

In 2022, India made moderate advancement in efforts to eliminate the worst forms of child labor. The Railway Protection Force launched a nationwide campaign that intercepted 183 children from human trafficking perpetrated on trains and in railway stations. In Haryana, the police department removed 1,760 children from child labor, while the Haryana state Anti-Human Trafficking Unit reunited 378 child trafficking victims with their families. Additionally, from April 2021 to March 2022, the National Child Labor Project Scheme removed and rehabilitated 13,271 from child labor. However, children in India are vulnerable to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in garment production, stone quarrying, and brickmaking. Existing hazardous work prohibitions do not include all occupations in which children work for long periods in unsafe and unhealthy environments, and penalties for illegally employing children are insufficient to deter violations. Reports of corruption at varying levels among police and other government officials, leading to the mistreatment of victims and delayed prosecutions of child labor offenses remained a concern. Children continue to experience commercial sexual exploitation and other forms of abuse in shelter homes that operate without sufficient government oversight. In addition, the Government of India continued to restrict foreign donations to NGOs, many of which work on human and child rights issues, through an amendment to the Foreign Contribution Regulation Act. The authorities sometimes used the threat of cancelling or revoking this Act to silence or restrict civil society organizations that might be working to address human rights concerns, including the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in India.

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 (%)		97.4

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from National Sample Survey Round 68 (NSS-R68), 2011–2012. (2)

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 ploughing land; producing hybrid cottonseed and vegetable seeds; cultivating cotton and rice; harvesting sugarcane, tea, coconut, eucalyptus, and ginger; and performing peripheral work, such as removing weeds (3-7) Processing sugarcane, cashew nuts,† and seafood (3,8,9)
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 (zari)† (4,6,10-12) Quarrying and breaking sandstone† and granite,† producing bricks,† and mining and collecting mica† and coal† (4,6,7,13-14) Polishing gems† and manufacturing glass bangles,† imitation jewelry, locks,† and brassware† (4)

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

Sector/Industry	Activity
Industry	Rolling cigarettes (<i>bidis</i>)† and manufacturing incense sticks (<i>agarbatti</i>), fireworks,† and matches† (4,15)
	Manufacturing footwear and bags; producing leather goods and accessories,† fans, and toys; and stitching soccer balls (4,16)
Services	Domestic work† (4,6,17)
	Working in restaurants, hotels, food service, and tourism services (4,7,18)
	Street work, including scavenging, sorting garbage, selling trinkets, and organized begging (4,6,7)
	Working in automobile workshops and repairing vehicles (4,10,13,19)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, including producing hybrid cottonseed, cultivating rice, and harvesting sugarcane (6,7)
	Forced labor in producing bricks, quarrying stones, and in rice mills (6,7,20)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles (<i>zari</i>) (11,18,21)
	Forced labor in producing bangles, imitation jewelry, leather goods, toys, fans, plastic goods, footwear, and bags (6,16,22,23)
	Forced labor in domestic work and begging (4,6,24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,7,24)
	Recruitment of children by non-state armed groups for use in armed conflict (6,10,25)
	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 (4,26,27)

† 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.

Child victims of commercial sexual exploitation and forced labor are typically from marginalized groups, such as low-caste Hindus, members of tribal communities, or religious minorities. (7,28) Human traffickers fraudulently recruit Nepali, Bangladeshi, and Burmese girls into commercial sexual exploitation and forced labor in India. (6,29) Both registered and unregistered spas also exploit girls in sex trafficking, as the government lacks sufficient oversight of such establishments. (6,30,31) Despite rescue operations by authorities, trafficked children are vulnerable to exploitation in some of Tamil Nadu's 7,000 garment and spinning factories, where the state has yet to implement an effective inspection system. (6) In addition, children are forced to work as bonded laborers alongside their families in brick kilns and stone quarries to pay off debts owed to moneylenders and employers. (6,7) Non-state armed groups reportedly recruit children as young as age 14 for use in direct hostilities against the security forces of Jammu and Kashmir. (6,32,33) In addition, Maoist groups sometimes use children as human shields in confrontations with security forces, and commanders of non-state armed groups recruit girls for sexual exploitation, including practices indicative of sexual slavery. (34,35)

