



GUIDELINES FOR **CHILD AND ADOLESCENT PARTICIPATION IN THE** **ENTERTAINMENT INDUSTRY AND ANY** **COMMERCIAL ENTERTAINMENT ACTIVITY**

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Preface and Background

The entertainment industry is seen as one of the fastest growing industries in the country. Its various segments- films, television, advertising, print media and music, among others- have witnessed phenomenal growth in the last few years and this trend is expected to continue. Additionally, now with the boom of technology and social media, children are increasingly being used by the parents/guardians for content creation generating large numbers of viewers and followers and to monetize/earn money.

2. Children have been involved with the entertainment industry since the beginning, and throughout the years have been exploited for their innocence, for lack of adequate regulations protecting them and their rights from the multiple stakeholders. Multiple cases have emerged of child actors being taken advantage of in the entertainment industry, with severe and multiple repercussions for the child. Particularly now, with the ease of access of every kind of content from all over the world, children are more prone to being exploited for selfish gains.

3. In view of the vulnerability of children, it is important to ensure a healthy work environment for them with minimal physical and psychological stress. In the absence of any monitoring mechanism, the children in the industry are at grave risk of exploitation because they lack the legal right to the earnings they generate, or safe working conditions and lack of knowledge about adequate protections via labour laws, etc. Participating in an adult-oriented industry, children are often exposed to unsuitable, anxiety inducing, and at times, dangerous operational hazards and situations. Many of these problems may be inherent and generic to the industry, but children, unlike their adult counterparts, should not be expected to handle the emotional and physical stress. Apart from the industry specific risks, the children are also susceptible to a plethora of other crimes against children such as sexual exploitation, child trafficking, bonded labour, etc.

4. The Indian Constitution, under Articles 15, 21, 24, 39 and 45 accords special status to children and has guaranteed them exclusive constitutional rights, and is the grundnorm for every law enacted for the benefit of children in the country. Although several laws are in place, to practice various regulation or rule for protection of the child artists in the adult dominated industry. Hence, the Commission has observed the need to frame guidelines especially for the children who are involved in films, TV, reality shows, OTT

platforms, news and content creation for social media websites so that there may be some sort of easily comprehensible procedure in one place for all the stakeholders involved in order to make them aware of the repercussions of violating any right of the child, and also that the concerned authorities are aware of their respective duties towards children in this field.

5. Since the last guidelines issued by the Commission "*Guidelines to Regulate Child Participation in the Entertainment Industry*" in 2011, there have been many amendments in related laws and, additionally, a few new Act and Rules have been enacted protecting children from crimes under the Juvenile Justice Act, 2015, Child Labour Amendment Act, 2016, Protection of Children from Sexual Offences Act, 2012, Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, etc. Therefore, the need to bring other platforms under the ambit of these guidelines has been realised. Moreover, as discussed above, the dawn of social media, OTT Platforms and the accessibility of content on the internet has opened a Pandora's Box for creation of entertainment content. In addition to the problem of wrongful use of children in creation of such content, unsuitable content has also easily become available for children.

6. The involvement of children in the entertainment industry is governed by the provisions of Child Labour Act which permits under Section 3(2)(b) for any child to work as an artist in an audio-visual entertainment industry, including advertisement, films, television serials or any such other entertainment or sports activities except the circus, subject to such conditions and safety measures, as may be prescribed and provided that no such work under this clause shall effect the school education of the child. This also means to say that children working as artists in the content made for and broadcasted on TV, reality shows, OTT platforms, news and content creation for social media websites also fall under the category of child artists under the Child Labour Act. Rule 2C of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017 provides for the mechanism and procedure that needs to be followed by the production houses for using children in as an artist. Therefore, the law while permitting the use of children as artists in the entertainment industry, regulates the protection and welfare of children as well. Further, such children who are working in this industry when subjected to cruelty, exploitation and abuse are considered to be children in need of care and protection whereby which the rehabilitation of such children is governed by the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015. It is the convergence between the provisions of the Child Labour Act

and the Juvenile Justice Act which makes it possible for children to enjoy and realize their rights at the fullest extent.

7. NCPCR which is a statutory body setup under Section 3 of the Commissions for Protection of Child Rights has to perform various functions enshrined to it under the Act. One of the functions under Section 13 of the CPCR Act, that NCPCR performs is to examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation and such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions. NCPCR is also the monitoring body under Section 109 of the Juvenile Justice Act, 2015; Section 44 of the POCSO Act, 2012 and Section 31 of the RTE Act, 2015. Thereby meaning that when the Commission is to perform its functions and duties as a whole, it has to ensure that children are protected and taken care of by ensuring effective implementation of the child rights related legislation.

8. NCPCR has formulated these guidelines keeping in view of the welfare of the children and the nature of issues that brought before the Commission for the children who are working in the entertainment industry. It has been the observation of the Commission that children who are made to work in the industry are not only unnecessarily exploited but are also subjected to perform/narrate actions, gestures, dances, dialogues etc. which are beyond the understanding of such minor children. It is a well noted fact that censorship of entertainment content ensures that children are in no way exposed to content which might have a harmful impact on their overall development, however, it is many a times seen that the child artists are subjected to perform the actions, gestures, dances which they themselves were prohibited from watching. It is important to understand that using children as artists in an adult dominated industry has to be done with utmost precaution and care. Therefore, keeping in view of these emerging issues surrounding child artists, it is important that a set of guidelines are put in place for regulating and ensuring proper compliance of the law related to child artists and ensure welfare of children.

9. The draft version of these Guidelines had been uploaded on the NCPCR website for receiving comments/suggestions from the public. Discussions/deliberations have also been held between NCPCR and the OTT platforms, Social Media Platforms, Regulatory Bodies and SCPCRs over a span of six months before finalizing these Guidelines to incorporate their views/suggestions as well.

10. In light of the above, the new Guidelines have been made, incorporating the new laws, policies, views/suggestions received from stakeholders and keeping the best interest of children in mind. It is the expectation of NCPCR that these Guidelines will help in ensuring compliance of rights of children under the Indian Constitution, the Convention on the Rights of Child (UNCRC), 1989 and other laws of India pertaining to them.

