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THE CHANGING NATURE OF CHILD LABOUR IN INDIA'S DIGITAL ECONOMY

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Abstract

Child labour has traditionally been understood as the engagement of minors in physical or hazardous work that deprives them of education and the opportunities to enjoy their childhood. According to the International Labour Organization, Child Labour refers to work that deprives children of their childhood, their potential and their dignity, that is harmful to their physical and mental development. with the rapid growth of social media and other digital platforms. Child labour in India's digital economy is an important issue within India's growing economy. Children are increasingly involved in monetised online content creation in several platforms such as YouTube, Instagram etc. They are no longer a passive consumer of digital content, they are the creators, performers, and even brand ambassadors. From unboxing toys to starring in family digital video Vlogs etc. Child influencers have become a major force in digital marketing. These activities are often framed as harmful fun and raises serious questions about child labour, privacy and in the productive growth of children. This paper explores the phenomenon of child influencers as a form of "new digital labour" within the Indian legal framework. The study also explores whether the existing laws are adequate to address the realities of digital child labour. Moreover, the study will bring a comparative analysis with international legal frameworks governing child performers.

Keywords:- Digital Child labour, Creator economy, social media, Child influencer, Legal protection

Introduction

Childhood is one of the greatest gifts to humanity, representing a formative and decisive phase of human development that shapes not only individual lives but also the future of society. Therefore, proper physical, mental, and social growth of a child is essential for every society. When children start working before a standard age of work, they unnecessarily compromise

their current wellbeing.¹.According to the International labour Organization (ILO), in the year 2020 Approximately 160 million children were engaged in child labour globally with 79 million involved in hazardous work. International Labour Organization and UNICEF in the year 2021 reported² that the rise of social media has blurred the line between childhood play and professional work.³ The digital era poses challenges for the creation of decent jobs. It traces the gaps in existing laws and examines constitutional safeguards of dignity, education, and protection from exploitation⁴.

In the digital era, the boundary between childhood plays and professional work has become increasingly changed. India's rapidly expanding digital infrastructure marked by over 560 million internet users and widespread access to low-cost smartphones has transformed the ways in which children interact with education, entertainment, and communication. While this digital inclusion offers immense opportunities, it also introduces complex challenges. Children are no longer merely passive consumers of online content many have become active participants in digital economies. From child-centric YouTube channels and gaming livestreams to family vlogs and sponsored social media content, children and adolescents across India are now earning money, visibility, and influence online⁵.

This seemingly empowering phenomenon raises a critical legal and ethical question that, does such digital engagement constitute a modern form of child labour? This emerging reality exposes the inadequacy of India's existing legal framework to address the exploitation of children in digital spaces. Current child labour laws, particularly the Child Labour (Prohibition and Regulation) Act, 1986, do not recognise or regulate digital content creation, online brand endorsements, advertising revenues, or viewer-based monetisation involving children. Similarly, the Information Technology Act, 2000 enacted at a time when digital spaces were largely adult-centric so fails to account for the commercialisation of children's online presence. As a result, children remain trapped in a legal vacuum, exposed to cyberbullying, grooming, mental trauma, loss of privacy, and long-term economic and reputational harm, with little legal recognition or protection. The monetisation of children's digital visibility therefore raises

¹ Alok Kumar Meena, 'Child Labour in India: Initiatives and Challenges'(2023) 8 (2) IJSDR <<https://www.ijedr.org/papers/IJSDR2302169.pdf>>accessed 04 April 2026

² Pallavi Rai, 'Child Labour Vs Digital Child Labour: Case Study'(Researchgate,1 September 2025) <https://www.researchgate.net/publication/395972083_Child_Labour_vs_Digital_Child_Labour_A_Case_Study>accessed 04 April 2026

³ Nidhi Singh, 'The new digital labour: Legal and ethical frameworks for protecting child influencers in a monetized world'(2025) 5(5) IJIRL <<https://ijirl.com/wp-content/uploads/2025/10/THE-NEW-DIGITAL-LABOR-LEGAL-AND-ETHICAL-FRAMEWORKS-FOR-PROTECTING-CHILD-INFLUENCERS-IN-A-MONETIZED-WORLD.pdf>>accessed 05 April 2026