Children have limited access to education, particularly in overcrowded urban slums, due to budgetary constraints and a lack of separate and sanitary washrooms for girls, adequate infrastructure, and transportation. (10,13) Furthermore, children from marginalized groups may face additional barriers to accessing education, including discrimination and harassment by education officials. (13,36,37) Lower-caste children in some schools are segregated in classrooms, sometimes resulting in higher dropout rates. (13,38) The Government of India does not collect or publish data on child labor. (13,18)



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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 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 to address child labor (Table 4). However, gaps exist in India's legal framework to adequately protect children from the worst forms of child labor, including a lack of comprehensive child trafficking prohibitions.

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 Labor (Prohibition and Regulation) Amendment Act (39)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labor (Prohibition and Regulation) Act (39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labor (Prohibition and Regulation) Act; The Occupational Safety, Health and Working Conditions Code (40,41)
Prohibition of Forced Labor	Yes		Sections 2(g), 4, and 16–19 of the Bonded Labor System (Abolition) Act; Sections 367, 368, 370, 371, and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (42-44)
Prohibition of Child Trafficking	No		Sections 366A, 366B, 370, and 372 of the Indian Penal Code; Sections 2, 5, 5A, and 5B of the Immoral Traffic (Prevention) Act; Article 23 of the Constitution (43,45,46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372, and 373 of the Indian Penal Code; Sections 4–6 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 (43,45,47,48)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76, 78, and 83(2) of the Juvenile Justice (Care and Protection of Children) Act; Sections 15–18, 20–23, and 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (42,49)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Codified Military Rules (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 1(2) and 83 of the Juvenile Justice (Care and Protection of Children) Act (42)
Compulsory Education Age	Yes	14	Section 3 of the Right of Children to Free and Compulsory Education Act (51)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (51)

* Country has no conscription (52)

India's hazardous work regulations for children ages 14 to 18 do not include sectors in which children are known to work for long hours, including spinning mills, garment production, and carpet making. (4,40,53) The Occupational Safety, Health, and Working Conditions Code (OSH) has not been adopted at the state level and the deadline for state-level adoption remains unknown. (41,54) Furthermore, the OSH Code covers only establishments with 10 or more employees, factories with 20 or more employees, and manufacturing facilities

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with 40 or more employees, leaving workers in smaller workplaces unprotected. (41) India's child trafficking laws do not meet international standards as they require the use of force, fraud or coercion to establish child sex trafficking offenses. (45) Although 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 identify these criteria in Indian law. (55,56)

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 child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
State Government Labor Ministries	Conduct labor inspections, including inspections for child labor, and assess penalties for violations. (7) Also refer children to Child Welfare Committees for protection and rehabilitation services. (42)
State and Local Police	Enforce laws pertaining to the worst forms of child labor. (53) Submit information to District Magistrates to determine whether a case should be prosecuted in District Court. (7) Also refer children to Child Welfare Committees for protection and rehabilitation services. (42) The Criminal Investigation Department (CID) (also referred to as the "Crime Branch") is a unit of the police force in each state. There are 36 CIDs across India. (52,57)
Trafficking Enforcement Bodies	The National Investigation Agency investigates and prosecutes international cross-border human trafficking cases. (18,24,55,58) In February 2022, the Ministry of Home Affairs reported 696 state- and district-level Anti-Human Trafficking Units (AHTU) in India, with 75 in Uttar Pradesh alone. AHTUs manage the 24-hour Helpline No. 011 for reporting cases of human trafficking, although there were likely fewer functional AHTUs with allocated budgets. (45,59) During the reporting period, the government of Puducherry announced the establishment of an AHTU. (60) Although the state of Andhra Pradesh issued an order to establish 10 AHTUs in 2020, these AHTUs have yet to be established. (61) In April 2022, the National Commission for Women (NCW) launched a unit to improve anti human-trafficking responses and build the capacity of AHTUs. (60) Research was also unable to determine whether there are AHTUs in other states. (38,61) Sources indicate that only 27 percent (271) of AHTUs across India are fully functional, with 32 percent existing only on paper. (38,62,63) A lack of financial resources and adequately trained staff also hinder the effectiveness of AHTUs. (58,64) Police officers assigned to an AHTU reportedly view these positions as undesirable; as a result, some are occupied by near-retirees or officers with poor performance records. (6,38) Anti-Human Trafficking Cells (AHTCs) provide intelligence gathering on human trafficking cases; each AHTC consists of an Assistant Commissioner of Police/ Deputy Superintendent of Police, inspector, and sub-inspector. (57,65)

