys and 7(28%) girls do not have their own homes. (Table 6)

5.6 Parental Status

In this section we differentiate the children on the basis of whether their parents are alive or not, or whether they have any step parent of not etc.

Table 7: Distribution of Child Labourers by Parental Status and Sex

Parental status	Boys		Girls		Total	
	No.	%	No.	%	No.	%
Both alive	34	65.4	13	52	47	61.5
Both died	3	5.7	2	8	5	6.5
Only father alive	5	9	4	16	9	11.7
Only mother alive	6	11	3	12	9	11.7
Step parents	4	7	3	12	7	9
Total	69	100.0	23	100.0	92	100.0

Source: Field survey, 2008.

Among the children interviewed, majority of children i.e., 61.5 percent have both parents alive. The significant proportion of children i.e., 3.3 percent reported having step parents. Children having only father or mother alive form a significant proportion of 11.7 percent each. (table 7)

5.7 Family Type of the Child Workers

The family type of the respondents was surveyed because it was thought to have an influence on the number of working children. On the basis of size or structure, family can be classified into two types. Firstly, nuclear family, the one which consists of a Father, a Mother and their children. And secondly, joint family which is a group of people who are related to each other, have common father or grandfather they generally live under one roof, eat food cooked in the same kitchen, hold property in common, work for the entire family's benefit and participate in common worship.

Table 8: Distribution of Family Pattern of Child Workers

Family pattern	Number	Percentage
Nuclear family	55	71.4
Joint family	22	28.6
Total	77	100.0

Source: Field survey, 2008.

The table 8 shows that 71.4 percent of the children come from nuclear families and 28.6 percent children belong to joint families. In nuclear family earning of single-family member was not enough to support the living for the whole year round, Therefore in working season all the family members including the children work so that they can earn more money to sustain for the whole year.

5.8 Family Size of the child labourers

Generally, demographic and socio-economic status of family plays a vital role in the process of socialization and overall development of children. The need of engagement of children in labor force or schooling is determined by the family size.

Table 9: Distribution of Child Labourers According to Family Size by Gender

Family size	Boys		Girls		Total	
	No.	%	No.	%	No.	%
3-5	29	55.8	11	44	40	52
5-7	17	32.7	9	36	26	34
7-11	6	11.6	5	20	11	14
Total	52	100.0	25	100.0	92	100.0

Source: Field survey, 2008

Table indicates that the majority of children(52%) working in brick kilns come from small family having 3-5 family members, children coming from a bit larger family i.e., 5-7 members form 34% of the total and respondents coming from larger family size i.e., 7-11 form a significant 14% of the total number of child workers interviewed.(table 9)

5.9 Land ownership

Table 10: Distribution on the basis of land owning status of MCL of brick kilns

Land status	Boys no.	Boys %	Female no.	Female %	Total no.	Total %
Sufficient	27	52	15	60	42	54.5
Insufficient	18	34.6	5	20	23	29.8
No land at all	2	3.8	2	4	3	4
Don't know	5	9.6	4	16	9	11.7
Total	52	100	25	100	77	100

Source: Field survey 2008

The above table shows that higher percentage of boys (52%) and girls (60%) among the ones interviewed have sufficient land, 18(34.6%) boys and 5(20%) girls say they have insufficient land. 2 (3.8%) boys and 2(4%) girls revealed having no land at all whereas 5(9.6%) boys and 4(16%) girls said that they don't know about their land status.

5.10 Occupational status of MCL's parents

Children are forced to leave their studies and work as the work done by their parents are not enough to feed them two square meals per day. Most of the parents of these children are found to be literate, but since they haven't got a degree or quality education they are not able to get an appropriate job, a significant proportion of the child labourers are illiterate, so they cannot get a job which has enough salary to keep their family's body and soul together. Most of the parents are farmers or labourers.

Table 11: Distribution on the basis of Occupational status of MCL's parents

Occupation of parents	Parent's no.	Parent's %
Farmer	27	35.1
Laborer	32	41.6
Don't know	7	9
Other	11	14.3
Total	77	100

Source: Field survey 2008.

The above table shows that 32(41.6%) of respondent's parents are labourers, followed by 27(35.1%) parents are farmers, the common occupation found in backward areas. 7(9%) of them say they don't know what their parents do whereas 11(14.3%) of parents do some other types of job. (Table 11)

5.11 Educational status of parents of MCL of brick kilns

Parents of the migrant child labourers force them to drop out from school as they are illiterate or being ignorant they think that study can do no good and by studying one cannot get earn money. Parents of some of these child labourers have once themselves dropped out of school, whereas some have never set foot in a school. Coming from very backward areas they themselves haven't got any kind of quality education hence they prohibit their children from studying.

Table 12: Distribution on the basis of Educational status of parents of MCL of brick kilns

Educational status of child worker's parents	Father no.	Father %	Mother no.	Mother %
Literate	51	66.3	10	13
Illiterate	20	25.9	52	67.5
Don't Know	6	7.8	15	19.5
Total	77	100	77	100
Grades of parents who are literate				
Class 1-5	45	88.3	9	90
Class 6-8	6	11.7	1	10
Total	51	100	10	100

Source: Field survey 2008

The above table shows that 66.3% migrant child labourers say that their fathers are literate and 13% of them say that their mothers are also literate, most of the fathers are literate as compared to mothers, the reason as we all know, discrimination between male and female. 25.9% respondents say that their father is illiterate and 67.5% of them say their mothers are illiterate. 7.8% and 19.5% of them don't know whether their father and mother are literate or illiterate respectively.

45(88.3%) fathers and 9(90%) mothers have completed their studies up to class 5 whereas only 6(11.7%) of respondent's fathers and only 1(10%) of respondent's mother have completed their studies till class 8. (Table 12)

5.12 Literacy or educational status of MCL in brick kilns

Most of the children's parents being illiterate or ignorant of having financial crisis ask them to dropout from school. They come to work and it is not possible for them to continue their studies even if they want to as half of the year they work in the kilns.

