

Condition of child labour in restaurant

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Abstract

This research study was carried out to reflect Child Labourer's condition in Restaurants of Sundhara which is situated in Kathmandu Metropolitan city. This study is focused on child labourers in restaurants of Sundhara. Till date nobody has made it a research area to carry out a child labourer's condition. Both descriptive and analytical research design has been used in this research. The initiative has been taken to include both qualitative and quantitative data statistics in the research. In this study, data were collected by using purposive sampling method of child labour worked in Restaurants Kathmandu Metropolitan city Sundhara. 30 Child labourers have been involved for the research. Both primary and secondary data has been collected for the study. The collected data has been presented in tabulated form from data obtained in numeric form have been presented with number and percentage forming a table and data which are not obtained in numeric form have been presented in descriptive way. The sector of child labour in Nepal basically in Sundhara, Kathmandu the situation of child labourers was found so pathetic. Children are working in poor condition without having proper food, proper place to stay and sleep no rest while working and more above that children are not getting any education for their bright future. Though there are lots of NGOs and INGOs working in the child sector but the situation of children is not progressive way.

Key Words: Labourer, Restaurants, Condition, Work, Sector, Situation, Food Sufficiency and Education.

Introduction

Children forced to work in exploitative labor conditions are not only deprived of their fundamental rights to education, health, childhood development, sports, safety, and protection (as enshrined in Nepal's Constitution) but it also directly impacts their physical, social, and emotional development. Several legislations and policies: Child Labor Prohibition and Regulation Act (2000), The Labor Act (2017), the Children's Act (2018), and Muluki Civil Code (2017) among others recognize child labor as a human rights violation. As a signatory to various international treaties, Nepal is committed to achieving the targets of sustainable development goals (particularly SDG target 8.7) and even developed a roadmap for eliminating the worst forms of child labor by 2030. Despite all these efforts, a significant number of children are still working as child laborers in various sectors, enterprises, and informally. To achieve this goal, all levels of the government, CSOs and the private sector need to work collaboratively to push forward the child protection agenda and support vulnerable children and their families.

Childhood is one of the most important stages of human development. Children's future also depends on their childhood. Child can get good environment that child can make good

future and in the same time if a child cannot get favorable environment in his\her growing age that child cannot do better in the future. Besides the inborn nature of the human being childhood plays the vital role to make children's future. It is said that children's are the god gift and also a plain paper where anything can be written. In the plain paper if we write good thing it becomes good and if we write the bad thing it becomes good and if we write the bad thing it becomes bad. In the same way if we can give good growing environment to the children they becomes good and if we cannot provide them good environment they can't be good in the future. The purpose of this study is to ascertain the circumstances surrounding children employed in restaurants and hotels. Nepal is developing nation though it is a developing nation there are different laws and rules to control the child labor but the situation of child labor is not in control. We can find a lot of children working in the hotels and restaurants (CONCERN, 2003).

It's not an easy process to define child labor. The reason for this is that it has the three elements of "child," "work," and labor. According to oxford Dictionary of English language the word child refers to "newly born boys or girls" and labour means physical or mental work. Thus the dictionary meaning of child labour is 'physical or mental work done by a child.'

Child labor is defined as anything that children between the ages of five and fourteen are involved in, either directly or indirectly. As a result, kids lose their opportunity to grow physically, mentally, and emotionally, in addition to being robbed of their dignity and their freedom to play (Bhargava, 2003). Every person under the age of eighteen is considered a child under the terms of the United Nations Convention on the Rights of the Child (CRC, 1989). Anybody under the age of eighteen is likewise considered a kid under ILO convention No. 182. While the Children's Act of 1992 extended the age limit to 16 years old, the Nepalese "Labour Act 1992" still defines a kid as someone under the age of 14 child labor.

Child Issue in Nepal

Only seven out of ten Nepalese children enroll in grade 1 and complete grade 5, and over fifty percent drop out before they even make it to the lower secondary (grade 8) level, according to UNESCO. The 2010 Nepal Child Labour Report states that 1.6 million children in Nepal are employed, with 621,000 of them working in jobs that provide a significant risk of injury. In a similar vein, 165,422 minors are employed as domestic workers.