⁴ ibid

⁵ ibid

urgent concerns regarding exploitation, autonomy, dignity, and consent. In light of these realities, there is a pressing need to re-examine India's constitutional safeguards and statutory protections to determine whether they are adequate to respond to the evolving nature of child labour in the digital age⁶

Research Problem

India's rapidly expanding digital creator economy has witnessed a significant rise in the participation of minors. With over 83,000 kid influencers under 16 years of age active on Instagram as of March 2025 and 37% of Generation Alpha aspiring to become social media influencers, children are increasingly engaged in monetised content creation that generates real commercial value for brands and platforms yet remains largely unregulated⁷. While traditional child labour laws in India, such as the Child and Adolescent Labour (Prohibition and Regulation) Act, were designed to curb hazardous physical labour and protect education and development, they do not explicitly address the unique forms of digital work, algorithmic pressures, parental management, privacy harms, or economic exploitation inherent in online influencer activities. This gap raises urgent questions about how existing legal frameworks can recognise and regulate "Digital Child Labour" and protect minors' rights in the creator economy while balancing opportunities for creativity and expression⁸. The research will examine whether current Indian laws provide adequate safeguards for child content creators and explore comparative international models to propose child-centric regulatory responses

Objectives of the Research

1. To examine the extent and nature of minors' participation in India's digital creator economy
2. To analyse the adequacy of existing Indian child labour and child protection laws
3. To identify legal, ethical, and socio-economic risks associated with "Digital Child Labour"

⁶ Priyanshi Soni & Hussain Patanwala, 'CHILDREN'S RIGHTS AND ONLINE SAFETY IN INDIA: LEGAL GAPS IN THE INFORMATION TECHNOLOGY ACT AND THE EXPLOITATION OF DIGITAL CHILDHOODS' 4 (4) JLRJSJ, <<https://jlrsj.com/wp-content/uploads/2025/09/177.-Priyanshi-Soni.pdf>> accessed 5 April 2026

⁷ Aparajita Tripathi 'Kid influencers: Balancing compliance and reach' (ETBRAND EQUITY.com 21 May 2025) <<https://brandequity.economictimes.indiatimes.com/news/marketing/kidfluencers-balancing-compliance-and-reach/121300192?utm>> accessed 12 April 2026

⁸ ibid

Meaning of Digital Child Labour

Digital Child Labour refers to a contemporary form of child labour that emerges within digital and platform-based environments, which is different from the traditional physical or hazardous Child labour. The Indian Laws primarily defined Child Labour by age and the nature of work that interferes with a child's education and overall development⁹. However, digital labour is different because it is a less visible form of exploitation. Digital child Labour is informal and usually home based so people might not see it as a work. Children engaged in such activities do not have any clear working hours, there is lack of consent, or legal protections, while their identities, personalities, and private lives are transformed into monetized assets. "Child labour" traditionally describes the exploitation of minors in physical form such as hazardous work in factories, mines, or agriculture etc that deprives them of education, development, and childhood. But now children who have gained fame by means of social media is often referred to as "Kid Influencers"¹⁰. Thus, the absence of immediate or visible harm frequently results in regulatory neglect, despite the serious long-term psychological, educational, and privacy-related consequences associated with this digital child labour.

Causes and Effect of Digital Child Labour

The main causes and effects of child marriage are given below-

1.Growth of the informal and unorganized economy

Digital Child Labour is largely found in the informal sector where there is no laws or are weakly implements. Children are mostly chosen by such unorganized organisations because they are easy to control, and they have less demand regarding anything. As there is no authority to monitor these illegal activities they prefer digital child labour as safe option. This allows exploitation to continue unnoticed. Such work also does not have any fixed working hours or safety measures. Thus, children work long hours under unsafe conditions.

2.Digital Child Labour under the Cover of Family Activities

Digital Child labour is often hidden inside family activities, So it looks like fun with the family which indirectly includes works. Today's Parents involve their children in creating online content to upload them in YouTube, Instagram reels, or short videos etc in order to earn money.