Table 13: Distribution on the basis of educational status of MCL

Educational status	Male no.	Male %	Female no.	Female %	Total no.	Total %
Literate	39	75	18	72	57	74
Illiterate	13	25	7	28	20	26
Total	52	100	25	100	77	100
Levels completed						
Primary level	19	49	9	50	28	49
Lower secondary level	16	41	6	34	22	39
Secondary level	4	10	3	16	7	12
Total	39	100	18	100	57	100

Source: Field survey 2008

The above table shows that 39(75%) male children and 18(72%) of female children are literate among them 19(49%) male and 9(50%) female have completed primary level, followed by 16(41%) male and 6(34%) female who have completed lower secondary level and lastly only 4(10%) male and 3(16%) female have completed secondary level. Among the remaining respondents 13(25%) male and 7(28%) female are illiterate which is relatively lower than the no. of literates. (Table 13)

5.13 Reasons for School Drop-Outs

Poverty is the single greatest issue for lack of education. Due to poverty, most brick kiln child workers-especially those from western regions of Nepal such as Rolpa, Dang etc. migrate to Katmandu in search of work. As brick production is seasonal, this means that there is no continuous or consistent means of employment or income and often during the monsoon brick production ceases altogether. Beginning in September, brick production normally runs until April or May of the following year, which means that brick kiln child workers, would only be able to attend school for a few short months. Regular annual migration requires them to drop out of school completely and plays a big role in preventing them from seeking an education. Overall national poverty means that even if education could be made free, many of these children will still not benefit, as many backward rural communities have no school at all. More than half of

brick kiln child workers have dropped out of school altogether and, as previously mentioned, without completing even a basic primary education. The less than 1 percent who studied to grade 10 are not able to move on to higher secondary school as they failed lower secondary examinations. Major reasons for never attending school and dropped out has been revealed in following table.

Table 14: Distribution of Child Workers Reasons for School Drop-Out by Age and Sex

Reasons for school drop-out	Sex				Age				Total	
	Boys		Girls		8-12		13-15		No.	%
	No.	%	No.	%	No.	%	No.	%		
Having low economic status	9	41	7	50	2	33.3	11	47.8	16	44.4
Parents interest for not schooling	6	27	3	21	3	50	5	21.7	9	25
Having not interested for schooling	7	32	4	29	1	16.7	7	30.5	11	30.6
Total	22	100	14	100	6	100	23	100	36	100

Source: Field survey, 2008

As pointed out in table 14, there are number of reasons that these children do not attend school. Most reasons are gender for girl children, parents disinterest is also one of the main obstacles in non-schooling/dropping out of school among children whereas most of the boy children i.e., 32 percent working in brick kilns reported having not interested for schooling.

According to age up to 15 years of age 47.8 percent reported to have low economic status. Similarly, 21.5 percent child worker's parents were not interested in schooling their children and 56.5 percent child workers reported to be disinterested in schooling. (Table 14)

Case –1

Name: Saraswoti Tamang
Address: Sindhupalchowk

Work Place: Tripura sundari Brick Industry,
 Duwakot, Bhaktapur



Picture no: 3, taken by Subhadra Ghimire

Saraswoti Tamang is a fourteen years old child labourer currently working in Tripura Sundari Brick Industry. She migrated to the valley due to financial crisis of her family. Tamang dropped out of school in class 2 as her parents were keenly interested in sending her to work rather than have her study due to financial crisis. Before the brick kiln she was involved in agricultural work but the earnings weren't plenty enough to survive so she moved to the city for a better life only to find it even more difficult than her village.

She works on a seasonal basis returning home in the off season to help her mother. She works daily 9-11 hrs completely unaware that the children's Act prohibits the employment of minors aged 14 to 16 from working more than six hours per day and 36 hrs per week. Her main responsibilities are carrying and loading bricks into the kiln. She receives Rs.400-500 per 1000 bricks but she can barely make 200 bricks per day.

Tamang gives some of her earnings to her employer for saving. Her monthly expenditure is about Rs.300 for food and clothes and she sends some money to her family. She is very happy that she is not a burden to her parents and is proud to be a responsible daughter.

She feels the main problems of this field are hard work, heavy workloads and injuries.

She wishes to continue her studies but at the same time knows that it is next to impossible.

Recommendations

) Alternative Skills

Being that brick kiln work is hazardous, these children should be provided alternative work and thus require skill development to permit options which are less hazardous.

Vocational training for adolescent children who have basic knowledge of education must be started.

) Provision of first aid treatment

More than 60% of brick kilns do not have a first aid system. There must be strict adherence to first aid provision with full a full time staff nurse for immediate treatment in times of emergencies.

5.14 Reasons for Leaving Home

Children do not want to leave their home without any compelling reason. There are different socio-economic factors that influence and promote to leave their own village or home. Generally parents and family are responsible to provide the basic needs of children such as food, shelter, clothing, schooling and affections. When children are deprived of these basic needs, they are bound to leave home and are more likely to be engaged in the most hazardous and the worst forms of child labour.

Table 15: Distribution of MCL on the basis of reasons for leaving home

Reasons for leaving home	Male no.	Male %	Female no.	Female %	Total no.	Total %
Due to poverty	9	17.3	6	24	15	19.5
Parent's suggestion	11	21.2	3	12	14	18.2
To pay dept of parents	4	7.7	2	8	6	7.8
Friend's advice	10	19.2	4	16	14	18.2
Own desire	3	5.7	2	8	5	6.5
Due to disliking village life	2	3.8	0	0	2	2.6
Hoping for better life	6	11.5	1	4	7	9
Hoping for better education	1	2	3	12	4	5.2
Other	6	11.5	4	16	10	13
Total	52	100	25	100	77	100

The above table shows that the highest no. of boys 11(21.2%) have left home due to their parent's suggestion and highest no. of girls 6(24%) have left home due to reasons of poverty. 10(19.2%) boys and 4(16%) girls state their reason of leaving home being their friend's suggestion. 9(17.3) boys say they have left home because of poverty, 3(12%) girls say they were suggested by their parents to leave home. 6(11.5%) boys and 4(16%) girls say they had some other reasons to leave home different from the above stated reasons. 4(7.7%) boys and 2(8%) girls wanted to pay debt of their parents, 2 boys say that they disliked their village life. 3(5.7%) boys and 2(8%) girls left home due to their own desire. 6(11.5) boys and 1(4%) girls, 1(2%) boys and 3(12%) girls left home hoping for better life and education respectively. (Table 15)

Case- 2

Name: Sani Bahadur Dhanuwar

Address: Kavrepalanchowk,

Work Place: Tripura Sundari

Brick Factory, Duwakot, Bhaktapur

Sani Bahadur Rai is originally from Kavrepalanchowk in central hill of Nepal where most of the people are engaged in farming. His family status is very poor. Both of his parents are farmers. This thirteen year old boy used to help his parents but now he works in Tripura sundari Brick Factory to provide financial support to his family.