Labor Law Enforcement

In 2022, labor law enforcement agencies in India took actions to address child labor (Table 6). However, gaps exist within the operations of state-level labor inspectorates that may hinder adequate labor law enforcement, including a lack of human and financial resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	Unknown (10)	Unknown (7)
Number of Labor Inspectors	Unknown (10)	Unknown (7)
Mechanism to Assess Civil Penalties	Yes (41)	Yes (41)
Training for Labor Inspectors Provided	Yes (10)	Yes (7)
Number of Labor Inspections Conducted at Worksite	Unknown (10)	Unknown (7)
Number of Child Labor Violations Found	Unknown (10)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (10)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (10)	Unknown (7)
Routine Inspections Conducted	Unknown (10)	Unknown (7)
Routine Inspections Targeted	Yes (10)	Yes (7)
Unannounced Inspections Permitted	Yes (41)	Yes (41)
Unannounced Inspections Conducted	Yes (10)	Yes (7)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2021	2022
Complaint Mechanism Exists	Yes (10)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (7)

The Government of India did not provide information about its labor law enforcement efforts for inclusion in this report. (7) Research indicates that training for labor inspectors is inadequate, and the number of labor inspections carried out is insufficient to meet the demands of India's workforce of over 523.8 million people. (7,64) NGOs also note that the time between when a complaint is received and when a labor inspection is conducted is too long. (7,10,18,66) While penalties for hiring children under the age of 14 include imprisonment up to 2 years and fines up to \$700, this has not deterred employers from hiring children. Furthermore, labor inspectors do not impose the maximum permissible penalty amount. (7,18,39,67) National Crime Record Bureau (NCRB) data indicate that convictions related to child labor violations also remain low. (68) Despite government efforts, in 2022, authorities documented corrupt practices such as official misconduct and bribery at various levels of government, contributing to widespread impunity on alleged trafficking cases. (69,70)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in India took actions to address 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 low prosecution rates and an environment of impunity.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Yes (38)	Yes (7)
Number of Investigations	Unknown (10)	Unknown (7)
Number of Prosecutions Initiated	Unknown (10)	Unknown (7)
Number of Convictions	Unknown (10)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (10)	Unknown (7)

The Government of India did not respond to requests for information on its criminal law enforcement efforts for this report. (7) However, the Railway Protection Force removed 151 boys and 32 girls from railway trafficking hotspots in 2022. (71) The Haryana police department also released 1,760 children from exploitative labor, while the Haryana Anti-Human Trafficking Unit (AHTU) reunited 378 trafficked children with their families. In addition, the Odisha police department arrested 65 suspected traffickers and identified 707 survivors, including children. (72,73)