Although there is no reliable data on children living, working in the street of Nepal, UNICEF estimates around 5000 children are living, working in the streets of Nepal. A research of National Alliance of Organization working for Street Children (NAOSC) estimates that there are 1200-1500 children living in the streets of Kathmandu in which 8 percent of them are infected by HIV\AIDS (CWIN, 2010). And shockingly 85 percent of street children are sexually abused according to ILO and approx. 400 children come on the street every year (CWIN, National Report).

Despite the lack of trustworthy statistics regarding children residing or employed in when a child visits an urban region for the first time, they are most likely to find work in roadside tea shops, restaurants, or candy stores. Due to their lack of abilities for other jobs and for making money, these kids are left with little choice but to work any job they can get their hands on. The nation's social and economic realities are reflected in the use of child labor. This is also seen to be a result of the feudal land ownership system, which is still a harsh reality in the third world. Therefore, the world's exploitative socioeconomic and political system is both a cause and an effect of child labor.

ILO (2011) states that the following are the main causes of child labor: poverty; social customs, values, and attitudes; parental illiteracy; children's lack of access to education; migration from rural to urban areas; discord in families and dwindling family support; girls being trafficked both within and across borders; and insufficient enforcement of labor and criminal laws.

While poverty is undoubtedly one of the push elements for child exploitation, there are numerous additional pull variables that also play a role in the persistence of hunger, starvation, and poverty. Due to an ignorant society, people have more children than they can care for, or parents may divorce, which causes the children to leave home and become homeless, forcing them to start working at a young age to pay for their food. Nepal's development is still in its early stages and is concentrated on its numerous cities rather than being decentralized. The majority of work options are found in urban areas, particularly in capitals. Thus, the movement of jobless individuals—both adults and children—into cities is growing daily as a result of job openings. Based to CWIN's 2000 research, a significant number of youngsters traveling to Kathmandu are between the ages of 5 and 16. The bulk are child migrants who were born in the surrounding districts, Terai (regardless of development zones), and hills distant from the Kathmandu valley. According to CWIN (2000), 9.6% of migrant child laborers are born in urban areas, and nearly 90.4% are born in rural regions.

UN has declared the year 1979 has been designated as International Children's Year by the UN. Since this announcement, a large number of NGOs have begun to address child labor. The expanding number of non-governmental organizations that address child labor. The increasing number of NGOs operating in this area is proof of how serious this issue is. Unfortunately, not much has been done thus far. This is due to the fact that there is usually a big discrepancy between the plan and the institutional planning. Even though numerous organizations and people have made an effort to lessen the issue of child labor, at least in developing nations, the problem is growing quickly.

The majority of children who are denied their basic rights to safety and survival are mistreated and taken advantage of on a regular basis. A large number of NGOs, INGOs, and social groups deal with the issue of child labor. The International Labour Organization (ILO) has been fighting child labor since its founding and has partnered with other INGOs and NGOs in this endeavor. While the ILO does not oppose all child labor, it does object to child labor that harms a child's physical development and denies them access to social rights

or education. The ILO does not oppose all forms of child labor that could compromise a child's morals, including forced labor, debt bondage, prostitution, or other forms of dehumanization. The ILO does not oppose all forms of child labor that could compromise a child's moral development, including forced labor, debt bondage, and prostitution, which are nevertheless widespread in southern Asia (ILO, 2011).

In India, the number of complaints and FIRs filed is still quite low when compared to the real number of child labor incidents (in 2018, just 464 cases were registered). The task of registering as many complaints as possible about child labor can be taken up by nonprofits and other civil society organizations. The district collector, Childline at (1098), the government portal PENCIL, or statutory bodies like the National or State Commissions for Protection of Child Rights or Child Welfare Committees (CWC) are among the channels through which complaints about child labor can be made. Nonprofits will be able to more effectively lobby the administration to improve compensation and rehabilitation programs for victims of child labor, as well as to fortify rescue procedures, if there are more complaints (CWIN, 2020).