Picture no: 4, taken by Subhadra Ghimire

He is one of those children who left their home due to their parent's suggestion. He was forced to quit school while studying in class 5 due to financial crisis, so he came to Kathmandu Valley with friends in search of work. He works 6-7 months a year in the brick kiln and returns home in the off season. He receives Rs.400-500 for making 1000 bricks and has to work continuously for 8-9 hrs. His everyday works are to carry, bake, load and remove bricks from the kiln. He prefers to work in the brick kiln as it is easily available employment and better income than the other jobs. He gives all the money he earns to his parents and doesn't spend himself. He is happy to be able to help his parents financially. There is first aid treatment available and he has good friends too, if injured or ill, his friends take care of him. Sometimes he faces some problems like heavy workload injuries etc. some times he feels homesick and wants to go home; he doesn't have any idea about child rights. When asked about future, he insists on just wanting to attend school once again.

Recommendations:

) Prohibition of employment of children under 13 years

Being labour intensive sector, 28% of children are of 15 years of age. The rest are minors under the age of 14 years, which is a direct violation of existing provisions in national and international legal instruments. Employing children younger than 13 years should be gradually removed from this work with an alternative solution.

) Parental negligence

92% of parents are found to be illiterate or ignorant and are completely unaware of the rights of children. Parental negligence plays a big role in depriving educational rights to

their own children because instead they seek immediate monetary return. Brick sites should conduct adult literacy campaigns.

5.15 Nature of Migration

Generally children working in brick kilns of Bhaktapur district come from agricultural based rural family. Most of them leave home seasonally around October/November for earning and come back home around May/June when these brick kilns are shut down due to monsoon weather.

Table 16: Distribution of Child Laborers in Brick Kilns According to their Nature of Migration by Age and Sex

Categories	Age				Sex				Total	
	8-12		13-15		Boys		Girls		No.	%
	No.	%	No.	%	No.	%	No.	%		
Seasonal	9	75	37	84.1	45	86.6	21	84	66	85.7
Semi-permanent	3	25	5	11.4	5	9.6	4	16	9	11.7
Permanent	0	0	2	4.5	2	3.8	0	0	2	3.6
Total	12	100.0	44	100.0	52	100.0	25	100.0	92	100.0

Source: Field survey, 2008.

Table 16 shows that 66 (85.7%) children are seasonal migrants, while only 9 (11.7%) child workers reported to be migrant as semi-permanent. And only 2 (3.6%) child workers reported to be permanent migrants. Similarly, among child workers of age group 8-12 years, 9 (75%) claimed to be seasonal migrants while significant 37 (84.1%) child workers of age group 11-13 years claimed to be seasonal migrants. It is also evident that the proportion of boy child workers is higher compared to girl child workers for any season. Occupation of the child worker families are also an integral part of the child labour. Most children come from the poverty stricken families, whose level of education and income is low. No child worker comes from the economically sound and educated families. (Table 16)

Case –3

Name: Raj Kumar Magar

Address: Dhulikhel

Work Place: Agni Brick Industry,
Duwakot, Bhaktapur

Raj Kumar Magar, a child labourer working at the Agni Brick Factory Bhaktapur, is a 15 years old boy who migrated from Dhulikhel with his family and relatives. His financial background at home was not good so he migrated to city in search of employment.



Picture no: 5, taken by Nanu Subedi

He works 6-7 months a year and returns only in the off season. He dropped out of school in class 4 because he did not want to be a burden on his family as his family could no longer pay for his studies. This working schild supports his family by earning money instead of continuing school. Raj Kumar Magar keeps himself busy carrying, backing, loading and removing bricks from the kiln, 11 hours as a daily routine. To earn Rs.350-450 he has to make 1000 bricks. He chose this job as it has good income and with his earnings he buys food and clothes. He does not waste his income needlessly as he has to send some of his earnings to his family who are almost dependent upon him.

Even though his employer provides lodging, it is not well equipped. There is no bed in the room so he sleeps on a straw mat. He feels that is the major problem he has faced since coming to work here. When he gets injured or ill his coworkers take care of him, there is a good unity between workers at the site.

Raj Kumar has no idea about child rights. If possible he would like to join the army in future but not continue studying as he is ashamed to join school after so long.

Recommendations

) Discourage migration

Children are often lured from villages with offering of money and as a result 13% of working children are still under debt bondage conditions. Due to low income conditions, they can never repay the employers and debt remains for years. Some parents are compelled to become engaged in work only because of old debts. There needs to be a dialogue between brokers and brick factory employee so debts can be relieved immediately.

) Health, hygiene and sanitation

The majority of kilns lack clean drinking water, adequate toilet facilities and bathing water. They must maintain basic standard of health and hygiene within the premises of brick kilns.

5.16 Entry Age

Mostly the children coming with their parents arrive at early ages but those who come with brokers or friends or by themselves come when they are a bit mature.

Table 17: Distribution of MCL on the basis of entry age

Sex	Median	Minimum	Maximum	No.
Male	10	6	16	52
Female	10	5	17	25
Total	10	5	17	77

Source: Field survey 2008

Table shows that age of entry into child labourer is considerably low indicated by median age of 10 years. There is no difference between boys and girls for the entry into work. The data even shows that they begin to work as early as 5 years of age. It is severe in terms of worst forms of child labour.(Table 17)

5.17 Previous working status of MCL of brick kilns

Many child workers work at different places in wishing sufficient, they are sometimes kicked out of job by their masters for no reasons specially when they work as domestic servants, sometimes they are thrown out of job or sometimes they don't like the job hence leave it, hence child workers sometimes work and leave many jobs.

Table 18: Distribution of MCL on the basis of previous working status of MCL of brick kilns

Worked on place other than the present	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total%
Yes	37	71.2	17	68	54	70.2
No	15	28.8	8	32	23	29.8
Total	52	100	25	100	77	100

Source: Field survey 2008

The above table shows that 37(71.2%) boys and 17(68%) girls have worked in other places than the current one whereas 15(28.8%) and 18(32%) have not worked in any other place than the present one. (Table 18)

5.18 No. of brick kilns MCL have worked

Table 19: Distribution on the basis of numbers of brick kilns MCL have worked at

No. of brick kilns	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total %
One	9	24.3	8	47.1	17	31.5
Two	19	51.4	5	29.5	24	44.4
Three	6	16.2	3	17.6	9	16.7
Four	2	5.4	1	5.8	3	5.6
Many	1	2.7	0	0	1	1.8
Total	37	100	17	100	54	100

Source: Field survey 2008

The above table shows that 19(51.4%) boys but only 5(29.5%) girls have worked in two brick kilns, followed by 9(24.3%) boys and 8(47.1%) girls have worked in only one brick kiln. 6(16.2%) boys and 3(17.6%) girls have worked in three brick kilns, 2(5.4%) boys and 1(5.8%) girl have worked in four brick kilns, whereas only one boy and no girls have worked in more than four brick kilns. (Table 19)

