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IMPACT OF CHANGING DIMENSIONS OF THE DIGITAL PLATFORM AGAINST CHILDREN AND EXIGENCY OF THE DIGITAL DATA PROTECTION ACT

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1. INTRODUCTION

The Government of India is on the process of drafting the Digital Data Protection Bill 2023 for more than one year, expecting to be amended in 2025. It is need of an hour the At the outset, it should not be denied that children are most vulnerable group in the society to any kind of ill cause. Later it has changed its dimension into limelight roll, simultaneously the children including the teens utilized the digital platform for showcasing their talents and desires which is leading perpetrators to access them easily. Children in the present society are more interconnected through social networking than ever before in the past two decades in this millennium era. Initially different electronic Gadgets were introduced for the purpose of telecommunication, entertainment, camera purpose, so on and so forth. Now all the features given in one smart phone device and so everyone including the children experienced to the versatility of the digital world. Amongst the billions of Internet global users, the children's experience is no longer restricted by any doors or curtains, classroom walls, or any national borders. Particularly without the knowledge of parents and Guardians these children it is taken place in their lives.

Bitterly this truth remains same in other parts of the world, including those that try to harm children. With the expansion of Internet usage and social media networking, a huge number of children who are at risk of a linear exploitation and sexual abuse have increased exponentially every day. At the outset, there was no common practice of social networking through various social media, particularly the children did not use smart phones or any other electronic gadgets frequently except the school computers or Net café; but there also, they were under a surveillance system. But every ten years once, a technology revolution will happen; but the recent development in the telecommunication world is tremendous one and hence we are gradually upgraded from the Medieval age Telegram to the Modern Age Telegram Application and now Smart Phone which is commonly used for all applications including Face book, Instagram, You – tube, Whats – app, and so many. However, according

to the technology development, we should also move together in our day to day lives.

1.1. RESEARCH PROBLEM

Few years ago, the schools were strictly prohibiting the children to use mobiles or any other electronic gadgets inside the school. But the pandemic had turned out the situation as if the schools are now inside the mobile phones using Whats app groups and Google classrooms. Strictly the parents are demanded to provide a smart phone/laptop with internet facility to attend online classes for sake of their children right to development; but there are many questions remain unanswered; Are they developed in a right pathway? Are they protected against the cyber offences and from being victimized? Here it is a *sine qua non* to note that the children are not only using their online classes applications; but they are exposed to inappropriate advertisements, videos and social media networking with

strangers which is one of the major reasons for the increase of crimes against girl children in the modern society. Here it is sine qua non to conduct a critical study on the impact of frequency usage of gadgets by children and unwelcoming issues on social media amid virtual learning. I found the significance of study about the impact of social media on adolescents and budding kids with special focusing on the smart phones with internet facility, communication technology and its development under various aspects on Children particularly in the teenage.

1.2. AIM AND OBJECTIVE

This paper aims to find how the usage of smart phones and internet by adolescents are guided and supervised through proper channel and to study about the exiting safety measurements provided by law to prevent the online crimes against children and how far the children are travelling safe in the online platform for education as well as social networking post pandemic. Also this paper attempts to find whether the rate of crime against girl children increased than before amid Covid pandemic; if so how the law protects the girl children from being victimized. Further, this study aims to recommend some vital suggestions to protect the children on social media networking or online platform at this inevitable situation by way of law in order to protect their right to development and participation.

1.3. METHODOLOGY

Methodology is a basic key tool for any kind of research. To conduct this socio-legal research, a ⁸⁸⁷qualitative research methodology has been adopted as a thematic method. So that I could focus on group of girls in a specific category with a small sampling size. This study is conducted with an emphasis of pre and post – pandemic online violence against the adolescents. For my study I have selected girl children between the age group of 12 to 18

years, who were being the beneficiary of an NGO in Chennai. In 2019 – 2024, with the help and support of the NGO, the Child Rights and Duties Awareness session was organized by the Child NGO on 26-12-2019, in this session, I have given a motivational speech about child safety, child protection and social evils and threats against women and children in order create a good will and rapport ; and later on 29-12-2019, I had taken my first survey in the topic “Issues faced by Adolescents on Social Media”. Initially the response of the study population was not found reliable for which a qualitative study was initiated, I have classified the participants into 3 groups as 3 clusters based on their age; Early Adolescent (12 to 14yrs), Later Adolescent (15 to 18yrs). I further split the later adolescent group into school students and college students as if 15 to 17yrs and 17+ to 18yrs.

The probability sampling was preferred for this study with the group of girl children because most of them are only or one of the Child of a single parent, who are very vulnerable to the social evils easily in the absence of one side parenting and also these children are highly targeted by the lurking predators of the dark web areas and cyber techie criminals.

