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In 2019, India made a moderate advancement in efforts to eliminate the worst forms of child labor. The government began digitizing the records of shelter homes throughout the country; shut down 539 illegal shelter homes in Maharashtra, Jharkand, Karnataka, Uttar Pradesh and Madhya Pradesh; and convicted a Bihar shelter owner and 18 others of sex trafficking 44 girls from a shelter. In addition, the National Child Labor Project Scheme rescued from child labor and rehabilitated 66,169 children in 2018–2019, up from 47,635 during 2017–2018. The government enacted the Protection Of Children From Sexual Offences (Amendment) Act, which includes new penalties for perpetrators of the worst forms of child labor, and approved a Memorandum of Understanding with the Government of Burma on enhancing bilateral cooperation for the prevention of trafficking in persons. Furthermore, the Tamil Nadu State Government issued standard operating procedures to support efforts to eradicate the bonded labor system in the state by 2021. However, children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. Although the government made meaningful efforts in all relevant areas during the reporting period, 1,300 of India's approximately 9,000 government-run, government-funded shelters that house children continued to lack official registration from the government, allowing them to operate with little or no oversight and putting children at risk for exploitation, including commercial sexual exploitation. In addition, despite the identification of grievous abuses – including child trafficking of residents – found in over 100 government-funded and/or government-run shelters in Bihar state in 2018 and additional instances identified in other states in 2019, the government only prosecuted and convicted individuals in one of these cases in 2019. Hazardous work prohibitions do not include all occupations in which children work for long periods of time in unsafe and unhealthy environments, and penalties for employing children are insufficient to deter violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India engage in the worst forms of child labor, including in forced labor producing garments and quarrying stones. Children also perform dangerous tasks in the production of thread and yarn. (1,2) Table I provides key indicators on children's work and education in India.

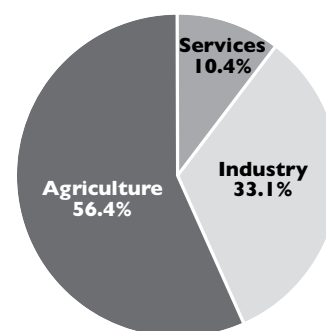
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.4 (3,253,202)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	0.3
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (3)

Source for all other data: International Labor Organization's analysis of statistics from National Sample Survey Round 68 (NSS-R68), 2011–2012. (4)

Figure I. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

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Table 2. Overview of Children's Work by Sector and Activity

Sector/ Industry	Activity
Agriculture	Farming, including producing hybrid cottonseed and hybrid vegetable seeds, cultivating cotton and rice, and harvesting sugarcane, tobacco, and tea (5-16) Processing cashew nuts and seafood (17-20)
Industry	Manufacturing garments, weaving silk fabric and carpets, producing raw silk thread (sericulture), spinning cotton thread and yarn, and embellishing textiles with silver and gold (<i>zari</i>) (16,21-26) Manufacturing glass bangles,† imitation jewelry, locks,† and brassware,† and polishing gems (16,27-33) Rolling cigarettes (<i>bidis</i>)† and manufacturing incense sticks (<i>agarbatti</i>),† fireworks,† and matches† (16,34,35) Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (16,36-39) Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (2,16,40-48)
Services	Domestic work (16,49-51) Working in hotels, food service, and tourism services (16,48,52-55) Street work, including scavenging, sorting garbage, and selling trinkets (16,48,56,57)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including producing hybrid cottonseed and harvesting sugarcane, each sometimes as a result of human trafficking (48,58,59) Forced labor in producing bricks, quarrying stones, and in rice mills (2,48,60-65) Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles (<i>zari</i>) (1,23,25,48,66,67) Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (30,32,33,68-72) Forced labor in domestic work and begging, each sometimes as a result of human trafficking (49,57,59,73-75) Commercial sexual exploitation, sometimes as a result of human trafficking (16,48,59,76) Recruitment of children by non-state armed groups for use in armed conflict (59,77) Use in illicit activities, sometimes as a result of human trafficking, including the use of children to commit theft, traffic other children, and recruit other children for commercial sexual exploitation (16,59,78-80)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Within India, children are trafficked for commercial sexual exploitation and for forced labor in domestic service. (57,59) Apprehending child traffickers has become more challenging for law enforcement because traffickers are utilizing technology to reach customers and receive electronic payment, eliminating the need to be centrally located in brothels. (57) Children are also forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers. (2,48,57) Children from India's rural areas migrate or are trafficked for employment in industries such as spinning mills and cottonseed production in which they are forced to work in hazardous environments for little or no pay. (48,58)