5.19 Reasons for changing working place by MCL of brick kilns

Table 20: Distribution on the basis of reasons for changing working place by MCL of brick kilns

Reasons	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total %
Due to hard work involved	11	29.7	6	35.3	17	31.5
Due to very low salary	17	46	4	23.5	21	38.9
Due to bad friends	5	13.5	3	17.7	8	14.8
Others	4	10.8	4	23.5	8	14.8
Total	37	100	17	100	24	100

Source: Field survey 2008

The above table reveals the various reasons of MCL for changing their work places. 17(46%) boys and 4(23.5%) girls state their reason as having low salary. 11(29.7%) boys and 6(35.3%) girls said hard work involved being the reason. 5(13.5%) boys and 3(17.7%) girls changed their work place as they had bad friends. 4(10.8%) and 4(23.5%) girls had some other reasons than the ones stated above for changing their work place. (Table 20)

5.20 People who helped children get to the brick kiln

The children in the brick kiln industries might come by themselves or with the help of other people. The people who can accompany the child to such factories might be parents, relatives, friends, brick kiln workers, brokers etc.

Table 21: Distribution of MCL on the basis of people who accompanied them to the kiln

Companion	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total %
Relatives other than parents	5	9.6	3	12	8	10.4
Friends	9	17.3	5	20	14	18.2
Parents	14	26.9	6	24	20	26
Kiln workers	7	13.5	2	8	9	11.7
No one	6	11.5	4	16	10	13
Broker	11	21.2	5	20	16	20.7
Total	52	100	25	100	77	100

Source: Field survey 2008

The above table reveals that most of the boys i.e., 14(26.9%) and girls 6(24%) have come to the kiln with their parents followed by 11(21.2%) boys and 5(20%) girls who have come with a broker. A significant proportion of workers i.e., 9(17.3%) boys and 5(20%) girls were accompanied by their friends. 7(13.5%) boys and 2(8%) girls have followed the kiln workers whereas 6(11.5%) boys and 4(16%) girls came to the kiln by themselves. (Table 21)

5.21 Duration of Engagement in a Season

Generally, child workers are migrants outside of the valley, particular Bhaktapur. Especially broker/naike provides some money as an advance to people including children before coming in brick kilns per years. When, brick kilns start to come into existence after cleaning up fields on November, December, numerous labourers including children are transferred for working in these factories then they are forced to engage in these industries in off farm season. Some workers leave for home after closing the brick kilns factories to involve in farming and others works in brick kilns for whole season.

Table 22: Distribution of Child Labourers According to Duration of Engagement in a Season by Sex

Duration of engagement	Boys		Girls		Total	
	No.	%	No.	%	No.	%
Less than 6 months	27	52	15	60	42	54.5
Less than 1 year	22	42	8	32	30	39
Less than 2 years	3	6	2	8	5	6.5
Total	52	100.0	25	100.0	77	100.0

Source: Field survey, 2008.

The above table 22 shows that in terms of sex, more boys compared to girls pointed to be engaged in brick kiln industries for less than 6 months. Similarly, more boys compared to girls reported to be engaged in less than 1 year. In totally, 52 percent child workers engaged for less than 6 months, 42 percent engaged for less than 1 year and only 6 percent child workers engaged in the work for less than two years. (Table 22)

5.22 Engagement of family members of MCL in brick kilns

Table 23: Distribution on the basis of engagement of family members of MCL in brick kilns

No. of family members engaged	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total %
Three	27	52	14	56	41	53.2
Five	15	28.8	7	28	22	28.6
Seven	7	13.5	3	12	10	13
More than seven	3	5.7	1	4	4	5.2
Total	52	100	25	100	77	100

Source: Field survey 2008

The above table shows that 27(52%) boys and 14(56%) girls have their 3 family members engaged in the brick kiln sector. Five members of 15(28.8%) boys and 7(28%) girls are working

in the same sector, whereas 7 members and more than seven members of 7(13.5%) boys and 3(12%) girls, 3(5.7%) boys and 1(4%) girl are engaged in the brick kiln sector respectively. (Table 23)

5.23 Working Hours

According to the child labor prohibition and regulation Act 2000 maximum 6 hours work a day and 36 hours work per week has been distributed for children aged 14 and above. However, this legal provision is openly violated in the brick kiln sector, as in other areas of child labor exploitation, with brick kiln child workers work as many as 12 hours daily and 84 hours weekly. Specially, most of the children engaged in brick kiln work for long hours per day. Some minor workers and adult workers involved in brick moulding stated that they wake up as early as 4 to 5 o'clock in the morning to dig and knead mud sufficient for the day. Then they continue working till 7 or 8 o'clock in the evening.

Table 24: Distribution of Child Workers by Average Working Hours and Sex

Average working hours	Boys		Girls		Total	
	No.	%	No.	%	No.	%
Less than 8 hours	8	15.4	13	52	21	27.3
8- 12 hours	36	69.3	8	32	44	57.1
12- 16 hours	5	9.6	3	12	8	10.4
More than 16 hours	3	5.7	1	4	4	5.2
Total	52	100.0	25	100.0	77	100.0

Source: Field survey, 2008.

Above table shows that majority of child workers 57.1 percent among 77 children surveyed in brick kilns work 8-12 hours per day. Similarly, 27.3 percent child workers work less than 8 hours per day, and 10.4 percent work 12-16 hours per day. A significant proportion (5.2%) of child workers works more than 16 hours per day. The table also shows that 8 (15.4%) boys works less than 8 hours which is low in number as compared to girl child workers i.e., 13 (52%). This shows that in short working hours girl child workers are more than boy workers. (Table 24).

Case –4

Name: Nisha Maya Limbu

Address: Panchthar

Work Place: Phetoka Ganesh Brick Industry,
Duwakot, Bhaktapur

Nisha Maya Limbu is from Panchthar. Both of her parents work in Agricultural sector as they are tenant farmers. A school dropout made her leave school while studying in class three, as her parents could no longer afford her fees.



Picture no: 6, taken by Nanu Subedi

Thirteen years old Nisha Maya's job includes preparing mud, making and stacking bricks. After all the hard work and labour, Nisha Maya makes about Rs.3000 monthly, which is paid on daily basis. She works 10 hrs daily and her parents take all of her earnings, she lives with her parents in a muddy hut provided by her employer, which is very uncomfortable so she sleeps on the straw mat.

She says she doesn't want to stay here and would prefer to return home. She says she's heard something about child rights but doesn't particularly know anything. She wishes to continue with studies if ever given the opportunity.