2. CYBER OFFENCES ON CHILDREN IN LAST DECADES : AN OVERVIEW

Analyzing the literature available in this area gives me an insightful vision on Child abuse and exploitation online and it's various issues periodically in the last decade; while so, I found that the usage of social media and networking by the young children seems to be exponentially grown in the recent days post pandemic. From 2013 to 2018, the number of dark web users crucially increased from 1 to 4 million. Dark web users can also remain anonymous and in most of the cases, they cannot be tracked. Because of this reason, the worst form of crimes like child abuses and harassments occurring through the dark websites and other social media fake id users.

According to a study by the University of Portsmouth, on *Hidden Services* websites, more

⁸⁸⁷ Kuckartz U. (2019) Qualitative Text Analysis: A Systematic Approach. In: Kaiser G., Presmeg N. (eds) Compendium for Early Career Researchers in Mathematics Education. ICME-13 Monographs. Springer, Cham. https://doi.org/10.1007/978-3-030-15636-7_8

than 80% of Internet traffic on the so-called dark web was generated that comes from visitor sites that provide child abuse materials.⁸⁸⁸ Researcher Dr. Gareth Owen analyzed the traffic of sites that used 'Tor' technology to hide their web addresses from the search engines in six months to understand which types of sites were the most popular among users. He had presented his findings at the "Chaos Computer Congress" in Germany and concluded that although at any given time only 2% of the 45,000 hidden service websites approximately contain paedophile materials, once automated they account for 83% of the traffic on these sites. He focused on the use of *Tor Hidden technology*⁸⁸⁹ to hide websites, rather than the browsing habits of individual Internet users using Tor's anonymity feature. Thus, latter did not spend 84% of his time visiting child abuse websites. Before this research, it was thought that the dark web was a good thing, but it hindered children's rights and created a place where paedophiles could get away with it. The scale of visits to these sites served as a "big hit" to the researcher.

In⁸⁹⁰ 2018, 2.88 million accounts worldwide were registered on the 10 most harmful dark websites focused on online child sexual abuse and exploitation. In 2019, this number rose to 70 million, an increase of nearly 50% over 2018, and there are more undiscovered. A large number of child sexual abuse materials have not been discovered, including materials on the dark web. The dark web described as programming software, which can only be accessed through specialized software, acts as another driver of online child sexual abuse.⁸⁹¹ The End Violence supports many projects around the world to protect children from online abuse and

exploitation. Since 2016, the End Violence has conducted around 55 projects, focusing on preventing the online child sexual abuse and protecting them from exploitation online and in more than 70 countries around the world. Additionally, *End Violence* contributes to universal discussions on children's online safety with various governments, industries of technology, and regulatory authorities, and legal enforcement agencies, intersections on discussions. This term safety includes the safe net connections, users' privacy, securitization and protection pertaining to the technology on human rights.

Another Research shows that the young children have a higher risk of linear exploitation, with 89% of victims between the ages of 11 and 18yrs.⁸⁹² The global threat assessment was conducted by the "893WeProtect – Global Alliance" pointed out that one of the many hidden Internet services dedicated to the abuse of infants and young children contains more than 18,000 registered members, and another similar forum has more than 23 million visits. In addition, a survey by the Canadian Child Protection Center found that 56% of online child abuse occurs before the age of 4, and 42% of children have been abused for more than 10 years. Reports received by the Internet Watch Foundation showed that in the UK, 50% of online child sexual abuse cases involve children under the age of 10, and one-third of the images involve rape and sexual abuse. When perusing the previous study related to this paper, I have read few articles published in the pre-pandemic era. "End – Violence Organization" conducting a global campaign along with some global partners such as⁸⁹⁴ UNICEF and⁸⁹⁵ Technology Coalition.

⁸⁸⁸ Dredge, S. (2014). *Study claims more than 80% of 'dark net' traffic is to child abuse sites.* the Guardian. Retrieved 21 August 2021, from <https://www.theguardian.com/technology/2014/dec/31/dark-web-traffic-child-abuse-sites>.

⁸⁸⁹ Greenberg, A. (2015). *No, Department of Justice, 80 Percent of Tor Traffic Is Not Child Porn.* Wired. Retrieved 21 August 2021, from <https://www.wired.com/2015/01/department-justice-80-percent-tor-traffic-child-porn/>.

⁸⁹⁰ *Safe Online | End Violence.* End Violence Against Children. Retrieved 21 August 2021, from <https://www.end-violence.org/safe-online>.

⁸⁹¹ Ibid.