Non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Bihar, Chhattisgarh, Jharkhand, and Maharashtra, and as soldiers in Jammu and Kashmir. (59,77,81,82) Maoist groups sometimes used children as human shields in confrontations with security forces. (59,81,83) In addition, some female child soldiers reported that commanders of these non-state armed groups recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (59,81) Unverified reports from the UN indicated that national security forces used children as informants and spies. (59,81, 161)

Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (48,57,84,85) Children from marginalized groups also face barriers to accessing education. Teachers sometimes subject these children to discrimination and harassment. (81,86) In addition, the lack of well-trained teachers, schools, separate washrooms for girls, inadequate infrastructure, and transportation options creates barriers and limits access to education. Refugees who are not granted visas or provided identity cards by the UNHCR often are not able to access education services. (48) However, children up to the age of 14, rescued from child labor, have the ability to attend school, including the option to take vocational trainings. (57)

The Government of India does not collect or publish data specifically on exploitative child labor, nor does it make available the raw data from the national census. (48)

II. LEGAL FRAMEWORK FOR CHILD LABOR

India has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in India's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of recruitment of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 3(1) of the Child and Adolescent Labour (Prohibition and Regulation) Act (87)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act (87)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act (88)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labour System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (89-91)
Prohibition of Child Trafficking	Yes		Sections 366A, 366B, 370, 372, and 373 of the Indian Penal Code; Section 5 of the Immoral Traffic (Prevention) Act (90,92)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372, and 373 of the Indian Penal Code; Sections 4–7 of the Immoral Traffic (Prevention) Act; Sections 13–15 of the Protection of Children from Sexual Offences Act; Section 67B of the Information Technology Act (90,92-94)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76 and 78 of the Juvenile Justice (Care and Protection of Children) Act; Section 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (91,95)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Military Rules (96)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Section 3 of the Right of Children to Free and Compulsory Education Act (97)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (97)

* No conscription (98)

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In August 2019, Parliament passed amendments to the Protection Of Children From Sexual Offences (Amendment) Act, 2019 (POCSO) which includes new penalties allowing the death penalty in particular cases, including those involving the gang rape or rape of a child below the age of 12. (57,81,162,164) In addition, in 2018 the Code of Criminal Procedure was amended to require investigations for the rape of a child to be completed within two months. (57,96, 162)

The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, which was drafted in 2018, seeks to criminalize and enhance penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. (99) However, the draft legislation has to be approved by both houses of parliament and then approved by the President of India to become law; no progress was made toward enacting the bill in 2019. (100,101)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (87,97) Despite evidence that children work for long periods in unsafe and unhealthy environments in spinning mills, garment production, and carpet making, children ages 14 to 18 are not prohibited from working in occupations related to these sectors. (16,21,22,81,88) Lastly, while sources report that the minimum age for voluntary recruitment into India's Armed Forces is age 16 and that individuals must be age 18 to be deployed, research could not pinpoint where this criteria resides in Indian law or regulation. (102,103)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of state government labor inspectorates that may hinder adequate enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Government Labor Inspectorates	Conduct labor inspections, including inspections for child labor. Enforce child labor laws, including assessing penalties for violations found during inspections. (100) Refer children to Child Welfare Committees for protection and rehabilitation services. (91)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (102) Submit information to District Magistrates to determine if a case should be prosecuted in District Court. (104) Refer children to Child Welfare Committees for protection and rehabilitation services. (91)
Ministry of Home Affairs – Anti-Trafficking Operations Division – State and District-Level Anti-Human Trafficking Units (AHTUs)	Report to district police chiefs. (57) Investigate cases of domestic and international human trafficking. (57,102) Established in approximately 350 local police jurisdictions throughout India, but many AHTUs lack sufficient funding, human resources, and infrastructure - including vehicles and computers - needed to adequately perform their work. (57,96) During the reporting period, the Ministry of Home Affairs delegated \$131,000 for establishing AHTUs in the 62 districts of the country without them. (101) In August, operationalized a Cyber Crime Reporting Portal - overseen by the Ministry of Home Affairs - to enable online reporting of complaints, including those related to child pornography and online solicitation of children. (57,96)
Central Bureau of Investigation – Anti-Human Trafficking Unit and Criminal Investigation Department (CID)	Investigates and prosecutes cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states. Takes on cases by request of, or in agreement with, state governments. (105) During the reporting period, 250 officers attended a first of its kind training on recognizing precursors and indicators of human trafficking through the misuse of U.S. and Schengen travel documents. (57) The Criminal Investigation Department (CID) (also referred to as “Crime Branch”) is a unit of the police force in each state. There are 36 CIDs across India. (96) Manages the 24-hour Helpline No. 011 for reporting cases of “Illegal Human Trafficking Especially Trafficking of Children & Women.” (57,106)
National Investigation Agency (NIA)	Investigates terror-related cases. (48) Mandate expanded by the central government in 2019 to investigate and prosecute trafficking in persons cases that have multiple state or international ramifications. (48,57,96,107)
Child Welfare Committees	Refer children in need of care and protection to welfare services providers under the Integrated Child Protection Scheme, including children involved in hazardous work, begging, human trafficking, and those living on the streets. (57,91) 710 committees exist across the 660 districts in India. (75)
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and sub-division levels by the District Magistrate. (89)