Recommendations:

) Limit working hours

Children working in brick kilns often have to work more than 12 hours a day, this must be reduced to 6 hours as per provision in the children's act. In case where children continue to work for more than 6 hours, there should be one hour break. Employers should maintain and enforce existing national laws.

) Nutritional support

Among both working and non working children in brick sites, the majority are facing malnutrition so a nutrition support program based on local resources should be run periodically.

) Dietary support

Children and their families do not normally eat nutritional foods. Owners should take health seriously and provide multi-vitamins and nutritional food supplements periodically.

5.24 Working Condition and Environment

There are three main phases in brick making:

1. Brick moulding which covers the most strenuous work: a) digging up and kneading the clay, b) mudding bricks by hand with the mould and c) sun drying the bricks.
2. Loading (carrying the sun dried bricks to the kilns).
3. kiln work i.e., arranging bricks for firing, maintaining fire in the kiln and taking the baked bricks out from the hot kiln.

Table 25: Distribution of Child If Workers on the Basis of the Types of Work by Age and Sex

Types of work	Age				Sex				Total	
	8-12		13-15		Boys		Girls		No	%
	No.	%	No.	%	No.	%	No.	%	No	%
Brick moulding	3	18.8	15	24.2	9	17.3	2	8	11	14.3
Carrying bricks from kilns to pile	2	12.5	9	14.5	15	28.8	12	48	27	35.1
Carrying sandy soil to make brick	5	31.2	6	9.7	14	27	6	24	20	26
Carrying bricks field to kilns	4	25	25	40.3	12	23.1	4	16	16	20.8
Others	2	12.5	7	11.3	2	3.8	1	4	3	3.9
Total	16	100.0	62	100.0	52	100.0	25	100.0	77	100.0

Source: Field survey 2008.

As revealed in table 25, a significant number of children even less than 13 years of age are engaged in brick molding, i.e., 18.8 percent and carrying bricks outward 12.5 percent, children carrying soil, constitute another significant percentage (31.2%) of the total and children carrying soil inward to the kilns constitute significant 25 percent. Of the children involved in carrying brick from field to kiln, majority of children 40.3 percent come from age group 13-15. During the survey it is observed that more boys 17.3 percent are engaged compared to girl child workers. Further more 15 boys(28.8%) and 12 girls(48%) are involved in carrying bricks from

kilns to pile, Number of boys is significantly more as compared to girls with respect to the type of work they are supposed to do in the kilns, the reason for this might be the amount of manual work needed to do as girls are physically less strong than boys. (Table 25)

Case –5

Name: Shyam Nagarkoti

Address: Gokarna, Gamcha

Work Place: Phetoka Ganesh Brick Industry,
Duwakot, Bhaktapur

Among the child migrants is Shyam Nagarkoti 13, who works in a brick kiln. Originally from Gokarna, he is currently working at the Phetoka Ganesh Brick Factory in Bhaktapur with his eight year old sister.



Picture no:7, taken by Monica Ghimire

When he was only six years old his father died and his poor, illiterate mothers began to work as a domestic labourer in the village. Her income is insufficient for educating her children. Shyam has attended school only till class 1 when his father was alive but has never heard of child rights. He only understands that being the son of a widowed mother he has to earn as much as he can to support his family.

Shyam is supposed to be in school but unfortunately the brick kiln is a school for him where he learns to make good bricks. His only toys are mud and bricks. He is living with so much hardship and suffering that he might have a heart like those lifeless bricks when he grows up.

This innocent child shared some of his problems: lack of housing, backaches because of the heavy workload and lack of a first aid health facility. Shyam wants to continue school later if he gets any chance.

Recommendations:

) Fixed wage payment

Children are paid on the piece basis so parents put their children to work even on holidays to earn more income. Children should be paid on a minimum monthly fixed wage basis and should be given one day off per week as per labour laws.

) Provision of recreation

Children should be provided recreational support to improve psychological and mental growth

) Safety measures

Children work under unsafe and unhygienic environments for prolonged hours and sometimes even at night. Necessary safety measures should be arranged so as to prevent or control the possible accidents in a timely manner.

5.25 Payment of salary as committed

Most of the time, we see that the employers choose child labourers or women labourers so that they can be dominated easily without any threat. Employers often promise some amount of salary to their workers and then at the time of payment give very less amount than the promised.

Table 26: Distribution of MCL in brick kilns on basis of salary payment and time of employment

Does migrant child labor get salary as committed by the employer	No. of respondent	Percentage %
Yes	58	75.3
No	19	24.7
total	77	100

Source: Field survey 2008

In the above table we see that majority of workers, 58(75.3%) are getting their salary as committed but also a significant proportion, 19(24.7) claim of not getting the salary as committed to them by the employer. (Table 26)

5.26 Payment time of salary

In some brick kilns the time of salary payment is fixed, somewhere it's according to employer's wish and somewhere it's given whenever the labourers ask for it.

Time of salary payment	No. of Respondents	Percentage (%)
Every first day of month	22	28.5
First week of every month	7	9
Around mid or last week of the month	10	13
Whenever employer desires	20	26
Whenever workers ask for it	6	8

Table 27:

Distribution of child labourers on the basis of payment time of their salary

End of the season	12	15.5
Total	77	100

Source: field survey 2008

In the above table no. 16 we see that 22(28.5%) of the total respondents get their salary on the first day of the month followed by 20(26%) who get their salary whenever their employer wishes to. 12(15.5%) of the respondents get it at the end of season,10(13%) get it around mid or last week of the month, 7(9%) of them get it at the first week of the month and 6(8%) of them get their salary whenever they ask for it. (Table 27)

5.27 Relationship between the child workers and the employer

In some factories we see that the workers do not have a very good relation with their employers whereas in some factories the relationship is quite good and normal. The bad relation in case of girls might be because of abusive behavior or mistreatment by the employer but in case of boys and girls both it might be because of not getting salary as committed. The good relation might be if the employer is good natured and gives salary as committed. Workers and employer both play a significant role in maintaining a good relation between each other.

Table 28: Distribution on the basis of relation between MCLs and the employer along with gender

Relation between the child worker and employer	Male No.	Male Percentage (%)	Female No.	Female Percentage (%)	Total No.	Total Percentage (%)
Excellent	1	2	2	8	3	4
Good	45	86.5	20	80	65	84
Bad	6	11.5	3	12	9	12
Total	52	100	25	100	77	100

Source: Field survey 2008

Table 28 shows that in case of boys 45(86.5) and in case of girls 20(80%) of the interviewed child labourers say that they have a good relation with their employers. A significant proportion 2% for boys and 8% for girls claim to have an excellent relation with their employers. 11.5% boys and 12% girls claim to have a bad relation with the employers. (Table 28)

5.28 Satisfaction of MCL from their work

The child labour may or may not be satisfied from their work, their reasons for satisfaction or dissatisfaction may be varied.

