



ILE MULTIDISCIPLINARY JOURNAL

VOLUME 4 AND ISSUE 1 OF 2025

INSTITUTE OF LEGAL EDUCATION



ILE MULTIDISCIPLINARY
JOURNAL

WHILE THERE'S RESEARCH THERE'S HOPE

ILE MULTIDISCIPLINARY JOURNAL

APIS – 3920 – 0007 | ISSN – 2583-7230

(OPEN ACCESS JOURNAL)

Journal's Home Page – <https://mj.iledu.in/>

Journal's Editorial Page – <https://mj.iledu.in/editorial-board/>

Volume 4 and Issue 1 (Access Full Issue on – <https://mj.iledu.in/category/volume-4-and-issue-1-of-2025/>)

Publisher

Prasanna S,

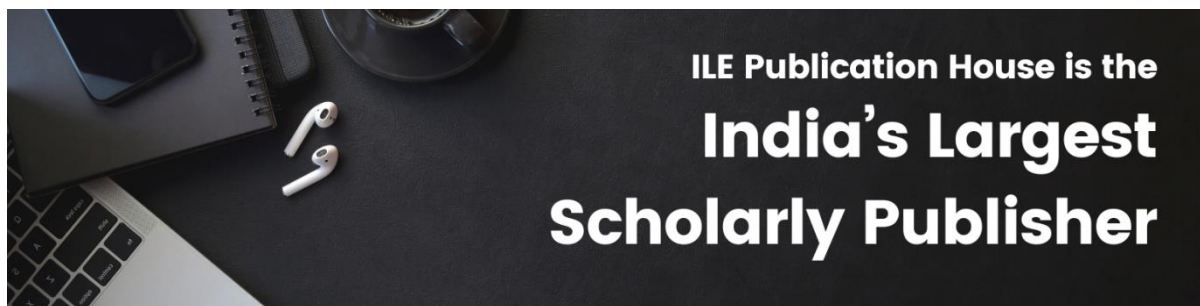
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1. Restriction on employment of children in any occupation and process:

- Section 3 of the amended Act has some special provisions for Children, i.e., persons under 14 years of age. They are permitted to work in any occupation. Only if they contribute significantly to the family earnings by being a part of the family venture. The section exempts those helping their family or family enterprise, other than any hazardous occupations or processes. That too after the school hours or during vacation, from the purview of the Act.

2. Conditions for children working for media entertainment:

- Section 3 also exempts children working as actors in the audio-visual entertainment industry. These exemptions cover television serials, advertisement, films or any such other entertainment or sports activities. It also has an exception of the circus if the prescribed safety measures have been complied with.⁹⁹⁰

Below Are Some Child Labour Laws In The Entertainment Industry Of India:-

According to the Law, the Producer should fulfil certain conditions. The producer shall:

- Obtain permission from the District Magistrate and shall furnish an undertaking in Form C of the Rules. It should be presented to the District Magistrate before starting any activities in the district;
- Provide the list of child participants, consent of their parents or guardian. And the name of those from the production

who shall be responsible for the safety and security of the child;

- Endorse that all screening of his/her films and television programs shall be made with a disclaimer. It should specify that if any child has been engaged in the shooting, then, all the measures & care were taken to ensure that there has been no abuse, neglect or exploitation of such child during the entire process of the shooting;
- Organize proper facilities for the education of the child. And ensure that there is no discontinuity from his lessons in school;
- Not allow children to work continuously for more than 27 days; and
- Appoint one responsible person for a maximum of five children for the production or event. And ensure the protection, care and best interest of the child⁹⁹¹.

The new rules state that at least 21% income earned by the child should be deposited in his account. The account must be in a nationalized bank. That amount may be credited to the child on attaining majority. No child shall be made to engage in any audio-visual, sports or informal entertainment activity without his will and consent. Thus there needs to be a lot of improvement in the Child labour laws in the Entertainment industry of India.⁹⁹²

A Recent Violation Of Child Artist's Rights On A Daily Soap's Set Of Kerala Entertainment Industry:

The Kerala State Council for Child Welfare (KSCCW) recently received a complaint about

<https://www2.deloitte.com/content/dam/Deloitte/in/Documents/technology-media-telecommunications/in-tmt-indywood-film-festival-noexp.pdf>, (accessed 23 April 2025).

