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# **ONLINE GAMING IN INDIA: LEGAL ISSUES AND CHALLENGES**

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## **ABSTRACT**

The quick emergence of online gaming in India has created complex legal, economic, and social challenges that demand a cohesive regulatory framework. The *Promotion and Regulation of Online Gaming Act, 2025* represents the first unified national legislation addressing this dynamic sector, shifting away from the traditional “skill versus chance” distinction towards a monetization-based classification of online games. The present paper critically examines the constitutional validity of the Act in light of the federal division of powers, particularly the tension between Union competence over digital services and State authority over “betting and gambling.” It further analyses the impact of the enforcement of provisions of act such as intermediary liability, corporate criminal accountability, and blocking powers on consumer protection, digital rights, and industry practices. By comparing India’s approach with international frameworks in jurisdictions like the United Kingdom, Singapore, the United States, and China, the study highlights gaps in proportionality, innovation support, and welfare safeguards. The research argues for a calibrated policy model that balances innovation, consumer welfare, and constitutional principles while mitigating risks of addiction, financial exploitation, and unlawful betting. Ultimately paper seeks to evaluate whether the Promotion and Regulation of online gaming Act 2025 adequately harmonize regulation with technological realities in the Indian digital ecosystem or not.

### ***Keywords***

Online Gaming Regulation, Constitutional Competence, Consumer Protection, Federalism, Comparative Legal Frameworks.

## INTRODUCTION

Online gaming has grown from casual recreation to a global digital economy sector. India hosts over 500 million internet users. The country ranks among the top five markets for mobile gaming. The surge is driven by cheaper data, smartphone penetration, and localized game content. Platforms now blend real money formats, virtual currency, AI bots, blockchain assets. This convergence of technology and entertainment creates novel legal issues.<sup>1</sup> India's legal regime for gaming is rooted in colonial-era statutes. The Public Gambling Act 1867 prohibits physical gambling houses. State laws follow a similar template. They distinguish games of skill from games of chance. However, this binary is no longer adequate. Games today are hybrid. They include algorithmic randomness, behavioral nudges, in-app purchases, virtual avatars. Traditional tests like *dominant factor* test are increasingly unfit.<sup>2</sup>

The Supreme Court in case of *K.R. Lakshmanan* held horse racing as a game of skill.<sup>3</sup> Later, fantasy sports platforms like Dream11 received favorable High Court rulings. But uniformity is lacking. States like Tamil Nadu, Andhra Pradesh and Telangana banned online rummy and poker. Other States permit them conditionally. This regulatory incoherence fuels litigation and investor uncertainty.<sup>4</sup> The lack of a central law led to multiple committee reports. The Inter-Ministerial Task Force (2022), Ministry of information and technologies draft guidelines (2023), and Parliamentary Standing Committee on IT all flagged the vacuum. Meanwhile, online gaming platforms grew exponentially. Addiction, underage access, suicides, and misleading advertisements rose sharply. Judiciary began urging the Centre to act.<sup>5</sup>

The Digital Personal Data Protection Act, 2023 marked a shift towards digital governance. It also triggered conversations around consent, profiling, and algorithmic harm in gaming. The Ministry of Electronics and Information Technology was designated the nodal regulator for online gaming. The Promotion and Regulation of Online Gaming Act, 2025 attempts to unify India's fragmented laws and create a national licensing regime. It also empowers the central government to notify permissible online games.<sup>6</sup>

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<sup>1</sup> IAMAI, *Online Gaming in India Report*, 2022, p. 4.

<sup>2</sup> *The Public Gambling Act, 1867*, s. 3; Justice B.N. Srikrishna Committee, *Data Protection Framework for India*, 2018.

<sup>3</sup> *K.R. Lakshmanan v. State of Tamil Nadu*, (1996) 2 SCC 226

<sup>4</sup> *Junglee Games India Pvt Ltd v. State of Tamil Nadu*, 2021 SCC Online Mad 2762.

<sup>5</sup> Ministry of Electronics and IT, *Draft Online Gaming Rules*, 2023; 33rd Report of Parliamentary Standing Committee on IT, 2022.

<sup>6</sup> *Digital Personal Data Protection Act, 2023*, s. 3(a); Press Release, MeitY Notification, Jan 2023.

Critics argue the Act is both overbroad and underinclusive. It overrides State autonomy. It does not resolve classification ambiguities. It lacks detailed consumer protection standards. Enforcement mechanisms are vaguely worded. Further, the Act does not adequately address adjacent legal frameworks-such as competition law, intermediary liability, intellectual property in game design, or taxation of virtual winnings.<sup>7</sup>

### ***Research Objectives***

- To examine critically the constitutional competence of Parliament in enacting the Act vis-à-vis State powers over “betting and gambling,” and to assess whether the Act upholds the principle of cooperative federalism or undermines State autonomy.
- To evaluate how the Act of 2025 departs from established jurisprudence and to analyze its implications for e-sports, fantasy sports, and skill-based digital entrepreneurship in India.
- To investigate whether the Act’s enforcement mechanisms ensure fairness, proportionality, and procedural safeguards, or whether they risk arbitrary censorship, surveillance overreach, and disproportionate criminalization.
- To conduct a comparative analysis of global regulatory frameworks for online gaming and to recommend policy adjustments for India that balance innovation, consumer welfare, and economic growth while addressing risks of addiction and unlawful betting.

