



CENTRE FOR CHILD RIGHTS

THE QUARTERLY NEWSLETTER

Lowering Juvenile Age: Maharashtra proposes reducing the threshold to 16, risking bypassed assessments.

UN Commission Finds Deliberate Targeting of Palestinian Children Constitutes Genocide

**94,000 Govt Schools Closed
NITI Aayog report highlights mass closures threatening the RTE.**

Scrutiny Over Paid CSAM Ads: NCPCR inquiry challenges Meta's safe harbour protections under IT Act.

**Social Media Age Curbs
MeitY consults platforms on age verification amid ban concerns.**

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PREFACE

We are delighted to present the current edition of our newsletter, continuing our mission to spotlight child rights, share critical insights, and highlight our ongoing research, advocacy, and outreach efforts. This issue covers key legal and policy updates, landmark judicial decisions, international discussions on child protection, and significant observances dedicated to children's welfare.

With each edition, we strive to foster dialogue and action on issues that impact children the most. Your engagement and feedback are invaluable in shaping this initiative and strengthening our collective commitment to child rights.

We look forward to your thoughts and collaboration as we work towards a world where every child's rights are protected and upheld.

DISCLAIMER & ACKNOWLEDGMENT

The Centre for Child Rights (CCR) expresses its heartfelt gratitude to the National Law University Odisha (NLUO) for providing a platform to think critically and engage meaningfully with the realm of Child Rights. This endeavour would not have been possible without the unwavering support of Prof Dr Vidyullatha Reddy, Vice-Chancellor of NLUO, and Patron-in-Chief of the Centre for Child Rights, Prof. Rangin Pallav Tripathy, Registrar of NLUO and Patron of the Centre for Child Rights. Prof. Biraj Swain, the Chief Minister's Chair Professor cum Director of Centre for Child Rights, NLUO, has been instrumental in shaping this vision from its inception, and her invaluable guidance has played a pivotal role in bringing this Newsletter to fruition.

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ABOUT *CENTRE FOR CHILD RIGHTS*

Centre for Child Rights (CCR) is the specialized research centre of the National Law University Odisha, Cuttack (NLUO). The Centre was founded on April 12, 2015 with ceremonial inauguration by Hon'ble Justice Dipak Misra, former Chief Justice of India and Visitor, NLUO in the august presence of the Hon'ble Chief Justice and Judges of Orissa High Court, and Secretary, Department of Women and Child Development, Government of Odisha. The Centre aims at building a child rights temper amongst the children and the society, strengthening law and justice for children and child wellbeing by supporting and initiating research, policy advocacy and community action on children's issues. The Centre aims to provide integrated support and consultancy to different layers of institutional governance for protection and insurance of child rights, child protection, understand and reform enabling and disabling factors to furthering child rights and the inter-sectionalities.

This is the oldest research centre of NLUO, and second oldest Centre for Child Rights in India and the only fully functional chair professorship on Child Rights in India.

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UN Commission finds deliberate targeting of Palestinian Children constitutes Genocide

-Jyotirmaya Choudhary, 4th Year, BA LLB



The Independent International Commission of Inquiry on the occupied Palestinian Territory, including East Jerusalem, and Israel, headed by former Indian judge Justice Srinivasan Muralidhar, has concluded that the Israeli government is guilty of genocide and other crimes of atrocity by deliberately aiming at Palestinian children. The Office of the United Nations High Commissioner for Human Rights (OHCHR) released these conclusions on 23 June 2026.

In the 94-page report published by the Commission titled - 'The essence of childhood has been destroyed: Israel's deliberate targeting of Palestinian children in the Occupied Palestinian Territory since 7 October 2023, the situation faced by Palestinian children was studied in the context of Gaza, the West Bank, and East Jerusalem. According to the findings of the report, a minimum of 20,179 Palestinian children were killed in Gaza from October 2023 to October 2025, comprising 30% of the total reported deaths of Palestinians.

The Commission noted that children were deliberately targeted by Israel, for instance through snipers and drone attacks. In addition, the report noted that attacks on hospitals, maternal and neonatal health center's, schools and other institutions necessary for the survival and development of children were impacted.