ACKNOWLEDGEMENT

It's my honour to thank Hon'ble Minister of Women and Child Development, Smt. Smriti Zubin Irani for her guidance and endless efforts for children. I am also thankful to Shri Indavar Pandey, Secretary, MWCD; for his support. I am also grateful to the Committee members- Ms. Vani Tripathi (Board Member, CBFC), Mr. Amit Behl (General Secretary, CINTAA), Ms. Nayanika Mahtani, Ministry of Information and Broadcasting; BCCC; EMMC; Ministry of Labour and Employment; for their suggestions in developing these Guidelines. I am also grateful to the OTT platforms, Social Media Intermediaries, Regulatory Bodies and State Commissions for Protection of Child Rights for being a part of the meetings with NCPCR to deliberate and discuss upon these Guidelines and provide their valuable inputs/views on the same. I am thankful for the constant support received from Ms. Rupali Banerjee Singh, Member Secretary, NCPCR in Commission's all endeavours. I also acknowledge the contribution of Legal Cell of NCPCR in developing these Guidelines. I hope all functionaries and stakeholders would find these Guidelines beneficial while working with children in the entertainment industry and will work in unison for ensuring a protective environment for the children.

Sd/-
(Priyank Kanoongo)
Chairperson, NCPCR

Chapter 1

Introduction

1. Title and Scope of Guidelines

- a) These Guidelines may be called Guidelines for Child and Adolescent Participation in the Entertainment Industry.
- b) These Guidelines are made by NCPCR under its mandate under Section 13 of the Commissions for Protection of Child Rights Act, 2005.
- c) The scope of these Guidelines shall cover television programmes including but not limited to:
 - i. Reality shows;
 - ii. TV serials;
 - iii. News and informative media;
 - iv. Movies;
 - v. OTT platforms;
 - vi. Content on Social Media Platforms;
 - vii. Performing arts;
 - viii. Advertising; and
 - ix. Any other kind of involvement of children in commercial entertainment activities.
- d) These Guidelines shall be applicable to any relevant institution comprising of but not limited to companies, organization/s, or individual/s involved in the production and broadcasting of such material/content along with the concerned Central and State Government authorities.

2. General Principles to be followed

- a) The concerned Central and State Government authorities, and any other individual or institution employing children for creation and production of content for the entertainment industry shall be guided by the standards laid down in the Juvenile Justice Act, 2015, and the following fundamental principles¹:-
 - i. **Principle of dignity and worth**: All human beings shall be treated with equal dignity and rights.
 - ii. **Principle of participation**: Every child shall have a right to be heard and to participate in all processes and decisions affecting his interest and the child's views shall be taken into consideration with due regard to the age and maturity of the child.
 - iii. **Principle of best interest**: All decisions regarding the child shall be based on the primary consideration that they are in the best interest of the child and to help the child to develop his/her full potential.
 - iv. **Principle of family responsibility**: The primary responsibility of care, nurture and protection of the child shall be that of the biological family or adoptive or foster parents, as the case may be.

¹Section 3 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

- v. **Principle of safety**: All measures shall be taken to ensure that the child is safe and is not subjected to any harm, abuse or maltreatment while in contact with the care and protection system, and thereafter.
- vi. **Positive measures**: All resources are to be mobilised including those of family and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling environment, to reduce vulnerabilities of children and the need for intervention under this Act.
- vii. **Principle of non-stigmatising semantics**: Adversarial or accusatory words are not to be used in the processes pertaining to a child.
- viii. **Principle of non-waiver of rights**: No waiver of any of the right of the child is permissible or valid, whether sought by the child or person acting on behalf of the child, or a Board or a Committee and any non-exercise of a fundamental right shall not amount to waiver.
- ix. **Principle of equality and non-discrimination**: There shall be no discrimination against a child on any grounds including sex, caste, ethnicity, place of birth, disability and equality of access, opportunity and treatment shall be provided to every child.
- x. **Principle of right to privacy and confidentiality**: Every child shall have a right to protection of his privacy and confidentiality, by all means and throughout the judicial process.
- xi. **Principles of natural justice**: Basic procedural standards of fairness shall be adhered to, including the right to a fair hearing, rule against bias and the right to review, by all persons or bodies, acting in a judicial capacity under this Act.

3. Definitions

In these Guidelines, unless the context otherwise requires:

- a) **“Adolescent”** means a person who has completed his fourteenth year of age but has not completed his eighteenth year;
- b) **“Best interest of the child”** means the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development;
- c) **“Child”** means a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), whichever is more;
- d) **“Child Artist”** means a child who performs or practices any work as a hobby or profession directly involving him as an actor, singer, sports person or in such other activity as may be prescribed relating to the entertainment or sports activities²; **“Such other activity”** as provided shall mean-
 - (i) Any activity where the child himself is participating in a sports competition or event or training for such sports competition or event;

² Section 3 (c) of Child Labour (Prohibition and Regulation) Amendment Act, 2016

- (ii) Cinema and documentary shows on television including reality shows, quiz shows, talent shows; radio and any programme in or any other media;
 - (iii) Drama serials;
 - (iv) Participation as anchor of a show or events; and
 - (v) Any other artistic performances which the Central Government permits in individual cases, which shall not include street performance for monetary gain.
- e) **“Child and Adolescent Labour Act, 1986”** means the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
- f) **“Child in need of care and protection”** means a child³—
- i. who is found without any home or settled place of abode and without any ostensible means of subsistence; or
 - ii. who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street; or
 - iii. who resides with a person (whether a guardian of the child or not) and such person—
 - (a) has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child; or
 - (b) has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or
 - iv. who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee; or
 - v. who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and well-being of the child; or
 - vi. who does not have parents and no one is willing to take care of, or whose parents have abandoned or surrendered him; or
 - vii. who is missing or run-away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed; or
 - viii. who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or
 - ix. who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or
 - x. who is being or is likely to be abused for unconscionable gains; or

