

# Laws needed to govern neglected sectors

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Work in informal sector: Employment in agriculture and domestic service remains unregulated. The same is true about self-employment. No comprehensive surveys/studies were ever conducted to know the magnitude of children engaged in these professions. In a sense, children's contribution to national development in these sectors goes totally unrecognised. They enjoy no legal protection such as minimum age limit, minimum wages, fixed working hours, leave and other terms and conditions of service.

i- Agriculture: Half of Pakistan's labour force consists of farm workers. Rough estimates put the number of children (below 14 years) engaged in agriculture to be around 4 million. These children do not necessarily work for salary/wages, the reason being that in the rural setting children are often engaged on farms for or alongside their family members. Similarly, compensation for work may not be regular and in cash, it may be seasonal and in kind. Such work, undoubtedly, besides being hazardous (children do come in contact with chemicals and toxic materials) is exploitative and interferes with the right to education. Child work in agri-

culture accordingly violates the rights/safeguards available under the Convention. It is, therefore, desirable that the government initiate appropriate steps to secure the rights and interests of working children. Regulatory legislation alone, however, may not be an appropriate solution, the reason being that prohibition or regulation will not resolve the endemic problems of rural setting, including poverty, lack of employment opportunities, lack of educational facilities etc. Therefore, what is required is to resolve these underlying problems so that reliance on child work is minimised. It would also be appropriate if greater awareness is created about the evil effects of child labour and the benefits of child education are fully explained to the population. Regulation should follow once a favourable climate has been created.

ii- Domestic service: Domestic service is another area, neglected by regulatory legislation. In this area, too, reliable statistics are not available as to the total number of work force and the percentage of children among them. Again, no comprehensive sur-

vey/study was ever carried out to gauge the problems/issues confronted by the domestic servants. Certain NGOs and individuals have carried out some research projects on the subject but the magnitude of the issues taken up and the scope of such projects was limited/restricted.

In the absence of such vital

the domestic chores, such as cleaning, cooking, washing, baby-sitting etc. Keeping a servant is a status symbol; and therefore the higher the economic status of the family, the larger the number of servants it will engage. Quite a large percentage of these servants consist of children. Children, indeed, due to their

education.

Such a state of affairs is violative of the safeguards available under the Constitution and international convention, and cannot be countenanced by a civilised society. The government must, therefore, take appropriate steps to remedy the situation. Such steps must be multi-dimensional;

an important component of which should be redressing and resolving the underlying causes of the problem. It must take measures for poverty alleviation, enhancing opportunities for employment, provision of educational facilities and bringing greater awareness about the negative aspects of such labour. Side by side with such socio-economic measures an appropriate regulatory (legal) framework for full-time domestic servants must also be prepared.

Such a law (may be referred to, as the "domestic servants (regulation of employment act, 1994) should contain minimum welfare measures together with prescribing a minimum age limit for children to be enrolled in the service. The welfare measures must also provide for minimum wages, maximum working hours,

holidays, leave, medical care, etc. It should further prescribe procedure for registration of domestic servants.

iii- Self-employment: A considerable number of children, some of them as young as 5 years, are engaged in self-employment; their activities ranging from street vending to shoeshining and car washing. Many of them are vendors-cum-beggars. Dirty, hungry, fatigued, poorly dressed and treated as untouchables, they live a painful and sorrowful life. Neglected by their parents and out in the harsh and cruel world, they are exposed to abuse, exploitation and prone to criminality and drug addiction. The plight of this category of children needs urgent attention. Measures must include a comprehensive programme of removing income disparity from society, poverty alleviation, enhanced employment opportunities, social security and educational facilities. Furthermore, the government must establish/strengthen the system of juvenile institutions in the country so that such needy and neglected children are housed, catered for, educated and imparted training in trades/crafts, so as to rehabilitate and reintegrate them as useful and productive members of society.—

(Concluded)

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statistics it is hard to visualise the peculiar problems confronted by domestic servants and suggest a proper framework for their welfare. What is obvious though is the dismal plight of domestic servants: Nearly every lower middle class family hires the services of at least one helping hand (full time or part time) to assist it in

manifest vulnerability to exploitation (working for longer duration on small wages) are a preferred commodity in such service contracts. Neglected by the state and society and devoid of any legal protection, they are susceptible to abuse (physical, moral and sexual) and exploitation. They are further deprived of their right to