⁸⁹² Ibid.

⁸⁹³ *Protecting children from sexual exploitation and abuse online - WeProtect Global Alliance.* WeProtect Global Alliance. Retrieved 21 August 2021, from <https://www.weprotect.org/>.

⁸⁹⁴ *Protecting children online.* Unicef.org. (2020). Retrieved 20 August 2021, from <https://www.unicef.org/protection/violence-against-children-online>.

⁸⁹⁵ *Child Sexual Exploitation and Abuse Imagery (CSEAI): The Next Frontier of Reporting – Technology Coalition.* Technologycoalition.org. (2021). Retrieved 21 August 2021, from <https://www.technologycoalition.org/2021/04/14/child-sexual-exploitation-and-abuse-imagery-cseai-the-next-frontier-of-reporting/>.

Hence it is need of an hour to conduct some serious study in Indian Metropolitan or Cosmopolitan cities such as Chennai, Mumbai, Calcutta, in this particular area of legal studies to prevent the children and women from the Cyber crimes such as cyber bullying, online sexual abuse, social media violence, and sexual exploitations in any form by way of law, enforcement and judiciary.

3. CYBER OFFENCES AGAINST CHILDREN AT PRESENT: AN OVERVIEW

During 2020 - 2021, the widespread of COVID19 at the end of last decade, prompted the closures of schools, play stations and entertainment areas, and social distancing measures, made the online platforms critically to maintain regularity and routine life schedules. Children are diverting to digital alternative solutions more than ever to support their learning process, socialization, and play online. Although the digital solution provides some great opportunities to protect and promote child rights, the same tools sometimes can increase the risks also. Technically, there are some key notes and recommendations to prioritize the needs and help them to mitigate such risks and promote a positive online learning or playing experience among the children. COVID spread and unexpected lock down few years ago, suddenly pushed the children's lives into a virtual world.

⁸⁹⁶Many schools would remain closed due to widespread of Covid wave. The digital technology could be widely used and so as people choose or are required to stay at home. Within a span of five years, Internet usage around the world has increased by 50%. Also the sudden change to distance learning mode is restructuring the experience of learning of children, using technology and online platforms to replace the classrooms. Meanwhile the online games, social media networking and video live chats provided children with opportunities to

contact and play with their friends, parents and relatives during the quarantine period.

3.1. SOCIAL MEDIA ABUSE AND CYBER CRIMES AGAINST CHILDREN

Although children aged between 14 to 18 years are already familiar with social media usage, the pandemic has given young children a broad exposure to social media tools and worldwide networking; but these may not be a tailor - made platforms for them. At the same time, parents and caregivers are always asked to guide and supervise their children when they attend online classes or online games. The increase of online activities supports children's learning, social interaction and games, but also exposes them into greater risks than before. Increased use of the Internet technology puts children under greater risk of online abuses and exploitations, such as sexual exploitation, emotional abuse and cyber bullying. All the risks are not really harmful, but the children who already face other problems in their lives may be more vulnerable to these circumstances. It is a sine qua non to mitigate risks by safety measurements which are balanced with child rights to participation and development. Being online a lot of time can increase the children's exposure to predators that are lurking online. But the Physical and social distancing measures can increase children's contact with new online contacts and groups by social networking, and it can be misused by the perpetrators to utilize the young children for sexual exploitation by various ways.

As many isolated adults in the home created the additional demand for child sexual abuse materials and child pornographic, this may also lead to more commercial online sexual exploitation of children. Children living with abusers, may undergo an additional problem of online and offline sexual abuse together. As we are all well-known that ⁸⁹⁷cyber bullying is a serious issue now days for adolescents and it has a wider range of negative effects. Suddenly

⁸⁹⁶ The Indian Express. (2021). Retrieved 22 August 2021, from <https://indianexpress.com/article/education/schools-colleges-close-news-uttar-pradesh-punjab-here-are-the-list-of-states-shutting-down-schools-amid-covid-19-surge-7251738/>.

⁸⁹⁷ Cyberbullying: What is it and how to stop it. Unicef.org. (2021). Retrieved 22 August 2021, from <https://www.unicef.org/end-violence/how-to-stop-cyberbullying>.

the children are experiencing inappropriate matters in unstructured online activities with increasing sources of stress; there cyber bullying can increase. This pandemic introduced the instant messaging through many online platforms such as Whats app, Telegram, Messenger, Video chat services, etc, and online gaming to young children. Lack of interaction with friends and peers will lead to engage many more dangerous behaviors online, such as sending pornographic text messages or sharing spontaneous pornography, which can put them at risk of exploitation, extortion, humiliation and harassment. They can also be exposed to miscommunication related cyber safety, which can cause further fear, depression and anxiety.