Restrictions and attacks on healthcare facilities were associated with an increased risk of infant mortality, miscarriage and birth deformities, while poverty led to malnutrition among children.

Violations such as arbitrary detention, abuse and violence against Palestinian children in the West Bank and East Jerusalem were taken record of by the Commission. Such results have serious implications for the rights of children in international law, especially their right to life, survival and development, right to health, right to education and protection from violence.

The Commission pointed out that this pattern of behavior was one of the pieces of evidence that helped in proving genocidal intention, in addition to being crimes against humanity and war crimes. This highlights the importance of protecting civilians, humanitarian access, and accountability for violation of children's rights.

Sixteen is not a Magic Number

- Arun Kumar Mahilane, 2nd Year , LLB



“There can be no keener revelation of a society's soul than the way in which it treats its children.”

- Nelson Mandela

On 30th June 2026, Maharashtra CM Devendra Fadnavis told the Legislative Assembly his government wants the Centre to lower the juvenile age threshold from 18 to 16. His reasoning is an increase in the involvement of minors in serious crimes and drug peddling, and that juvenile protection laws are getting misused. He also suggested the need for tougher laws against gangs that push children to the front line of crimes.

India already has a law for the trial of 16 to 18 year olds as adults under Section 15 of the JJ Act, 2015, based on whether the accused could form intention, understand consequences, circumstances of the offence, and other tests of mental & physical capacity. This is also applied in *X v. State of Bihar* (2026 INSC 728). The Supreme Court permitted adult trial only after the JJ Board was fully satisfied on these parameters, and if this assessment process is removed and the age threshold is reduced, then it will create a serious gap in justice by punishing children who genuinely lack the capacity to form intention or understand consequences. There are several judgments of the Supreme Court of India in support of this argument.

X v State of Bihar 2026 INSC 728, (64): “Section 15(1) stipulates that the Board shall conduct the preliminary assessment: (i) Mental Capacity (ii) Physical Capacity (iii) Ability to understand the consequences of the offence (iv) circumstances of offence.”

Barun Chandra Thakur v Bholu 2022 SCC OnLine SC 870, (78): “The evaluation of mental capacity and ability to understand the consequences should not be treated as a routine task and a decision on which a child's fate precariously rests must not be taken without a meticulous psychological evaluation.”

“It is understood that there is a need to curb gangs exploiting juveniles. Instead of reducing the threshold of juvenile age, which risks grave injustice and violates child rights, the better solution would be strict action against such exploiters and sensitisation of youth and parents.”

India's Education Emergency

-Akshat Prakash, 3rd Year, LLB



Twenty-five a day. That is the pace at which government schools have disappeared from India's map over the past decade. A NITI Aayog report has confirmed that roughly 94,000 government schools have shut across India in the last 10 years. States are naming it "rationalisation", the Union Education Ministry, invoking the Concurrent List, calls it somebody else's problem.

In Jammu and Kashmir, over 4,300 schools were merged and children now walk four to six kilometers to reach School. In states like Madhya Pradesh, 7.37 lakh children have no school record at all, 11.38 lakh are flagged as at risk of dropping out, and over 3,500 schools recorded zero admissions this session.

Girls are the first to withdraw when the school stops being nearby, raising risks of dropout and early marriage. These outcomes sit uneasily with the Right to Education Act, 2009, a Central law that guarantees a neighbourhood school. The uncomfortable truth is that rationalisation is a policy written for spreadsheets and lived by eight-year-olds of poor, of Scheduled Castes, Scheduled Tribes, backward classes and minorities. The states should ensure that no school should be merged on low-enrolment grounds until sanctioned teaching posts are filled.

Where vacancies caused the decline, the remedy is recruitment, not closure. J&K's 13,000 vacant posts alongside 4,300 mergers is precisely the pattern that should be prohibited. Before any merger, districts and panchayats should publish its likely impact on girls, SC/ST children, children with disabilities and migrant families, including actual walking distance for every affected habitation.

The Centre and NITI Aayog should publish district-level data disaggregating enrolment loss caused by demographic decline from loss caused by migration to private schooling, the first calls for consolidation and the second calls for investment.

