

## SIGNIFICANT ADVANCEMENT

In 2018, India made a significant advancement in efforts to eliminate the worst forms of child labor. The government drafted the Trafficking of Persons (Prevent, Protection and Rehabilitation) Bill, which criminalizes and enhances penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. It also established a new task force to implement the Child and Adolescent Labor (Prohibition and Regulation) Act and distributed a new data collection form that requires state governments to annually report to the National Crime Records Bureau specific details of human trafficking cases that occur at the district level. During the reporting period, police and child protection officers in several states conducted raids to rescue children from hazardous child labor and commercial sexual exploitation. In addition, the Government of the National Capital Territory of Delhi issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor and drafted a policy to combat human trafficking. 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. Hazardous work prohibitions do not include all occupations in which children work in unsafe and unhealthy environments for long periods of time, and penalties for employing children may be 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. (I-3) Table I provides key indicators on children's work and education in India.

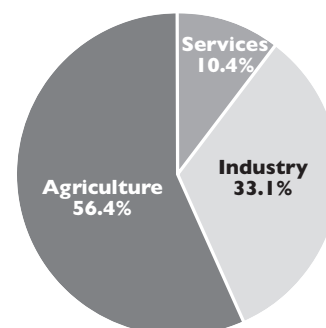
**Table I. Statistics on Children's Work and Education**

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 (%)		94.5

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019.(4)

Source for all other data: International Labor Organization's analysis of statistics from National Sample Survey Round 68 (NSS-R68), 2011–2012.(5)

**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.

**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 (6-16)
	Processing cashew nuts and seafood (17-20)

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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> ) (3,21-28)
	Manufacturing glass bangles,† imitation jewelry, locks,† brassware,† and polishing gems (29-37)
	Rolling cigarettes ( <i>bidis</i> ),† manufacturing incense sticks ( <i>agarbatti</i> ),† fireworks,† and matches† (38-41)
	Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (42-46)
	Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (2,47-54)
Services	Domestic work (55,56)
	Working in hotels, food service, and tourism services (57-61)
	Street work, including scavenging and sorting garbage (62)
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 (63-65)
	Forced labor in producing bricks, quarrying stones, and in rice mills (2,66-71)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles ( <i>zari</i> ) (1,23,24,27,72-75)
	Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (34,36,37,76-81)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (55, 65, 82, 83)
	Commercial sexual exploitation, sometimes as a result of human trafficking (65, 84)
	Recruitment of children by non-state armed groups for use in armed conflict (65,85)
	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 (86,87,88)

† 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. (65,84) 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. (2,89) 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. (23,63) In addition, non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha, and as soldiers in Jammu and Kashmir. (85,90,) Maoist groups sometimes used children as human shields in confrontations with security forces. (92) Unverified reports allege national security forces also use children as informants and spies. (90) Some female child soldiers reported that commanders recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (65,85,90)

Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be children from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (65) Children from marginalized groups also face barriers to accessing education. Teachers sometimes subject these children to discrimination and harassment. (93,94)

## 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 Labor (Prohibition and Regulation) Act (95)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labor (Prohibition and Regulation) Act (95)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labor (Prohibition and Regulation) Act (96)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (97,98,99)
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 (98,100)
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 Offense Act; Section 67B of the Information Technology Act (98,100,101,102)
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 (99,103)
Minimum Age for Voluntary State Military Recruitment	Yes	16	
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 (104)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (104)

\* No conscription (105)

In 2018, the Ministry of Women and Development drafted a new anti-trafficking bill titled, The Trafficking of Persons (Prevent, Protection and Rehabilitation) Bill. The bill would criminalize and enhance penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. (106) However, the bill must be approved by both houses of parliament and the president to become law. (107)

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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. (95,104) Despite evidence that children work in unsafe and unhealthy environments for long periods of time in spinning mills, garment production, carpet making, and domestic work, not all children under age 18 are prohibited from working in occupations related to these sectors. (21,25,3,96)

Although sources report that the minimum age for voluntary recruitment into India's Armed Forces is 16 and that individuals must be 18 to be deployed, research did not uncover a copy of the pertinent legislation. (108)

### 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 the state government Labor Inspectorates 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. (107) Refer children to Child Welfare Committees for protection and rehabilitation services. (99)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (108) Submit information to District Magistrates to determine if a case should be prosecuted in District Court. (109) Refer children to Child Welfare Committees for protection and rehabilitation services. (99)
State and District-level Anti-Human Trafficking Units	Investigate cases of human trafficking. Established in 264 local police jurisdictions throughout India. (108)
Central Bureau of Investigation's 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. (110)
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, and human trafficking, as well as those living on the streets. (99) Established 710 committees across the 660 districts in India. (111)
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and subdivision levels by the District Magistrate. (97)

### Labor Law Enforcement

In 2018, 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 that the number of labor inspectors may be insufficient for adequate enforcement.