⁹International Labour Organization, Definition :What is meant by child labour' (ILO13July 2011) <https://www.ilo.org/resource/definition-what-meant-child-labour>accessed 14 April 2026

¹⁰ Zoya hafiz 'The capacity to Contract of Minor Social Media Influencers in India' 7 (6),IJLHM <<https://ijlmh.com/paper/the-capacity-to-contract-of-minor-social-media-influencers-in-india/> >accessed 14 April 2026

This work is presented as fun, learning, or talent development rather than child labour. Children are made to act, speak, edit, or repeatedly perform tasks for content. Since the complete activities are done at home, it remains hidden. The Parents usually manage the accounts and earn money through advertisements and sponsorships. The child has no control over income or working hours¹¹.

3.Easy Income Generation through Digital Platforms

One of the major cause of digital Child Labour is that it is a easy way to generate income. This only required a smartphone and the skill to use it. By simply creating a youtube channel or Instagram account they update about their day to day activities in the form of vlog and short videos. These all can be done with minimal cost and also do not consume much time¹². Children are encouraged to appear regularly to increase views and followers. Parents see this as a quick way to earn through ads and sponsorships. The work looks simple and enjoyable, so it is not seen as labour. However, children are required to perform daily and follow online trends which ultimately have a negative impact on their mental health.

4. Social Media Trends and the Race for Online Popularity

Social media trends and the race of popularity is One of the major causes of digital child labour in India. It is the growing trend of featuring children on social media platforms such as Instagram and YouTube to gain views and followers. The online users often follow the social media trends. It may be regarding a viral song dance, or acting on a viral dialogue etc. When they act on those viral trends with their children, they usually get more views and followers, so in the race of popularity such activities help them to become popular in social media¹³.

5.Lack of Awareness

Lack of awareness among the parents and guardians can be a cause of digital child labour. Parents sometimes start showing their children on social media as fun and in their free time. But gradually the time and activities start increasing. Those parents who are unknowingly using their children in social media should be made aware about their children's privacy and negative

¹¹ D Taniya Singh 'Kidfluencers and the Legal Void: Childhood in the Content' (Legal Service India,13 October 2025) <<https://www.legalserviceindia.com/Legal-Articles/kidfluencers-and-the-legal-void-childhood-in-the-age-of-content/%3e%20accessed> > accessed 20 April 2026

¹² Ibid

¹³ D Taniya Singh 'Kidfluencers and the Legal Void: Childhood in the Content' (Legal Service India,13 October 2025) < https://www.legalserviceindia.com/Legal-Articles/kidfluencers-and-the-legal-void-childhood-in-the-age-of-content/?utm_source=chatgpt.com%3e%20accessed > accessed 20 April 2026

impact on their mental health.

6. Lack of Proper Laws to Regulate Digital Child Labour in India

Another important cause of Digital Child Labour is the absence of clear and specific laws to regulate digital child labour in India. The existing child labour laws mainly focus on factories, mines, and physical workplaces. Digital platforms like YouTube, Instagram etc are not clearly covered under these laws. Thus, it can be said that digital child labour are ignored by the legal authorities as there is no law specifically identifying the working hours, earnings, and other rules regarding digital works for children. Parents or guardians generally control the income generated from the digital child labour. The platforms which provide such facilities also lacks Child labour monitoring mechanisms. These legal gaps allow digital exploitation of children.

Effects

1. Loss of Childhood and Emotional Well-being

Digital child labour deprives children from their childhood. The children who play an active role in social media platforms spend very less time outdoors with other children. Because they follow a scheduled time for their online performances or activities. The constant demand to perform for online audiences creates emotional as well as physical pressure, which ultimately leads to stress, anxiety and other mental issues among the young children.¹⁴

2. Violation of privacy and Digital safety Risk

In digital child labour, the personal life of children are exposed on social media platforms without their consent. Capturing their private moments and creating videos of their private moments can create threats to their privacy. As online things are accessible to everyone on social media. Sharing locations and other details can be risky too. They can be a victim of cyberbullying, stalking etc. This lack of digital privacy not only threatens their safety but also undermines their dignity and right to personal space in the long term¹⁵.

