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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

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# **TRAPPED INNOCENCE: A SOCIETAL EXPLORATION OF CHILD LABOUR AND ITS DEREGULATION IN INDIA**

AUTHORED BY - VEDANSH RAJ

## **1. INTRODUCTION**

### **1.1) Background of Child Labour in India**

In India, Child Labour can be traced back from the 3<sup>rd</sup> Century BC in the medieval period, from its mention in Kautilya's *Arthashastra*, where children were forced into domestic slavery or are kept as trainees under craftsmen and artisans. These children are majorly from the low caste of the society which means Shudras or Vaishyas and majority of them are also less than 8 years in age. At that time the society was not well organized and the work was distributed on the basis of caste. This division on the basis of caste requires the member of the same family to indulge in the same work as of their ancestor which effects in the children of the family indulging themselves in these works. This in turn affects the personality of the children in an adverse way.

Industrial Revolution which was bought by England in the 18<sup>th</sup> Century, changed the course of human history by bringing about a shift in the country's general economic and social structure. After the revolution the demand of child labour was increased as there is the rise of industrialization. There is also the rise of demand for labour in agricultural work, for this also the children were forced to work. Following the industrial revolution, a shift in production patterns occurred, management approaches has been evolved, technology adoption, and asset ownership. It brought about a shift in human connections that had not been seen before by linking a value to a person's labour and leaving the choosing of values to employers.

The term child labour can be used interchangeably with the terms like “employed child” or “working child”<sup>1</sup>, which also means the work done by children for monetary gain. Child labour is considered

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<sup>1</sup> S.P.W.S.C (no date a) *The definition of working and street child* | S.P.W.S.C. Available at: <https://www.str-children.org/en/node/200> (Accessed: 2023).

as unjust to the society, exploitation, harmful and something which has harmful effects for an inevitable period. There is almost no statutory provision in India that explains "child labour" in precise terms. Even the different statutory measures that define the required minimum age for entrance to various occupations do not provide a consistent age. They stated that this was due to the shift in the circumstances of the task under which they were engaged. Individuals who are under the age of 14 years, and are engaging themselves by providing services and efforts to obtain a return in cash or by saving their family money by doing the services which their family has to pay for, are termed as working children. Due to this they may have to discontinue their studies and have to drop out from their schools.

According to UNICEF, "In the world's poorest countries, slightly more than 1 in 5 children are engaged in child labour".<sup>2</sup> If the children are engaged at very early age at work or they are working in hazardous conditions this is termed as Child Labourers. According to the 2011 Census, "India's total child population (5-14 years) is 259.6 million. Of these, 10.1 million (3.9% of the total kid population) work, either as a "main worker" or as a "marginal worker."<sup>3</sup> Furthermore, almost 42.7 million youngsters in India are not attending school." According to the official data, "Uttar Pradesh, Bihar, Rajasthan, Maharashtra, and Madhya Pradesh constitute nearly 55% of total working children in India."<sup>4</sup>

## **1.2) Rationale for studying the impacts of child labour deregulation**

Studying the effects of child labour deregulation is critical for various reasons, including the fact that it may have far-reaching ramifications for society, the economy, and children's well-being. Here are some of the main reasons for performing such research:

1. Child Welfare- Child labour is frequently connected with dangerous and exploitative working

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<sup>2</sup> *Child labor statistics (2023) UNICEF DATA*. Available at: <https://data.unicef.org/topic/child-protection/child-labour/> (Accessed: 25 November 2023).

<sup>3</sup> Ministry of Home Affairs, Department of Home and Registrar General and Census Commissioner, India (2022) *Home, Open Government Data Portal Tamil Nadu*. Available at: <https://tn.data.gov.in/catalog/marginal-workers-main-non-economic-activity-age-and-sex-india-and-states> (Accessed: 02 December 2023).