In July 2019, the government passed the National Investigation Agency (Amendment) Act, which expanded the National Investigation Agency's (NIA) mandate to allow for the investigation of human trafficking cases. (48,57,101,107) Egregious cases of human trafficking that have trans-state or international border ramifications will now be transferred from state authorities to the NIA and can be tried in special courts constituted for this purpose. (48,57) As a result, in September 2019, the NIA began investigating cases in Hyderabad, West Bengal, Jharkhand, and Bangladesh, which resulted in the disruption of several interstate and cross-border human trafficking rings, including the arrest and prosecution of multiple suspected traffickers. (96)

The enforcement of labor laws is overseen by state government labor ministries, while criminal law enforcement is overseen by the state police. Labor law enforcement officers typically coordinate with the state police on cases through the Office of the District Magistrate. (48)

Labor Law Enforcement

In 2019, labor law enforcement agencies in India took actions to combat child labor (Table 6). However, gaps exist within the operations of the state government labor inspectorates that may hinder adequate labor law enforcement, including training for labor inspectors.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (100)	Unknown† (48)
Number of Labor Inspectors	Unknown (100)	Unknown† (48)
Inspectorate Authorized to Assess Penalties	Yes (100)	Yes† (48)
Initial Training for New Labor Inspectors	Yes (100)	Yes† (48)
Training on New Laws Related to Child Labor	Yes (100)	Yes† (48)
Refresher Courses Provided	Yes (100)	Yes† (48)
Number of Labor Inspections Conducted	338,696 (48)	Unknown† (48)
Number Conducted at Worksite	Unknown (100)	Unknown† (48)
Number of Child Labor Violations Found	1,636† (108)	Unknown† (48)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (100)	Unknown† (48)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (100)	Unknown† (48)
Routine Inspections Conducted	Yes (100)	Yes† (48)
Routine Inspections Targeted	Yes (100)	Yes† (101)
Unannounced Inspections Permitted	Yes (100)	Yes† (48)
Unannounced Inspections Conducted	Yes (100)	Yes† (48)
Complaint Mechanism Exists	Yes (109)	Yes† (48)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (100)	Yes† (48)

† Data are from April 1, 2018 to March 31, 2019.

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. (100) Although the central government seeks to collect data on national and state actions to address child labor violations, the Government of India did not provide information on the number of violations for which financial or other penalties were imposed and collected. Yet, in an answer to a Parliamentary question, the MOLE stated that 2,451,390 rupees (approximately \$35,000) had been collected by all state governments in fines imposed on child labor violators during the reporting period; the number of cases that yielded these penalties is unknown. (48,96) Penalties available under the law include imprisonment for a minimum of 6 months up to 2 years and/or fines ranging from \$300 to \$700. (48,110-113) However, current laws are insufficient to deter employers from hiring children because imprisonment is rare and maximum fines are infrequently levied. (87)

The government neither releases data on the labor inspectorate budget nor the number of labor inspectors, but reports that it has a sufficient number of inspectors and that inspectors have sufficient office facilities,

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transportation, fuel, and other necessities to carry out inspections. (48,114) However, ILO and NGOs reports indicate that training for labor inspectors is inadequate, that the number of labor inspections carried out is insufficient given the size and population of the country, and the response time to complaints is too long. (48,96,114)

State government labor inspectors plan and conduct labor inspections, which are generally targeted at specific sectors or geographical areas known to involve child labor. Although labor inspectors are permitted to conduct unannounced inspections, due to social and cultural barriers, inspections of private homes and farms are done only on receipt of a complaint. (48) In addition, The Occupational Safety, Health and Working Conditions Code, 2019, which was introduced by the Lower House of Parliament in July 2019, remains pending in the Upper House of Parliament. (96,114, 163)

During the reporting period, authorities in some states acted to identify child bonded labor victims, but penalties assessed were insufficient to deter violations and criminal prosecutions were rarely initiated. Authorities in Rajasthan state rescued and released 77 child bonded laborers, but only filed one First Information Report (FIR). (96,115) While Telangana authorities identified more than 2,499 bonded labor victims through its annual child labor identification drive, and levied fines against 431 offenders totaling INR 1.87 million (\$26,338), it only registered criminal cases against seven suspects. The National Human Rights Commission (NHRC) ordered law enforcement and district officials to provide release certificates to bonded labor victims, but did not enforce a penalty for non-compliance. (96,115) Research indicates that while the NHRC was often effective in securing release certificates, it required significant time and persistent follow-up from NGOs in order to do so. (96,115)