³ Child : As defined under Section 2(12) "child" means a person who has not completed eighteen years of age;

- xi. who is victim of or affected by any armed conflict, civil unrest or natural calamity; or
- xii. who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnisation of such marriage;
- g) "**Child pornography**" means any visual depiction of sexually explicit conduct involving a child which includes photograph, video, digital or computer generated image indistinguishable from an actual child and image created, adapted, or modified, but appear to depict a child.
- h) "**CWC**" means the Child Welfare Committee constituted under Section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
- i) "**DCPU**" means a Child Protection Unit for a District, established by the State Government under Section 106 of Juvenile Justice (Care and Protection of Children) Act, 2015, which is the focal point to ensure the implementation of this Act and other child protection measures in the district;
- j) "**Digital media**" means digitized content that can be transmitted over the internet or computer networks or cyberspace and includes content received, stored, transmitted, edited or processed by- (i) an intermediary; or (ii) a publisher of news and current affairs content or a publisher of online curated content⁴;
- k) "**Entertainment industry**" means any organization, or individual, using the services of any minor in: motion pictures of any type (film, videotape, etc.), using any format (theatrical, film, commercial documentary, television program, etc.), by any medium (theatre, television, videocassette, etc.); photography; recording; modelling; theatrical productions; publicity; rodeos; circuses; musical performances; and any other performances; and any other commercial performances where minors perform to entertain the public;
- l) "**Family**" means the child's mother, father, brother, sister and father's sister and brother and mother's sister and brother;
- m) "**Family Enterprise**" means any work, profession, manufacture or business which is performed by the members of the family with the engagement of other persons;
- n) "**Guardian**" means in relation to a child, means his natural guardian or any other person having, in the opinion of the Committee or, as the case may be, the Board, the actual charge of the child, and recognised by the Committee or, as the case may be, the Board as a guardian in the course of proceedings;
- o) "**Inspector**" means any person appointed as Inspector under Section 17 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 for the purposes of securing compliance of the provisions of the Act;

⁴ Section 2 (1)(i) of Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

- p) **“JJ Act, 2015”** means Juvenile Justice (Care and Protection of Children), 2015, enforced on 31st December, 2015.
- q) **“News and current affairs content”** includes newly received or noteworthy content, including analysis, especially about recent events primarily of socio-political, economic or cultural nature, made available over the internet or computer networks, and any digital media shall be news and current affairs content where the context, substance, purpose, import and meaning of such information is in the nature of news and current affairs content⁵.
- r) **“Online curated content”** means any curated catalogue of audio-visual content, other than news and current affairs content, which is owned by, licensed to or contracted to be transmitted by a publisher of online curated content, and made available on demand, including but not limited through subscription, over the internet or computer networks, and includes films, audio visual programmes, documentaries, television programmes, serials, podcasts and other such content.
- s) **“OTT Platforms”** means Over-The-Top (OTT) media service is a media service offered directly to viewers via the Internet. OTT bypasses cable, broadcast and satellite television platforms; the types of companies that traditionally act as controllers or distributors of such content.
- t) **“Parent”** means either the biological or step or adoptive mother or father of a child;
- u) **“POCSO Act, 2012”** means Protection of Children from Sexual Offences Act, 2012 enforced on 19th June, 2012.
- v) **“Publisher of online curated content”** means a publisher who, performing a significant role in determining the online curated content being made available, makes available to users a computer resource that enables such users to access online curated content over the internet or computer networks, and such other entity called by whatever name, which is functionally similar to publishers of online curated content but does not include any individual or user who is not transmitting online curated content in the course of systematic business, professional or commercial activity.
- w) **“RTE Act, 2005”** means Right of Children to Free and Compulsory Education Act, 2005 enforced on 26th August, 2009.
- x) **“SCPCR”** means State Commission for Protection of Child Rights constituted under Section 17 of the Commissions for Protection of Child Rights Act, 2005.
- y) **“Significant social media intermediary”** means a social media intermediary having number of registered users in India above such threshold as notified by the Central Government
- z) **“Social media intermediary”** means an intermediary which primarily or solely enables online interaction between two or more users and allows them

⁵ News and current affairs content: Section 2 (1)(m) of Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

to create, upload, share, disseminate, modify or access information using its services.

Chapter-2

General Safeguards

[Applicable for use of child/adolescent artists for content on any platform except for content being created for social media platform by parent/guardian of the child/adolescent]

4. Registration of Child Artist with the District Magistrate⁶

- a) Any producer of any audio–visual media production or any commercial event involving the participation of a child, shall involve a child in participation only after obtaining the permission from the District Magistrate of the district where the activity is to be performed, and shall furnish to the District Magistrate before starting the activity an undertaking in **Form C [as provided under Child Labour (Prohibition and Regulation) Amendment Rules, 2017]** and the list of child participants, consent of parents or guardian, as the case may be, name of the individual from the production or event who shall be responsible for the safety and security of the child.⁷
- b) The States/UT's at the district level may devise an online mechanism for production houses to apply for the above-mentioned permission. The already existing online service delivery websites/portals of the States/UT's can be utilized for receiving application forms for production houses.
- c) Any producer of any audio–visual media production or any commercial event involving the participation of a child shall also ensure that screening of all films and television programmes shall be made with a disclaimer specifying that if any child has been engaged in the shooting, then, all the measures were taken to ensure that there has been no abuse, neglect or exploitation of such child during the entire process of the production and shooting. This disclaimer may be displayed at the beginning of the film, each episode of the TV serial, reality show, content posted on any social media platform.⁸
- d) As prescribed by State/UT, the District Magistrate may, if required, instruct the DCPU to conduct an inspection of the workplace and accordingly issue a permit to the producer.
- e) The District Magistrate, after issuing the permit shall instruct the DCPU to inform and provide a list of such children engaged as child artist to the concerned Child Welfare Committee and the Labour Inspector of the district.
- f) The permit obtained shall be valid only for a period of 6 months and shall clearly state the provisions for education, safety, security and reporting of

⁶Rule 2C (b) of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017.

