

In 2020, India made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the national government disbursed \$13.5 million in funding to expand Anti-Human Trafficking Units from 332 districts to all 732 districts, and provided additional training and resources to existing units. In March 2020, the Government of Karnataka released comprehensive standard operating procedures on human trafficking in collaboration with civil society organizations. The standard operating procedures cover sex trafficking, child beggary, child labor, and bonded labor. In addition, the Occupational Safety, Health and Working Conditions Code, which included workplace safety standards for children ages 14–18, was passed in September 2020. However, children in India are subjected to the worst forms of child labor, including in garment production, stone quarrying, and brickmaking. Children also perform dangerous tasks in the production of thread and yarn. India also does not meet the international standard for the prohibition of military recruitment by non-state armed groups. Research has found that that no illegal shelter homes were shut down during the reporting period. Research has also found that complicit government officials were not held accountable for helping to operate illegal shelter homes—no criminal cases were initiated against government officials in 2020. 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. The government also did not publicly release information on its labor law enforcement and criminal law enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India are subjected to the worst forms of child labor, including in garment production, stone quarrying, and brickmaking. (1) Children also perform dangerous tasks in the production of thread and yarn. Table 1 provides key indicators on children’s work and education in India. (2)

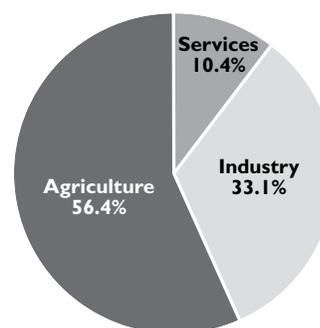
**Table 1. Statistics on Children’s Work and Education**

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 (%)		91.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (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 1. 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.

**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, harvesting sugarcane and tea, and performing peripheral work, such as removing weeds (5-11) Processing cashew nuts† and seafood (12, 13)

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**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

Sector/ Industry	Activity
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> )† (2,10,14,15)
	Manufacturing glass bangles,† imitation jewelry, locks,† and brassware,† and polishing gems† (10,16-19)
	Rolling cigarettes ( <i>bidis</i> )† and manufacturing incense sticks ( <i>agarbatti</i> ), fireworks,† and matches† (10,20)
	Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (10,21-24)
	Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (10,11,25-35)
Services	Domestic work† (10,36-38)
	Working in hotels, food service, and tourism services (10,32,39-41)
	Street work, including scavenging, sorting garbage, selling trinkets, and organized begging (10,11,32,42,43)
	Working in automobile workshops (11,44)
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 (1,32)
	Forced labor in producing bricks, quarrying stones, and in rice mills (1,32,45-48)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles ( <i>zari</i> ) (1,14,32,49,50)
	Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (1,16,18,19,51-54)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (1,36,43,55-57)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,10,32,43)
	Recruitment of children by non-state armed groups for use in armed conflict (1,58)
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 (10,59-61)	

† 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. (1,43) Most labor trafficking is internal to the country; research found that the states of Bihar, Jharkhand, Chhattisgarh, and Odisha are major sources for child trafficking. (11) Children from India’s rural areas migrate to urban centers 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. (1,32,62) 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. (1,11,32,43) Children typically enter debt bondage along with their entire family, and trafficked children are employed in cotton farms, home-based embroidery businesses, roadside restaurants, and brick kilns. (11)

Research has found that the prevalence of child trafficking in India increased during the COVID-19 pandemic as the number of children in the labor market increased. Human traffickers chartered buses from the states of Andhra Pradesh, Rajasthan, and Karnataka to transport migrant labor, including children, from Bihar. (63) To avoid suspicion, traffickers often ask parents to accompany children to their destination. NGOs intercepted several operations, during which they found many children carrying false identification cards as proof of legal working age. (63) Media reported railway and transit police increased patrolling of transportation hubs to prevent and intercept perpetrators and victims of human trafficking, including children. (1) In Tamil Nadu, a major garment factory hub, 35 children were rescued from a spinning mill during the reporting period. (64) Research has also found that one child rights NGO reportedly rescued 1,675 children between April and November of 2020. (65)