Many online classes' promotions are collecting and processing of children's personal data increased the risk that they are exposed to technology of digital marketing, that lead to improper collection, use, and sharing personal data to strangers.⁸⁹⁸This can affect the adolescent children whose right interests are normally protected by law. To promote and establish the virtual learning process in schools, they may not have adequate principles and policies in child protection to manage the classroom conversations through other online tools or private networking support.⁸⁹⁹Parents and caregivers may not understand new online safety policies or they may not be familiar with this new technology, and so they are limiting themselves to involve the discussions related to stay safe online.

4. DATA ANALYSIS OF EMPIRICAL STUDY

There were two set of data collected with same participants in different time framing with a gap of 18 months interval. As I mentioned already, the participants are long term beneficiary of Child, an NGO of Chennai, and

Tamil Nadu. There are totally 96 girl children benefitted under this scheme. But after few steps of my study, I have deducted few among them who were irrelevant to my study. Children, who are already in vulnerable living conditions, are highly risk to online abuses and exploitations. I have conducted this study based on children and their context. So my questions in this survey are framed with an emphasis on social media networking by adolescents and issues; hence they are not so too technical questions. The first survey was taken in the month of January'2019 by a one shot survey method and second survey is taken through questionnaire forms in the month of August'2024 with same set of questions. The total no of participants in the first survey is 96. Four participants in the earlier study had attained majority and thus they did not participate in the recent survey and hence the no. of participants in the second survey is 92.

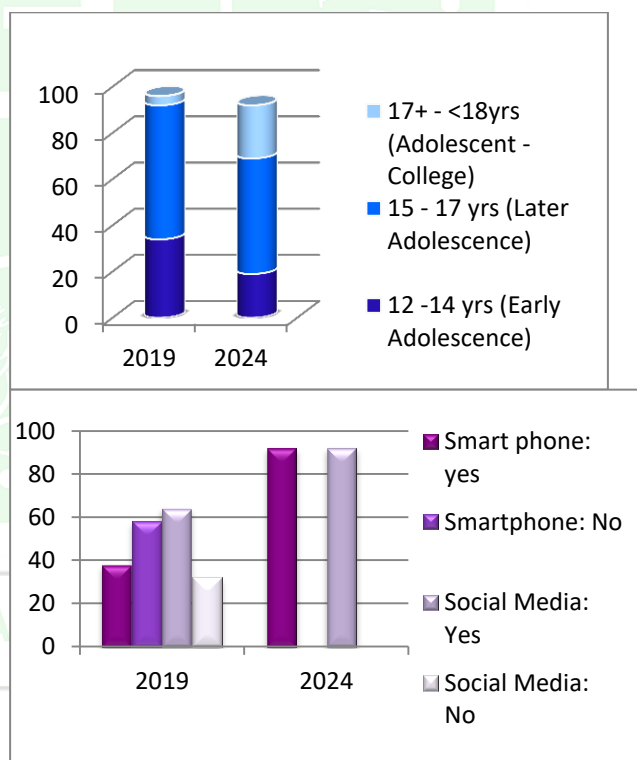


Fig: 3.1. Age group of Participants

Fig: 3.2. Smart phone & Social Media Access

Demographic Profile based Findings

The participants are classified based on their age groups into clusters as Early Adolescents and Later Adolescents. Both of my survey has

⁸⁹⁸ Suriyaprabha, K. (2021). Developmental issues and Social challenges before the Adolescent girls during Covid 19 [Blog]. Retrieved 20 August 2021, from <https://ccrnusrilblog.wordpress.com/2021/06/27/developmental-issues-and-social-challenges-before-the-adolescent-girls-during-covid-19-suriyaprabha-k/>.
⁸⁹⁹ Ibid. Et al.

received above 50% of responses from the participants in the Later Adolescents age group (Fig. 3.1).

In 2019 survey, there were 38 participants having a smart phone among 96 girls. 64 girls were using social media such as Facebook, Instagram and WhatsApp. The girls who did not have smart phone operated their social media accounts from parents or other devices (Fig. 3.2). In 2024, all the participants own a smart

phone and all of them are having social media accounts in Face book, Instagram, etc. Most of the girls wanted to get more likes on Instagram Reels, and rarely do they post something on Facebook, I observed. At this juncture the parents or guardians should take care of their social media activities every often, if anything found wrong, it has to be scrutinized diplomatically.