The V.V. Giri National Labor Institute, an autonomous body of MOLE, conducted six training programs in 2019, with participants from state labor departments, local village-level elected representatives, state and federal government police officials, trade union leaders, and civil society representatives. These trainings focused on proper interpretation of the Child Labor Act, how to identify and rescue child laborers, and the roles of stakeholders and government agencies in the rescue and rehabilitation of child laborers. (96,101)

Criminal Law Enforcement

In 2019, criminal law enforcement agencies in India took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the lack of data on state government efforts to investigate, prosecute, and convict crimes involving child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Unknown (100)	Yes (96)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (100)	Yes (96)
Refresher Courses Provided	Yes (100)	Yes (48)
Number of Investigations	Unknown (100)	Unknown (48)
Number of Violations Found	942 (113)	Unknown (48)
Number of Prosecutions Initiated	1,168 (48)	Unknown (48)
Number of Convictions	690 (48)	Unknown (48)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (100)	Yes (96)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (100)	Yes (48)

Police officers have limited access to training opportunities on laws related to the worst forms of child labor and access to trainings varies from state to state. Some NGOs claim the training is inadequate. (48)

State governments have primary responsibility for criminal law enforcement. (110,116) In July 2019 in Hyderabad, India's Vice President released and distributed 300 copies of the "Training Manual on Home Management for Homes Meant for Sex Trafficked Victims" to state governments in Telangana, Andhra Pradesh, Odisha, and Jharkhand for use by shelter homes in these states. Sources report changes in caregivers' perceptions since the release of the manual, from seeing victims as being custodial responsibilities to viewing them with more compassion and empathy. (57,96,116) A total of 87 government officials in all four states, as well as staff from one shelter home in each of the four states, received training using this manual from the Ministry of Women and Child Development. (96,116) The special Protection Of Children From Sexual Offences Act Courts are designated to hear POCSO cases related to trafficking of minors for the purposes of commercial sexual exploitation, and according to information presented by the Minister for Law and Justice, there were 240,000 pending POCSO cases in the country as of December 31, 2019. (57,116)

During the reporting period, police and child protection officers in some states successfully conducted raids and other law enforcement actions to rescue children from hazardous child labor and forced labor, with large numbers of children withdrawn in Gujarat, Telangana, and Delhi states. (81,101,108) In addition, some officials suspected of child sex trafficking were arrested during the reporting period, including in Bihar and Maharashtra states. (96) In addition, in June 2019, four police officers were convicted for the 2018 gang rape and murder of a girl in Jammu and Kashmir, with one police officer given a life sentence in jail and the remaining three police officers given 5-year jail sentences. (81,96)

Despite these positive efforts, there were credible allegations during the reporting period of government officials and police officers accepting bribes from traffickers in return for protection from prosecution, as well as unconfirmed allegations of leaks from police to sites where investigations would be occurring, allowing enough notice for suspected traffickers to escape. Tamil Nadu state authorities, for example, acknowledged that some local politicians benefited with impunity from child sex trafficking and forced begging rings. (57,96) In the Delhi capital region, while the Delhi Commission for Women (DCW) identified multiple cases of child sex trafficking in unregistered spas in 2019, in some cases police reportedly did not file the required FIRs following arrests. (96,115) In one such case, the DWC summoned local police to explain its delay to file an FIR against the suspects. (115)

In late 2019 and early 2020, the National Crime Records Bureau, which collects law enforcement data from state governments regarding criminal cases involving the worst forms of child labor, released a report containing data from 2017 and 2018. (57,101,117,118) The report indicates that Rajasthan state had the highest identification of child trafficking, with 886 cases, followed by West Bengal with 450 cases. (117) In addition, the Bihar government reportedly rescued 395 children from traffickers in 2017, 366 of whom were engaged in forced child labor. The Bihar Police also registered 121 alleged cases against traffickers in 2017, but failed to file any charges against the suspects and achieved no convictions. (117) In addition, the data show an overall decrease of 38 percent in the number of victims of human trafficking identified in 2017 and 2018 compared to 2016 data. (57,101) Data also report a 30 percent increase in sexual abuse of young women in shelter homes in 2018 compared with the previous year. (57)

Efforts to combat bonded labor are hampered by a lack of awareness among workers that they are being exploited and employers who may be ignorant to the crimes they are committing. (51,57,76,116,119) Perpetrators of bonded labor must be convicted before freed laborers are able to receive a release certificate that is required for obtaining compensation under the Central Sector Scheme for Rehabilitation of Bonded Laborer or other welfare schemes, which provide access to cash rehabilitation awards, subsidized housing, and free healthcare and education to children. (57,76,81,96,119) The Government of the National Capital Territory of Delhi has issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor. However, some other state governments lack similar procedures, sometimes failed to recognize bonded labor cases, and often did not issue release certificates or provide more than the