India's prosecution rate for suspected traffickers was significantly lower with relatively low convictions than in previous years, although the government convicted more traffickers for bonded labor. (38,60) According to the NCRB, courts completed trials in only 12 percent of cases and convicted merely 16 percent of the defendants whose trials reached conclusion. (74) In 2022, 90 percent of cases under the Protection of Children from Sexual Offences (POCSO) courts remained pending. (75-77) Twenty-six states, except Chhattisgarh and West Bengal, have not adhered to the prescribed case completion time period of 1 year. State authorities also report that judges and prosecutors at POCSO courts sometimes do not have training or expertise in addressing child sex crimes. (35) To address this, state governments and NGOs in Tamil Nadu provided competency training to public prosecutors in 2022. (6,60,78) In addition, four states implemented child-friendly procedures in courtrooms, including some that allowed victims to testify via video conference. (6) However, some victims refused participation in trials due to inadequate implementation of victim protection measures and lack of legal assistance. (21)

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There is a lack of public information about how many prosecutions and convictions involve child victims. (74) Moreover, as child sex traffickers increasingly use electronic means to reach buyers and receive payments, eliminating the need to operate in physical locations, such as brothels, apprehending perpetrators has become more challenging for law enforcement officials. (21,24,79) Public prosecutors and local law enforcement sometimes accepted bribes to influence trafficking prosecutions and arrests. (60) There are also incidences of police alerting human traffickers of forthcoming law enforcement operations and refusing to file reports against accused officials. (6,24,57) In Assam, West Bengal, and Jharkhand, police were ordered by state officials to register human trafficking cases as kidnapping cases to reduce the official number of human trafficking cases. In addition, some victims of human trafficking across the country faced mistreatment from the police, and some authorities arrested, fined, penalized, and deported some child trafficking survivors for crimes their human traffickers compelled them to commit. (6) Though banned in 1988, the *jogini* system, in which girls as young as age 12 from some the lower castes are married to a local deity and used as sex slaves, is still prevalent in some parts of India. (65,80) Enforcement of laws prohibiting this practice is rare. (81)

There is insufficient enforcement of the Bonded Labor System (Abolition) Act, including a lack of prosecutions and proper victim identification. (13,44,57,82) Case acquittals are common due to inadequate preparation, court backlogs, and a lack of prioritization. (68,83,84) In addition, local and state politicians avoided prosecution for holding workers in bonded labor in agriculture or brick kilns by leveraging their political connections. (6,13,21,57) While some states have standard operating procedures to assist survivors of bonded labor and the worst forms of child labor, other state governments lacked similar procedures and did not issue release certificates or provide adequate financial assistance to bonded labor victims without significant advocacy from NGOs. (6,24,59) Children were rarely classified as bonded labor victims due to lack of identity documents and inconsistent testimony. (6) Moreover, the penalties assessed for bonded labor crimes were insufficient to deter violations. (6) Reports also indicate that employers trap more than 60 percent of survivors back in bonded labor after they are freed. (6)

A dearth of investigations into human trafficking crimes and the sexual and physical abuse of human trafficking victims at government-run and private shelters has reportedly encouraged a sense of impunity for shelter employees. (6,85,86) Moreover, some human trafficking survivors remained in state-run shelters for an extended time due to a lengthy repatriation process, further exacerbating their vulnerability. (6,85,86) In addition, staff members lacked proper training to recognize signs of abuse and to alert the authorities. (6) Research was unable to determine whether programs to protect children from physical and sexual abuse in shelter homes have since been implemented.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

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

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

Coordinating Body	Role & Activities
Child Labor Coordinating Bodies	The Task Force to Implement the Child Labor Act (CLA) coordinates implementation of child labor laws, led by the Ministry of Labor and Employment (MOLE), and comprises 12 officials from the federal and state governments. (87) This task force met twice in 2022 to issue instructions to states on the implementation of the CLA. (7) MOLE also instructed states to input child labor enforcement data into a common portal, PENCIL. (60) The Central Advisory Board on Child and Adolescent Labor also monitors the implementation of existing legislation and programs related to child labor. Chaired by MOLE and comprises 45 board members, including government officials and NGO representatives. (88) The board met once in 2022. (7)