<sup>4</sup> *Child labour in India - International Labour Organization*. Available at: [https://www.ilo.org/wcmsp5/groups/public/--asia/---ro-bangkok/---sro-new\\_delhi/documents/publication/wcms\\_557089.pdf](https://www.ilo.org/wcmsp5/groups/public/--asia/---ro-bangkok/---sro-new_delhi/documents/publication/wcms_557089.pdf) (Accessed: 02 December 2023).



circumstances, which can have serious physical, psychological, and emotional effects for children. Understanding the consequences of child labour deregulation can aid in assessing its influence on child well-being and safety.

2. Human Rights- “*Child work is a violation of fundamental human rights*”, as stated in the United Nations Convention on the Rights of the Child (CRC), an international agreement. The consequences of deregulation can be analysed to determine if governments are following their responsibilities to protect the rights of children.
3. Education- Child labour can impede access of a child to school, which is critical for future chances and socioeconomic mobility. Deregulation may worsen this problem, and examining its implications might help policymakers guarantee that all children have access to an education.
4. Economic Impact- While child labour may increase the economy's efficiency in some areas initially, it can have permanent economic effects. Deregulation research can assist policymakers in comprehending the trade-offs among short-term economic advantages and long-term sustainability of the economy.
5. Social Development- Child labour may stifle a country's social progress by restricting future workforce physical and cognitive development. Research can assist policymakers in understanding how deregulation may affect a country's human capital development.

Legislation alone will not end child labour. However, eliminating child work without proper and effective regulation is also impossible. A good legislative framework makes a substantial contribution to attempts to combat child labour: it requires making Domestic Law out of the International Treaties, Acts etc; it connects and formalises the State's duty to protect its children; it defines particular rights and responsibilities; and it also provides recourse for victims.<sup>5</sup>

Significantly, the government's effort to protect children from child employment that the law may create is significantly tied to tangible achievement in decreasing child labour. Indeed, the substantial association between ratification of international legal norms and decreases in child

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<sup>5</sup> (2018) *Ending child labour by 2025 - International Labour Organization*. Available at: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_653987.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_653987.pdf) (Accessed: 05 December 2023).

labour incidence is one of the more startling and hopeful findings of a recent 48-country research of child labour trends.

To summarise, analysing the effects of child labour deregulation is critical in order to fully assess its ramifications for children, society, and the economy. This research can offer policymakers with the knowledge they need to make educated decisions regarding balancing the interests of the economy with the rights and well-being of children.

### **1.3) Research objectives and scope**

Through this project, researcher will highlight the impacts of the Child Labour Deregulations on the society and the negative effects it will have on the social environment with the other factors involved in it such as economic, international, sociological, political and psychological. The main points have been segregated and mentioned here forth: -

- I. Assess the Impact on Child Welfare: One key goal may be to assess how child labour deregulation impacts the well-being, safety, and rights of children who work. This might involve looking into changes in child labourers' working circumstances, health, and educational prospects.
- II. Analyse Gender and Age Inequalities: Examine how regulations on exploitation of children may adversely affect certain gender and age categories. Further to find, if looser rules make girls and younger children more prone to exploitation.
- III. Evaluate Policy Effectiveness: Examine the efficacy of present child labour rules as well as the influence of deregulation on policy objectives. Determine if deregulation meets its economic goals without jeopardising child welfare.
- IV. Examine Corporate Responsibility: Examine the role of companies and corporations in the deregulation of child labour. Examine business practises and efforts including child labour, such as supply chain monitoring and ethical sourcing.
- V. Analyse Economic Impacts: Examine the economic implications of child labour deregulation, such as the effects on labour markets, wages, productivity, and poverty levels. Determine if deregulation increases child exploitation or promotes economic prosperity.

Through this project, researcher will highlight the impacts of the Child Labour Deregulations on the society and the negative effects it will have in the environment with the other factors involved in it such as economic, international, sociological, political and psychological.

## 2. Sociological Theories Relating to Child Labour

There are various theories which can be linked to study the rise of child labour with the context of society as a whole. Sociological theories provide valuable perspectives for understanding the reasons behind child labour deregulation.