Table 29: Distribution of MCL according to their satisfaction towards the work

Are the child labors satisfied from their work	Male no.	Male %	Female no.	Female %	Total no.	Total %
Yes	37	71.1	17	68	54	70.1
No	15	28.9	8	32	23	29.9
Total	52	100	25	100	77	100

Source: Field survey 2008

In the above table we see that 71.1% of male and 68% of female are satisfied with their current work whereas 28.9% male and 32% female are dissatisfied with their work. (Table 29)

5.29 Respondent's reason for satisfaction

Child labourers have various reasons to be satisfied with their work like having good salary, living with their parents, having good friends etc. hence the children are distributed in the following table with the reasons for their satisfaction.

Table 30: Distribution of MCL on the basis of their reason for satisfaction

Reason for satisfaction	Male no.	Male %	Female no.	Female %	Total No.	Total %
Good salary	12	32.4	5	29.4	17	31.5
Living with parents	11	29.7	7	41.2	18	33.3
Good friends	8	21.6	3	17.6	11	20.4
Other	6	16.3	2	11.7	8	14.8
Total	37	100	17	100	54	100

Source: Field survey 2008

In the above table 32.4% of male and 29.4% of female are satisfied with their job because of good salary, followed by 29.7% male and 41.2% female who are satisfied being able to live with their parents as well as do the work. 21.6 of male and 17.6 claim their reason to be satisfied as a result of having good friends. (Table 30)

5.30 Respondent's reason for dissatisfaction

There are various reasons for which the child labourers might feel dissatisfied some of which are due to low salary, Due to hard work, Personal reasons, Due to mistreatment of employers.

Table 31: Distribution of MCL on the basis of their reasons for dissatisfaction

Reason for dissatisfaction	Male no.	Male %	Female no.	Female %	Total no.	Total %
Due to low salary	3	20	4	50	7	30.4
Due to hard work	9	60	2	25	11	47.8
Personal reasons	2	13.3	2	25	4	17.4
Due to mistreatment of employers	1	6.7	0	0	1	4.4
Total	15	100	8	100	23	100

Source: Field survey 2008

The above table shows that 20% of male and 50% of females are dissatisfied from their work due to low salary where 60% of male and 25% of female feel dissatisfied due to hard work. 13.3% males and 25% females have their personal reasons for their dissatisfaction which they don't want to disclose. 6.7% male feel dissatisfied due to mistreatment of the employers. (Table 31)

5.31 Continuation of the current job

Many migrant child labourers work to provide some financial support to their family, some of them like the job hence consider continuing it whereas some might not like the job and want to do some different type of work or would like to return home instead of working.

Table 32: Distribution of MCL on the basis of continuation of current job and if not then their future plans.

Wants to continue same job or not?	No. of Respondents	Percentage (%)
Yes	47	61
No	30	39
Total	77	
If no then what they would like to do?		
Wants to go back home	16	53.3
Wants to do different type of work	14	46.7
Total	30	100

Source: Field survey 2008

In table 32 we see that 47(61%) of the respondents would like to continue doing the same job whereas 30(36%) would like to quit the current job. Among the 39% child workers 53.3% want to go back home while 46.7% of them want to do some different type of work. (Table 32)

5.32 Knowledge about child right among MCL of brick kilns

Table 33: Distribution on the basis of knowledge about child right among MCL of brick kilns

Do you have any knowledge about child right	Boys no.	Boys %	Girls no.	Girls %	Total no.	Total %
Yes	7	13.5	2	8	9	11.7
No	45	86.5	23	92	68	88.3
Total	52	100	25	100	77	100

Source: Field survey 2008

From the above table we come to know that among 77 child workers interviewed only 7(13.5%) boys and 2(8%) girls have some knowledge about the rights of a child, whereas vast majority i.e., 45(86.5%) boys and 23(92%) girls have no idea about child rights. (Table 33)

CHAPTER VI

SUMMARY & CONCLUSION

6.1 Summary

Brick production work is highly labour intensive not only for manual labourers but for factory owners only highly active and dedicated people can sustain the business. No doubt the brick kiln business is highly profitable but it has been proven that neither child nor adult workers are fed accordingly. The profit margin is high in this business due to the industry being a tax rebate able one. As per the industrial policy of the government the brick kiln industry has been categorized as a cottage industry though some start with Rs.50,000 or Rs.50,00,000. It is a completely tax free industry except imposition of some local VDC and DDC level nominal taxes. In addition the industry enjoy free fertile soil and water resources.

It has been estimated that there are almost 59,000 child labourers which is about 34% of the total labour force. Brick kilns are mostly confined to Kathmandu valley due to rapid growth urbanization and a heavy migration of population in recent years. In Kathmandu valley almost 90% of the child workers are from outside districts male child workers dominate in this sector which occupy 66% of the total child labour force.

As in other sectors of child labour such as stone quarry mining, the magnitude of exploitation in economic, physical, mental and psychological is very high. Children are found working whole days at the brick kilns without even minimum basic education and health facilities. Despite hard and long working hours their wages do not appear sufficient. Most working children and their parents are illiterate so they are likely to be cheated in wage payments and do not get their wages in a timely manner. From every point of view, there is no room for satisfaction in the brick kilns as far as the condition of the child workers is concerned. It is a challenge for NGOs and civil societies whether they should take any action against those who violate the inherent rights of working children as enshrined in the UN convention on the rights of the child.

This study has the main objective of examining into realities of child labours of brick kilns in the study area. Its specific objectives were to assess the socio-economic conditions of the child labourers in brick kilns industries.

This study based on primary and secondary sources of data, has attempted to analyze the situation of child labour in brick kilns of Bhaktapur district. The present study is based on the

interview of 77 child labourers ranging from ages 8-14 years in the brick kiln industries of Bhaktapur district. The survey sites are selected on the basis of purposive sampling method.

The major findings of the study can be summarized as follows:

Among 77 child labourers 67.5 percent are boy and 32.5 Percent are girl child labourers. The majority of children are from age group 13-15 i.e., 68.2percent, followed by the age group 10-12 which form 27.3 percent of the total and lastly 5.2percent of those below 9 years of age. It shows that there is majority of older children than comparison to younger one.