⁷Section 17A of Child and Adolescent Labour Act, 1986 and Rule 2C of the Child and Adolescent Labour Rules, 2017.

⁸Rule 2C of the Child and Adolescent Labour Rules, 2017.

[Disclaimer – The above stated guidelines have been drafted in consonance with the Act and Rules prevailing in the Country to, in order to facilitate & have an effective implementation of the same. The guideline does not intend to contradict any existing law and suggests referring the existing laws in case of any dispute.]

child abuse in consonance with the guidelines and protection policies issued by the Central Government from time to time for such purpose including –

- (i) ensuring facilities for physical and mental health of the child;
- (ii) timely nutritional diet of the child;
- (iii) safe, clean shelter with sufficient provisions for daily necessities; and
- (iv) compliance to all laws applicable for the time being in force for the protection of children, including their right to education, care and protection, and against sexual offences.

[Note: It may be noted that as per the **W.P. (Crl.) No. 2069/2005 filed by Save the Childhood Foundation, the Hon’ble High Court of Delhi**, in its Judgment dated 5 November 2014, has mentioned that “*all enforcement agencies should understand Child Labour as meaning the system of employing or engaging a child to provide labour or service to any person, for any payment or benefit (including benefit under any scheme/policy), paid to the child or to any other person exercising control over the said child*”. It may be understood that as per the definition given by the Hon’ble High Court, any child who is working/doing any activity for a monetary payment or benefit or receives money for it, then the said activity or work being done by the child would be termed as “child labour” under the definition given by the Hon’ble High Court. Therefore, for all such activities being done by the child, the regulations given under the Child & Adolescent Labour (Regulation & Prohibition) Act, 1986 and under these Guidelines would be applicable.]

5. Content⁹

- a) No child/adolescent should be cast in a role or situation that is inappropriate to the child or that may distress him or put him in embarrassing situations. Consideration has to be given to the child’s age, maturity, emotional or psychological development and sensitivity.
- b) No child/adolescent should be cast in a role or situation which exposes the child to a situation which is likely to cause unnecessary mental or physical suffering¹⁰.
- c) No child/adolescent should be exposed to ridicule, insult or discouragement, harsh comments or any behavior that could affect his/her emotional health.
- d) No child/adolescent should be given alcohol or any other substance or made to use cigarettes/beedi/tobacco substances while making the child to portray a scene where the child is to be shown under the influence of alcohol or any other substance.
- e) No child/adolescent should be engaged in any situation involving the indecent or obscene representation of a child or nudity (either of the child

⁹This provision simply provides for cautious use of children in content which may be harmful for the development of the child. These are recommendatory in nature for all production houses/publisher/user of a social media account to follow.

¹⁰ Section 75: Juvenile Justice (Care and Protection) Act, 2015

or another person) or sexual act or in real or simulated sexual acts (with or without penetration). No person shall make a child exhibit his body or any part of his body so as it is seen by such person or any other person.¹¹

- f) In programmes based on victims of child/adolescent abuse, exploitation and like content of sensitive nature, the content should be handled sensitively and the way children/adolescents are made to act should not harm or risk their welfare.
- g) No child/adolescent shall be made to participate in any audio visual and sports activity including informal entertainment activity against his will and consent.
- h) No child/adolescent shall be made to participate in making of any content which is not advisable/ not certified to be viewed by them.

6. Presence of Parent/Guardian

- a) At least one parent or legal guardian shall be present at all times if the child is below the age of 6 years.
- b) At least one parent or legal guardian or a known person shall be present at all times if the child is above the age of 6 years.
- c) If the child is an infant and is allowed to participate for more than one hour on a single day, a registered nurse or midwife must be present at all times along with the parent or legal guardian.
- d) One responsible person shall be appointed by the producer for maximum of five children for the production or event, so as to ensure the protection, care and best interest of the child.
- e) Travel arrangements should be made for the child and no child should be allowed to travel without his parent or legal guardian or known person.

7. Physical Conditions and Safety of Child/Adolescent

- a) It is necessary to ensure that the production environment is safe for children/adolescents. All production units shall develop guidelines with respect to dealing with children/adolescents on set. The guidelines shall include general principles, procedures for seeking consent of parents, good practices, staff protocols for engagement with children/adolescents and a child/adolescent protection policy.
- b) It must be ensured that a minor, especially below the age of 6 years is not exposed to harmful lighting, irritating or contaminated cosmetics.
- c) Every person involved in the production who may be in contact with children/adolescents shall submit a medical fitness certificate before shooting with children and police verification of such staff shall be done prior to employing them to work with children/adolescents.

¹¹Section 11 (i) and (ii) and Section 13 of the Protection of Children from Sexual Offences Act, 2012.

- d) The producer shall ensure that adequate and nutritious food, water to the children/adolescents during the process of production.
- e) Recreational material and rest facilities shall be available on the production set. Facilities should be appropriate to the age and needs of each child/adolescent who is to use them.
- f) Children/Adolescents shall not be made to share dressing spaces/rooms with adults especially of the opposite gender. The producer should ensure there are facilities for the child to dress and undress in a private space.
- g) The producer shall ensure compliance to all laws applicable for the time being in force for the protection of children/adolescents, including their right to education, care and protection and against sexual offences.
- h) Proper facilities of first aid and medical counselling shall be present on the set at all times.
- i) Special facilities to meet the needs of the differently-abled child/adolescent shall be provided.

