

Protecting Children on Social Media: A Critical Analysis of Platform Governance and Legal Responsibility

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Abstract

The rapid expansion of social media has transformed the way children communicate, learn, and interact with the digital world, while simultaneously exposing them to emerging forms of online harm. Children are increasingly vulnerable to harmful and obscene content, cyberbullying, online grooming, exploitation, and the misuse of their personal data. In this context, effective legal regulation and platform accountability are essential for ensuring a safe digital environment for children. This article critically examines the adequacy and effectiveness of the Indian legal framework governing social media with particular reference to the protection of children from online risks. It analyses relevant statutory provisions, regulatory mechanisms, and the responsibilities of social media platforms in preventing and addressing such harms. The study incorporates a comparative examination of selected international legal frameworks to assess their approaches to child protection in the digital environment and identify practices that could enhance the Indian regulatory framework. The research adopts firstly doctrinal methodology and primarily relies on secondary sources, including legislation, judicial decisions, regulatory policies, government reports, and relevant scholarly literature. And also, non-doctrinal methodology to find if there is need of a comprehensive child online safety framework for India.

Keywords: Social Media, Child Protection, Social Media Regulation, Platform Accountability

Introduction

The term social media refers to what's app, Facebook, Instagram, twitter -X, snapchat, YouTube, etc. Social media is a double-edged sword. It can act as boon or bane for everyone using it. If we focus on the use of social media by children it is very sensitive topic as the children are the most vulnerable to the social media. Also, the increasing number of the children using social media is concerning. As I mentioned above social media is a double-edged sword it can be used for the education and entertainment also by the children. "In addition to education children also reported predominant internet use to access messaging applications, study materials, music, and games. In an apparent contradiction, the study found nearly 37.8% and 24.3% of 10-year-old children have an account on Facebook, and Instagram respectively – clearly a cause for concern." (Isha Suri & Pallavi Bedi, 2023). ASER's 2024 Survey shows that nearly 82.2 percent of teenagers (14–16 years) know how to use a smartphone; however, only 57 percent use it for educational purposes, while 76 percent primarily use it to access social media. India being a head of the Youth till 2055 and this much Indian youth using social media is really concerning. The exposure to the technology at early age might expose children to the different kinds of online risks for example

cyberbullying, online grooming, Trolling, sexually harassing through messages etc. There are certain laws in India for the protection of the children. But these laws do not explicitly protect the children. Some of the provision of the abovementioned laws protects the children. This paper has Identified that there is need of a explicit law for the child protection. As well as not everything can be solved by only making of the law. Being the member of society, it will be the duty of the parents/ guardians to actively monitor the use of social media by their children. And also, parents should have the enough knowledge of the social media to protect their children from a very first stage. This Paper has also discussed the laws from Australia, Malaysia, Brazil and UAE banning the children from using the social media.

How social Media is affecting Children?

Let's understand what social media is "*Social media can be broadly defined as the set of interactive Internet applications that facilitate (collaborative or individual) creation, curation, and sharing of user-generated content.*"(Davis, 2016) There are different kinds of social media for example Facebook, Friendster, Wikipedia, dating site, YouTube, Instagram. Social media has all the characteristic which are mentioned above but each of them have something unique feature from the others. Some of the social media can be used for the academic purpose also for example YouTube, Wikipedia these are very good applications if a child wants to learn something at their own pace while others have negative effect.

According to NITI Aayog's working paper "Online Safety for Children: Protecting the Next Generation from Harm", children in India are increasingly accessing the internet and social media from a young age, with internet use rising significantly as children grow older. The paper's 2023 data indicates that children aged 6–10 spend about 2.5 hours online per day, with 60% owning a smartphone, while those aged 11–15 spend around 4 hours online daily, with 85% owning a smartphone; among 16–18-year-olds, average usage reaches 6 hours per day and smartphone ownership is 95%, with social media being one of the major activities. (*Online Safety for Children: Protecting the Next Generation from Harm*, n.d.)

The paper highlights several online harms associated with this growing digital presence, including cyberbullying, exposure to inappropriate or explicit content, online predators, privacy violations, misinformation and disinformation, digital addiction, and exposure to child sexual abuse material (CSAM). It notes that approximately 20% of children experience bullying through social networks, while cyberbullying can contribute to serious psychological consequences such as anxiety, depression and suicidal ideation. (*Online Safety for Children: Protecting the Next Generation from Harm*, n.d.)