⁹⁹⁰ Kumar, S., Role of Duty Bearers in Child Protection Child Protection (First), Guwahati, Centre for Child Rights, National Law University and Judicial Academy, https://bprd.nic.in/WriteReadData/Orders/book_child-protection1.pdf, (accessed 20 April 2025)

⁹⁹¹ Ministry of Labour and Employment (MoLE), The Child and Adolescent Labour (Prohibition and Regulation) Act (CALPRA), 1986, https://labour.gov.in/sites/default/files/The_Child_and_Adolescent.pdf, (accessed on 10 April 2025).

⁹⁹² Ministry of Labour and Employment (MoLE), The Child and Adolescent Labour (Prohibition and Regulation) Act (CALPRA), 1986, https://labour.gov.in/sites/default/files/The_Child_and_Adolescent.pdf, (accessed on 10 April 2025)



Child Labour in Television daily soap. The rights of child artists were violated on a serial set. The complaint was lodged by the parents of child actors. From their complaint, it comes to know that the children were forced to work for long hours. It also highlighted the issue of nonpayment of remuneration.⁹⁹³

Around 132 children were part of a serial. According to the rules, child actors are not supposed to work for more than 3 hours. Still, they were forced to work for long hours without break & at the end of shooting they didn't even get the payment also. There was a clear violation of child rights onset of the TV serial.

Accordingly, the council has decided to take up the issue with the Kerala State Commission for Protection of Child Rights. The petitioners were given directions to file a complaint with the police and then forward it to the commission.

The case of Jackie Coogan is famous for triggering the creation of California's Child Actor laws, also known as the Coogan Laws. In this case, Jackie Coogan's parents had spent all his earnings as a famous child actor. In recent times famous stars like Macaulay Caulkin and

Modern family's Ariel Winter have filed for emancipation from their parents, to protect themselves from exploitation from agents and parental guardians alike.

In India, there was a case where a complaint was filed against a local soap opera in the Kerala State Council for Child Welfare (KSCCW). Basically, the rights of child artists were being violated on the set. The complaint was lodged by the parents on the behalf of the children. The children were forced to work long hours (beyond the stipulated 3 hour mark) and were not being given remuneration either.⁹⁹⁴

Further areas of reform

While the 2016 amendments are certainly a step in the right direction, more must be done to help child actors learn to cope with the trappings of fame and also deal with the mental pressure of a career in the entertainment industry. Thus, the above-stated rules should also make it compulsory that child actors are provided adequate counselling and advice from trained professionals to deal with the darker aspects of the industry. Furthermore, adequate steps must be taken to shield child actors from drugs, alcohol or any other dangerous substances.

Another angle that has not been considered is the dangers posed to the child by managers, parents and guardians. It is crucial that there is an adequate legal framework in place to protect child actors from this risk. In order to make this effective, it might be necessary to consider creating emancipation laws which do not currently exist in India.

Also, there is a need to redirect and regulate media attention that is focussed on child actors. It is necessary that there are effective legal provisions to ensure this works. Furthermore, extra care must be taken to prevent sexual abuse against child actors and cultivate a safe environment for them. Also, care must be taken to ensure that children are not being commercially exploited by those close to them and that the income they earn is primarily invested back into their future so as to avoid situations where children are left penniless.

Furthermore, these rules should not be simply limited to child performers or actors, it should be expanded to apply to child athletes in sport. Child athletes often suffer from serious cases of bullying and exploitation at the hands of coaches and agents. Therefore, it is necessary that these provisions be expanded to include them as well. Similarly, there should be adapted regulations for dancers and other child artists

⁹⁹³ Nalhe, C., (2020, February 15). 'Child Labour Laws for Entertainment industry in India', <https://www.taxolawgy.com/child-actors-or-child-labours/>, (accessed 16 March 2025)

⁹⁹⁴ National Commission for Protection of Child Rights (NCPCR) (2010-2011), Guidelines to Regulate Child Participation in TV Serials, Reality Shows and Advertisements, 2011, <https://mib.gov.in/sites/default/files/pc7.pdf>, (accessed on 20 April 2025)