8. Working Hours, Holidays and other Terms of Agreement

- a) i. No child shall be allowed to work for more than five hours in a day, and for not more than three hours without rest¹².
 ii. Whereas in case of an adolescent, the period of work on each day shall be so fixed that no period shall exceed three hours and that no adolescent shall work for more than three hours before he has had an interval for rest for at least one hour. Further, the period of work of an adolescent shall be so arranged that inclusive of his interval for rest, it shall not be spread over more than six hours, including the time spent in waiting for work on any day.¹³
- b) The period of work of a child/adolescent shall be so arranged that inclusive of his interval for rest, it shall not be more than six hours, including the time spent in waiting for work on any day.
- c) No child/adolescent shall be made to work overtime.
- d) Every child/adolescent shall be given minimum one day leave, which shall be specified by the producer in a notice permanently exhibited in a conspicuous place in the work place.
- e) An infant below the age of 3 months may not be made to participate in shows except in programmes on promotion of breast feeding or immunization. In cases of using an infant below the age of 3 months for any scene, utmost precaution and care needs to be taken by people on the set carrying/holding/performing with the child. Any scene with infant below the age of 3 months shall be done in the presence of a parent/guardian.
- f) No child/adolescent shall be made to enter into an agreement, by virtue of which the child is required to do any work or render any service as a bonded

¹² Rule 2C of Child Labour (Prohibition and Regulation) Rules, 1988

¹³ Section 7 of Child Labour (Prohibition and Regulation) Amendment Act, 2016

labourer under the Bonded Labour System (Abolition) Act, 1976 or by virtue of which the child/adolescent is unable to terminate the agreement, or enter into any other agreement.

- g) In addition, in cases of adolescents, Part III of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 will also be applicable.

9. Wages¹⁴

- a) At least twenty per cent of the income earned by the child/adolescent from the production or event to be directly deposited in a fixed deposit account in a nationalised bank in the name of the child/adolescent which may be credited to the child on attaining majority. The payment for the same may be facilitated by the producer through the management agency/parent/guardian of the child. The producer shall ensure that payment is made to the child/adolescent in a manner prescribed above.
- b) If the child/adolescent is an extra or a background artist, the producer/manager/agency shall be exempted from this provision.

10. Education

- a) It is the duty of the producer to ensure implementation of Section 3 of the Child Labour Act, 1986 and take steps-like making schedule of shoot with a child/adolescent, call child/adolescent for audition, take the child/adolescent out of station for shooting etc. in a manner that does not hamper the education of the child/adolescent. The schedule of classes and exams of the children/adolescents should be given priority so as to ensure continuation of their education.
- b) The parents/guardians shall ensure that involvement of children/adolescent in any work on any platform shall not affect the school education of the child. The parents/guardians shall give an undertaking to the producers about the education details, schedule of classes, number of instructional hours attended etc. to the producers before initiating the shooting process for a project for the child/adolescent.
- c) The producer shall arrange for appropriate facilities for education of the child/adolescent to ensure that there is no discontinuity from his lessons in school and no child/adolescent shall be allowed to work consecutively for more than twenty-seven days.¹⁵
- d) The minimum number of working days or instructional hours in an academic year should be maintained as provided in the Schedule under the Right of Children to Free and Compulsory Education Act, 2009. The requirement is as follows: -
 - i. two hundred working days for first class to fifth class;

¹⁴Rule 2C(f) of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017.

¹⁵Rule 2C (d) of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017.

- ii. two hundred and twenty working days for sixth class to eighth class;
 - iii. eight hundred instructional hours per academic year for first class to fifth class;
 - iv. one thousand instructional hours per academic year for sixth class to eighth class
- e) The participation of children/adolescents in recorded/live entertainment programmes may be done preferably on holidays so that the child does not miss school.

Chapter-3

Social Media Intermediaries and Significant Social Media Intermediaries

[Applicable for use of children/adolescents in creating content for social media platforms by parent/guardian/family]¹⁶

11. Categories of Content Created on Social Media Platforms

- a) The content created for social media applications or short video platforms involving children/adolescents for economic gains shall be bifurcated into content created by production houses or other organizations and content created by the child/adolescent or his/her parent/guardian/family.
- b) Chapter-2 of these guidelines would be applicable in cases of content created by production houses for social media platforms or short video platforms involving children/adolescents for economic gains.
- c) Content created by the child or his/her family/guardian which is created for economic gains shall be treated as children working in a family enterprise as provided under Section 3(2)(a) of the Child Labour and Adolescent Labour Act, 1986 and shall also follow a specific procedure as laid down in this Chapter, in addition to other provisions of these Guidelines, if applicable.
- d) In cases of adolescents, content created by any production house for economic gains, shall be governed by Part III of the Child Labour and Adolescent Labour Act, 1986.
- e) In cases of adolescents, content created by adolescents or his/her family/parent/guardian for economic gains; Section 3A of the Child Labour and Adolescent Labour Act, 1986 must not be violated.

12. Conditions of Work and Nature of Content for Children/Adolescents Involved in Content Creation for Social Media Platforms by Family/Parent/Guardian

- a) For purposes of creating content subject to the provisions of Section 3 of the Child and Adolescent Labour Act, 1986, a child may, without affecting his/her school education, in any manner help his/her family in his/her family

¹⁶For purposes of clarification, it is stated that the role of Social Media Intermediaries and Significant Social Media Intermediaries under this Chapter is limited to the extent as provided under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2022.

enterprise, subject to the conditions as laid down in Rule 2B of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017.

- b) Child/Adolescent shall not perform any tasks during school hours and between 7 p.m. and 8 a.m.
- c) Child/Adolescent shall not be engaged in such tasks of helping which hinders or interferes with the right to education of the child, or his attendance in the school, or which may adversely affect his education including activities which are inseparably associated to complete education such as homework or any extracurricular activity assigned to him by the school;
- d) Child/Adolescent shall not be engaged in any task continuously without rest which may make him tired and shall be allowed to take rest to refresh his health and mind, and a child shall not help for more than three hours excluding the period of rest in a day.
- e) Child/Adolescent shall aid or assist his family in such manner which is not incidental to any occupation, work, profession, manufacture or business, or for any payment or benefit to the child or any other person exercising control over the child, and which is not detrimental to the growth, education and overall development of the child.
- f) No child/adolescent should made to act that is inappropriate to the child or that may distress him or put him in embarrassing situations. Consideration has to be given to the child's age, maturity, emotional or psychological development and sensitivity.
- g) No child/adolescent should be exposed to ridicule, insult or discouragement, harsh comments or any behavior that could affect his/her emotional health.
- h) No child/adolescent should be given actual alcohol or any other substance or made to use cigarettes/beedi/tobacco substances while making the child to portray a scene where the child is to be shown under the influence of alcohol or any other substance.
- i) No child/adolescent should be engaged in any situation involving the indecent or obscene representation of a child or nudity (either of the child or another person) or sexual act or in real or simulated sexual acts (with or without penetration). No person shall make a child exhibit his body or any part of his body so as it is seen by such person or any other person.¹⁷
- i) In programmes based on victims of child/adolescent abuse, exploitation and like content of sensitive nature, the content should be handled sensitively and the way children/adolescents are made to act should not harm or risk their welfare. Age-appropriate content should be generated for social media platforms.
- j) No child/adolescent shall be made to participate in any audio visual and sports activity including informal entertainment activity against his/her

¹⁷Section 11 (i) and (ii) and Section 13 of the Protection of Children from Sexual Offences Act, 2012.

will and consent.