Non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Chhattisgarh and Jharkhand, and as soldiers in Jammu and Kashmir. (1,58) Maoist groups sometimes used children as human shields in confrontations with security forces. 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. (1)

Child victims of commercial sexual exploitation, forced labor, and child trafficking are more likely to be from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (1,32,43,66,67) Traffickers sometimes kidnap children from public places, such as railway stations, entice them with drugs, and force girls as young as age 5 in sex trafficking to take hormone injections to appear older. During the reporting period, officials acknowledged some registered and unregistered spas exploited girls in sex trafficking, and that officials lacked sufficient oversight of all such establishments. (1) Apprehending child traffickers has become more challenging for law enforcement because traffickers are utilizing technology to reach customers and to receive electronic payment, eliminating the need to be centrally located in brothels. (1,43,63) Research found that girls, some as young as age 14, are trafficked from the states of Jharkhand and Chhattisgarh for commercial sexual exploitation. Most of the trafficked girls belong to tribal or lower caste communities. (11)

Despite the enactment by Parliament in 2009 of a Right to Education Act that provides free and compulsory education for children below the age of 14, there are several barriers to educational access in India. Budgetary constraints contribute to the lack of schools, well-trained teachers, separate and sanitary washrooms for girls, adequate infrastructure, and transportation options, creating barriers and limiting access to education, particularly in overcrowded urban slums, or *bastis*. (11) Furthermore, children from marginalized groups face additional barriers to accessing education. (11) Teachers sometimes subject these children to discrimination and harassment. (68) Research has found that lower caste children in some schools in Madhya Pradesh and Uttar Pradesh are reportedly segregated in classrooms. (11) In addition, refugees who are not granted visas or provided identity cards by the UNHCR often are not able to access education services. (11,32) 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. (43)

Due to the pandemic, most schools in the country remained closed from March 2020 to December 2020. During this period, classes were held online. (11) Research found that children from economically disadvantaged families and children in some rural areas were unable to attend classes due to lack of Internet connectivity or lack of accessible devices. The government attempted to address this issue by distributing devices and using community radio stations and government-owned television and radio stations to broadcast classes. (11) However, research indicates an increase in child labor and child trafficking in India during the reporting period due to economic contractions related to the pandemic, with children dropping out of school to work in hazardous occupations. (69,70)

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. (11,32)

## 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	✓

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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 (71)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act (71)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act; The Occupational Safety, Health and Working Conditions Code (72,73)
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 (74-76)
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 (75,77)
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 (75,77-79)
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 (76,80)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Military Rules (81)
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 (82)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (82)

\* No conscription (83)

The Occupational Safety, Health and Working Conditions Code was passed in September 2020, and states that the central government will declare standards on a list of matters, including the prohibition of employment of children near cotton openers and the employment of children ages 14 to 18 on dangerous machines. The code also stipulates that children ages 14 to 18 are entitled to 1 day of leave for every 15 days of work. (73) In addition, the code would allow state governments to prescribe special safeguards for employment for children ages 14 to 18 when handling hazardous chemicals. (73) The code, however, has not yet come into force. (84)

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. (85) The bill was brought to Parliament in 2018 after consultations with civil society organizations and survivors, but lapsed when the current government's first term ended. A revised version was due to be considered by ministers in early 2020 but has not come up for a vote in Parliament. (63) During the reporting period, the bill went through an iterative internal review process among different government ministries. (86)

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. (71,82) 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. (10,72,87-89) In addition, 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. (90,91)

### 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 enforcement agencies that may hinder adequate enforcement of their 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. (92) Refer children to Child Welfare Committees for protection and rehabilitation services. (76)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (90) Submit information to District Magistrates to determine whether a case should be prosecuted in District Court. (11) Refer children to Child Welfare Committees for protection and rehabilitation services. (1,76) 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. (81)
Ministry of Home Affairs – Anti-Trafficking Operations Division – State and District-Level Anti-Human Trafficking Units (AHTUs)	Report to district police chiefs. (43) Investigate cases of domestic and international human trafficking. (1,43,90) 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. (1,43,81) During the reporting period, the national government disbursed \$13.5 million in funding to expand AHTUs from 332 districts to all 732 districts and provided additional training and resources to existing AHTUs. (1,63)
Central Bureau of Investigation – Anti-Human Trafficking Unit	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. (1,93) Manages the 24-hour Helpline No. 011 for reporting cases of "Illegal Human Trafficking Especially Trafficking of Children & Women." (43,94)
National Investigation Agency	Investigates terror-related cases. (32) Mandate was expanded by the central government in 2019 to investigate and prosecute trafficking in persons cases that have multiple state or international ramifications. (32,43,81,95)