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initial financial assistance to bonded labor victims. (57,81,101,112,120,121) In addition, an absence of fast-track courts to handle bonded labor cases and low conviction rates make it difficult for victims to receive benefits, including cash rehabilitation awards ranging from \$1,300-3,900. (57,76,96,119) Delays in distributing financial assistance reportedly contributed to the re-victimization of bonded laborers, including children. (59,122)

Out of approximately 9,000 government-run, government-funded shelters for vulnerable individuals, including children, roughly 1,300 were not officially registered with the government. State-level Social Welfare Departments (SWDs) responsible for issuing operating licenses were slow to do so, which allowed shelters to operate with little or no oversight. (59,81,116) According to local NGOs, in some states where SWDs were not issuing licenses, unscrupulous entities took advantage of the situation and operated shelters illegally without a license. In other instances, shelter owners received grant funding from the government using their old licenses, while in the process of applying for a new license as stipulated in the amended Juvenile Justice Act. (96) In several instances, despite allegations of abuse, some shelters continued operating due to political connections. (59,81,96) During the reporting period, a continued lack of oversight and failure to investigate suspected trafficking crimes created an atmosphere of impunity for shelter home employees and government officials in government-run, government-funded shelter homes across the country. (57,59,96,115) Children residing in shelter homes were sometimes subject to child trafficking, commercial sexual exploitation, and forced labor in domestic work. (57,115) In addition, unsafe conditions and forcible detention in these shelter homes prompted some commercial sexual exploitation victims—including children—to run away from the facilities. (57,59)

As of March 2019, police had documented at least 156 children, including victims of commercial sexual exploitation, missing from 6 shelters across the country. (59,81,116) At least one shelter owner reportedly sold residents for purposes of commercial sexual exploitation, and an NGO in Andhra Pradesh operating two government-funded child care institutions (CCIs) forced children in their care into commercial sexual exploitation and domestic labor. (57,59,81,115) After repeated recommendations by the Child Welfare Committee, officials closed the CCIs and moved the children to government-run shelters. However, the criminal investigations into the abuse at these CCIs were dropped because police failed to file the charge sheets within the required timeframe. (57,115) In 2018, two police superintendents in Uttar Pradesh allegedly sent more than 405 children to a government-funded shelter home in violation of the district government's orders; the destination shelter was accused of drugging and forcing 23 children into trafficking for the purposes of commercial sexual exploitation. The Central Bureau of Investigation (CBI) conducted investigations into both of these allegations, and filed two FIRs in this case during the reporting period. (51,96,115,161)

A 2018 report commissioned by the Bihar state government noted abuse “varying in forms and degrees of intensity,” was reported to be prevalent in almost all 110 government-run, government-funded women and childcare institutions surveyed, and the report also noted “grave concerns” in 17 institutions that required immediate attention. (96) The CBI filed First Information Reports (FIRs)—written documents detailing complaints lodged with the police—against some of the Bihar state-funded shelter homes in which the TISS report had noted abuse, including charges such as “causing death by negligence.” (81,115) The Bihar state government took over the management of all NGO-run, government-funded shelters in the state. (57) The CBI also completed investigations into all 17 shelters flagged for immediate attention. (81,115) Of the 17 investigations, the CBI filed charges against 13 shelter homes and successfully prosecuted one case. The CBI filed an additional 19 FIRs against some of the other 94 Bihar state-funded shelter homes in which the audit had noted abuse, including for charges such as “causing death by negligence.” (96) On January 20, 2020, Brajesh Thakur, owner of the Muzaffarpur shelter and former legislator, was convicted along with 18 others of abuses under the POCSO Act and the Juvenile Justice Act for victimizing 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation; the trial's venue was moved to New Delhi to ensure accountability. (96,115,123,124) Of the 18 convicted individuals, 12 were sentenced to life in prison, including Thakur, a former chairperson of the Child Welfare Committee, a current member of the Child Welfare Committee, and a District Child Protection Officer. (57,115,125) Although the CBI recommended filing additional

cases against 70 central government and Bihar state government officials responsible for management and oversight of the homes, the local government did not act upon these recommendations. (57,123)