¹⁴ Siva, N, Jena, Sumitra, Dhanya, V. Senapati, Puspanjali Praharaj, Manisha Das, Sasmita Tripathy, Parvati Dash and Mrityunjay 'Impact of Social Media on Parenting Style and Child Behaviour in India: A Systematic Scoping Review' (2025)8(4)

AJSHB <https://journals.lww.com/shbh/fulltext/2025/10000/impact_of_social_media_on_parenting_style_and.1.aspx> accessed 15 April 2026

¹⁵ Abdikadir Issa Farah 'From Policy to Practice: Bridging Gaps in Child Safeguarding Implementation in Somali Education' (2023)11(12) IJSER <<https://www.ijser.in/archives/v11i12/SE231206180138.pdf>> accessed 25 April 2026

3. Negative impact on Education

Education is one the most important fundamental rights in India. Digital content creation often interferes with the educational development of children. At the age when education should be one of the major goals, they spend time on activities which are actually making them away from education. Online content creation and other activities of social media are time consuming and reduce their focus on studies. Many children miss classes, struggle to complete homework, or find it difficult to concentrate in school due to exhaustion. When education is not treated as primary activity in their life it limits learning opportunities and negatively affects the child's future academic and career prospects

4. Commercial Exploitation and Financial misuse

The Children who are engaged in digital labour contribute significantly to online income through their videos, advertisements, brand collaborations etc which ultimately exploit them because the children who generate such financial amounts out of their hard work have zero control over those amounts. Mostly their parents and guardians have control over those amounts. Thus, these things actually exploit them. This transforms children into economic assets within the digital economy, raising serious concerns about exploitation, child rights violations, and unethical labour practices¹⁶.

5. Psychological Pressure and Identity issues

Constant exposure to public judgment through likes, shares, and comments places immense psychological pressure on children, affecting their self-esteem and emotional stability. Negative comments or declining popularity can lead to feelings of inadequacy and fear of rejection. Over time, children may begin to associate their self-worth with online validation, resulting in identity confusion and long-term emotional and mental health challenges.¹⁷

6. Normalization of Child Exploitation in Society

One of the major effects of Digital child labour is that It is often portrayed as harmless entertainment or talent promotion, society gradually begins to accept the exploitation of children as normal behaviour. Such normalization behaviour and acceptance of the society

¹⁶ Nidhi Singh, 'The new digital labour: Legal and ethical frameworks for protecting child influencers in a monetized world'(2025) 5(5) IJIRL<<https://ijirl.com/wp-content/uploads/2025/10/THE-NEW-DIGITAL-LABOR-LEGAL-AND-ETHICAL-FRAMEWORKS-FOR-PROTECTING-CHILD-INFLUENCERS-IN-A-MONETIZED-WORLD.pdf>>accessed 05 May 2026

¹⁷ ibid

actually encourage more parents and guardians to indulge their child in such In India, weak regulation and lack of awareness further contribute to the normalization of child exploitation, making it harder to protect children's rights in the digital age¹⁸.

Legal Framework

Constitution of India

The Indian Constitution provides several provisions regarding protection and development of children. Article 21 guarantees the right to life and personal liberty, which also includes dignity, privacy, and protection against exploitation. The Constitution of India states that Article 21A which is the right to education is a fundamental right, It mandates the State to ensure that children between 6 and 14 years receive compulsory primary education. Excessive participation in content creation can encroach on study time and learning opportunities. Moreover, Article 23 of Indian Constitution prohibits trafficking and forced labour, on the other hand Article 24 prohibits employment of children below 14 years in hazardous occupations. Though digital labour is not physically hazardous, it can expose children to cyberbullying, identity theft, and psychological risks, which are modern equivalents of "hazard." Moreover, Directive Principles of State Policy, also provide protection by guiding the state to Prevent exploitation of children through article 39(e) and 39(f) of the Indian Constitution.¹⁹

Child Labour (Prohibition and Regulation) Act, 1986

The Child Labour (Prohibition and Regulation) Act, 1986 prohibits the employment of children below 14 years in hazardous occupations given under its Schedule and regulates their working conditions in non-hazardous work, Moreover The Child Labour (Prohibition and Regulation Amendment Act) ,2016 restrict adolescents 14–18 years from hazardous Work.²⁰ As the Act was drafted before the rise of influencer culture and family vlogging, so it primarily address traditional forms of labour and exploitation and do not explicitly mention about digital child labour or children's participation in online contents.