Child labor continues to remain a pervasive problem even after three decades of collaborative efforts for its prohibition and regulation in Nepal. According to the Nepal Child Labor Report 2021 prepared by the International Labor Organisation (ILO), 1.1 million children aged 5 to 17 years are engaged in child labor (in 2018) compared to 2.6 million (in 1998). Whilst national statistics show some improvement, other studies have shown grave concern for children engaged in the hidden and exploitative forms of labor in Nepal. There is no denying that child labor compounded by social, cultural, economic, and political factors remains a grave concern for all stakeholders in the country (Republica, Friday, 22 March 2024).

INGOs and other non-governmental organizations that work with children are not always very honest; they sometimes have unrealistic programs, reports, or programs that are not very realistic in terms of labor, education, culture, social welfare, and health. These organizations have expressed serious concerns about the state of children generally, and the issue of child labor in particular, on multiple occasions. Each year, hundreds of kids travel from rural to metropolitan areas due to curiosity and good economic situations at home. They frequently labor in the hotel and restaurant businesses, fixing shoes on the street, serving as housekeepers, bus drivers, tempo conductors, and other jobs.

The children who work at the hotel and restaurant are left there by the owner's wish and have no other options. They have to be at work from early in the morning till late at night. They are unable to take pleasure in or even receive a vacation because child labor is not just a problem in Nepal; it is a global issue that is becoming worse every day. The goal of this study is to determine the current state of child labor and the socioeconomic circumstances surrounding children who work in restaurants.

Objectives

- To find out the socioeconomic and current working conditions for employment of child labour in Sundhara's Wards No. 11 and 21 Hotels and Restaurant.

Significance

In Nepal, child labor in restaurants is the most common kind of child employment. In both urban and rural locations, children can be found working in restaurants. Despite the fact that Sundhara lies in the center of Kathmandu, there are more child laborers there. Due to a dearth of reliable and thorough research studies, there are many conflicting reports and inconsistent data available, but there are very few studies specifically examining child labor in restaurants. As a result, the extent and frequency of child labor in Nepal is fairly high and is growing quickly. As a result, this study is important in a number of ways, including helping the government, non-governmental organizations, and others create meaningful action plans and implement them to raise awareness of children's rights and end dangerous types of child labor. In order to decrease the amount of child labor in this industry, it is anticipated that the study will assist in managing the current situation and identifying the underlying reasons of child labor. The national international organization and anyone with an interest in this topic may find it useful. The purpose of this study is to accurately report on child labor.

Methodology

It is illegal to keep the child labour in metropolitan city but in some Restaurant, Bar and Hotels still keep child labour in different purpose. Such as to give education, make friend for their children etc. first of all, the researcher observed this place and find out and listing this Restaurant before the final study done. The study focused is on young laborers who work in eateries in Kathmandu's Sundhara district. The entirety of Sundhara's Wards No. 11 and 21 is covered by the study. Only 9 restaurant and hotels selected from the out of 43 total hotels in this areas by the simple random sampling method. This investigation is limited to underage workers who work in eateries. One of the busiest areas of Kathmandu is Sundhara. It is well-known for being a location for dining establishments, lodging, and resorts. Numerous studies and reports have demonstrated that child labor occurs in restaurants, hotels, and lodges. Purposive sampling was used to choose the sample areas and responders. Primary data gathering methods included direct interviews with child laborers, observation, and data analysis through case studies. The questionnaire is closed ended (structured) as well. Secondary sources of information gathered from publications, newspapers, websites, books, and articles. Since the subject of this study is youngsters who perform labor-intensive tasks, a descriptive and analytical research approach has been utilized to characterize their circumstances as well as identify and examine the factors that led to their engagement in this labor. The data analysis is given in a descriptive manner. This design explores, analyzes, and describes the respondents' socioeconomic profile, working circumstances and environment, income status, and state of health and nutrition.