Despite the aforementioned notable convictions, there were reports of inconsistencies in the investigation of the Muzaffarpur case, as well as allegations that the government shielded higher-level officials from prosecution. (123,115,126,127) Reporting found evidence that enforcement officials instructed CBI investigators to make errors on the official Muzaffarpur investigation report. (51) In addition, research indicates the CBI failed to investigate high-level officials allegedly involved in child trafficking, including politicians whom victims had repeatedly identified as sex traffickers to social services officials. (115)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Task Force to Implement the Child Labor Act	Coordinates the oversight mechanism to ensure the effective implementation of the Child and Adolescent Labor (Prohibition and Regulation) Act. Led by the Ministry of Labor and Employment (MOLE) and consists of 12 officials from the federal and state governments. (128) Convened two meetings during the reporting period. (48)
Central Advisory Board on Child and Adolescent Labor	Convenes board members to review the implementation of existing legislation and programs related to child labor and proposes new welfare measures for child labor. Chaired by MOLE and consists of 45 board members, including government officials and NGO representatives. (129) Met twice during the reporting period. (48)
National Commission for the Protection of Child Rights	Ensures that all laws, policies, programs, and administrative mechanisms are in accordance with the constitutional protections for children and the UN CRC. Inquires about child rights violations and failures to properly implement laws relating to child protection. (130) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (131) In 2018–2019, received 26 complaints regarding abuse, including sexual exploitation of children in child care institutions (CCIs) and shelter homes from April 1, 2018–March 31, 2019, as compared to eight complaints in 2017–2018. Referred these cases to police or other relevant government entities. (57,96) In addition, registered several cases of children running away from CCIs in 2019, including government-run shelters, with some alleging abuse at the hands of caretakers, including sexual abuse. (57,96)
National Human Rights Commission	Monitors implementation of the Bonded Labor System (Abolition) Act. Monitors state governments' actions to identify, release, and rehabilitate bonded laborers through quarterly submissions and exploratory and investigative missions. (132,133) During the reporting period, organized a one-day workshop on "Elimination of Bonded Labor System including Child Labor, Inter-State Migrant Workers and Human Trafficking" in Mizoram. Participants included senior officers from the Government of India and the Government of Mizoram. (57)
Platform for Effective Enforcement for No Child Labor Portal	MOLE-operated online portal that allows government officials, NGOs, and law enforcement to share information and coordinate on child labor cases at the national, state, and local levels in an attempt to improve enforcement of child labor laws and the implementation of the National Child Labor Project (NCLP) scheme. (134) Allows citizens to lodge child labor complaints. (48) Rescued child laborers are put through a rehabilitation program that includes formal education and vocational skills training. Those eligible are mainstreamed into formal education. (96) Since launching in 2017, 165,770 child laborers have been identified, and 73,130 children mainstreamed through Special Training Centers (STCs) vis-à-vis the NCLP; 72,036 children remain in STCs. (48) STCs are located across the country and provide a stipend to children, free meals, vocational training, and bridge education for eligible children. Length of stay ranges from 6 to 18 months. (96)

On November 27, 2019 the federal Cabinet approved a Memorandum of Understanding (MOU) signed between India and Myanmar on enhancing bilateral cooperation for the prevention of trafficking in persons. The agreement will increase bilateral cooperation on issues of prevention, rescue, recovery, and repatriation related to human trafficking. (57,119,135) The MOU will allow for: further strengthening of investigations, prosecutions, and immigration and border control; development and implementation of anti-trafficking in persons strategies with relevant government ministries; the creation of a working group and a task force to help build the capacities of both governments to combat trafficking in persons; development and sharing of a database on traffickers and victims of trafficking in a safe and confidential manner; and formulation of Standard Operating Procedures for Rescue, Recovery, Repatriation and Integration of the victims of trafficking. (57,119,135)

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In addition, at the 48th Annual Director General-level talks in June 2019, the Indian and Bangladeshi border guard forces discussed issues surrounding cross-border human trafficking in order to create a joint strategy to address the problem. The formal strategy has not yet been created. (57,96)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including lack of state action plans for the elimination of child labor for all state governments.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy on Child Labor	Describes actions for combating hazardous labor for children, including implementing legislation and providing direct assistance to children. (136) During the reporting period, implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD), including the National Child Labor Project Scheme, Grants in Aid, the Integrated Child Development Scheme, the National Children's Fund, and the National Creche Scheme. (48,96,137,138)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (48,139,140) Aims to establish bridge courses and age-appropriate classes for children rescued from child labor and child trafficking to meet the NPC objective to ensure that all out-of-school children have access to education. In addition, seeks to develop community-based prevention, rescue, rehabilitation, and reintegration mechanisms, and strengthen institutional mechanisms to address the worst forms of child labor to meet the NPC objective that all children are protected from exploitation. (139,140) During the reporting period, implemented through programs operated by MOLE and MWCD, including the Integrated Child Development Scheme, the National Children's Fund, and the National Creche Scheme. (48,96,137,138)
State Action Plans on Child Labor	Details state governments' activities and programs to eliminate child labor. Child labor action plans are in place in only 11 states: Andhra Pradesh, Bihar, Delhi, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (100,101,141-148) Research was unable to determine actions taken to implement these policies during the reporting period. (161)