The success of school education is measured by whether a nine-year-old in Koraput, Jhabua or Baramulla can reach a well-staffed classroom, safely, and on her own two feet. On that metric, 94,000 is not just a number. It is evidence of the widening distance between a child and the constitutional promise of education.

Beyond Exclusion: Toward a Safer Digital Environment for Children

-Krisha, 1st Year, BA LLB



The many risks that children are confronted with online are not abstract anymore. OECD reports that 42% of 15-year-olds as part of its survey had received offensive messages online, while 53% had been upset by discriminatory content. This shows that the problem is very real; however, the increasingly accepted international solution to this problem merely addresses the symptoms. The real problem is that online spaces are not safe enough for children, however, the age restrictions being introduced are aiming at excluding children from these spaces, instead of making these spaces safe for them.

Australia has already implemented an under 16 restriction on access to social media, while India is also evaluating a similar policy measure. However, the experience Australia has had with this age restriction warrants caution. A survey conducted three months after the ban was implemented showed that the proportion of 10–15-year-olds with social-media accounts had fallen from 52.4% to 42.1%. Yet more than eight in ten still reported using social media. This goes to show that the ban only reduced the number of children's accounts, it did not meaningfully curb children's access to social media. So one can deduce that if India too, like Australia, implements an age ban on social media, without making substantive alterations, it would almost surely be unsuccessful in preventing the harm done to children in online spaces.

Most importantly, the burden of children's safety should not fall on children themselves. Age-based restrictions are a solution too simplistic for a problem that is far more complex. What we need is greater accountability from social media platforms, as well as stronger measures to ensure that harmful material is not posted online in the first place. Protecting children online should not mean removing them from online spaces; it should mean making the environment itself safer.

When Protection Forgets to Ask: To Ban or to Regulate?

- Rachna Patnaik, 2nd Year, BA LLB



Imagine a thirteen-year-old in a Bhubaneswar classroom and a thirteen-year-old in Sydney, both reaching for their phones as the last bell for school rings. In Australia, the social media app simply won't open; the law shut the door months ago. In India, it opens without any question. The NHRC's Open House Discussion in March asked why such a gap exists, and importantly, whether closing it means shutting the door too, or to try to build a better one.

At the NHRC Open House Discussion, Justice Ramasubramanian asked three questions: should access be banned or regulated, who should legislate it - Parliament or the States, and where do we draw the line? This has calcified into a binary where children either face an outright digital curfew, or a loosely regulated free-for-all. It is imperative that we move past this dichotomy.

Data drawn from the Annual Status of Education Report 2024, shows that 76% of children aged 14-16 use smartphones for social media whereas barely 57% use them for education. The room leaned towards regulation overwhelmingly, with only one voice backing a temporary ban.

Moreover, "Ban vs. Regulate" might not be the right question. The UNCRC does not ask countries to pick between keeping children safe and letting them speak; Articles 3 and 19 demand protection, while Articles 12, 13, 15 and 16 recognise children as rights-holders entitled to expression, association and privacy. Indian law has already legislated an answer, Section 9 of the Digital Personal Data Protection Act 2023 requires verifiable parental consent before processing a child's data and bars behavioural tracking of minors outright, though, this is not yet enforced - the very 'implementation gap' addressed in the discussion.

As for the jurisdiction gap, the NHRC's query, whether the answer lies in Parliament or in the States, is still pending as Karnataka, Goa, and Delhi try to develop their own guidelines, thus risking the very fragmentation which was cautioned against.

The minimum age law in Australia, repeatedly cited throughout the discussion, offers a narrower application than expected; its significance does not lie in age verification, but in platform accountability. If India is to learn from it, it should think less about restricting and more about taking responsibility for the children on the platform.

Digital Wellbeing versus Children's Rights Debate

- Ritika Mohapatra, 2nd Year, BA LLB



In December 2025, Australia implemented a ban on the use of social media for children below 16 under the Online Safety Amendment (Social Media Minimum Age) Act 2024. Indonesia and Malaysia have implemented similar bans, and the European Union, along with several other countries are moving toward comparable restrictions.