Result and Discussion

The information came from Sundhara Restaurants in the Kathmandu Metropolitan Area. The information has been organized methodically to present the true picture of underage laborers working in restaurants. Characteristics of the population, like age and sex.

Age and Sex

Children's development is especially important during the age range of 10 to 16. They ought to have access to all facilities for their mental and physical growth. The distribution of child laborers by age group and sex working in various restaurants is shown in Table 1.

Table-1: Distribution of the Respondents by Age and Sex

Age (in year)	Boys		Girls		Total	
	No	Percent	No	Percent	No	Percent
7-9	-	-	3	42.86	3	10.0
9-11	5	21.74	1	14.28	6	20.0
11-13	8	34.78	2	28.57	10	33.33
13-15	10	43.48	1	14.28	11	36.37
Total	23	76.67	7	23.33	30	100.00

Source: Field survey, 2023

Of the 7 to 15-year-olds who work as child laborers, 76.67 percent are boys and 23.33 percent are girls. This region has the largest percentage of kid laborers. Within the 13–15 age bracket, or 36.67 percent of the total, there were 33.33 percent of child laborers who were 11.33 years old, 20 percent who were 9–11 years old, and 10 percent who were 7-9 years old. Of these, 43.48 percent were boys and 14.28 percent were girls.

Older children participate more than younger children do since they are able to grasp their obligations and do not require supervision.

Education status of children

The purpose of this study was to ascertain the respondents' level of education regarding their status as child laborers.

Table 2: Distribution of the respondents by sex According to education status of children

Education status	Boys		Girls		Total	
	No	Percent	No	Percent	No	Percent
Illiterate	5	21.74	6	85.72	11	36.67
Literate	18	78.26	1	14.28	19	63.33
Total	23	100.00	7	100.00	30	100.00
Educational Attainment	Boys		Girls		Total	
	No	Percent	No	Percent	No	Percent
Primary	15	83.33	1	100.00	16	84.21

education						
Lower secondary	3	16.67	-	-	3	16.67
Total	18	100.00	1	100.00	19	100.00

Source: Field Survey, 2023

Table 2 demonstrates that 63.33 percent of the respondents who are child laborers are literate, whereas 36.37 percent are not. However, every child who can read and write has stopped attending school. Of the 63.33 percent of literate youngsters, 84.21% have completed elementary school. 15.79 percent of people have completed elementary school. Only 15.79 percent of people have completed lower secondary education. However, of child laborers, 21.74 percent of boys and 85.72 percent of girls are completely deprived of an education, and 36.67 percent of them are illiterate. Children who are classified in the rows of grades 1 through 5 and 6 through 8, abandoned their studies to work. There was nobody in school learning during the survey time.

While having interview with the children most of the children were found that now they are not attending any school. They are now fully working in the restaurants. It shows that the children do not have any further education to have better future except working in restaurants and in other places which do need any educational qualifications and other skills. These findings show that the working children do not have any other good working areas for secure life ahead and another thing is that educational background is also a push factor of the child labour which is pushing children to the labour.

Food Sufficiency

The amount of food produced meets the needs of the population. This can operate at a variety of scales, but is a collective term (i.e. it does not usually apply to individuals). Food sufficiency is not related to the location where the food is produced or consumed; rather, economic food security (the ability to pay for food) allows for imported food and thus food sufficiency.

Table 3: Food Sufficiency

Food Sufficiency	Boys		Girls		Total	
	No	Percent	No	Percent	No	Percent
1-3 month sufficient	5	23.81	2	28.57	7	25.0
4-6 month sufficient	8	38.10	4	57.15	12	42.86
7-9 month sufficient	6	28.57	1	14.28	7	25.0
More Than 9	2	9.52	-	-	2	7.14
Total	21	100.00	7	100.00	28	100.00

Source: Field Survey, 2023

Most of the respondents who work as children only have enough food for four to six months. 42.86 percent, whereas 25 percent have enough for three months or longer, and 25 percent have enough for seven to nine months. Of them, 7–14 percent have enough food for

more than nine months. Therefore, it can be said that youngsters look for work because of household poverty and malnutrition.