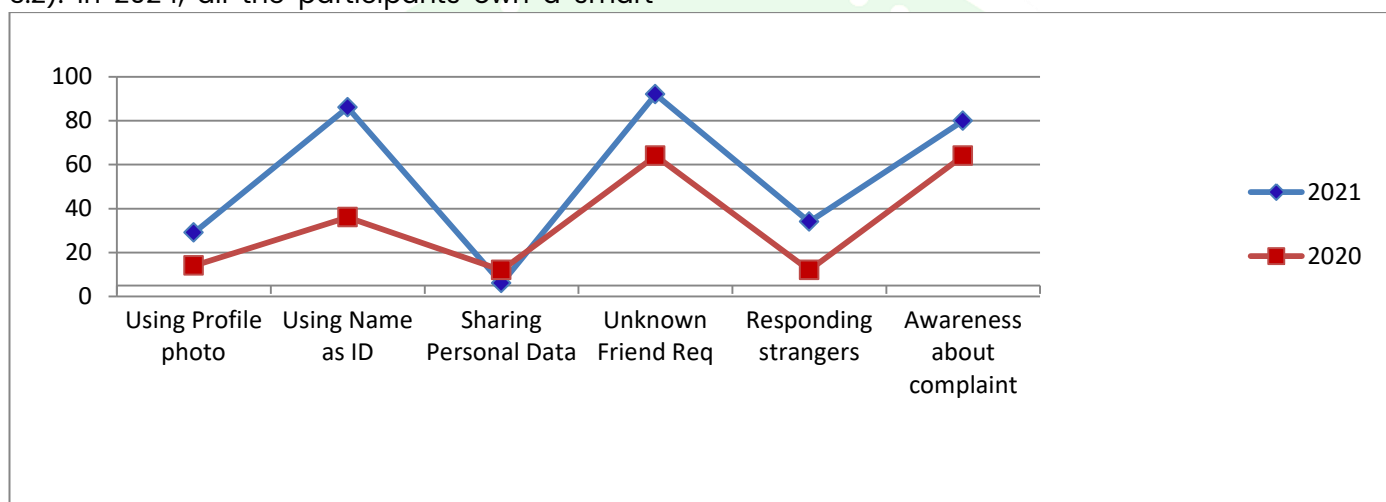


Fig.3.3 Comparison Linear chart of Social media Experiences of Participants in 2019&2024

From this comparison study it is concluded that the vulnerability of girl children in the online platform has increased in 2024 after a lock down period and recovery. This linear diagram shows that there is a drastic change in the count of Social media users and also increase in responding anonymous friend requests or chat requests by the young girls without even thinking about the consequences. They are well-known that the personal data shared on social media is highly risk but still they continue to get likes and appreciations; by the way an addiction to the social media is developed among the young girls which I have observed and learned from this study. Also there was a question I put about the awareness of online police Complaint or SMS Complaint, though most of them have known about this option, if they receive any inappropriate content

or abusive message or any abusive media, they prefer the option of 'Unfriend, Block and Report' and further they ignore such issues literally.

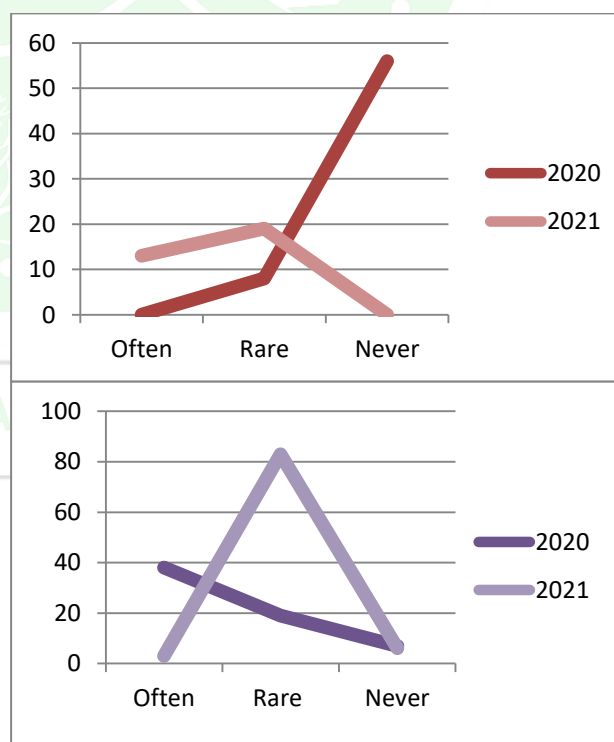


Fig. 3.4 Receiving any Abusive Content
Fig. 3.5 Cyber bullying, Humiliation, etc

The comparative study of receiving abusive or inappropriate contents in the inbox or newsfeed of the social media user is shown in Fig. 3.4, which states the sharing of unwanted abusive contents are highly increased after Covid. In 2019 survey, only 8 of 64 participants received such contents and the remaining 56 had not experienced it. But in 2024 survey, 13 among 92 participants are often facing this kind of contents and 79 participants received such posts rarely. But no one stated that they never receive any inappropriate post.