The Government of the National Capital Territory of Delhi's "Policy on Rehabilitation and Combating Trafficking of Women and Children," which would establish a rehabilitation fund for women and children who were trafficked for commercial sexual exploitation and establish state- and district-level coordination committees to undertake prevention and rehabilitation activities, remains pending in draft form. (101,112,149)

On August 21, 2019, the Tamil Nadu State Government issued a Standard Operating Procedure (SOP) to support efforts to eradicate the bonded labor system in the state by 2021. The SOP contains guidelines to facilitate the implementation of the "Bonded Labor System (Abolition) Act (1976)" and the "Central Sector Scheme for Rehabilitation of Bonded Laborers (2016)." (57,150) No other Indian states have similar SOPs to address bonded labor. (116)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including in the oversight of government-run, government-funded, and privately-run shelter homes that provide assistance to victims of the worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description
National Child Labor Project (NCLP) Scheme†	MOLE program that operates at the district level to identify working children, withdraw them from hazardous work, and provide them with education and vocational training. (16,137) Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (137) Comprises approximately 3,000 NCLP STCs that accommodate approximately 120,000 children. (137) Between April 1, 2018 and March 31, 2019, the program rehabilitated 66,169 children who were rescued from child labor compared to 47,635 children rescued in 2017–2018. (48,57)

Table 10. Key Social Programs to Address Child Labor (Cont.)

Program	Description
Ministry of Women and Child Development Programs - Integrated Child Protection Scheme (ICPS)†, Childline†, TrackChild and Khoya-Paya†	Integrated Child Protection Scheme (ICPS) provides children in need of protection—including children withdrawn from hazardous work, forced labor, and human trafficking—with food and accommodation in government-run shelter homes and non-institutional care in foster homes and adoptive families. (48,57,138) Provides rehabilitation and reintegration services to rescued children. (138) Through the Welfare of Working Children in Need of Care and Protection program, provides non-formal education and vocational training to street children and working children living in urban areas not covered by NCLP schemes. (138) This program was active during the reporting period and supported approximately 75,000 children from April 1, 2019-January 1, 2020, including trafficked children, in approximately 2,000 CCIs. (48,57,96) Childline is a 24-hour toll-free emergency telephone service for children in distress. (57,81,138,151) Includes Childline India Foundation-operated telephone service in cities across India, which connects children in need of assistance with hospitals, child welfare committees, shelter homes, and police; 60-70 percent of received calls result in the rescue of a child. (57,96,138,151) From April 1, 2019-January 28, 2020, assisted in over 285,000 cases of children in need, including trafficking in person cases. (48,57) TrackChild is an online portal that tracks missing children and facilitates information sharing about missing and vulnerable children among stakeholders, including child protection units, police stations, and Child Welfare Committees. (48,138,152) TrackChild's Khoya-Paya (Lost and Found) website allows parents and the public to report and search for missing children. Program was active during the reporting period. (48,96)
Central Sector Scheme for Rehabilitation of Bonded Laborers, 2016†	MOLE program that rescues and rehabilitates adult and child bonded laborers. (48,137) Provides rescued bonded laborers with financial assistance and social protection services. (137) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. According to the 2019 MOLE Annual Report, covering data collected from 2017–2018, state governments received \$877,765 for the rehabilitation of 6,413 bonded laborers. (153) Between April 1, 2018 and February 1, 2019, 2,276 bonded laborers were rescued and rehabilitated in various states. (48)
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (154) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> and <i>Swadhar Greh</i> schemes. (154) <i>Ujjawala</i> is a comprehensive scheme launched in 2007. Combats trafficking in persons of women and children, including for commercial sexual exploitation. (154) In addition, facilitates the rescue of victims, places them in safe custody, provides rehabilitation services, facilitates reintegration of victims, and facilitates repatriation of foreign victims. (154) The <i>Swadhar Greh</i> scheme provides temporary residential accommodations and services, including vocational training, legal aid, and rehabilitative counseling services to women and girls rescued from human trafficking, including commercial sexual exploitation. (57,154) During the reporting period, both programs were active and provided sensitization workshops, awareness generation through print and audio media, medical care, professional counseling, legal aid, vocational training, and returned victims to their families. (96)
Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor	USDOL-funded project implemented by the ILO to conduct research and develop new survey methodologies, improve awareness, strengthen policies and government capacity, and promote partnerships to combat child labor and forced labor. (155) In June 2019, organized a joint program with MOLE to mark the World Day Against Child Labor. In addition, ILO staff, including the MAPI6 National Project Manager, met with MOLE's Joint Secretary in charge of child labor to provide a briefing on the joint program and to understand the view of the Government of India. (156) For additional information, please see the USDOL website.