Work Types

Child laborers employed in restaurants were discovered to put in excessive hours during the investigation. They have to perform a variety of tasks, including cooking, cleaning floors and tables, dishwashing dishes and glasses, service, and frequently performing additional tasks at their employer's home as well. They are continually following their orders and have very little option.

Table 4: Distribution of Restaurants child Labourers by Types of Work

Types of Work	Boys		Girls		Total	
	No	Percent	No	Percent	No	Percent
Cooking	1	4.35	-	-	1	3.33
Cleaning	8	34.78	5	71.44	13	43.33
Servicing	2	8.70	1	14.28	3	10.0
Cooking and Cleaning	4	17.39	1	14.28	5	16.67
Cooking and Servicing	3	13.04	-	-	3	10.0
Cooking, Cleaning and Servicing	5	21.74	-	-	5	16.67
Total	23	100.00	7	100.00	30	100.00

Source: Field Survey, 2023

Table 4 makes it evident that the bulk of child laborers—43.33 percent—are employed at their place of employment washing dishes, glasses, tables, and floors. Girls make up 71.44 percent of those working in cleaning. In a similar vein, 16.67 percent of child laborers work in little amounts of cleaning, cooking, and service. 3.33 percent of child laborers work in the culinary arts.

Discussions

When minors work in restaurants, there is no formal employment contract between the employer and the worker. Kids have to put in a lot of effort from dawn till nightfall. They receive very cheap labor and very little food. They are denied access to facilities for rest and medical care. These children are getting only 6 hours to sleep. They do not have proper time of rest. They can only rest for the time when there are no customers in the restaurants. Generally, the children of this sector are from poor economic class. Children are working in poor condition without having proper food, place are not getting any education for their bright future. Though there are lots of NGOs and INGOs working in the child sector but the

situation of children is not progressive way. Another thing government is also not giving any concern to this issue. One of the major challenges that violates human rights is child labor. Child labor is an issue not just in Nepal but in other nations as well. When visiting Nepal, the ratio appears high. Not only can we observe children working as wait staff at a small number of restaurants, tea shops, hotels, and lodges, but in the majority of these establishments as well. In Nepal, there is mostly used slogan "Today's children are Tomorrows' Future" means children are the future. The future because we are teaching them only to do work in kitchen and serving the table but not to be creative. If the children in their small age are spending their life in pressure and unhealthy environment how they can be the future of the country ? A survey of CWIN in 2011 has shown that the children age of 7-14 years is mostly working as a child labour and also they were from the poor family background.

Child labor is a contentious and sensitive topic. It's also a difficult and complicated one. The convention on the rights of the child's enshrined human rights for children requires that solutions be led by a dedication to these rights as well as the best interests of the child in order to be thoughtful and thorough. The most common occupation for juvenile laborers in Kathmandu is that of hotel boy, or hotel "Kanchha" as it is colloquially called (CWIN 1987). The working children of hotels, restaurants, bars, and tea shops are commonly referred to as "Kandha." The survey indicates that the average age of these working youngsters falls between those from low-income families. They are either the landless or homeless people's offspring (CWIN 1987).

Conclusion

In conclusion, it was discovered that the conditions of the kid laborers are appalling. One of the most obvious, dangerous, exploitative, and unhygienic working environments is a restaurant. Although there is a dearth of accurate data, estimations based on educated guesses and fragmented information suggest that the primary reason for the rise in child labor cases is migration from rural areas. Children are not just forced into such labor because of poverty; other contributing reasons include parent illiteracy, a lack of educational chances, a lack of job options, and lax law enforcement. In order to foster working children's physical, mental, social, and moral growth, it is imperative that they be shielded from exploitation, abuse, improper influence, illiteracy, ignorance, and hazardous conditions.

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