Fig. 3.5 shows that the online harassment, humiliation and discrimination by words, comments, posts, criticisms or in any other way increased drastically in 2024. Here also only 6 out of 92 participants have not been exposed to such online abuse or harassments in different ways. In rare cases, 83 participants are slightly humiliated, harassed or being commented abusively and 3 participants faced this problem often.

Table 3.1 – Comparison of responses between surveys in 2019 and 2024

| No. | Attribute type | No of Response January'2019 | | No of Response August'2024 | | | |
|--|---|--------------------------------|------------------|-------------------------------|-------------------|------------------|-------------------|
| | | Yes | No | Yes | No | | |
| 1. | Having a Smart phone | 38 | 58 | 92 | 0 | | |
| 2. | Using Social Media Networking | 64 | 32 | 92 | 0 | | |
| 3. | Using Photo as profile Picture | 14 | 50 | 29 | 63 | | |
| 4. | Using Name as profile Id | 36 | 28 | 86 | 6 | | |
| 5. | Sharing personal Information or photos | 12 | 52 | 6 | 86 | | |
| 6. | Receiving friend request from strangers | 64 | 0 | 92 | 0 | | |
| 7. | Responding to unknown persons online | 12 | 52 | 34 | 58 | | |
| 8. | Awareness about Police e-complaint/COP-SMS | 64 | 0 | 80 | 12 | | |
| The following two surveys are focused on to the social media problems such as online abuse, sexual exploitation criticism, harassment, or discrimination, etc | | | | | | | |
| | | Ofte n | Rar e | Neve r | Ofte n | Rar e | Nev er |
| 9. | Receiving inappropriate, abusive content/chat | 0 | 8 | 56 | 13 | 79 | 0 |
| 10. | Humiliated/Discriminated/Criticized Online ever | 38 | 19 | 7 | 3 | 83 | 6 |
| | Total No of participants | 64 among 96 | | | 92 | | |

Key Findings

1. All the children having used the smart phones and social media irrespective of age and gender for the purpose of e-learning, they are exposed to technology.

2. Pandemic Lock down and the online classes increased children activities online, which leads to networking with anonymous persons.
3. Serious crimes and crime related activities such as 'dare', 'prank' have

become very casual among the young children, as they don't care about the consequences.

4. Children now days see the world through the computer O.S. and Mac Book I.S. windows, sometime they started travelling virtually beyond the borders; but the doors are operated remotely by some perpetrators from the dark.
5. Hence it is revealed that the online e-learning as well as social networking exposure creates the most vulnerable atmosphere to the children, particularly adolescents in the pandemic.

5. JUDICIAL INTERPRETATION

In ⁹⁰⁰*Aparna Bhat v. State of Madhya Pradesh*, the Benchmark case for women in the society, the Apex court opined that the crimes against women are strange, including cases under POCSO. In many cases, the court granted bail on the grounds that the defendant and the prosecution had reached a marriage agreement especially in POCSO matters. In addition to this, the court also spelled out about the judges making such shocking comments on the character of prosecutors when they tried rational harassment and rape cases.

⁹⁰¹*Vikas Garg v. State of Haryana*, Punjab High Court, of which courts granted three persons accused of crimes under Section 67 of the 376D, 376 (2) (n), 376, 292, 120B, 506 IPC and IT Act; in this case, the was released on bail, and observations were made on "random relationships", "promiscuity attitudes", and "voyeuristic psychology", was a victim of "relaxation" or "habitual sexual relations".

It is a sine qua non to note the statistical data about the crimes against women and girl children are threatening the child society. The same words from the verdict are given below;

⁹⁰²*"Empirically, the statistics regarding certain kinds of crimes against women have not shown any significant decline. In states and union territories, 32033 rape cases (under Section 376 IPC) were registered in 2019; 4038 cases of attempt to rape were registered the same year (under Section 376 read with Section 511, IPC). As many as 88,387 cases under Section 354 IPC were registered the same year, whereas 6939 cases were registered under Section 509 (outraging the modesty of a woman) in 2019. In all, a total of 4, 05,861 crimes against women were reported in 2019 (as against 359849 in 2017 and 378236 in 2018). The statistic for a relatively new species of offensive activities, cybercrimes that are women-centric, such as Transmitting of Sexually Explicit Material (Sec. 67A/67B, Information Technology Act), Blackmailing Defamation/Morphing/creating Fake Profile etc) registered in 2019, were 1645. POCSO offences, where girl children were victims, reported in 2019 were 46,005."*⁹⁰³

The actual words from the verdict of in ⁹⁰⁴*R v. Seaboyer*, Supreme Court of Canada were mentioned in the verdict as quotes as follows;

"The woman who comes to the attention of the authorities has her victimization measured against the current rape mythologies, i.e., who she should be in order to be recognized as having been, in the eyes of the law, raped; who her attacker must be in order to be recognized, in the eyes of the law, as a potential rapist; and how injured she must be in order to be believed."