- k) No child/adolescent should be cast in a role or situation which exposes the child to a situation which is likely to cause unnecessary mental or physical suffering¹⁸.

13. Education

Where a child is involved in content creation for social media platforms under this Chapter, is receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the District Officer or any other officer appointed by the District Magistrate in this regard.¹⁹

14. Wages

At least twenty per cent of the income earned by the child/adolescent from the production or event or publishing of such content online on any social media platform shall be directly deposited in a fixed deposit account in a nationalised bank in the name of the child/adolescent which may be credited to the child on attaining majority. The Family/parents/guardians would deposit the amount in the bank account of the child/adolescent.

15. Duties of social media intermediaries for content uploaded on their platforms

- i. **Provisions given under the IT Rules, 2021 for due diligence to be followed by social media intermediaries**
 - a. Rule 2(1)(q) of the IT Rules, 2021 defines online curated content any curated catalogue of audio-visual content, other than news and current affairs content, which is owned by, licensed to or contracted to be transmitted by a publisher of online curated content, and made available on demand, including but not limited through subscription, over the internet or computer networks, and includes films, audio visual programmes, documentaries, television programmes, serials, podcasts and other such content;
 - b. Rule 2(1)(t) of the IT Rules, 2021 defines publisher of news and current affairs content and Section 2(1)(u) of IT Rules, 2021 defines publisher of online curated content.
 - c. Rule 3 of the IT Rules, 2021 provides for certain due diligence that needs to be followed by any social media intermediary. It states that the intermediary shall promptly publish on its website, mobile based application or both, as the case may be, the rules and regulations, privacy policy and user agreement for access or usage of its computer resource

¹⁸ Section 75: Juvenile Justice(Care and Protection) Act,2015

¹⁹Rule 17C (1)(i) of Child Labour (Prohibition and Regulation) Amendment Rules, 2017.

by any person.

- d. Further, Rule 3 provides that the rules and regulations, privacy policy or user agreement of the intermediary shall inform the user of its computer resource not to host, display, upload, modify, publish, transmit, store, update or share any information which is harmful to the child, violation of any law being in force, defamatory, pornographic, invasive of another's privacy, including bodily privacy, insulting or harassing on the basis of gender, libelous, racially or ethnically objectionable, relating or encouraging money laundering or gambling, or otherwise inconsistent with or contrary to the laws in force.
- e. Rule 3(c) provides that an intermediary shall periodically inform its users, at least once every year, that in case of non-compliance with rules and regulations, privacy policy or user agreement for access or usage of the computer resource of such intermediary, it has the right to terminate the access or usage rights of the users to the computer resource immediately or remove non-compliant information or both, as the case may be.
- f. Rule 3(d) empowers Appropriate Government or its agency under clause (b) of sub-section (3) of section 79 of the IT Act, 2000 to issue a direction, order or notice to any intermediary for disabling the hosting of such information on its platform which is prohibited under any law for the time being in force in relation to the interest of the sovereignty and integrity of India; security of the State; friendly relations with foreign States; public order; decency or morality; in relation to contempt of court; defamation; incitement to an offence relating to the above, or any information which is prohibited under any law for the time being in force.

ii. Therefore, as per the above-mentioned provisions in cases where there is notice issued by any Appropriate Government or its agency to take down content which is violating the provisions of law, the social media intermediary is bound to take action against the said content published on its platform and against the user who has posted the said content. The provisions of IT Rules, 2021 explicitly provide for actions that can be taken by social media intermediaries' *suo-moto* or upon the notice of the Appropriate Government or upon a Court Order.

iii. In such cases where there is apparent violation of child rights under any of the laws in force and/or violation of IT Rules, 2021, the social media

intermediaries are to take swift and prompt action in such matters and in case of inaction on the part of social media intermediaries, procedure as per IT Rules, 2021 will be followed.

Chapter-4 **News and Media**

[Applicable to News and Media production companies reporting/broadcasting daily news, current affairs and content of similar nature. This will be applicable to News and Media production companies in addition to Chapter-2 of these Guidelines.]

18. Children in News and Media²⁰

- a) Media and Production Houses shall ensure that child victims of rape, other sexual offences, trafficking, drug/substance abuse, elopement, organized crimes, and children used in armed conflicts, children in conflict with law and child witnesses etc. are automatically guaranteed anonymity for life.
- b) Media shall not sensationalize issues or stories, especially those relating to children, and should be conscious of the harmful consequences of disclosing/highlighting information in a sensational form and the harm it may cause to children.
- c) While conducting an interview of a child, the media production houses shall ensure the following: -
 - i. That the interview is in the best interest of the child.
 - ii. That the interview does not aggravate the child's situation further.
 - iii. That the manner and content of the interview shall not affect/interfere with the child's right to privacy.
 - iv. That if the interview is in the child's best interest, the same shall be done under supervision and consent of the child's parent(s) or legal guardian, or in the alternative, the competent authorities for the child.
 - v. Frequent interviewing of a child must be avoided.
 - vi. The child and/or his parents/ legal guardian or any person having control over him shall not be coerced or enticed in any manner including financial or other inducement to secure consent for the interview.
- d) Content/broadcast shown by the News and Media production companies must be in conformity with the prescribed programme code.