Children are increasingly exposed to inappropriate and harmful online content, including sexualised and violent material, trolling, and content promoting suicide, self-harm and eating disorders. Research by the Children's Commissioner for England found that around half of children had encountered online content that they considered inappropriate or distressing. Importantly, much of this content was not actively sought by children but was instead recommended through algorithms designed to capture and retain their attention, raising concerns about the role of social media platforms in exposing children to harmful content. (*Protecting Children Online: Why We Need to Act Now to Keep Children Safe from Online Dangers*, n.d.)

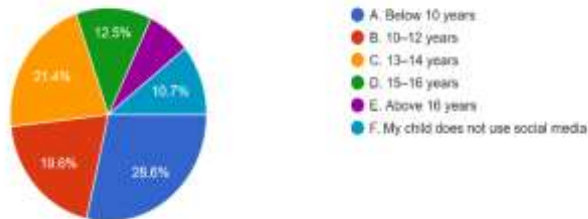
Empirical study of the social situation:

I have collected data through the help of the questionnaire to analyse the current situation of Indian children using social media and the parental control over this use. Where I ask 6 question and got the response of 56 respondent having children between age group of 5-20.

The first question I asked was at what age did you child first start using social media platforms around 69.6 % of the respondent are of the opinion that child is using the social media before the age of 15.

At what age did your child first start using social media platforms?

56 responses



The second question was how much do you know about what your child does on social media? In the answered I found that 46.4 % of the respondent said that they know the most of the platforms and content their child is using. I was having my own prejudice that the respondents here will answer that they have very little knowledge. But as the **Millennial** generation is now becoming the parent and they are well known with the technology so they might know the platforms and parental control technology but still they can not beat the algorithmic content.

How much do you know about what your child does on social media?

56 responses



The third question was do you have any control or supervision over your child's social-media use? Almost 50% of the people answered that they Regularly monitor and supervise it. Still the crimes against children rose sharply from 1,28,531 cases in 2020 to 1,87,702 cases in 2024, marking a worrying spike of over 46 per cent. ("Nearly 9 in 10 Cybercrimes against Children Involve Sexually Explicit Content: NCRB Data," 2026)

Do you have any control or supervision over your child's social-media use?

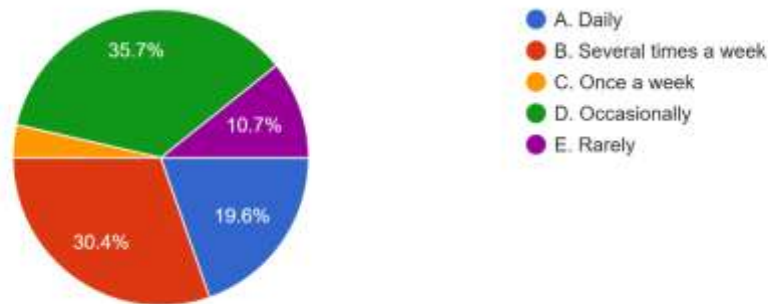
56 responses



The next question was how often do you discuss with your child the content they see or people they interact with on social media? The respondent majorly answered in two categories one is occasionally 35% of the respondent said it. The other 30% were of the opinion that they check it several times a week. Here one thing can be noticed that now a days parents are at-least aware of the situation.

How often do you discuss with your child the content they see or people they interact with on social media?

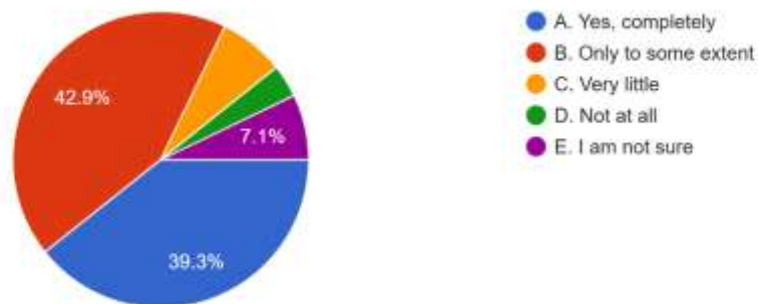
56 responses



The next one asked that do you think you can effectively prevent your child from accessing age-inappropriate or harmful content on social media. Only 39.3% of the people answered that they can effectively prevent their child from using age-inappropriate content rest of the 60% of the people were not sure about it.