The children belong to different caste as well as ethnic groups. There are Chhetri 10.4 percent, Dhanuwar 18.2 percent, Magar/Gurung/Tamang/Rai/ Newar 50.6 percent, Sahani/Musahar/Indian (Bihar) 9.1 percent. Almost all children working in brick kilns of Bhaktapur district come from outside. In this study the sampled child labourers are found coming from different district of Nepal like Kavrepalanchowk 31.2 percent, Ramechhap 23.4 percent,

Dang 17.4 percent, Sindhupalchowk 24.7 percent, Sarlahi 2.2 percent, Gulmi 1.1 percent, Makawanpur 2.6 percent, Bhaktapur 13 percent and from India (Bihar) 5.1 percent etc.

In terms of schooling, out of total children working in brick kilns about 74 percent of children are literate who ever attended school, 49 percent children have passed less than primary level, 39 percent passed lower secondary and only 12 percent passed secondary level. However, the literacy level of girl children is lower than that of boy children. The major reason for never attending/dropping out schooling are due to poverty 28.6 percent, abuse behavior of step mother/father 3.9 percent, arrival with parents 22.7 percent, no choice 19.5 percent, own desire 9.1 percent and to earn 16.9percent for dropping out school. In fact, the household work for more girl children than boys.

Most of child workers 71.4 percent are found coming from nuclear family and only 28.6 percent come from joint family. Children working in brick kiln industries have both their parents alive 61.5 percent, both died 6.5 percent, only mother alive 11.7 percent and only father alive 11.7 percent. Most of the children 58.4 percent reported to have own farming as the prime means surviving for their family followed by agricultural wage employment 13 percent, non-agricultural wage employment 19.5 percent and only other 9.1 percent.

Most of the children reported to have come with broker/naike 20.7 percent, coming with parents 26 percent and significant portion of children coming with relatives. Majority of children 54.5

percent are reported to be engaged for less than 6 months, 39 percent reported to be working for less than one year and only 6.5 reported to be working for less than two years.

Majority of children carrying brick from kilns to pile 35.1 percent, and field to kiln 20.8 percent, brick moulding 14.3 percent and carrying sandy soil to brick kiln 26 percent. Only 27.3 percent child workers are reported to be engaged in brick kiln for less than 8 hours, 57.1 percent children are working 8-12 hours, 10.4 percent are working for 12-16 hours and only 5.2percent are working for more than 16 hours.

6.2 Conclusion

Child labourers are different caste/ethnic groups coming from various geographic location of Nepal, work in the brick kiln industries in Bhaktapur district. This study is based on purposive sampling with 77 children in selected 4 brick kiln of Bhaktapur. Both quantitative and qualitative information have been used in this study, which is covered following conclusions.

- A significant portion of children come from poor families who are dependent on agriculture as their source of income. Many of these families either have a little land or no land at all. The prevailing socio-economic conditions, i.e. poverty, lack of adequate working and employment facilities. So the parents are compelled to send their children to work in the brick kiln industries.
- The majority of child workers in brick kilns are seasonal migrants from outside the valley including India (Bihar). Among them, most of the child workers are largely from poor, underprivileged and oppressed caste/ethnic community.
- A significant portion of children working in brick kilns seem illiterate and most of the children who have attended schooling are reported to have dropped out before completing primary level.
- Actually, there is no direct relation between workers and real employees of brick kilns. Most of the workers including children are transferred by middle men. They get monthly wage as well as commission from earnings of workers who are under their control.
- Child workers are working in brick kilns under hazardous and exploitative condition, as well as unhealthy working environment. They have to face various kinds of

injuries/accidents. In addition child workers are suffered from different kinds of illness like fever, headache, joint pain, common cold and diarrhoea etc.

- It can be concluded that the root causes of child labour are strongly associated with poverty, lack of educational opportunities, certain cultural traditions and family size. Raising parent's economic status may reduce the magnitude of child migration and child labour. In addition, lack of work opportunities in off farm season, arrival of parents in brick kilns and engaged in brick kilns child labour. The complete elimination of child labour form these factories are a national challenge for future because most of the children loss their physical, mental, social and moral development engaging in such a intolerable forms of child labour.

Questionnaires

1. General Information about the Respondents

Name of Respondent:

Age:

Sex:

Caste/Ethnicity:

Permanent Address:

Place of working:

Literacy state:

2. Family background

Do you have your own home in village?

A) Yes () B) No ()

Do you have parents/ guardians?

a) yes () b) no ()

How many members are their in your family?

A) Brothers B) Sisters C) Others.....

Do you have your own land in the village?

A) Yes () B) No ()

What is your parent's occupation?

A) Farmer () B) Driver () C) Teacher () D) Other ()

3. Education

3.1 Are your parents literate/Educated?

A) Yes () B) No ()

If yes, till which grade have they studied? If no why?

.....
.....

3.2 Did you ever attend school?

A) Yes () B) No ()

3.3 If yes then till which class?

.....

3.4 Why did you leave school? If you get a chance to study will you go?

.....
.....

4. Migration

At what age did you leave your home?

.....

What was the reason for leaving home in the beginning?

- A) Own will () B) Sent by parents () C) Friends ()
- D) For better life () E) For Wage earning () or any other

.....
.....

Were you aware of the kind of work you would have to do?

- A) Yes () B) No ()

If yes how did you feel about that?

.....
.....

At what age did you start working in this brick kiln?

.....

5. Previous and current work

Were you involved in any work before coming here?

- A) Yes () B) No ()

5.2 If yes, what kind of work was it and what was the reason for quitting previous work?

.....
.....

Who brought you to this factory? And why?

- A) Self () B) Friends () C) Parents () D) Other ()

.....
.....

How did you feel while coming here?

- A) Good () B) Compelled () C) Bad ()

How long have you been working here?

- A) <Six months () B) <1yrs () C) 2-3 yrs ()

Do your family members work here? If yes how many?

- A) Yes () B) No ()

Number:

How many hrs do you work here and from when to when?

.....
.....

How much salary do you get?

.....

How do you get your salary?

- A) Per piece of brick () B) Per hour () C) Per week D) Per month ()
E) At the End of season ()
F) Other ()

5.9 Who keeps your earnings?

- A) Parents () B) Brothers () C) Relatives () D) Employer ()
E) Myself ()

5.10 Preference for expenditure.

- A) Food () B) Cloths () C) Room rent () D) Entertainment ()
E) Support Family () F) Others ()

5.11 Do you find your earnings sufficient for basic needs?

- A) Yes () B) No ()

5.12 Do you have lunch break? If yes how long and if no why?

- A) Yes () B) No ()

.....
.....