²⁰A.K. Asthana Vs. Union of India & Anr, Writ Petition (Civil) No. 787 of 2012 before the Hon'ble Delhi High Court and Section 74 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

Chapter-5

Advertisements²¹

[Applicable to manufacturer, service provider or trader whose goods, product or service is the subject of an advertisement, or to an advertising agency or endorser whose service is availed for the advertisement of such goods, product or service. This will be applicable in addition to Chapter-2 of these guidelines]

19. Use of child/adolescent in advertisements and Children/Adolescents targeted advertisements²².

- a) An advertisement that addresses or targets or uses children shall not—
- i. condone, encourage, inspire or unreasonably emulate behaviour that could be dangerous for children;
 - ii. exaggerate the features of goods, product or service in such manner as to lead children to have unrealistic expectations of such goods, product or service;
 - iii. condone or encourage practices that are detrimental to children's physical health or mental wellbeing;
 - iv. imply that children are likely to be ridiculed or made to feel inferior to others or become less popular or disloyal if they do not purchase or make use of such goods, product or service;
 - v. include a direct exhortation to children to purchase any goods, product or service or to persuade their parents, guardians or other persons to purchase such goods, product or service for them;
 - vi. use qualifiers such as 'just' or 'only' to make the price of goods, product or service seem less expensive where such advertisement includes additional cost or charge;
 - vii. feature children for advertisements prohibited by any law for the time being in force, including tobacco or alcohol-based products;
 - viii. feature personalities from the field of sports, music or cinema for products which under any law requires a health warning for such advertisement or cannot be purchased by children;
 - ix. make it difficult for children to judge the size, characteristics and performance of advertised products and to distinguish between real life situations and fantasy;
 - x. exaggerate what is attainable by an ordinary child using the product being marketed;
 - xi. exploit children's susceptibility to charitable appeals and shall explain the extent to which their participation will help in any charity-linked promotions;

²¹ Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022. The Guidelines issued by Ministry of Information & Broadcasting prohibits production of advertisements that are targeted towards children, therefore, use of children for such advertisements should also not be done.

²² Section 8: Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022

- xii. resort to promotions that require a purchase to participate and include a direct exhortation to make a purchase addressed to or targeted at children;
 - xiii. claim that consumption of a product advertised shall have an effect on enhancing intelligence or physical ability or bring exceptional recognition without any valid substantiation or adequate scientific evidence;
 - xiv. claim any health or nutritional claims or benefits without being adequately and scientifically substantiated by a recognized body;
 - xv. be published in any mass media, including advertisement on network games in respect of medical services, drugs, dietary supplements, medical instruments, cosmetic products, liquor or cosmetic surgery which are adverse to the physical and mental health of children.
- b) An advertisement of any goods, product or service which addresses or targets children shall not–
- i. be such as to develop negative body image in children;
 - ii. give any impression that such goods, product or service is better than the natural or traditional food which children may be consuming.
- c) An advertisement for junk foods, including chips, carbonated beverages and such other snacks and drinks shall not be advertised during a program meant for children or on a channel meant exclusively for children.
- d) Any advertisement which offers promotional gifts to persuade children to buy goods, product or service without necessity or promotes illogical consumerism shall be discouraged.

Chapter-6

Penalties and Offences

20. Violation of Child and Adolescent Labour Act, 1986

- a) If the Producer or the Family/Parents/Guardian is found in violation of Chapter 2 and 3 of these Guidelines, then the producer or the Family/Parents/Guardian shall be in contravention of conditions laid down under Section 3 of the Child and Adolescent Labour Act, 1986 and Rule 2C of the Child Labour (Prohibition and Regulation) Amendment Rules, 2017.
- b) The Producer or Family/Parents/Guardian for the above contravention shall be punishable as per Section 14 and Section 14A of Child and Adolescent Labour Act, 1986.
 - i. If a similar offence is committed again by the producer, he/she shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years.

- ii. If similar offence is committed again by parents/legal guardian, he shall be punishable with fine which may extend to ten thousand rupees.
- c) The Producer in violation of any other provision of the Child and Adolescent Labour Act, 1986 shall be liable to be punished under Section 14 of the Act and shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to ten thousand rupees or with both.

21. Violation of Protection of Children from Sexual Offences Act, 2012

- a) Where information is not provided to the SJPU or the local police in the manner laid down in the POCSO Act, 2012 of the contravention of any provision of the Protection of Children from Sexual Offences Act, 2012 or apprehension/knowledge of such violation in the work place or during the production against a child/adolescent, then the producer as well as the production house shall be held liable under Section 19 of the POCSO Act.
- b) Where any offence under the POCSO Act, 2012 is committed against the child/adolescent during pre-production, production, post-production process, then the producer as well as the production house shall take steps in accordance with the provisions laid down under POCSO Act, 2012.
- c) Section 23 of the POCSO Act, 2012 provides for procedure to be adopted by the media for children who are victims of sexual offences-
 - a. No person shall make any report or present comments on any child from any form of media or studio or photographic facilities without having completed and authentic information, which may have the effect of lowering his reputation or infringing upon his privacy.
 - b. No reports in any media shall disclose, the identity of a child including his name, address, photograph, family details, school, neighbourhood or any other particulars which may lead to disclosure of identity of the child: Provided that for reasons to be recorded in writing, the Special Court, competent to try the case under the Act, may permit such disclosure, if in its opinion such disclosure is in the interest of the child.
 - c. The publisher or owner of the media or studio or photographic facilities shall be jointly and severally liable for the acts and omissions of his employee.
 - d. Any person who contravenes the above provisions shall be liable to be punished with imprisonment of either description for a period which shall not be less than six months but which may extend to one year or with fine or with both.
- d) Whoever, uses a child in any form of media (including programme or advertisement telecast by television channels or internet or any other electronic form or printed form, whether or not such programme or

advertisement is intended for personal use or for distribution), for the purposes of sexual gratification, which includes—

- i) representation of the sexual organs of a child;
- ii) usage of a child engaged in real or simulated sexual acts (with or without penetration);
- iii) the indecent or obscene representation of a child, shall be guilty of the offence of using a child for pornographic purposes.