Do you think you can effectively prevent your child from accessing age-inappropriate or harmful content on social media?

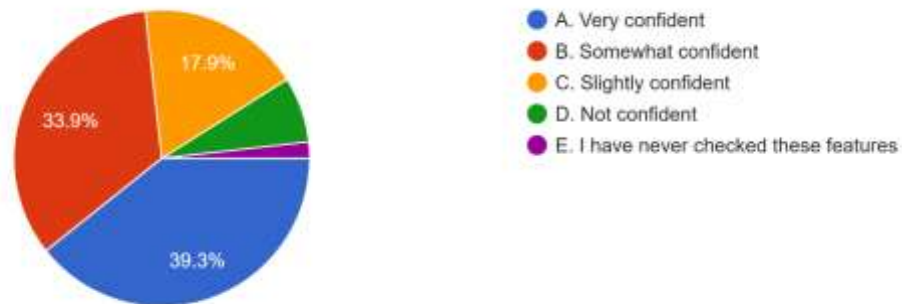
56 responses



The next question which I posed was how confident are you in understanding the privacy settings, parental controls, and safety features available on the social media platforms used by your child? Here also almost 60% of the respondents were not sure if they are able to understand the privacy settings of the social media. And not being aware about the settings parental controls and safety features of the social media can put the children into the risk of the online crime

How confident are you in understanding the privacy settings, parental controls, and safety features available on the social-media platforms used by your child?

56 responses



The results of this empirical study reveal a clear and increasing need for India to establish a structured legal framework governing children's access to social media platforms. The findings point to significant concerns regarding the insufficiency of existing protective measures, a lack of awareness about age-related requirements, and the relative ease with which children circumvent parental consent mechanisms.

Critical Analysis of the Indian Laws Protecting the Children from online Harm

The Internet is a valuable source of knowledge and information when used responsibly. It provides children with opportunities to learn, explore their creativity, communicate with others, and develop social connections. However, despite its many benefits, the Internet can also expose children to various risks that may adversely affect their physical and mental well-being. With the rapid growth of online platforms and social media, offences against children through the Internet are increasing at an alarming rate, making their safety and protection an urgent concern.

There are number of laws in India which protects the Children of the India, but there is no such explicit law which is able to prevent the harm against the children. The legal framework for protecting children from online harm in India has evolved through a combination of substantive child protection legislation and technology specific regulation. The Information Technology Act, 2000, read with the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (IT Rules, 2021), establishes a comprehensive legal framework for addressing unlawful and harmful activities in the digital environment and imposes specific obligations on intermediaries to promote accountability and responsible digital practices. (*Government's Measures to Ensure Safe and Accountable Internet*, 2025) The IT Act criminalises various forms of cyber misconduct, including identity theft under Section 66C, cheating by personation using a computer resource under Section 66D, violation of privacy under Section 66E, and the publication or transmission of obscene or sexually explicit material under Sections 67 and 67A. Of particular relevance to the protection of children is Section 67B, which addresses offences relating to material depicting children in sexually explicit acts and other forms of online child sexual exploitation. While the Protection of Children from Sexual Offences Act, 2012 (POCSO) provides a comprehensive framework for protecting children from sexual offences. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 further regulate the responsibilities of online intermediaries and social-media platforms and have undergone subsequent amendments, with the Ministry of Electronics and Information Technology publishing an updated version in February 2026. (The

Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, n.d.) In addition, the Digital Personal Data Protection Act, 2023 has introduced specific safeguards for children's personal data, including requirements relating to verifiable parental consent, while the Digital Personal Data Protection Rules, 2025 provide greater procedural detail for implementing these protections. (Digital Personal Data Protection Rules, 2025, n.d.) Consequently, India's approach to child online safety is increasingly moving beyond the regulation of criminal conduct to include platform accountability, privacy, data protection and parental consent.

The Bharatiya Nyaya Sanhita, 2023 (BNS) provides a broader criminal-law framework for addressing harmful conduct that may occur through social media and digital platforms. Section 294 (THE BHARATIYA NYAYA SANHITA, 2023, 2024) deals with the sale, distribution and electronic display of obscene material, while Section 296 criminalises obscene acts and songs in or near public places.