† Program is funded by the Government of India.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (157)

After a 2018 TISS report uncovered ongoing issues in Bihar's shelters, Delhi's state government requested the DWC conduct an independent audit of Delhi's shelters. TISS conducted this audit in 2019, which revealed that 47 of 83 shelter homes in Delhi state were operating with a valid license and that facilities were short-staffed, potentially allowing for the mistreatment of children to go unnoticed or underreported. (57,96) The Delhi audit also reported "grievous sexual and physical abuse" in at least 14 shelters, prompting the Delhi government to remove children from one of these shelters and file a FIR against the shelter owners. Delhi authorities reported no other cases of criminal negligence and did not report initiating criminal investigations into the operations of any other shelters. (96,115)

Authorities in several other states, including Andhra Pradesh, Chhattisgarh, Telangana, Jharkhand, and Odisha also ordered audits of their shelters, some of which uncovered significant problems; however, no criminal investigations were initiated in these states as a result of these audits. (57,115,158,159) Despite encouragement by the Supreme Court, none of the other 29 states reported conducting, funding, or approving independent audits. (51,59,96,115,160) As a result of these findings, Child Welfare Committees (CWCs) across the country

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have been working to digitize records in all shelter homes in a centralized system, so officials can monitor the number of residents in real time. As a part of this digitization of records, there will be an option within the system to note how the shelter is functioning, which will assist officials in monitoring shelter homes for potential exploitation. (96) Additionally, CWCs in most states have begun to schedule and implement regular monitoring visits of shelters, and District Inspection Committees – wherever they did not previously exist – have been established to meet regularly and assist in the monitoring of shelter homes. (57,96,116) According to local media reports, by the end of December 2019, the Government of India shut down 539 illegal shelter homes in Maharashtra, Jharkand, Karnataka, Uttar Pradesh, and Madhya Pradesh that were found to not be in compliance with requisite standards. (57,96) Children residing in the shelter homes that were shut down, were relocated to other functioning shelter homes. (96)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in India (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2019
	Ensure that the types of hazardous work prohibited for children under age 18 are comprehensive, especially in the sectors in which children work in unsafe and unhealthy conditions for long periods of time, such as in spinning mills, garment production, carpet making, and domestic work.	2016 – 2019
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2019
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2019
Enforcement	Ensure that Anti-Human Trafficking Units have sufficient funding and human resources to adequately perform their work.	2019
	Collect and publish national-level data on labor law enforcement, including the amount of funding for the labor inspectorate, the number of labor inspectors, the number and type of inspections conducted, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected.	2014 – 2019
	Create meaningful penalties for employment of children in prohibited child labor to ensure that penalties adequately deter violations.	2014 – 2019
	Ensure adequate training for labor and criminal law inspectors, that an adequate number of labor inspections are conducted, and that the complaint mechanism response time is efficient.	2019
	Ensure that labor inspections are regularly conducted in all sectors in which child labor occurs.	2019
	Collect and publish national-level data from all state governments on the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions.	2009 – 2019
	Ensure that public officials who facilitate or participate in the worst forms of child labor are held accountable, including officials who accept bribes in exchange for protection from the law.	2018 – 2019
	Fully implement the standard operating procedures that provide financial assistance to victims, including children, rescued from bonded labor, and ensure that bonded labor cases are fast-tracked to ensure that victims receive financial assistance in a timely manner.	2018 – 2019
	Ensure that state governments are issuing release certificates and financial assistance to victims, including children, rescued from bonded labor.	2018 – 2019
	Investigate suspected abuses and misconduct at government-run, government-funded shelter homes, and prioritize the official registration of all government-run, government-funded shelters to ensure government oversight.	2018 – 2019
	Ensure that shelter homes are free of abuses, including forced labor and commercial sexual exploitation of children, and are fully staffed to support victims.	2018 – 2019
	Ensure the remaining 29 state governments conduct audits of all government run, government-funded shelters as mandated by the Supreme Court.	2019

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Government Policies	Work with state governments that do not currently have state action plans for the elimination of child labor to establish such plans.	2011 – 2019
	Publish information about activities that were undertaken to implement the state action plans during the reporting period.	2018 – 2019
	Approve and implement a national policy to combat trafficking in persons and support victims.	2019
Social Programs	Cease using children as informants and spies by national security forces.	2019
	Penalize education officials who engage in discrimination and harassment of children, and reduce barriers to education, in particular for refugee children and children from marginalized communities, by providing sufficient training for teachers, providing separate washrooms for girls, and increasing the number of available schools, especially in rural areas in which inadequate infrastructure and transportation options limit access to education.	2014 – 2019
	Ensure collection, findings, and publication of data on exploitative child labor are made available to the public, including findings from district-level bonded labor surveys and raw data from the national census.	2009 – 2019

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