5.13 Do you play games with your friends? If yes what kind of games and if no why?

- A) Yes () B) No ()

.....
.....
5.14 Do you get punished on doing something wrong?

A) Yes () B) No ()

5.15 If yes, what kind of punishment?

.....
.....

6. Health

Do you smoke (including khaini)?

A) Yes () B) No ()

Have you ever suffered from any injury/ illness while working in this sector?

A) Yes () B) No ()

If yes, how did it happen and how serious was it?

.....
.....

Was the expense deducted from the salary? If yes how much?

A) Yes () B) No ()

.....

Have you been forced to work while you are sick?

A) Yes () B) No ()

7. Employment relationship

How is your relation with the employer?

A) Good () B) Bad ()

If Bad, why?

.....
.....

Are you getting salary as promised? If no why?

A) Yes () B) No ()

Do master/mistress treat you well?

- A) Yes () B) No ()

7.4 If no, how do they treat you?

.....
.....

8. Abuse and Punishment

Have you ever been abused in the factory?

- A) Yes () B) No ()

If yes, who was the abuser?

- A) Employer () B) Adult coworker () C) Other ()

.....
.....

Do you know about laws against child labour?

- A) Yes () B) Little bit () C) No ()

9. Recreation

Do you get time to play?

- A) Yes () B) No ()

Do you get enough rest and sleep? If no why?

- A) Yes () B) No ()

.....
.....

Do you go home during the festivals?

- A) Yes () B) No ()

10. Child's view

Are you satisfied with the job?

- A) Yes () B) No ()

If Yes/No why?

.....
.....

Are you going to continue this job?

A) Yes ()

B) No ()

If no where do you want to go?

.....
.....

BIBLIOGRAPHY

Reports:

- J **Concern (2002):** *"Child Labour in Stone Quarries", A National Survey Conducted by CONCERN Nepal.*
- J **Concern (2003):** *"Child Labour in Restaurants and Tea Shops in Nepal", A National Survey Conducted by CONCERN-Nepal.*
- J **Concern (2005):** *"Child Labour in Brick Kilns in Nepal", A National Survey Conducted by CONCERN-Nepal.*
- J **Concern (2005)** *National survey conducted by CONCERN Nepal.*
- J **Concern (2007/8):** *Concern for children and environment.*
- J **Concern(2008) :** *Concern for children and environment-Nepal*
- J **CWIN (1991):** *Survey on Brick Workers in the Katmandu Valley. Katmandu: CWIN.*
- J **CWIN (1993):** *Misery behind the Looms: Child Labours in the Carpet Factories in Nepal, Katmandu.*
- J **CWIN (1998):** *Urban Child Labour in Nepal: Realities and Challenges: Hotel Kanchha in Katmandu, A Compilation of CWIN-Research and Survey Studies.*
- J **CWIN:** *No life for a kid, field report*
- J **CWISH (2007)** *A new move into new Nepal*
- J **CWISH :** *" Gharelu balshram rokau"- Fact sheet*
- J **ILO (2001):** *Situation of Child Rag pickers: A Rapid Assessment*
- J **ILO (2001):***Investigating the worst forms of child labour (No. 2)*
- J **ILO(2001):** *INVESTIGATING THE WORST FORMS OF CHILD LABOUR (NO.6)*
- J **ILO(2003):** *child domestic workers in Nepal: a report on 2003 baseline survey*

- J **ILO (2006):** “ *Combating the worst forms of child labour in Nepal*” - TBP Project
- J **ILO FACTSHEETS:** *Ethnic minorities and child labour, mine risk education and child labour, child labour and HIV/AIDS, gender discrimination and child labour in Nepal*
- J **Ministry of labour and transport management(2004):** *National strategies for children*
- J **Ministry of labour and transport management(2004-14):** *National Master plan on child labour*
- J **Ministry of labour and transport management(2006):** “ *Balshram ek samasya ra hamro pratibadhata*”
- J **Ministry of Women, Children and Social Welfare:** *National Plan of Action Against Trafficking in Children and Women For Sexual And Labour Exploitation*
- J **National Human Rights Organization (2006):** “ *Nepalma baladhikarko awastha*”
- J **Pradhan, Gauri (1995):** "An Overview of the Child Labour Problems in Nepal", *Child Labour in Nepal, vol. 1 (Katmandu: ILO).*
- J **Sattaur, Omat (1993):** *Child Labour in Nepal: A Report by Anti-Slavery International and CWIN (Katmandu: ASI/CWIN).*
- J **Suwal, B.R., Bal Kumar K.C. and K.P. Adhikari (1997):** *Child Labour Situation in Nepal, Report Submitted to ILO/IPEC (Katmandu: ILO/IPEC).*
- J **UNDP (1993):** *Human Development Report, 1993 (New York: United Nations Development Programme).*
- J **UNESCO(2061):** “*Nepalma prarambhick balbikassambandhi radniti patra*
- J **UNICEF (1997):** *State of the World's Children Report (New York: UNICEF).*

Articles:

- J **CWIN(2008):** “*Kamauna jada padhai andhakarma*” - Annapurna post, January

- J **CWIN(2008):** “ *eta bhatta ra karkhana ma balshramik ko pida*”-Chalfhal, February
- J **CWIN(2008):** “ *kapi kitab bokne pithyu ma eta ko bhari*”-Annapurna post, February
- J **CWIN(2008):** “ *balshramik rakhinna*”- Nepal Samacharpatra, February
- J **CWIN (2008):** “*Brick kilns cause health problems*”-The rising Nepal, March
- J **CWIN (2008):** “ *Children in brick kilns*”-Naya Patrika, April
- J *One in every eight children in the world are still exposed to worst forms of labour, (Himalayan times, June 12, 2002).*
- J *Estimation of child labourers in different sectors CONCERN Nepal (The Rising Nepal, 4th July, 2006).*

Websites:

- J [en.wikipedia.org/wiki/**Children's_rights**](http://en.wikipedia.org/wiki/Children's_rights)
- J www.unicef.org/crc/
- J www.cwin.org.np/
- J www.undp.org.np
- J [www.**childwelfare.gov/can/defining**](http://www.childwelfare.gov/can/defining)
- J www.ilo.org/ipec/facts
- J [en.wikipedia.org/wiki/**Child_labour**](http://en.wikipedia.org/wiki/Child_labour)
- J www.unicef.org/protection/index
- J [clabour](http://www.nepaldemocracy.org/documents/national_laws/childlabour
J <a href=)
- J [-73 -](http://www.ilo.org/public/english/region/asro/newdelhi/ipec/responses/nepal/national

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