During the reporting period, the Ministry of Railways, in coordination with the Ministry of Home Affairs (MHA), maintained 84 child help desks at stations to support unaccompanied children who were vulnerable to traffickers. (1,84)

In October 2020, in Hyderabad, the National Investigation Agency (NIA) filed charges against 12 persons, including 9 Bangladeshi nationals. In addition, the NIA took over a human trafficking case in Jharkland in June 2020 and charged four people for this crime in February 2021. (84)

The enforcement of labor laws is overseen by the state governments' 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. (32) However, law enforcement authorities do not have procedures to screen for trafficking victims, and research found that authorities have arrested, fined, penalized, and deported some child trafficking victims for crimes their traffickers compelled them to commit. (1)

Research has found that when some states sought approval from the Government of India to suspend labor laws to mitigate the economic downturn caused by the pandemic, the Government of India mandated that child and bonded labor laws continue to be actively enforced. Officials issued advisories to states to closely monitor human trafficking and to ensure that the pandemic did not result in the expansion of trafficking in persons. (11) In July 2020, India's MHA issued an advisory that urged state governments to launch anti-trafficking awareness campaigns. (96)

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### Labor Law Enforcement

In 2020, 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 enforcement of their child labor laws, including training for labor inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (32)	Unknown (11)
Number of Labor Inspectors	Unknown (32)	Unknown (11)
Inspectorate Authorized to Assess Penalties	Yes (32)	Yes (73)
Initial Training for New Labor Inspectors	Yes (32)	Yes (11)
Training on New Laws Related to Child Labor	Yes (32)	Yes (11)
Refresher Courses Provided	Yes (32)	Yes (11)
Number of Labor Inspections Conducted	Unknown (32)	Unknown (11)
Number Conducted at Worksite	Unknown (32)	Unknown (11)
Number of Child Labor Violations Found	Unknown (32)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (32)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (32)	Unknown (11)
Routine Inspections Conducted	Yes (32)	Unknown (11)
Routine Inspections Targeted	Yes (97)	Yes (11)
Unannounced Inspections Permitted	Yes (32)	Yes (73)
Unannounced Inspections Conducted	Yes (32)	Yes (11)
Complaint Mechanism Exists	Yes (32)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (32)	Yes (11)

While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, India would need to employ roughly 34,793 labor inspectors as its workforce consists of over 521.9 million workers. (98,99) While the government does not release disaggregated data on the specific budget for inspections, research has found that inspectors may have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections. (11) However, the ILO and NGOs report 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 that the response time to complaints is too long. (11,32,81,100) NGOs commended the state governments of Rajasthan, Gujarat, and Tamil Nadu for proactive inspections, but, again, noted that the response time is too long. In addition, labor rights groups and trade unions claim that inspections are often conducted ineffectively. (11) Labor inspectors receive training on laws relating to child labor. However, data on the number of inspectors who received training are not available. (11) Most training programs were conducted virtually during the reporting period due to the pandemic. However, research has found that the trainings are inadequate. (11)

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. (92) 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. (11) Penalties available under the law include imprisonment for a minimum of 6 months up to 2 years and fines ranging from \$300 to \$700. (32,101,102) However, current laws and enforcement are insufficient to deter employers from hiring children because imprisonment is rare and maximum fines are infrequently levied. (11,71) While the Child Labor Act and the rules framed under this act empower labor inspectors to assess penalties and monetary fines for child labor law violations, research has found that penalties assessed do not deter child labor law violations, even though there are no barriers to assessing penalties. (11)

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 in all formal and informal workplaces, due to social and cultural barriers, inspections of private homes and farms are done only on receipt of a complaint. (32)