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

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (113)	Unknown (107)
Number of Labor Inspectors	Unknown (113)	Unknown (107)
Inspectorate Authorized to Assess Penalties	Yes (113)	Yes (107)
Initial Training for New Labor Inspectors	Yes (113)	Yes (107)
Training on New Laws Related to Child Labor	Yes (114)	Yes (107)
Refresher Courses Provided	Yes (113)	Yes (107)
Number of Labor Inspections Conducted	Unknown (113)	125,429 (115)
Number Conducted at Worksite	Unknown (113)	Unknown (107)
Number of Child Labor Violations Found	47,635 (116)	66,169 (116)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (113)	Unknown (107)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (113)	Unknown (107)
Routine Inspections Conducted	Yes (113)	Yes (107)

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

Overview of Labor Law Enforcement	2017	2018
Routine Inspections Targeted	Yes (113)	Yes (107)
Unannounced Inspections Permitted	Yes (113)	Yes (107)
Unannounced Inspections Conducted	Yes (113)	Yes (107)
Complaint Mechanism Exists	Yes (113)	Yes (117)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (113)	Yes (107)

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. The central government seeks to collect data on national and state actions taken to address child labor violations. (107,118,119) Penalties for violating the Child and Adolescent Labor (Prohibition and Regulation) Act are likely insufficient to deter employers from hiring children. (107) Penalties include imprisonment for 6 months to 2 years and/or fines ranging from \$300 to \$700, but imprisonment is rare and maximum fines are infrequently levied. (95)

The government reported rescuing 66,169 children from child labor situations in 2018-2019 under the National Child Labor Project scheme; however, it did not provide information on the number of violations in which financial or other penalties were imposed and then collected for these violations. (115,120)

### **Criminal Law Enforcement**

In 2018, 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 the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (114)	Unknown (107)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (114)	N/A (107)
Refresher Courses Provided	Yes (114)	Yes (107)
Number of Investigations	Unknown	Unknown (107)
Number of Violations Found	1,691 (120)	942 (120)
Number of Prosecutions Initiated	1,276 (120)	624 (120)
Number of Convictions	695 (120)	586 (120)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (113)	Yes (107)

The Constitution of India gives state governments primary responsibility for criminal law enforcement. (113,118) During the reporting period, police and child protection officers in some states conducted raids and other law enforcement actions to rescue children from hazardous child labor and forced labor. The greatest numbers of children were withdrawn from work in Madhya Pradesh, West Bengal, and Uttar Pradesh states. (56,121,116)

While the National Crime Records Bureau collects law enforcement data from state governments regarding criminal cases involving the worst forms of child labor, the government has not released comprehensive data for the 2017 or 2018 reporting periods. (122) However, the Ministry of Labor and Employment reported to Parliament that in 2018 there were 624 prosecutions and 586 convictions in cases involving violations of the Child Labor Act, although it did not provide sentencing data for these cases. (115,116) News reports indicate that some perpetrators received prison sentences for trafficking children for commercial sexual exploitation during the reporting period. (123,124)

In several states, lack of thorough investigations into suspected human trafficking crimes by local and state-level law enforcement, reported cases of physical and sexual abuse of trafficking victims residing at shelter homes, and

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poor oversight of government-run and government-funded shelter homes created an atmosphere of impunity for shelter home employees to engage in sex trafficking and forced labor, including of children. In Deoria (Uttar Pradesh state), despite 20 letters from the district government requesting district authorities to shut down a government-funded but privately-operated shelter home whose registration was cancelled in 2017, police continued to send over 400 women and children to the shelter home over the period of two years, and shelter home employees exploited many in sex trafficking. (90,125) When the abuse became known, the district officer was suspended and law enforcement authorities arrested the shelter home manager and four employees three days after the initial raid on charges of child trafficking. (125) In a separate case in Agra in October 2018, a judge convicted the warden of a state government-run shelter home with a sentence of life imprisonment for selling shelter home residents, including children, into sex trafficking. (90,125)