The Protection of Children from Sexual Offences (POCSO) Act, 2012 defines a child as a person below 18 years of age and provides a comprehensive legal framework for protecting children from sexual abuse and sexual harassment. Section 13 (THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012, 2012) prohibits the use of children in any form of media, including electronic, print and broadcast media, for sexual gratification. Section 14 prescribes punishment for using a child for pornographic purposes, while Section 15 provides graded penalties for the storage, possession or failure to delete, destroy or report child sexual abuse material. These provisions are particularly relevant to protecting children from sexual exploitation in the digital environment.

Besides Having all these rules there are still some terminologies which are not defined clearly in the existed laws and therefor it does not come under the per view of law. such as sexting and cyberbullying, are not regarded as offences by Indian law. Legal provisions specifically addressing cyberbullying and certain forms of online child exploitation remain inadequate. Although trafficking of children for sexual exploitation is criminalised, emerging practices such as online grooming, sexting and the use of digital platforms to facilitate sexual exploitation present complex legal challenges. (Child Online Protection in India, n.d.) Therefore, alongside appropriate legal measures, greater awareness and digital-safety education for children, parents and adults are essential to reduce children's vulnerability to online harm.

Responsibility of the Platform

Comparative Overview of Child Online Safety Laws

Australia became the first country to prohibit children under 16 from accessing major social media platforms, with the restrictions taking effect in December 2025. The law requires covered platforms to prevent under-16s from creating accounts and to deactivate existing accounts. Platforms that fail to comply may face fines of up to A\$54.6 million (approximately ₹374 crore), based on an exchange rate of around ₹68.4 per Australian dollar. (Rakesh Kumar, 2026) Children and parents are not subject to penalties. Certain services, including WhatsApp, YouTube Kids and Google Classroom, are exempt from the restrictions.

Malaysia has introduced regulations restricting children under 16 from creating social media accounts. Major platforms with more than eight million users are required to implement age-verification measures and prevent underage access. (Rakesh Kumar, 2026) Children affected by the restrictions may be given a period to transfer or download their data. Platforms that fail to comply may face fines of up to 10 million Malaysian ringgits, while parents are not penalised for their children's violations.

International approaches to child online safety demonstrate a growing emphasis on age-based restrictions and stronger platform responsibilities. Brazil, through its Digital Statute for Children and Adolescents (ECA Digital), has introduced enhanced safeguards for children and adolescents in digital environments. (National Data Protection Authority, 2026) The United Arab Emirates (UAE) has also introduced a regulatory framework establishing age-based restrictions and requiring social-media platforms to implement appropriate age-verification (Children's Digital Safety, 2026) measures. Sweden, meanwhile, is considering a proposed minimum age for social-media access, reflecting the growing international concern regarding children's safety in the digital environment.

In contrast, India does not currently impose a blanket age-based restriction on children's access to social media. Instead, it relies on laws such as the Information Technology Act, 2000, the Protection of Children from Sexual Offences Act, 2012, the Information Technology Rules, 2021, and the Digital Personal Data Protection Act, 2023 to address harmful online content, sexual exploitation, platform accountability and children's data protection. Thus, while several countries are increasingly adopting age-based restrictions and age-verification measures, India's approach remains primarily protective and regulatory, focusing on addressing specific forms of online harm rather than restricting children's access to social media altogether.

Suggestions and Recommendation:

For this research paper the researcher has done doctrinal as well as non-doctrinal study. The suggestion for this particular problem of the society can be given in two ways. Where the law can help by becoming more stringent at some level and the other where the society will take the responsibility.

As the empirical study that researcher has conducted it shows almost 60% of the parents are not aware about the parental settings of the different kind of social media which causes putting the children to the harm of the online harm. Hence the researcher would like to give suggestion that an Explicit Law should be there to prevent child below the age of 15 from using social media. Along with this the responsibility of the platform should be made rigid in relating to the matter of the Child Safety on social media

A Comprehensive Child Online Safety Framework should be there in India. Where the age verification should be important, content moderation laws should be there to secure the future of the child, The children should be made aware about the online harm from different awareness programs from the school levels.

The problem can not be solve only making the efficient laws. There is some responsibility on the part of the society also. The parents and child must have regular communication about what child is consuming through social media. The parents should be made aware about the social media, how it is harmful for their children and the parental controls, setting of the social media.

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