However, the language used in the Act is broad and technology neutral. Section 79²¹ expands the meaning of "employment" to include entertainment for economic gain, which allows courts to interpret monetised online content involving children as a form of employment if it is

¹⁸ Ibid

¹⁹ The Constitution of India, Art 39(e)

²⁰ Child Labour (Prohibition and Regulation Amendment) Act, 2016

²¹ Child Labour (Prohibition and Regulation) Act, 1986, s 79

exploitative. Similarly, Section 75²² focuses on preventing physical and mental suffering of children and can apply to digital contexts where online exposure causes emotional harm, stress, or humiliation. Therefore, while digital child labour is not expressly recognised under the Act, existing provisions can be purposively interpreted to cover such exploitation, highlighting a legislative gap that may require specific reform.²³

Information Technology Act, 2000

The Information Technology Act, 2000 does not expressly address the concept of child labour. However, several provisions of the Act indirectly become relevant when we see it regarding the participation of minors in India's creator economy. Section 67B²⁴ of the Act is one of the most significant regarding this context, it criminalises creator, publication, transmission, and consumption of electronic content which are sexually exploitative or violation of privacy. Thus this provision provides major protection to minors who are indulged in social media platforms. Moreover Section 67 of the Act complements by prohibiting the circulation of obscene material in electronic form, this may apply to those activities where children are forced to perform unfavourable and illegal exploitative contents for monetary gains. Additionally, Section 79 plays a major role by imposing due diligence obligations on digital platforms. Sections 43A and 72A extend the protective framework by addressing data privacy concerns, particularly where a child's personal information is collected, disclosed, or monetised without adequate safeguards or consent. The above-mentioned provision though do not explicitly address child labour, they highlight how the IT Act, 2000 indirectly provides protection and exposes regulatory gaps regarding lack of awareness, safety, and privacy of minors in India's evolving creator economy.

Juvenile Justice (Care and Protection of Children) Act, 2015

The Juvenile Justice (Care and Protection of Children) Act, 2015 defines children working in contravention of labour laws as "child in need of care and protection" which is under section 2(14)(ii) of the Act²⁵. This definition can be extended to minors engaged in the digital creator economy where the content creation becomes economically exploitative, coercive, or harmful

²² Child Labour (Prohibition and Regulation) Act, 1986, s 75

²³ Jus corpus 'The Emergence of Child Influencers: Legal Protection or Regulatory Vacuum?' (10 December 2025) JCLJ < <https://www.juscorpus.com/the-emergence-of-child-influencers-legal-protection-or-regulatory-vacuum/> > accessed 1 May 2026

²⁴ The Information Technology Act, 2000 s 67B

²⁵ The Juvenile Justice (Care and Protection of Children) Act, 2015 s 2(14)(ii)

to the overall development of children. Though it usually happens at home or at online platforms and not at traditional hazardous factories or workplaces. Section 75 of the Act strengthens the protection towards children by criminalising cruelty to a child, which also includes wilful neglect, abuse, or conduct likely to cause mental or physical suffering regarding minors, subjected to excessive exposure to online harm for profits. Additionally, Section 2(13) defines a “child in conflict with law” this section directly does not deal child labour, but distinguish between children exploited as content creators and those wrongfully blamed for online activities driven by adult control. Together, these provisions allow the JJ Act, 2015 to be interpreted as a protective framework addressing the evolving forms of child exploitation in India’s creator economy, even though it does not explicitly regulate digital labour²⁶.

The Consumer Protection Act, 2019

The Consumer Protection Act, 2019 primarily focuses on protecting consumer. Section 2(28) of the Act defines “misleading advertisement.” This section covers advertisements that falsely represent facts, conceal material information, or exploit consumers. Child influencers or child-led content are used to promote products without clear disclosure or with exaggerated claims. The children who is doing the act is generally unaware of the product. They do the advertisement in a playful mode, which ultimately violates the legal rules. This is closely connected is Section 21, which empowers the Central Consumer Protection Authority (CCPA) to regulate, prohibit, or penalise misleading advertisements, including those that are prejudicial to the interests of children, and to impose penalties to the publishers. In the creator economy, this provision can be extended to situations where minors are used as brand ambassadors of their brand which ultimately leads to exploit them commercially. The ASCI Code, particularly its Guidelines for Advertising to Children and Influencer Advertising Guidelines, plays a major regulatory role which discourages the exploitation of children in advertising and requires transparency in sponsored content involving minors. Thus, it can be said that together, these provisions provide protection to consumer and regulates advertisement as an important, though indirect, legal lens through which digital child labour in India’s digital creator economy can be examined.