- A. **Conflict Theory**<sup>6</sup>- Conflict theory, connected with theorists such as Karl Marx, focuses on the role of power and class conflict in society. This hypothesis proposes that in the context of child labour deregulation, economic elites and powerful commercial interests may advocate for deregulation in order to maximise their profits.
- B. Child labour may be viewed as a technique for exploiting the weak working class, sustaining low wages, and perpetuating social inequality. Sociologists applying this viewpoint would examine how child labour deregulation benefits the strong while potentially hurting the working class and children.
- C. **Structural-Functionalist Theory**<sup>7</sup>- Structural-functionalism, connected with theorists such as Emile Durkheim, investigates how many aspects of society contribute to the general stability of society. Sociologists may investigate how rules impact the operation of various social institutions, such as families, schools, and the labour market, in the instance of child labour deregulation. They would investigate how deregulation can upset the equilibrium in these systems by influencing family dynamics, education, and labour force participation.
- D. **Critical Theory**<sup>8</sup>- Critical theory, influenced by theorists such as Theodor Adorno and Herbert Marcuse, challenges and transforms repressive institutions. From this vantage point, sociologists would evaluate child labour deregulation as part of a larger capitalist system that abuses children and workers. They would fight for societal change by questioning the

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<sup>6</sup> Turner, J.H. (1975) *Marx and simmel revisited: Reassessing the foundations of conflict theory*, OUP Academic. Available at: <https://academic.oup.com/sf/article-abstract/53/4/618/2230078?redirectedFrom=fulltext> (Accessed: 05 December 2023).

<sup>7</sup> Johnson, H.M. (no date) *The structural-functional theory of family and kinship* - jstor, JSTOR. Available at: <https://www.jstor.org/stable/41601168> (Accessed: 10 December 2023).

<sup>8</sup> Kreckbl, R. (no date) *Critical theory confronting sociology: The end of two monologues?* - JSTOR, JSTOR. Available at: <https://www.jstor.org/stable/42853104> (Accessed: 10 December 2023).

underlying beliefs and power dynamics that support child labour.

- E. **Theory of the Worst Form of Child Labour**- “Sylvain E. Dessy and Steplane Pallage”, while simulating theories of the worst type of child work assume a two-period economy. Economy where parents are uniform and the whole population is treated as one.
- F. Here, “Each economy's parent has one period remaining to live, a level of human capital,  $h$ , and has a single kid at the start of the period, following that, all variables in the second period are superscripted with a prime (').”
- G. Parents are sympathetic to their children and optimise their lifelong utility by increasing family consumption ( $c$ ) and kid income when they reach adulthood ( $I'$ ).

The utility function is defined as follows<sup>9</sup>:

$$U(c, I') = \ln c + \beta \ln I' \quad 0 < \beta < 1$$

here  $\beta$  is the intergenerational time-discounting factor measuring the degree of parental altruism.

In this context, a normal youngster has one unit of time and ten units of human capital. The kid's time can be assigned to one of two occupations: schooling or child work. The latter provides the youngster with a source of money that he gives entirely to the home. One crucial aspect of this setting is that child work can take two forms. The first is a 'good' form, but the second is damaging to the kid either psychologically or physically, or both, and is referred to as the 'worst form' of child employment. Another key aspect of this setting is that all choices about the child's time usage are determined by his altruistic parents.

### **3. Child Rights and Child Labour Laws**

#### **3.1) United Nations Convention on the Rights of the Child (CRC)**

In 1989, a commitment to the world's children was adopted by the world leaders from most countries put forward by the international accord, United Nations Convention on the Rights of the Child.