Shall be punishable under Section 14 of the POCSO Act, 2012.

Explanation.—For the purposes of this section, the expression “use a child” shall include involving a child through any medium like print, electronic, computer or any other technology for preparation, production, offering, transmitting, publishing, facilitation and distribution of the pornographic material

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

- e) If there is disclosure of identity of any child/adolescent who is a child in conflict with law or child in need of care and protection, by any form of media/broadcast, then the same shall be in violation of Section 74 of the Juvenile Justice Act, 2015.
- f) Whoever, having the actual charge of, or control over, a child, assaults, abandons, abuses, exposes or wilfully neglects the child or causes or procures the child/adolescent to be assaulted, abandoned, abused, exposed or neglected in a manner likely to cause such child unnecessary mental or physical suffering shall be punished under Section 75 of the Juvenile Justice Act, 2015. The actual charge of the child during pre-production, production, post-production process would be deemed to be with the producer/production house.
- g) If intoxicating liquor or narcotic drug or psychotropic substance or tobacco products is given to a child/adolescent during the pre-production, production, post-production process, the production house shall be in violation of Section 77 of the Juvenile Justice Act, 2015 and shall also be liable to a fine which may extend up to one lakh rupees, and **the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production and Supply and Distribution) Act, 2003.**
- h) If there is exploitation of any child/adolescent involved in production, the producer/production house shall be in violation of Section 79 of the Juvenile Justice Act, 2015.

23. Any Other Violation

Any other violation committed under these Guidelines shall be punished under the law being in force.

16. Procedure for a Child/Adolescent in Need of Care and Protection

Any child against whom an offence enumerated under this Chapter or any other law is committed, is a child/adolescent in need of care and protection and shall be produced before the CWC in the manner specified under Section 31 of the Juvenile Justice Act, 2015. Information shall also be provided to the DCPU, who shall follow the procedure as laid down in the Juvenile Justice Act, 2015 in the best interest of the child/adolescent.

Chapter-7 **Inspection and Complaints**

24. Periodic Inspections

The Inspector appointed under Section 17 of the Child Labour and Adolescent Act, 1986 shall carry out the following tasks: -

- a) periodical inspections to be conducted by the Inspector of the places at which the employment of children is prohibited and hazardous occupations or processes are carried out;
- b) the intervals at which an Inspector shall report to the Central Government complaints received to him relating to the subject matter of inspection under clause (a) and the details of action taken by him thereafter;
- c) maintenance of record electronically or otherwise of-
 - i. children and adolescent found to be working in contravention of the provisions of the Act including children who are found to be engaged in family or family enterprises in contravention of the Act;
 - ii. number and details of the offences compounded;
 - iii. details of compounding amount imposed and recovered; and
 - iv. details of rehabilitation services provided to children and adolescents under the Act

25. Complaints

Any complaint regarding any violation committed against a child under these Guidelines or any other law in force during child's participation in the entertainment industry at the time can be made by any person to the District Magistrate or the NCPCR or the SCPCR of the respective state.

Chapter-8 **Duties of the Monitoring Authorities**

26. Duties of the District Magistrate

- a) The District Magistrate shall –

- i. specify such officers subordinate to him, as he considers necessary, to be called nodal officers, who shall exercise all or any of the powers and perform all or any of the duties of the District Magistrate conferred and imposed on him by the Central Government under Section 17A;
 - ii. assign such powers and duties, as he thinks appropriate, to a nodal officer to be exercised and performed by him within his local limits of jurisdiction as subordinate officer;
- b) The District Magistrate shall ensure through nodal officers that the children and adolescents who are employed in contravention of the provisions of these Guidelines and the Acts existing to protect children are rescued and shall be rehabilitated in accordance with the provisions of –
 - i. the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) and the rules made there under;
 - ii. the Bonded Labour System (Abolition) Act, 1976 (19 of 1976);
 - iii. the Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016;
 - iv. any National Child Labour Project;
 - v. any other law or scheme for the time being in force under which such children or adolescents may be rehabilitated; and subject to –
 - (I) the directions, if any, of a court of competent jurisdiction;
 - (II) the guidelines for rescue and repatriation issued by the Central Government from time to time in this regard.

27. Duties of the Inspector

An Inspector appointed by the Central Government under Section 17, for the purposes of securing compliance with the provisions of the Act, shall –

- a) comply with the norms of inspection issued by the Central Government from time to time;
- b) comply with the instructions issued by the Central Government from time to time for the purposes of securing the compliance with the provisions of the Act; and
- c) report the Central Government quarterly regarding the inspection made by him for the purposes of securing the compliance with the provisions of the Act and the action taken by him for such purposes.

28. Functions of NCPCR and SCPCR

- a) The National Commission for Protection of Child Rights and the State Commission(s) for Protection of Child Rights are mandated to monitor the proper and effective implementation of the Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of

Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009 on a national and state level, respectively.

- b) The Commissions for Protection of Child Rights Act, 2005 lays down the functions of the National and State Commissions under Section 13 and Section 24 respectively.

The functions of the National Commission and the State Commissions with regards to these Guidelines are: -

- i. examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;
- ii. inquire into violation of child rights and recommend initiation of proceedings in such cases;
- iii. look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;
- iv. inquire into complaints and take suo motu notice of matters relating to—
 - (i) deprivation and violation of child rights;
 - (ii) non-implementation of laws providing for protection and development of children;
 - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, or take up the issues arising out of such matters with appropriate authorities; and
- v. Such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

Chapter-9

Sensitization and Awareness Training

29. Sensitization and Awareness

- a) Proper training and sensitization to handle children shall be provided to the staff involved with children during the production/creation of content by the production houses and media houses or any other corporate houses involved in the entertainment industry.

- b) The staff shall also be made aware of the current laws protecting the rights of the children by the production houses and media houses or any other corporate houses involved in the entertainment industry.
- c) The child and his parents/local guardian shall be made aware of the rights of the child and the authorities they can approach regarding any grievance or complaint by the production houses and media houses or any other corporate houses involved in the entertainment industry.