The Apex court clarified that in the case of rape and sexual assault, there can be no compromise, and even any situation could be considered because it would damage their honor. Courts and other legal enforcement agencies should be neutral, entrusted to ensure fair trials while maintaining fairness and

⁹⁰⁰ *Aparna Bhat vs The State Of Madhya Pradesh on 18 March, 2021*. Indiankanoon.org. (2021). Retrieved 22 August 2021, from <https://indiankanoon.org/doc/13024806/>.

⁹⁰¹ *Vikas Garg v. State of Haryana*, on 9 August 2018. Indiankanoon.org. (2018). Retrieved 22 August 2021, from <https://indiankanoon.org/doc/157126399/>

⁹⁰² Reportable in Supreme Court of India Retrieved 22 August 2021, from https://main.sci.gov.in/supremecourt/2020/20318/20318_2020_35_1501_27140_Judgement_18-Mar-2021.pdf

⁹⁰³ Ncrb.gov.in. Retrieved 22 August 2021, from <https://ncrb.gov.in/sites/default/files/CII%202019%20Volume%201.pdf>.

⁹⁰⁴ *R v. Seaboyer*, [1991] 2 S.C.R. 577, 650 (L'Heureux-Dubé & Gonthier JJ, dissenting in part) (Canada, Supreme Court). (2021).

neutrality. And this approach to rape and sexual assault cases would further weaken the poor rape survivors' confidence in the fairness of the court. The Apex court also emphasized the status of women, in the society how they were treated badly, and how they suffer a lot. As women in this society, they were already facing various challenges to survive, further the Court held.

However the serious action plans for protecting young girls from the invisible crimes such as online abuse, cyber bullying, cyber crimes should be immediately taken by the state through its authoritative representatives for a vital development in girl children empowerment and to prevent every minute crimes, most of them are left unreported.

6. DISCUSSION

6.1. CHILDREN IN DIGITAL WORLD

Each and every second, there is a child who clicks online for the first time all over the world. Children's lives are now formed into two different worlds; the physical world and the digital world, but generally these worlds prevailing over one on another. Children are now taking shape only behind the screen. Every day, they dive their nose deeper to the bottom sea that do not have their safety in mind and taking risks. As they are absorbing much information, establishing friendships, and making broad connections, these trending methods are emerging that cause severe threat to children of all ages; even young kids who are yet to speak fluently. Yes sometime we could see the children of below 5yrs too online, logging for likes, comments and shares. Though there are many advantages and opportunities, one of the unintended consequences of the Internet activism and digital technology is an exponential development of ⁹⁰⁵Child Sexual Exploitation and Abuse online (CSEA), particularly through the illegal generation and exchange of child sexual behavior and abuse by using of images and videos.

6.2. CHILD SEXUAL ABUSE AND EXPLOITATION ONLINE:

A SERIOUS ETERNAL THREAT TO ADOLESCENTS

More than 200,000 children go online every day and 800 million children actively use social media. Additionally, at any time, an estimated 750,000 people want to have sex with children online or abuse them sexually in anyways virtually. The explosive growth of global Smartphone technology will only exacerbate this threat, and the resulting statistics are incredible. If the younger the child is, the greater the risk online. The content of sexual violent and pornographic images as equal as porn videos of children uploaded or live – streamed in real time telecasting on the Internet. The dark web users are tremendously increasing at a rate of devastating. The dissemination of child abuse materials exploded with a huge rise of the Internet, and child trafficking sexually also increased with the exposure to the largest online market. Ten years ago, there were less than one million reports of child abuse materials; now it increases tremendously.