One of history's most widely ratified human rights treaties, impacting the lives of millions of children throughout the globe. Nonetheless, not all children have a complete childhood. Unfortunately, far too

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<sup>9</sup> Dessy, Sylvain E., and Stéphane Pallage. “A Theory of the Worst Forms of Child Labour.” *The Economic Journal*, vol. 115, no. 500, 2005, pp. 68–87. JSTOR, <http://www.jstor.org/stable/3590504> (Accessed 10 December 2023).

many children's childhoods are not fully lived. It is our job to ensure that government and communities fulfil their commitments and take responsibility for children's safety now, once and for all. They need to ensure that each and every child must have equal rights and protection.

Despite these advances, the Convention on Human Rights has yet to be completely implemented, and it is not widely accepted or understood. Millions of children's rights continue to be violated as they are devoid to proper health care, nourishment, education, and safety from violence.<sup>10</sup>

### **3.2) International Labour Organization (ILO)**

ILO was formed in the year 1919 with an objective to formulate laws and regulations for the labours and workers in the society. To oversee whether they are working in proper conditions and no harmful or hazardous activities are assigned to them. It is headquartered at Geneva, Switzerland.

According to ILO, “The most heinous kinds of child labour involve children being exploited, removed from their family, subjected to dangerous risks and illnesses, and/or being forced to care for themselves on the streets of major cities at a young age”. While there are many distinct types of child employment, a top goal is to eradicate the worst kinds of child labour as described by, “Article 3, of ILO Convention No. 182”<sup>11</sup> as soon as possible.

### **3.3) Hague Convention on the Civil Aspects of International Child Abduction**

It is commonly known as the, “Hague Abduction Convention” or, more colloquially, the “Hague Convention on Child Abduction.” This Convention tackles the problem of international parental abduction of children. This pact also outlines mechanisms for the speedy return of children who have been unlawfully detained or taken from their usual residence.

It specifies measures for returning a kid who has been unjustly removed to a different nation by a parent, that is international abduction as well as when the child is removed from normal residence of living.

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<sup>10</sup> *Convention on the rights of the child* (no date) UNICEF. Available at: <https://www.unicef.org/child-rights-convention#learn> (Accessed: 20 December 2023).

<sup>11</sup> *C182 - worst forms of child labour convention, 1999 (no. 182) (1999) Convention C182 - Worst Forms of Child Labour Convention, 1999 (No. 182).* Available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100\\_ILO\\_COD E%3AC182](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_ILO_COD E%3AC182) (Accessed: 19 December 2023).

In 1980, the convention was signed and become effective from the year 1983. India did not sign the Hague Abduction Convention; therefore, the terms and obligations cannot be forced on India. According to the Convention, “A child is a person who is below the age of sixteen years and convention is applied to these minors only.”

#### **4. EVOLUTION OF CHILD LABOUR LAWS IN INDIA**

The evolution of laws can be traced in India from the historical point of view, this covers a wide spectrum of events and laws which leads to its development. The first of them all is the Factories Act of 1881<sup>12</sup>, which set seven years as the age of employment and an individual is allowed to work for the day with a maximum of 9 hours. The act also prohibited "double employment", which means working in more than two factories in a single day. In 1891, the Factories Act was updated, raising the minimum age for factory labour to "nine years". The act was amended again in 1911 to prohibit the use of minors in some dangerous processes, and the "certificate of fitness" system was implemented.

In 1922, ILO Convention 5 prompted the Factories Act, “to raise the minimum age to fifteen years and limit working hours for juvenile labourers to six hours with a half-hour break after four and a half hours”. Moreover, Factories Act of 1934 forbade children who are below the age of twelve from working in factories and children who are aged between twelve to fifteen are allowed to work only for five hours of the day.

Afterwards, “*The Mines Act, 1935*” raised the minimum age to “15 years”, and youngsters from the age range of fifteen to seventeen were needed to get a certificate of fitness.

In 1933, “The Children (Pledging of Labour) Act”, was enacted as law and this become the initial law which focuses on the problem related to the bondage of the child.