During the reporting period, Tamil Nadu became the first state to report requesting funding to conduct its first survey since 1996, which will cover the 11 most vulnerable districts and feed into a database on bonded labor efforts. In addition, Telangana state began a 3-year project to map its cotton farms and spinning mills to monitor ethical labor practices; traffickers use forced labor in these sectors. (1)

### **Criminal Law Enforcement**

In 2020, 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 enforcement of their child labor laws, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (81)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (81)	N/A (11)
Refresher Courses Provided	Yes (32)	Unknown (11)
Number of Investigations	Unknown (32)	Unknown (11)
Number of Violations Found	Unknown (32)	Unknown (11)
Number of Prosecutions Initiated	Unknown (32)	Unknown (11)
Number of Convictions	Unknown (32)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (81)	Yes (84)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (32)	Yes (84)

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 also rarely initiated. (1,11,81) Due to the lack of law enforcement efforts, a lack of proactive victim identification, a widespread tendency to handle bonded labor cases administratively in lieu of criminal prosecution, and stalled bonded labor prosecutions, the ability of authorities to recognize full compensation for victims remained extremely difficult. Furthermore, an NGO working in 10 states reported its observations that employers trapped more than 60 percent of released victims it rescued back in bonded labor again. (1) Research has also noted that police did not always arrest suspects or file First Information Reports (FIRs) to officially register a complaint, including in at least half the bonded labor cases nationally. Rather, officials settled many other cases at the complaint stage, or registered bonded labor cases as minimum wage violations. (1) In addition, 17 of India's 36 states and territories reported not identifying any bonded labor victims or filing any cases under the Bonded Labor System (Abolition) Act in either 2017 or 2018, despite NGO and media reports of bonded labor victims identified in some of those states. (1)

In September 2020, the National Crime Records Bureau released its annual report detailing criminal cases from the prior year that involved the worst forms of child labor. (63,103) The report shows that human trafficking trends remained similar to 2018—there were 2,260 cases of trafficking in 2019, and 2,278 cases in 2018. In addition, over 2,914 victims of trafficking in 2019 were under the age of 18. (63,103) While state governments have primary responsibility for criminal law enforcement, access to trainings varies from state to state and research has found that training opportunities on the laws related to the worst forms of child labor are limited and inadequate. (11,32,101,104) Cases on the trafficking of minors for the purposes of commercial sexual exploitation are heard in Protection of Children From Sexual Offences (POCSO) Act Courts. As of December 31, 2019, there were 664 POCSO courts and 240,000 pending cases. (43,104) To deal with pending

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cases, India has proposed setting up 389 fast-track special courts (FTSCs) dedicated to POCSO cases. (105) However, research has found that as of September 2020, only 321 POCSO FTSCs have been set up. (106) State authorities also have reported that judges and prosecutors at POCSO courts do not have training or expertise in POCSO crimes. To combat this, the Madhya Pradesh police academy signed a Memorandum of Understanding with an NGO that allowed for 1,900 police, prosecutors, and judicial officers to be trained on human trafficking. (1) In addition, four states have implemented child-friendly courtrooms or procedures, including some that allowed victims to testify via video conference, which improved victim participation in cases, thus, helping to prevent re-traumatization of child victims. However, inadequate implementation of victim protection measures and legal assistance enshrined in law, including witness protection, led victims to refuse to participate in trials. (1)

During the reporting year, the newly expanded Anti-Human Trafficking Units (AHTUs) increased their efforts in combating human trafficking. In June 2020, the AHTU of West Bengal's Murshidabad district rescued eight girls from two hotels. From this rescue, three of the girls were from Bangladesh. (63) In this case, seven people were charged with rape and human trafficking and were denied bail, under POCSO. A human trafficking ring was intercepted by police in Uttarakhand in July 2020, with three people arrested and the victim put into a rehabilitation service operated by an NGO. (63) In December 2020, police arrested a teacher for kidnapping a 16-year-old girl with intention of continuing to sexually exploit kidnapped girls and sell them in Delhi or Himachal Pradesh. In addition, charges were amended during the reporting year in an April 2019 human trafficking case that involved six Bangladeshi girl victims and three traffickers. (63)