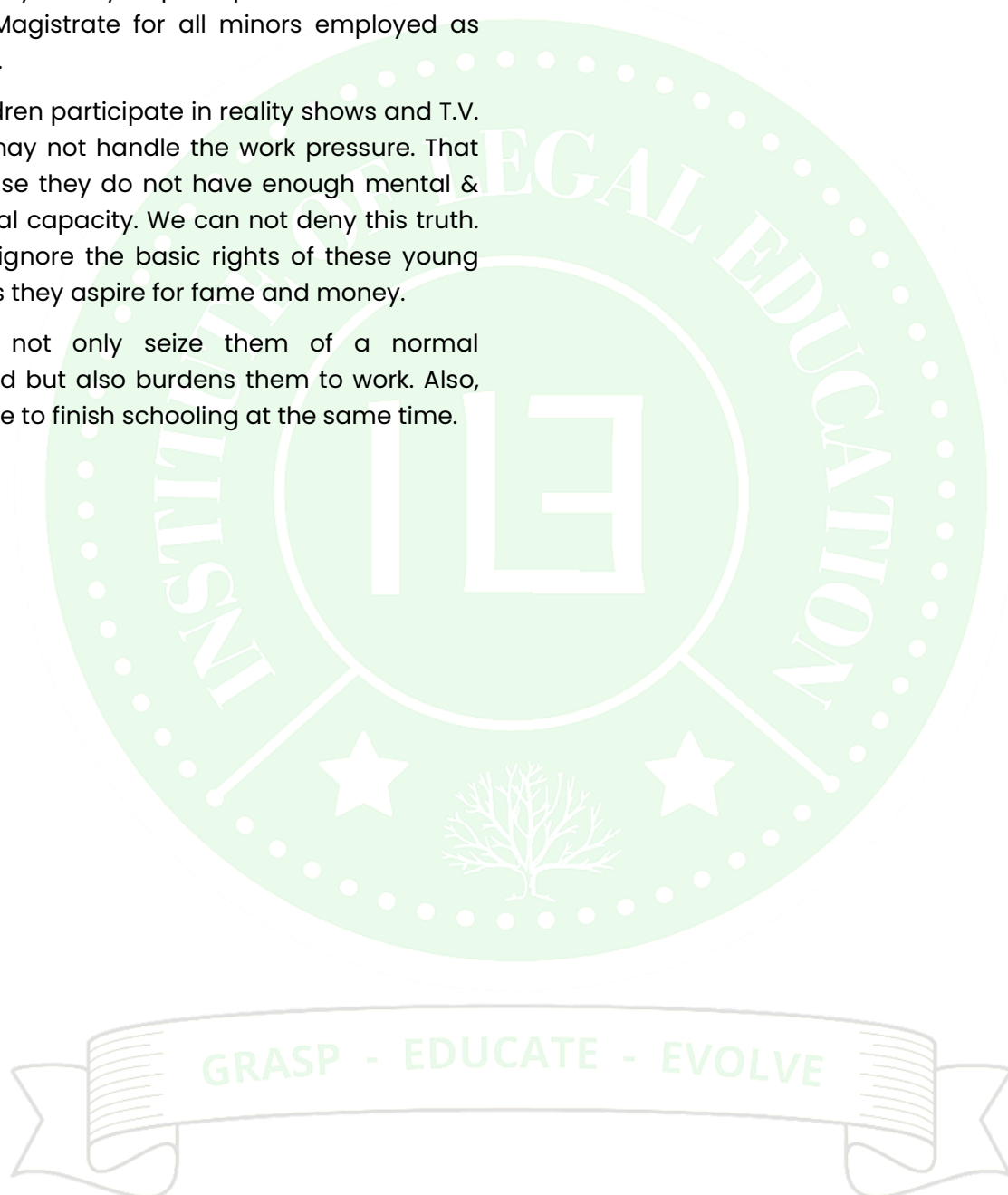
as well. The law should not be rigidly enforced for the sake of only child actors⁹⁹⁵.

Conclusion:

These were the Child labour laws in the Entertainment industry in India. Any act to protect children does not cover sports, film and ad industry. It only requires permission from the District Magistrate for all minors employed as an actor.

The children participate in reality shows and T.V. serials may not handle the work pressure. That is because they do not have enough mental & emotional capacity. We can not deny this truth. Parents ignore the basic rights of these young artists as they aspire for fame and money.

It does not only seize them of a normal childhood but also burdens them to work. Also, they have to finish schooling at the same time.



⁹⁹⁵ Rana, L., and Chopra, R., 'India: Child Actors and Child Labour Laws', 26 July 2017, <https://www.mondaq.com/india/Media-Telecoms-IT-Entertainment/614290/Child-Actors-And-Child-Labour-Laws>, (accessed 16 March 2025).