The act was enacted for the reason as, “it is expedient to prohibit the making of agreements to pledge the labour of children, and the employment of children whose labour has been pledged,”<sup>14</sup> According

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<sup>12</sup> Ramanathan, U. *IELRC.ORG – evolution of the Law on Child Labor in India, The World of Child Labor – An Historical and Regional Survey*. Available at: <https://www.ielrc.org/content/a0905.pdf> (Accessed: 01 January 2024).

to this act, anyone who is less than the age of 15 years is a child.

#### **4.1) 1938-1986**

“*The Employment of Children Act, 1938*” was one of the first legislation which address about the issue of child labour. This came after the International Labour Conference's twenty-third session in 1937, which passed a special item specifically on India, recommending all minors under the age of thirteen to be restricted from working in certain jobs.

The 1938 statute required a minimum age of fifteen for working in particular sectors and fourteen for goods transportation on ports and wharves. The Indian Constitution was promulgated in 1950. In this, Article 24 states, "No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment." Furthermore, The Fundamental Right granted by Article 3 of the Indian Constitution, “Part 4”; outlines non-judicial Directive Principles of State policy. The constitution was revised in 2002 to reflect the Supreme Court's judicial pronouncement. "Right to Education," according to Article 21-A. This article states that, “State must offer free and compulsory education to all children aged 6 to 14”.

“*The Bonded Labour practise (Abolition) Act, 1976*”, was created in reaction to historic practise in which a person who owed money or his ancestors or relatives were forced to labour with minimal to no remuneration to settle the money taken by their ancestors. The 1976 statute abolishes the bound work in India and the requirement to pay off bonded debts. The core of the 1976 statute is the identification, release, and rehabilitation of bonded labourers. The bounded labour was struck down by the Supreme Court in 1980’s.<sup>13</sup>

#### **4.2) 1986 Forward**

The “Gurupadaswamy Committee on Child Labour”, issued a report on the state of child exploitation in 1979. This revealed serious violations of the law, regulatory impediments, an absence of punishment, and insufficient sanctions. It suggested legislation that would require uniformity in identifying children, limit working hours and conditions, and specify categories of employment where child exploitation would be prohibited. Following the recommendations of the Gurupadaswamy

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<sup>13</sup> Bandhua Mukti Morcha vs Union Of India & Others, 1984 (3) SCC 161(India).

Committee, “Sanat Mehta Committee” was formed.

The Child Labour (Prohibition and Regulation) Act of 1986 restricts the employment of minors in a specified list of activities and procedures. The list got amended between the year 1986-1989 and the number of occupations grew from five to thirteen. In December 1992, India joined the “UN Convention on the Rights of the Child”, declaring that it would not be "practical immediately to prescribe minimum age for admission to each and every area of employment in India."<sup>14</sup>

#### 4.3) Current Time

In 2005, *Commission for the Protection of Child Rights Act*, was passed in India. This act refers to 2003 charter for legislative structure along with the UN CRC “UN Convention of the Rights of the Child” and the document titled "A World Fit for Children,"<sup>15</sup> a document prepared out of 2003 charter. In May 2002, the United Nations General Assembly conducted, “A Special Session on Children”. Santha Sinha was elected as a chairperson for the commission of 2005 act, and the act came into force on January 20, 2006.

In 2013, a National Policy for Children was also prepared<sup>16</sup> which provides a framework for action and policy implementation. Though it is not binding on the government as it is not a law but the government must ensure to abide itself by the guidelines provided in it.

While these laws, guidelines, rules exist, enforcement and implementation can be difficult, particularly in diverse and resource-constrained environments. Nongovernmental organisations (NGOs), civil society, and activists are critical in campaigning for children's rights and keeping governments accountable for their safety and well-being.

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<sup>14</sup> *C138 - minimum age convention, 1973 (no. 138)* (no date) *Convention C138 - Minimum Age Convention, 1973 (No. 138)*. Available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100\\_ilo\\_code%3AC138](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_ilo_code%3AC138) (Accessed: 05 January 2024).