Over the years, significant changes have been observed in the mental and physical wellbeing of children since the onset of widespread social media use. Various experts note that social media use from a young age hampers several cognitive processes, such as concentration and the ability to retain information, and promotes eating disorders and unattainable beauty standards, which in turn leads to a range of mental health concerns.

Major health organisations and studies have shown a correlation between heavy social media use and higher rates of anxiety and depression. Constant social media use also affects social interaction, as virtual platforms reduce face-to-face human contact. One of the most pressing concerns remains online safety and cybercrime, with children particularly susceptible to cyber harassment and online offences.

In urban areas and dual-income families, limited parental time has further contributed to children's excessive exposure to these platforms. India has taken several initiatives, such as Section 67B of the Information Technology Act, 2000; the Protection of Children from Sexual Offences Act, 2012; and the ratification of the UN Convention on the Rights of the Child in 1992. But it still lacks any dedicated legislation that prevents or restricts the use of social media by children. Though not yet enforced, India's most recent step, the Digital Personal Data Protection Rules, 2025, mandates verifiable parental consent and bars behavioural tracking of children online, but stops short of a platform-access ban.

Rationalisation and its implications on Right to Education

- Sattwik Sattpathy, 2nd Year, BA LLB



School rationalisation (consolidation) refers to the process by which governments merge or close state-run schools to reduce expenditure and optimise resources. While financially sound on paper, this approach has significant implications for the Right to Education Act, 2009 (RTE Act). The logic of rationalisation gained prominence under the National Education Policy (NEP) 2020, which identifies the proliferation of low-enrolment schools as a structural challenge. Such schools often face inadequate infrastructure, teacher shortages, and inefficient student-teacher ratios. Rationalisation is therefore presented as a means of improving administrative efficiency and resource utilisation.

However, this creates a potential tension between the provision of RTE Act and the objection of NEP 2020. Section 6 of the RTE Act places a duty on governments and local authorities to establish schools within prescribed neighbourhood limits, while Sections 8 and 9 require them to ensure the availability of neighbourhood schools. Physical proximity is thus treated as an essential component of access to elementary education. Further, Sections 19 and 25 prescribe minimum standards relating to school infrastructure and pupil-teacher ratios.

The central tension is therefore proximity versus quality. Although consolidation may improve the allocation of teachers and infrastructure, closing neighbourhood schools can force children to travel greater distances. This disproportionately affects children from economically and socially disadvantaged communities who may lack affordable or safe transportation. Since many government schools serve rural and marginalised communities with limited educational alternatives, indiscriminate rationalisation may undermine substantive access to education.

Rationalisation should consequently not be viewed merely as school closure, but as a resource-management strategy that must operate within the legal framework of the RTE Act. It should be undertaken only after assessing its impact on accessibility, ensuring compliance with the neighbourhood-school requirement, and consulting affected communities. Administrative efficiency cannot come at the cost of the constitutional commitment to universal and equitable education. In India's public education system, rationalisation must therefore be implemented with both fiscal prudence and social sensitivity.

Scrutiny Over Paid CSAM Ads: NCPCR inquiry challenges Meta's safe harbour protections under IT Act

-Tushar Kamath, 3rd Year, BA LLB



The NCPCR decided to institute a formal inquiry against Meta, following a BBC Eye investigation into paid advertisements linked to Child Sexual Abuse Material (CSAM). The NHRC has escalated its scrutiny, directing the Delhi Police Commissioner to ensure an FIR registration on Meta under the POCSO and IT act, while calling for action-taken reports. This signifies a lurking predation of a young generation on the internet, especially considering that approximately one in three internet users worldwide are children under 18 years of age. Internet predators gain access to, groom, and abuse minors, as well as share and disseminate pictures and videos of such abuse. It can grieve victims and keep them from ever fully recovering from their abuse to know that this content is still being shared online.

The significance lies in where the advertisements sat within Meta's architecture. The reports state that paid advertisements used explicit search terms, redirected users to Telegram channels, and were approved through Meta's moderation mechanism.

Safe harbour under § 79 protects intermediaries for being a host of third-party content, and they exercise no control. Paid advertisements, on the contrary, pass through Meta's ad-approval systems making it an active participant. If an advertisement is vetted by the platform's own algorithms, the due diligence since the platform is no longer a host but is gaining revenue.