Anti-human trafficking and anti-forced labor operations involved the support of NGOs and international agencies during the reporting year. In Andhra Pradesh, 17 children were rescued from brick kilns with the assistance of UNICEF. (63) A tip from the 24-hour toll-free emergency telephone service for children in distress, Childline, also led to the rescue of 77 children who were involved in agricultural labor, with 39 of them below the age of 14. (63)

Arrests were also made in the reporting year regarding bonded labor. An AHTU in Gujarat raided two facilities that were used for sari-finishing production, which led to the rescue of 37 children and charges filed against 8 individuals. (63) The AHTUs in Jaipur rescued 900 children from bangle manufacturing factories that included 25 children in bonded labor. The children experienced physical violence and most of them were trafficked from Bihar to Rajasthan. (63) In June 2020, police rescued 403 people, of which 97 were children, from brick kilns in Tamil Nadu and charged three brick kiln owners under the Bonded Labor System Abolition Act. Also in Tamil Nadu, local government officials and police rescued 173 children (a majority of them girls) from a private spinning mill. (63) The ages of the victims ranged from 13 to 18 years and they worked without days off for 14 hour shifts. However, instead of filing charges under the Child Labor (Abolition and Regulation) Act or the Bonded Labor System (Abolition) Act, the police filed the case under less serious criminal charges. (63)

The Government of the National Capital Territory of Delhi has issued a standard operating procedure (SOP) 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 initial financial assistance to bonded labor victims. (1,43,97,107-109) Furthermore, research has found that politically connected individuals across multiple states successfully avoided prosecution, including local and state politicians who held workers in bonded labor in agriculture and on brick kilns. (1) There were credible allegations during the reporting period of government officials and police officers accepting bribes from traffickers in return for protection from prosecution, and of police refusing to register FIRs against accused officials. Tamil Nadu state authorities, for example, acknowledged that some local politicians benefited with impunity from child sex trafficking and forced begging rings. (1,43,81)

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. During the reporting period, lax law enforcement and a lack of safeguards encouraged an atmosphere of impunity in several group homes and

orphanages. (110) Despite allegations of abuse, in several instances some shelters continued operating due to political connections. (1,110) As of March 2019, police had documented at least 156 children, including victims of commercial sexual exploitation, missing from 6 shelters across the country. (104,110) At least one shelter owner reportedly sold women and girls for purposes of commercial sexual exploitation. (110) A notable conviction during the reporting year is with the Muzaffarpur shelter home, in which Brajesh Thakur, shelter owner and former legislator, was convicted in January along with 18 other individuals of abuses under the POCSO Act and Juvenile Justice Act for victimizing 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation. Of the 19 individuals, 12 of them were sentenced to life in prison, including Thakur, a former chairperson of the Child Welfare Committee, a member of the Child Welfare Committee, and a District Child Protection Officer. (43,81,111,112) However, research found that that no illegal shelter homes were shut down during the reporting period. Research also found that complicit government officials were not held accountable for helping to operate illegal shelter homes; no criminal cases were initiated against government officials in 2020. (1,86)

#### 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 (CLA)	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. (113) Met twice during the reporting period. Instructed states to closely monitor child labor issues and ensure continued enforcement of the CLA, especially in the wake of pandemic-related economic distress. (11)
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. (114) Met once during the reporting period. (11)
National Commission for the Protection of Child Rights (NCPCR)	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. (115) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (116) During the reporting period, the Commission continued to be proactive on child rights issues. (11) In May 2020, NCPCR issued recommendations to combat child trafficking following the pandemic lockdown, focusing on efforts to combat trafficking at source, transit, and destination hotspots across India. (63)
National Human Rights Commission (NHRC)	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. (117) During the reporting period, implemented its standard operating procedures for identifying and responding to bonded labor cases. (1) In 2020, also issued an advisory to all states on combating human trafficking. (11) In December 2020, NHRC issued an advisory on combating human trafficking in the context of the pandemic. NHRC recommended a 24/7 helpline for real-time reporting, tracking, and monitoring of trafficking in persons cases. (63) It called for the installation of surveillance mechanisms at transit points to track children moving with suspicious persons or without adult supervision. In addition, the NHRC advised that testimonies of rescued victims should be collected via video conferencing in courts, especially when victims are repatriated or released from protective homes. (63)
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. (118) Allows citizens to lodge child labor complaints. (32) Rescued child laborers are put through a rehabilitation program that includes formal education and vocational skills training. Those eligible are mainstreamed into formal education. (81) Special Training Centers (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. (81) Since the online platform was launched in 2017, 191,264 child laborers have been identified and 97,664 children removed from child labor and rehabilitated through STCs. Currently, 59,269 children are enrolled in STCs. (11)