<sup>15</sup> *A world fit for children-text-4x6 - UNICEF*. Available at: <https://www.unicef.org/serbia/media/7321/file/A%20world%20fit%20for%20children.pdf> (Accessed: 10 January 2024).

<sup>16</sup> Ramanathan, U. (no date) *IELRC.ORG - evolution of the Law on Child Labor in India, The World of Child Labor – An Historical and Regional Survey*. Available at: <https://www.ielrc.org/content/a0905.pdf> (Accessed: 01 January 2024).



## 5. IMPACTS OF CHILD LABOUR DEREGULATION

The child labour deregulation has impacts on various aspects which include a wide spectrum such as on education, health and well-being, family and society norms. Child labour is a continues practice which is still prevalent in today's times, and has a number of negative impacts.

Few areas of impacts are discussed below: -

### 5.1) Educational Impact

Child labour deregulation may have both beneficial and bad effects on schooling, relying on the manner in which way it is implemented and the larger socioeconomic situation prevalent at that time.

Child exploitation violates child rights to education, as they do not belong to job. Child labour is a substantial obstacle to education, affecting both attendance and academic achievement of the child.<sup>17</sup>

#### Negative Impacts of Child labour deregulation is-

- **Limited Access to Quality Education:** Deregulation frequently has a disproportionate impact on marginalised and economically disadvantaged populations. These areas may already have limited access to high-quality education, and deregulation has the potential to worsen existing inequities.
- **Reduced School Enrolment:** Deregulation that permits children to work at a younger age or for longer periods of time may result in a drop in school enrolment rates. Children may drop out of school to work because their families prioritise immediate income above education.

#### Positive Impacts of Child Labour Deregulation are: -

- **Transition to Work:** In other areas, deregulation may coincide with initiatives to equip teenagers with vocational training and apprenticeships. This allows students to get vital skills and experience while continuing their studies.
- **Local Context:** Child labour deregulation's influence on schooling might vary depending on local economic situations and cultural variables. Child labour may have been an integral part

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<sup>17</sup> *Child labour and exploitation* (no date) UNICEF India. Available at: <https://www.unicef.org/india/what-we-do/child-labour-exploitation#:~:text=Children%20belong%20in%20schools%2C%20not,attendance%20and%20performance%20in%20school> (Accessed: 15 January 2024).

of the community's culture and way of life in some locations, with less negative impacts on schooling.

## 5.2) Impact on Health

Various external activities affect the health of the minor working in factories and the deregulation will further impact them. Poor safety and health standards, exploitation, or abuse can cause death, serious sickness or injury, permanent impairment, or psychological anguish in the workplace.<sup>18</sup>

Here are some of the key impacts of child labour deregulation on the health and wellbeing of children:

- **Physical Health Risks:** It is critical to keep in mind that the long-term effect of child labour deregulation on education is determined by a variety of factors, such as the specific policies in place, the nature of the deregulation, the degree of regulation, and the presence or absence of supplementary support structures such as social safety nets and educational programmes.
- **Fatigue and Exhaustion:** Working long hours, particularly in physically demanding occupations, can cause weariness and exhaustion, compromising children's general health and energy levels. This can have an influence on their ability to focus in class and achieve well academically.
- **Mental Health Concerns:** Long job hours, stressful work settings, and the need to manage employment and school can all have a negative impact on children's mental well-being. They may suffer from stress, anxiety, sadness, and a general lack of well-being.

Efforts to offset these negative consequences should include strict enforcement of labour rules, focused initiatives to increase the access of working youngster to school and healthcare, and support programmes aimed at guaranteeing their general well-being. The objective should be to establish a balance between meeting economic requirements and protecting children's health and well-being.

## 5.3) Poverty and Family Dynamics

Child labour deregulation can have complicated and multidimensional effects on poverty and family

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<sup>18</sup> *Child labour has a profound impact on the health and wellbeing of children* (no date) *International Partnerships*. Available at: [https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children\\_en](https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children_en) (Accessed: 10 January 2024).

dynamics since it affects both families' income-earning ability and the social dynamics inside homes. The level of deregulation, the nature of the labour, and the socioeconomic backdrop all have an influence on these consequences.