Beyond the intermediary liability question, this issue exposes gross violations of children's rights under both domestic and international laws. The circulation of CSAM is not a platform failure but a harm to a child's right to dignity, privacy, and safeguard from sexual exploitation under Art 21 of the Constitution, and India's obligations under the Art 34 of the UN Convention on the Rights of the Child. For children, who are neither parties to platform terms of service nor capable of asserting their own rights, regulatory bodies must treat CSAM as a child protection emergency rather than content moderation lapse requiring just reporting and takedowns.

Ad-review algorithms must be trained and reevaluated for prevention. Remedies to curb this abomination are to create an CSAM labelling hotline akin to Safeline in Greece, CSAM specific watchdog like IWF, mandating platforms to verify advertiser identity and content category before approval of ad content, analogous to KYC norms, to curb oversight on their part. The fact that such content survived a platform grievance mechanism until flagged externally reflects a gap between child-safety redressal and their efficacy.

India's consultations on Age Verification for social media- MeitY discussing Technical Mechanisms with Platforms

- Subhadra Satpathy, 3rd Year, BA LLB



The Indian government is considering restricting access to social media by children due to growing concerns regarding online safety, excessive screen time, addiction, cyberbullying and children's exposure to harmful content. The Ministry of Electronics and IT (MeitY) has held at least three meetings with major social media and technology platforms on possible regulations to restrict children's access to social media.

In the recent past, Australia banned social media platforms like Facebook, Instagram, Snapchat, Threads, TikTok and X for those under 16 years. After such a move by the Australian government, countries like France, Spain and Portugal are also contemplating similar measures.

In India, the Ministry of Electronics and IT (MeitY) is examining Australia's approach and studying the findings of other countries with a similar approach. Currently, no regulation in India governs age-based access to social media. However, recently states such as Karnataka and Andhra Pradesh have proposed to restrict social media use for certain age groups, and other states are likely to follow their lead. Karnataka has proposed a ban on the sale of mobile phones and the use of social media platforms for children under the age of 16 years and a bill to this effect is expected to be introduced in the next session of the State Assembly.

One of the key contentions faced by the government is determining the minimum age, i.e., whether the curb on using social media should be imposed for the age group under 13 years or under 16 years. There is a counter argument that such a blanket ban might cause greater harm, as restricting access of children to mainstream social media platforms might push them towards hundreds of unregulated, illegal and illicit online channels operating on the internet.

At the same time, there is also a higher chance of social media platforms reacting sharply to any such curb, as India is one of the world's largest social media users, with young adults and children forming a substantial chunk of such users. In order to ensure children's safety online, the government is also looking at an age-verification mechanism so that platforms cannot bypass these protections.

EVENTS CONDUCTED BY CCR



Meeting with the Chairperson, OSCPCR, at Bhubaneswar on child welfare and protection in Odisha. Prof. Biraj Swain presented the Journal on the Rights of the Child of National Law University Odisha, CCR Newsletters, and the UNCRC explainer series on 04.02.2026



Ms. Kirandeep Kaur Sahota, IAS, Commissioner, Cuttack Municipal Corporation (CMC) addressing in the Special Aadhaar Camp for children of KUTUMB communities (Brajabiharipur, Baba Tilikanagar & Balmiki Nagar) on 25.02.2026

EVENTS CONDUCTED BY CCR



Dignitaries unveiling the Journal on the Rights of the Child of National Law University Odisha, Volume VII, Issue I on 11.04.2026



11th foundation day celebration of Centre for Child Rights, NLUO and unveiling of its flagship Journal

EVENTS CONDUCTED BY CCR



Dignitaries on the dais in the training programme of frontline cadre & supervisory cadre police personnel of Crime Against Women & Children Wing (CAW& CW), Odisha Police on 'Essentials of Child Protection' on 18.05.2026



Chief Minister's Chair Professor presenting the Journal on the Rights of the Child of National Law University Odisha to Dr Mrinalini Darwal, IAS, Commissioner-cum-Secretary, WCD Department, Govt. of Odisha on 20.05.2026

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