During the reporting period, a report commissioned by the Bihar state government identified abuse, varying in forms and degrees of intensity, prevalent in more than 100 government-funded women and child care institutions across the state, including “grave concerns” requiring immediate attention in 17 institutions. In one case, government officials were reportedly complicit in child sex trafficking and forced labor of children. (90) Investigations were launched, evidence of physical and sexual abuse of victims emerged, and a number of prosecutions were initiated. (125) NGOs commended the Bihar government for undertaking the study and allowing the investigator full authority to report on all institutions without interference. In November, India’s Supreme Court ordered the Central Bureau of Investigation to take over investigation of the 17 shelter homes with the gravest concerns of abuse and subsequently mandated that all state governments in India audit the condition and supervision of state-run and state-funded shelter homes. (90,127) The National Commission for Protection of Child Rights audited 7,023 homes that provide shelter to children and at the end of the reporting period was finalizing the information to be submitted to the Supreme Court. (90,127)

## 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 Labour (Prohibition and Regulation) Act . Led by Ministry of Labor and Employment (MOLE) and consists of 12 officials from the federal and state governments. (128) Convened the first task force meeting in October 2018. (129)
Central Advisory Board on Child and Adolescent Labor	Convenes board members to review the implementation of existing legislation and programs related to child labor, as well as proposes new welfare measures for child labor. Chaired by MOLE and consists of 45 board members, including government officials and NGO representatives. (130) In January 2018, MOLE convened a meeting of the board. (131)
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. (132) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (133) During the reporting period, the National Commission for the Protection of the Child Rights conducted two statutory meetings , and 29 state commissions convened for a workshop on the functioning of State Commissions for Protection of Child Rights. (134-136)
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. (137,138)
Platform for Effective Enforcement for No Child Labor (PENCIL) 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 NCLP scheme. (156,157) Between September 2017 and November 2018, 565 complaints were recorded through the portal. (107)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.



## 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. (142) During the reporting period, the policy was implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD). (143,144)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (153,154) 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 to strengthen institutional mechanisms to address the worst forms of child labor in order to meet the NPC objective that all children are protected from exploitation. (153,154) During the reporting period, the policy was implemented through programs operated by MOLE and MWCD. (143,144)
State Action Plans on Child Labor	Detail state governments' activities and programs to eliminate child labor. Child labor action plans are in place in only 10 state governments: Andhra Pradesh, Bihar, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (107,145-152) Research was unable to determine what activities were undertaken to implement the state action plans during the reporting period.

In 2018, the Government of the National Capital Territory drafted the “Policy on Rehabilitation and Combating Trafficking of Women and Children,” which seeks to establish a rehabilitation fund for women and children who were trafficked for commercial sexual exploitation. The draft policy also establishes district and state-level coordination committees to undertake prevention and rehabilitation activities. (115,155)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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. Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (143) Comprises approximately 3,000 NCLP special training centers that accommodate approximately 120,000 children. (143) Between April 1, 2017 and March 31, 2018, the program rehabilitated 47,345 children who were rescued from child labor. (107)
Integrated Child Protection Scheme (ICPS)†	MWCD scheme that 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, as well as non-institutional care in foster homes and adoptive families. Provides rehabilitation and reintegration services to rescued children. (144) 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. The budget allocated for the program was increased during the reporting period. (144)
Childline†	MWCD-funded 24-hour toll-free emergency telephone service for children in distress. 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. (144,158) During the reporting period, MWCD approved the expansion of the program to new locations. (144)
TrackChild and Khoya-Paya†*	MWCD-implemented 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. (144,159) Track Child's Khoya-Paya (Lost and Found) website allows parents and the general public to report and search for missing children. Program was active during the reporting period. (144,160)
Central Sector Scheme for Rehabilitation of Bonded Laborers, 2016†	MOLE program that rescues and rehabilitates adult and child bonded laborers. Provides rescued bonded laborers with financial assistance and social protection services. (143) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. As of September 30, 2017, more than \$14 million was provided to state governments for the rehabilitation of 289,222 bonded laborers. (143)

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

Program	Description
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (161) Support projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> scheme. Also provides short-term housing and rehabilitation services, including vocational training for women and adolescent girls, through the <i>Swadhar Greh</i> scheme. (161) Programs were active during the reporting period. (115,161)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) 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. (162) In 2018, the ILO consulted with the State Governments of Bihar, Chhattisgarh, and Uttar Pradesh to identify program outcomes, which will include designing policies that converge government-programs relevant to child labor, updating state and district child labor survey questionnaires to align with India's amended Child Labor Act, and developing trainings to address knowledge gaps on child labor. For additional information, please see our website.