Child employment significantly violates children's survival rights provided as a fundamental right, education, protection, and growth of the child. The prominent reason for the prevalence of child labour is severe economic hardship, which forces parents to employ their children in order to ensure they can make enough money to live.<sup>19</sup>

- **Support for Family Survival:** Child labour may be a way of survival for families living in extreme poverty. Children's earnings can assist supply basic requirements and avert extreme poverty, especially when adults are unable to work due to illness or disability.

The below mentioned study was conducted between April and July of 2008 in Karachi, Pakistan. From among the district's working children, 200 children aged 5 to 15 were picked at random. A structured questionnaire was developed, which contained questions about the child, his family, the type of employment and workplace, as well as socioeconomic circumstances. Parents of working children gave informed consent.<sup>20</sup>

- **Exploitative Work:** In certain situations, child labour deregulation may drive children into exploitative and hazardous work environments, which can have detrimental physical and psychological consequences for their well-being. As a result, family dynamics may be strained as parents struggle with guilt and fears for their children's safety.

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<sup>19</sup> Naeem, Z., Shaukat, F. and Ahmed, Z. (2011) *Child labor in relation to poverty*, *International journal of health sciences*. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3533357/> (Accessed: 10 January 2024).

<sup>20</sup> *Ibid* at 19.

<sup>21</sup> *ILO convention no. 138 at a Glance - International Labour Organization*. Available at: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---ipec/documents/publication/wcms\\_ipec\\_pub\\_30215.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_ipec_pub_30215.pdf) (Accessed: 15 January 2024).

## 6. CONCLUSION

Child labour deregulation is a complex topic that must be carefully considered in light of the potential effects for children's health, education, and general development. Though economic development and industry demands are crucial for the society but, child protection and wellbeing should take precedence and to be considered as a paramount.

Child Labour and its negative impacts can be controlled in the society by strengthen enforcement of existing laws, by prioritizing proper enforcement of existing regulations and laws related to child, allocation of resources for working teams in surveys and regular data saplings can help in controlling child labour. Penalties can also be put against companies or individuals who forced children for labour even after knowing its morally as well as legally wrong.

The government should also implement social protection programmes to assist poor families, as economic uncertainty is frequently a motivating force behind child exploitation. These programmes should also give cash benefits to the poor families and which can be utilize by them in their child's education. The government should also provide free quality health care services to the children which got injured during work or who are involved in hazardous factories/work.

Public-Private Partnership (PPP) is the new future which should be use as a tool to control the rise of child labour. By making a partnership the government can formulate the rules and regulations and a proper code of conduct for the company which would prevent the working of the child in these factories or companies.

The government should also encourage public conversation and engagement in policymaking to make sure that opinions relating to children, their families, civil society and organisations are heard and taken into account while making laws for the country. "Cross- Border child labour"<sup>22</sup>, is also a great concern of today's times, collaborating with neighbouring countries and signing of cross-border agreements and treaties should help in reducing this form of child labour. The Nations should put

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<sup>22</sup> *Child labour and Cross Border Trade in Uganda - report (2004) Child labour and cross border trade in Uganda - Report.* Available at: [https://www.ilo.org/ipec/Informationresources/WCMS\\_IPEC\\_PUB\\_701/lang--en/index.htm](https://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_701/lang--en/index.htm) (Accessed: 19 January 2024).

forward for the exchange of dialogues, for the adoption of more stringent international labour standards and persuade multinational firms to follow these standards across the world.

Child labour deregulation must be undertaken with extreme prudence, putting children's well-being and rights ahead of economic objectives. Balancing economic growth with child safety is a difficult issue, but with a multifaceted approach including numerous stakeholders, policies that benefit both children and society as a whole may be developed. To properly address the issues created by child labour deregulation, the government should choose a path which should include ongoing policy review and adaptation.



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