6.3. SUGGESTIONS

6.3.1. ROLE OF GOVERNMENT IN CHILD SAFETY IN DIGITAL PLATFORM

In India, there is no restriction on the age for children joining and being active in the social media platforms. According to the rules and regulations already given in the Social Media and online Gaming Platform, even though the certified companies just E - Processes child data after providing details and documents issued by them, it was not adequate to provide them cyber safety. Amidst this, the Central is in the process of bringing "Digital Data Protection Act" to the Practice. In the First week of January 2025, the First Draft of this Bill was published by the Government of India. According to this bill, the Major data web carriers must take steps to ensure that the personal data obliging the guidelines provided by the central government is subject to restrictions that it is not transferred outside of Country. These kind of curbs are likely annoyed by top social media and internet based E-

⁹⁰⁵ Cprc-foundation.com. (2020). Retrieved 22 August 2021, from <https://www.cprc-foundation.com/csea>.

commerce shopping companies, online gaming industries such as Meta, Google, Apple, Amazon, Flip kart, so on and so forth, they may oppose these ministry measures in their feedback. The draft bill also inclusive of the restrictions on the transfer of certain classes of "personal data" outside of India, in accordance with the recommendations of the committee formed by the central government. This ⁹⁰⁶Digital Data Protection Act ensures the Verifiable Consent of parents to child to use social media. The Government also invites the Stakeholder comments regarding the draft which will be accepted by February 18th of this year 2025. Indeed this present draft need précised revision and to be amended at the earliest possible.

6.3.2. ROLE OF SCHOOLS IN CHILD ONLINE SAFETY

School⁹⁰⁷ Managements should take responsibility in the following matters as well; they must develop or keep updating their available protection policies to reflect a new reality of children studying at home. The One to one online interaction between school staff and students should be direct, transparent and standardized. Specific procedures may be included by the schools to share the schedules online; it is recommended that children wear a neat and appropriate clothing before the webcam, rather than contacting teachers or attending online classes from the dormitory; avoiding the use of instant messaging services in teacher-private communication, student or parental consent for this type of conversation. The schools should develop their own mechanisms of digital security to ensure that their authorized individuals only can access online learning platforms, and to monitor the recording and storage features of virtual learning in these platforms. The communications from the schools should be clear on the online safety and they should

provide resources and information about digital safety to support parents and caregivers in creating a positive online learning experience t the children. Schools must clearly inform the expected code of conduct during classes to all students on the digital classroom communications, just as they expected for a "face-to-face" behavior. They also promote such a good online behavior and also monitor the same.

6.3.3. NEED OF COUNSELLING SERVICES

Bullying among classmates can easily turn into cyber bullying and may inadvertently harm others. School authorities should have developed certain rules and policies for online classrooms, and make it very clear to the students as well as parents and also that the schools must ensure that children have access to online school counseling services. When the personal contact with the counselor is absent, the children in trouble must have a safe and confidential way to obtain help and support through online or over the phone. In Covid pandemic context, the need of counseling services among children is increased. This Counseling services should be given by some qualified psychological experts, where as some counseling services ended up with negative results. In some cases, children may experience family problems, domestic violence or increased feelings of insecure and anxiety which will create a weird behavior and same should be monitored and concerned by the schools. Allowing children to understand and participate; they should be trained with the technical skills to use the Internet in a Safe key line of defense.

6.4. CONCLUSION

In this poor society, unfortunately the victims of sexual crimes, especially victims of rape are treated worse than crime perpetrators. The victims are so innocent, as they had been forced to be a sexual assault or abuse. However, due to the victim's defect, instead of sympathy with the victim, this society begins to treat them as an "untouchable" product. Even the family will also refuse to accept them. A hard reality is that

⁹⁰⁶ Digital Data Protection Act published by Ministry of Law and Justice; Retrieved January 2025, from <https://www.meity.gov.in/writereaddata/files/Digital%20Personal%20Data%20Protection%20Act%202023.pdf>

⁹⁰⁷ COVID-19 and its implications for protecting children online. End-violence.org. (2020). Retrieved 22 August 2024, from <https://www.end-violence.org/sites/default/files/paragraphs/download/>.

the case of rape cannot be informed many times due to the so called concept of reputation that the victim's family wants to support. The main victims, who are adults, could still be able to continue evil to other girls and disgusting with society, so it is necessary to protect more from a lower victim who sexually abused; but it is difficult to do so. Most of the crimes, the minor victims have not been reported very often, and the perpetrator of crime might be a close member of the victim family or close friends. Now it is recognized that every child require special attention and protection by all aspects including online and offline. Hence a new legislation should be enacted to regulate the exposure of Children online, Virtual learning regulations, restricted access to the adult sites, etc. Some specific gadgets can be used only for learning and the same cannot be used for other browsing options; in such way a cheaper learning gadget can be introduced to every child. From this study it is proven that the need of additional care and attention in the protection of young children online increased and so the online child safety measurements must be prioritized in this prolonging pandemic era.