\* Program was launched during the reporting period.

† 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. (163)

In 2018, the Government of the National Capital Territory of Delhi issued standard operating procedures for the immediate release of financial assistance to adults and children rescued from bonded labor. (164) However, 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. (115,165) In 2018, state governments did not provide full compensation to any bonded labor victims. In addition, NGOs in some states reported problems with obtaining initial compensation. (90) The delays in distributing financial assistance reportedly contributed to the re-victimization of bonded laborers, including children. (90, 126) In addition, state governments conduct district-level surveys on bonded labor under the Scheme for Rehabilitation of Bonded Labor, but data were not available on the number of victims of bonded labor, including children. (115)

During the reporting period, media, NGOs, and Indian authorities documented a persistent lack of oversight as well as negligence in government-run, government-funded, and privately-run shelter homes, sometimes resulting in abuse and trafficking of residents, including children. In one case, 30 girls residing at a shelter home were reportedly exploited in sex trafficking. (90) In addition, due to unsafe conditions and forcible detention in government-run and -funded shelter homes, some sex trafficking victims—including children—ran away, and at least one attempted suicide in the shelter home during the reporting period. In several instances, government-funded shelter homes continued to operate despite significant gaps in mandatory reporting and allegations of abuse. (90) In response, the government began developing a comprehensive program for quarterly monitoring and reporting on the country's 7,023 shelter homes that provide care to children. (90,127)

In August 2018, the central government committed to audit all shelter homes for children. As of September, authorities had surveyed approximately one-third of all shelter homes. (90) In September, the state of Uttar Pradesh issued interim guidelines for the management of shelter homes in the state, and the Bihar state government announced that it would assume management of all government-funded and NGO-run shelter homes by December 2018; it is unknown whether this transfer of management has taken place. Also in September, the Supreme Court ordered the Ministry of Women and Child Development (MWCD) to formulate a child protection policy to prevent abuse in government-run and -funded shelter homes. (90) A draft policy was released for public comment in December 2018. The Supreme Court further implored the MWCD to present an update on incidents of child sexual abuse in all shelter homes; MWCD had not produced this report by the close of the reporting period. (90,127)

In April 2018, to improve data collection and reporting, the Government of India distributed a new comprehensive form that requires all state governments to annually report to the National Crime Records Bureau specific details of human trafficking cases that occur at the district level. (90,127)



## 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	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 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	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 of inspections conducted at workplaces, and the number of penalties imposed and collected for child labor law violations.	2014 – 2018
	Create meaningful penalties for employment of children in prohibited child labor to ensure that they adequately deter violations.	2014 – 2018
	Collect and publish national-level data from all state governments on whether new criminal investigators receive training, the number of criminal investigations, and punishments for all crimes involving the worst forms of child labor. Clarify in existing data whether cases reported involve multiple offenders.	2009 – 2018
	Fully implement the standard operating procedures that provide financial assistance to victims, including children, rescued from bonded labor.	2018
	Investigate suspected abuses and misconduct at government-run and government-funded shelter homes.	2018
	Ensure that public officials that facilitate or participate in the worst forms of child labor are held accountable.	2018
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 – 2018
	Publish information about activities that were undertaken to implement the state action plans during the reporting period.	2018
Social Programs	Penalize education officials who engage in discrimination and harassment of children, and reduce barriers to education, in particular for children from marginalized communities.	2014 – 2018
	Ensure that shelter homes are free of abuses, including forced labor and sex trafficking of children.	2018
	Ensure that state governments are issuing release certificates and financial assistance to victims, including children, rescued from bonded labor.	2018
	Make data and findings from district-level bonded labor surveys publicly available.	2009 – 2018

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