²⁶ Juvenile Justice (Care and Protection of Children) Act, No. 2 of 2016, INDIA CODE

Judicial response

1. S.Vijayakumar V. Union of India²⁷

In this case the Madras High Court recommended that the Indian government consider legislation similar to Australia's ban on social media for children under 16 in light of concerns about minors exposure to harmful content online. Though it is a judicial suggestion of the court and not a binding law, it signifies growing judicial awareness regarding the safeguards of digital child labour²⁸.

2. Supreme Court's refusal to ban Social media for minors

In 2025, the Supreme Court was approached with a petition asking for a complete ban on social media access for children under the age of 13. The petitioners were concerned about issues like addiction, cyberbullying, exposure to inappropriate content, and mental health impacts on children.

However, the Supreme Court refused to impose a ban. Instead, it emphasized that regulating access to social media for minors is not purely a legal or judicial issue. The Court pointed out that this is a matter that requires careful policymaking, which involves legislators, child welfare experts, educators, and technology regulators.²⁹

3. Judicial Focus on online Safety

In India, there are instances where the judiciary has now and then shown concern regarding online contexts. Though it is not directly deal with digital child labour but we can witness the concern for children's online safety. For instance, in cases involving dangerous online games like the Blue Whale Challenge, the Madras High Court intervened to prevent minors' exposure to harmful content, highlighting risks such as cyberbullying, self-harm, and mental health issues. These things demonstrate judicial sensitivity to the digital vulnerabilities of minors, emphasizing child welfare and the need for preventive measures, while leaving broader regulatory solutions to policymakers.³⁰

²⁷ S.Vijayakumar V. Union of India [2025] SCC 499

²⁸ Madurai, 'Consider Australia-like Law to ban children under 16 from accessing social media: Madras HC' The Times of India, (26 December 2025) <<https://timesofindia.indiatimes.com/city/chennai/consider-australia-like-law-to-ban-children-under-16-from-accessing-social-media-madras-hc/articleshow/126178335.cms>>

²⁹ 'Supreme court says no to plea for barring kids below 13 from using social media' The economic Times (4 April 2025) <<https://economictimes.indiatimes.com/news/india/sc-refuses-to-entertain-plea-to-impose-ban-on-social-media-usage-for-children-below-13-years/articleshow/119972277.cms?from=mdr>>

³⁰ Tariq Masri-zada & Devendra K Agrawal 'The Impact of Social Media & Technology on Child and Adolescent Mental Health' (researchgate June 2025) <<https://www.researchgate.net/publication/393010006> The Impact of Social Media Technology on C

4. Child Digital Exploitation Enforcement Cases

On 19th November, 2025, The times in India newspaper has published a news regarding the arrest of a 19-year-old person in Agra for allegedly posting a video on social media that revealed the identity of a nine-year-old girl who had been rescued from a human trafficking, This has violated the laws that protect the anonymity of minor victims. The Police registered an FIR under relevant sections of the Juvenile Justice Act, POCSO Act, and other provisions, then took the accused into custody. Further sent to jail as investigation continues. Contemporary law enforcement actions have neglected the seriousness of child safety in digital platforms. This case demonstrates strict application of relevant statutory protections for minors.³¹

Comparative Analysis

United States (California): In the year 2022, California expanded its Coogan Law, which was originally designed for child actors, this expansion includes rules regarding the child influencers on social media. The law requires that a portion of a child influencer's earnings should be deposited into a blocked trust account, ensuring that children retain access to their income when they reach adulthood. This Provision give a certain amount of protection of the earnings of children from exploitation by parents or managers³².

France: In the year 2020, France has passed a legislation which specifically address rules and regulations for child YouTubers and social media influencers³³. The law requires that every child who wants to work as an influencer in social media have to obtain special permits for their work, this also limits the number of hours they can work, and ensures that their earnings are safeguarded, reflecting a comprehensive approach that combines labour regulation with child protection.