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### 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. (119) Implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD), including the NCLP Scheme, Grants in Aid, the Integrated Child Development Scheme, the National Children's Fund, and the National Creche Scheme. (32,81,120,121) From April 1, 2019, to February 1, 2020, 46,198 children were removed from child labor and rehabilitated through the NCLP Scheme, established under the National Policy on Child Labor. (11)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (32,122,123) 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. (122,123) Research was unable to determine whether activities were undertaken to implement the national action plan during the reporting period.
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. (92,97,124-131) Research was unable to determine whether activities were undertaken to implement state action plans during the reporting period.

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. (97,132-134)

Research has also found that in March 2020, the Government of Karnataka released a comprehensive SOP on human trafficking in collaboration with civil society organizations. The SOP covers sex trafficking, child begging, child labor, and bonded labor. (63) The state government is also planning two separate SOPs by March 2021 on bonded labor and engaging the Railway Protection Force in the rescue of children from railway stations. (63) The state of Tamil Nadu and the Union Territory of Delhi have SOPs dedicated to eradicating bonded labor. (84)

The government does not have a national action plan to combat trafficking in persons. (1)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (10, 120) Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (120) Comprises approximately 3,000 NCLP STCs that accommodate approximately 120,000 children. (120) From April 1, 2019 to February 1, 2020, the NCLP Scheme removed 46,198 children from child labor across 21 states. (11)
Ministry of Women and Child Development (MWCD) Programs - Integrated Child Protection Scheme†, Childline†, TrackChild and Khoya-Paya†	<p><b>Integrated Child Protection Scheme</b> 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 with adoptive families. (1,32,43,121) Provides rehabilitation and reintegration services to rescued children. (121) 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. (121)</p> <p><b>Childline</b> is a 24-hour toll-free emergency telephone service for children in distress. (1,43,87,121,135) 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. (43,81,121,135) Research has found that the Childline hotline was operational during the reporting period. (11)</p> <p><b>TrackChild</b> 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. (1,32,121,136) TrackChild's Khoya-Paya (Lost and Found) website allows parents and the public to report and search for missing children. (32) Research has found that the Track Child online portal was operational during the reporting period. (11)</p>
Central Sector Scheme for Rehabilitation of Bonded Laborers†	MOLE program that rescues and rehabilitates adult and child bonded laborers. (32,120) Provides rescued bonded laborers with financial assistance and social protection services. (120) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. (137) Research found that the MOLE program was operational during the reporting period. (11)
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (138) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> and <i>Swadhar Greh</i> schemes. (138) <b>Ujjawala</b> is a comprehensive scheme launched in 2007. Combats trafficking in persons of women and children, including for commercial sexual exploitation. (1,138) Operates 134 shelters. (1) 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. (138) The <b>Swadhar Greh</b> 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. (43,138) Operates 413 shelters. The central government allocated \$2.03 million in the first 5 months of 2019–2020, a decrease from \$3.18 million allocated to the program in the first 5 months of 2018–2019. (1)
Work in Freedom Project II (2018-2023)	Partnership program developed between UK's Foreign, Commonwealth & Development Office and ILO on Fair Recruitment and Decent Work for Women Migrant Workers in South Asia and the Middle East. Aims to reduce vulnerability to trafficking and forced labor of women and girls across migration pathways leading to the care sector and textiles, clothing, leather and footwear industries. Addresses key drivers and vulnerabilities of human trafficking, such as gender and other forms of discrimination, distress migration, and poor working and living conditions, through an integrated prevention strategy of targeted social protection and empowerment; fair recruitment practices; and evidence-based policy advocacy for decent work options. (141) For more information, see the ILO website.
Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor	USDOL-funded project (\$500,000) 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. (139) In India, the project works in the states of Bihar, Chhattisgarh, and Uttar Pradesh to promote coordination of programs for child laborers and their families, build capacity of state and local governments to address child labor, and build the knowledge base on child labor. During the reporting period, the project held consultations with relevant stakeholders in these states aimed at developing a comprehensive benefit package for child laborers and their families. (140) For additional information, please see the USDOL <a href="#">website</a> . Please also see the ILO website.