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 a lack of action by some states to establish action plans to eliminate child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Policy on Child Labor	Aims to address child labor and includes specific activities for the provision of assistance to children. (89) Overseen by MOLE and the Ministry of Women and Child Development. (18,57,90,91) In 2022, actions taken under this policy have provided services to help rehabilitate thousands of children from child labor. (10,50)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children, including age-appropriate classes for children released from child labor and child trafficking. (18,92,93) Seeks to develop community-based prevention, identification and release procedures, victim services, and reintegration mechanisms, and strengthen institutions to address the worst forms of child labor. (92,93) Research was unable to determine whether activities were undertaken to implement the National Plan of Action for Children during the reporting period.
State Action Plans on Child Labor	Exist in only 11 out of 28 states and Union Territories: Andhra Pradesh, Bihar, Delhi, Gujarat, Jharkhand, Karnataka, Meghalaya, Odisha, Punjab, Tamil Nadu, and Uttar Pradesh. (50,56,59,94) Research was unable to determine whether activities were undertaken to implement these state action plans during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs to eliminate child labor (Table 10). However, gaps persist in these social programs, including the exclusion of government-run, government-funded, and privately-run shelter homes that provide assistance to survivors of the worst forms of child labor.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
National Child Labor Project (NCLP) Scheme†	MOLE program that operates at the district level to identify working children, removed them from hazardous work, and provide them with education and vocational training. (4,90) Comprised of approximately 3,000 NCLP Special Training Centers (STCs) with approximately 120,000 children who receive support such as stipends, meals, and health checkups. (90) From April 2021 to March 2022, during the pandemic, the NCLP program removed 13,271 children from child labor and provided services to victims, a decrease from 58,289 releases from the previous reporting period. (7,10) The decrease is due to the merging of the scheme with the Department of Education's <i>Samagra Shiksha Abhiyan</i> (SSA, or Comprehensive Education Campaign) towards the end of 2022. (7) In March 2022, the government discontinued the STCs and encouraged states to send former child labor victims to local schools. Observers note that since the closures of the STCs, many children have re-entered the labor market as local schools cannot accommodate all released children and do not provide the aftercare services that child laborers require. (95,96)
Central Sector Scheme for Rehabilitation of Bonded Laborers‡	MOLE program that provides released bonded laborers with financial assistance and social protection services. (90) Supports funding of surveys at the district level on the prevalence of bonded labor. (97) In 2022, the government increased the compensation for bonded labor survivors from USD \$125 to \$375. (7,98,99) However, research was unable to determine whether this program has effectively provided services to former bonded laborers. Recent media reports suggested that as of April 2022, some released bonded laborers have yet to receive compensation. (100)
Anti-Human Trafficking Activities‡	Ministry of Women and Child Development-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (101) Support projects to help reintegrate, provide services, and repatriate human trafficking survivors, including children, through the <i>Ujjwala</i> and <i>Swadhar Greh</i> projects. (101) In 2022, the Ministry of Women and Child Development merged the <i>Ujjwala</i> and <i>Swadhar Greh</i> schemes in the <i>Shakti Sadan</i> scheme, with is an integrated relief and services project. These homes have provisions for shelter, food, clothing, and primary health. (60) Observers have reported that government supported trafficking shelters have not received adequate funding and many have been operating at a deficit. (102) Due to unsafe conditions coupled with alleged abuse by caretakers, authorities reported multiple instances in 2022 in which children ran away. (6)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† 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.

In 2022, the District Legal Services Authority helped 280 children working in brick kilns join schools under the new initiative *Ek Adhera Se Ujale Ki Aur* ("From Darkness Towards Light"). (103) The National Commission for the Protection of Child Rights (NCPCR) also developed a new protocol to assist Child Welfare Committees in repatriating children in need of care back to their families. (104) Moreover, the NCPCR identified and provided aftercare services to 20,000 street children in 2022. (105)

The Government of India continued to restrict some foreign donations to NGOs, some of which work on human and child rights issues in India, through enhanced enforcement of the Foreign Contribution Regulation Act (FCRA). (102,106,107) Research was unable to determine how the FCRA amendment has impacted organizations that provide services to children, including child labor survivors. However, reports indicate that the