European Union (GDPR): The European Union does not legislate labour rights per se but considers children vulnerable data subjects under the General Data Protection Regulation. According to them, Platforms must implement age-appropriate design and safeguard children's

Child and Adolescent Mental Health HHS Public Access > accessed 25 May 2026

³¹ 'Agra man puts video of 9 years old pushed into human-trafficking on social media arrested' The Times of India, (19 November 2025) <<https://timesofindia.indiatimes.com/city/agra/agra-man-puts-video-of-9-year-old-pushed-into-human-trafficking-on-social-media-arrested/articleshow/125443861.cms> >

³² Naomi Cahn 'Trusting Remedies for the Child influencer Space: Blocked Trust Accounts and Child Beneficiaries' (5 June 2025) SSRN < https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5283484 > accessed 12 May 2026

³³ Jennifer Venis ' Social media:Rise of 'kidfluencers' pushes Legislators to engage with children's rights online (International Bar Association 6 September 2022)<<https://www.ibanet.org/Social-media-Rise-of-kidfluencers-pushes-legislators-to-engage-with-childrens-rights-online> > accessed 12 May 2026

personal data, while also ensuring they have rights like erasure of their data³⁴. This protects minors from digital exploitation and privacy violations, even when they are not formally “working.”

Findings

1. India’s existing Child labour’s laws were drafted before the digital creator economy and are largely inapplicable to digital forms of work in the present times.
2. children engaged in content creation fall into an unregulated space neither they are recognised as workers nor fully protected as vulnerable digital users.
3. When a child works without a legally enforceable contract, their earnings are not legally protected as the child cannot legally manage money, the control remains with the parents or guardian. This creates complete financial dependence.
4. The line between a child’s online play and work is often unclear. Online activities and monetised labour complicate regulatory approaches, because it doesn’t look like traditional labour.
5. Monetised online activities can distract children from their studies and reduce the time spent on homework and learning. It also reduces the concentration in studies.
6. Children sometimes may feel psychological pressure to appear in videos when they do not want to so. But fear of losing followers, income parents force them to perform against their wishes.
7. Digital child labour exposes children to serious privacy violations and digital safety risks, as their personal data, images, and online activities are often collected or shared without consent. Children may face cyberbullying, online grooming, and exploitation while working on digital platforms.
8. Courts often accept that there are gaps in the law, but they avoid making new laws themselves. They believe that law-making is the job of the legislature, not the judiciary. Because of this, courts usually wait for Parliament or lawmakers to act. This shows the need for clear and timely policy decisions by the government.

³⁴ Kamrul Faisai ‘Children’s Rights to personal Data Protection: why the GDPR Falls short’ (March 2025) Researchgate https://www.researchgate.net/publication/390701332_Children's_Rights_to_Personal_Data_Protection_Why_the_GDPR_Falls_Short> accessed on 17 May 2026

Conclusion and Suggestions

Digital child labour is a serious problem in today's world, where children are made to work online instead of focusing on their playful childhood. It takes away the traditional childhood plays and learnings. In today's world technology plays a very crucial role and can be helpful, but sometimes it is also used illegally to exploit children. Many children who are indulged in online platforms face severe health issues, both mental as well as physical. Lack of laws and sometimes poor monitoring make it easy for this to continue. Parents, teachers, and communities need to watch and guide children. Governments and online companies should make strict rules to protect them. Education and fun activities should replace online work for children. Keeping children safe online is just as important as keeping them safe offline. Only by working together can we give every child a happy and safe childhood.

Suggestions

Regulatory and Legal action

1. The existing Child labour laws in India should be updated so that it can cover digital forms of work, including kid-influencing, online content creation gaming etc.
2. National and international frameworks should formally recognise digital exploitation of children to ensure legal clarity and accountability for violations.

Strengthening Age Verification and Platform Control

3. Digital Platforms, especially social media, gaming, must implement robust age-Verification technology to prevent children from engaging in exploitative online labour
4. Platforms should be legally mandated to identify, monitor, and prevent underage participation in monetised or labour like digital activities

Parental and caregiver responsibilities

5. Parents and guardians should actively supervise children's online presence, whether it is harming their mental health or education.
6. Clear limits should be set on screen time and work like digital activities to prevent excessive digital labour.

Awareness and research

1. public awareness campaigns and systematic research should be conducted to highlight the risk and to assess the scale of digital child labour.