† Program is funded by the Government of India.

Similar to government-run, government-funded shelter homes, both *Ujjawala* and *Swadhar Greh* homes have high rates of non-registration. Due to a reported loophole in the law, if the government did not act on a home's

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application in a prescribed timeframe, the organization applying would automatically gain licensure. (1) Research indicates that some corrupt officials purposely missed the licensing deadline to allow inadequate but politically connected organizations to gain licensing. Furthermore, in the states that allowed audits of *Ujjawala* and *Swadhar Greh* homes, the audits documented that many homes violated minimum hygiene and safety standards, did not provide psychosocial support or educational opportunities, and operated without proper registration. (1) Moreover, in some instances the homes functioned as hostels and charged non-victim residents for accommodation. Due to unsafe conditions coupled with alleged abuse by caretakers, authorities reported multiple instances in which children ran away. (1)

During the reporting period, the Government of India also reportedly pledged to spend \$477,447,600 (35 billion rupees) in aid for migrant workers, but research found that migrant workers fear that their lack of documentation and bank accounts preclude them from receiving government aid, with many having turned to loan sharks, increasing the risk of vulnerability to debt bondage, child labor, and human trafficking. (69,96)

## 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 I I).

**Table I I. 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 – 2020
	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 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2020
Enforcement	Ensure that there are no gaps in criminal law enforcement efforts regarding children from marginalized communities who are trafficked into commercial sexual exploitation, and ensure that procedures are in place to properly screen human trafficking victims to avoid prosecuting them for crimes that their traffickers compelled them to commit.	2020
	Ensure that Anti-Human Trafficking Units have sufficient funding and human resources to adequately perform their work.	2019 – 2020
	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 – 2020
	Collect and publish national-level data from all state governments on trainings for criminal investigators, the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions. Ensure that penalties are imposed for violations related to the worst forms of child labor, and that a reciprocal referral mechanism exists between criminal authorities and social services.	2009 – 2020
	Ensure that the number of labor inspectors in India meets the ILO's technical guidance.	2020
	Ensure adequate training for labor and criminal law inspectors, that an adequate number of labor inspections are conducted, that labor inspections are regularly conducted in all sectors in which child labor occurs, and that the complaint mechanism response time is efficient.	2019 – 2020
	Create meaningful penalties for employment of children in prohibited child labor to ensure that penalties adequately deter violations.	2014 – 2020
	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 – 2020
	Ensure that there is implementation of victim protection measures in courts, and ensure that judges and prosecutors at Protection of Children From Sexual Offences Act courts have adequate training or expertise on crimes involving the commercial sexual exploitation of children.	2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Fully implement standard operating procedures that provide financial assistance to victims rescued from bonded labor, including children, and ensure that bonded labor cases are fast tracked to ensure that victims receive financial assistance and are issued release certificates in a timely manner.	2018 – 2020
	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. Ensure that shelter homes are fully staffed and free of abuses, including forced labor and commercial sexual exploitation of children.	2018 – 2020
	Ensure that all state governments conduct audits of all government-run, government-funded shelters as mandated by the Supreme Court.	2019 – 2020
	Ensure that law enforcement agencies have adequate technological and financial resources to respond to technological tools used by traffickers.	2020
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 – 2020
	Publish information about activities that were undertaken to implement the national plan of action and state action plans during the reporting period.	2018 – 2020
	Approve and implement a national policy to combat trafficking in persons and support victims.	2019 – 2020
Social Programs	Ensure that education accessibility is equitable and widespread by providing adequate financial resources dedicated to remote learning assets and penalizing education officials who engage in discrimination and harassment of children. Further reduce barriers to education, in particular for refugee children and children from marginalized communities, by providing sufficient training for teachers, providing separate and sanitary 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 – 2020
	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 – 2020

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