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government is using the FCRA to decline or cancel registrations, which makes operating in the country illegal, as well as to silence and restrict civil society organizations from working to address human rights concerns that the Indian authorities perceive as critical of the government. (102,107,108)

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	Ensure that the types of hazardous work prohibited for children under age 18 include 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 – 2022
	Ensure that India's child trafficking laws do not require threats, the use of force, or coercion to be established for the crime of child trafficking.	2022
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2022
Enforcement	Employ at least 34,922 labor inspectors to ensure adequate coverage of the labor force of approximately 523.8 million people.	2021 – 2022
	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 – 2022
	Ensure adequate training for labor law inspectors and criminal law investigators.	2019 – 2022
	Ensure that law enforcement officials investigate child labor crimes and register police complaints in a timely manner, including for cases involving bonded labor.	2021 – 2022
	Ensure that penalties are consistently imposed for violations related to child labor, including the worst forms of child labor, to meaningfully deter violations, and ensure that a reciprocal referral mechanism exists between criminal authorities and social services.	2021 – 2022
	Collect and publish national-level data from all state governments on criminal law enforcement efforts, including trainings for criminal investigators, the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions.	2009 – 2022
	Ensure that the Anti-Human Trafficking Units are fully established.	2019 – 2022
	Enforce laws related to bonded labor and labor trafficking under the Bonded Labor System Abolition Act and ensure that survivors are properly compensated in accordance with the law.	2021 – 2022
	Ensure that bonded labor cases are fast tracked and that state governments issue release certificates and provide financial assistance for bonded labor victims, including full compensation for those freed from bonded labor.	2021 – 2022
	Ensure that law enforcement officials who mistreat human trafficking survivors or delay registering human trafficking cases, face proper disciplinary action.	2021 – 2022
	Ensure that all the states in India adhere to the 1-year timeline for prosecution mandated for crimes covered by the Protection of Children from Sexual Offences Act.	2022
	Increase prosecution rates for human trafficking cases and seek appropriately stringent sentencing following convictions.	2021 – 2022
	Ensure that politically connected individuals on the local and state levels face prosecution for holding agricultural and brick kiln workers in bonded labor.	2021 – 2022
	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 – 2022
	Ensure that there is implementation of survivor 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 – 2022
Ensure laws prohibiting the practice of the <i>Jogini</i> system is adequately enforced.	2022	
Investigate suspected abuses and misconduct at government-run and government-funded, and privately-run shelter homes, and ensure that all shelter homes are registered and subject to adequate oversight, have mechanisms in place to protect children from physical and sexual abuse, and that all staff members receive adequate training on how to recognize and report signs of abuse.	2018 – 2022	

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Encourage states and territories that do not currently have action plans for the elimination of child labor to establish such plans.	2011 – 2022
	Ensure that activities are undertaken to implement the National Plan of Action for Children, and the State Action Plans on Child Labor and publish results from activities undertaken to implement these plans.	2018 – 2022
Social Programs	Ensure that enforcement actions, coordination efforts, policies, and programs are informed by publicly available data.	2022
	Ensure equitable and broad access to education, including for children from lower-castes, provide adequate financial resources for remote learning assets and penalize education officials who engage in discrimination and harassment of children.	2014 – 2022
	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 urban slums where inadequate infrastructure options limit access to education.	2021 – 2022
	Ensure that data on exploitative child labor is collected and findings made available to the public, including findings from district-level bonded labor surveys and raw data from the national census.	2009 – 2022
	Ensure that children removed from child labor situation receive adequate aftercare services and are prevented from re-entering the labor market.	2022
	Ensure that shelters are safe and not operating as hostels by providing accommodations to non-survivor guests.	2021 – 2022
	Ensure the impact of the Foreign Contribution Regulation Act on civil societies working to address child labor exploitation is minimized.	2022
	Ensure that funding for human trafficking shelters is adequate and released in a timely manner.	2022

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