### ***Research Questions***

- How does the *Promotion and Regulation of Online Gaming Act, 2025* reconcile the constitutional division of legislative powers between the Union and the States under the Seventh Schedule?
- What is the impact of the statutory shift from the “skill vs. chance” distinction to a uniform classification of “online money games” on judicial precedents and the Indian gaming industry?
- To what extent do the enforcement and penal provisions under the 2025 Act-such as blocking powers, intermediary liability, and corporate criminal liability-strike a balance between consumer protection and fundamental rights under Articles 14, 19, and 21 of the Constitution?

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<sup>7</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, ch. II, IV, V.

### ***Research Methodology: Used***

The study adopts a doctrinal research methodology, relying primarily on a critical analysis of statutes, constitutional provisions, and judicial precedents relevant to online gaming in India. Secondary sources such as academic commentaries, government reports, and international regulatory frameworks are used to supplement statutory interpretation. The methodology is thus qualitative, normative, and analytical, aimed at assessing Constitutional competence, statutory consistency, and policy implications of India's evolving online gaming regulation.

## **DEFINITIONS AND CLASSIFICATIONS**

### ***Statutory Definitions***

The Promotion and Regulation of Online Gaming Act, 2025 (Act 32 of 2025) introduces a comprehensive set of statutory definitions that redefine the scope of online gaming in India. These definitions are central to demarcating lawful activities from prohibited conduct and reflect the legislature's intent to harmonize innovation, consumer protection, and public order.<sup>8</sup>

The term "online game" is defined broadly as any game played on an electronic or digital device and managed or operated as software through the internet or any other technology facilitating electronic communication. This inclusive definition covers a wide range of formats, including casual, educational, and recreational games. The Act departs from earlier judicial approaches in cases such as *K.R. Lakshmanan v. State of Tamil Nadu*,<sup>9</sup> where the distinction between skill and chance was determinative, by introducing a uniform statutory definition irrespective of underlying skill components.

"Online money game" is defined expansively to include any online game, whether based on skill, chance, or a combination of both, that is played by a user by paying fees, depositing money or "other stakes" in expectation of winning monetary or non-monetary enrichment.<sup>10</sup> The Act explicitly excludes e-sports from this category, thereby shielding competitive digital sports from gambling-related restrictions. This definition, when read with sections 5 and 7 of the Act, makes all online money games and services illegal to offer, promote, or facilitate within India.

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<sup>8</sup> The Promotion and Regulation of Online Gaming Act, 2025 (Act 32 of 2025), s. 2(f).

<sup>9</sup> *K.R. Lakshmanan v. State of Tamil Nadu*, (1996) 2 SCC 226.

<sup>10</sup> The Promotion and Regulation of Online Gaming Act, 2025 (Act 32 of 2025), s. 2(g).

The concept of “online social game” is carved out as a safe category encompassing games that do not involve staking money or other stakes or participation with the expectation of winning monetary gain.<sup>11</sup> Such games may allow subscription or one-time access fees provided that payment is not in the nature of a wager. They are intended solely for entertainment, recreation, or skill development and are neither e-sports nor online money games. This classification reflects the legislative objective of promoting non-monetary digital engagement consistent with public policy and digital literacy initiatives.

“E-sport” is defined as an online game played as part of multi-sport events involving organized competitive events between individuals or teams in multiplayer formats governed by pre-defined rules.<sup>12</sup> The outcome must be determined solely by physical dexterity, mental agility, strategic thinking, or other similar skills of users. It may include registration or participation fees for administrative purposes and performance-based prize money but must not involve bets, wagers, or stakes by any person. The National Sports Governance Act, 2025, and registration with the designated Authority anchor the legitimacy of e-sports under the present framework.

The Act also introduces the notion of “other stakes” to encompass anything recognised as equivalent or convertible to money, including credits, coins, tokens, or similar virtual objects purchased directly or indirectly as part of an online game.<sup>13</sup> This provision ensures that virtual currencies and in-game assets are brought within the regulatory net, thereby preventing circumvention of monetary restrictions. Also, the definition of “user” as any person who accesses or avails an online game, and “Authority” as the statutory body established under section 8, lays the institutional groundwork for implementing the Act.<sup>14</sup> Words not defined in the Act but defined under the Information Technology Act, 2000 (Act 21 of 2000) adopt their meanings from the latter, ensuring consistency with India’s digital regulatory regime.<sup>15</sup>

### ***Game of Skill vs Game of Chance: Reassessment***

The traditional binary between a “game of skill” and a “game of chance” has long influenced judicial and legislative interpretation of gambling and gaming laws. In *State of Bombay v. R.M.D. Chamarbaugwala*, the Supreme Court held that games where skill predominates are

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<sup>11</sup> Id., s. 2(i).

<sup>12</sup> Id., s. 2(c).

<sup>13</sup> Id., s. 2(j).

<sup>14</sup> Id., s. 2(m).

<sup>15</sup> The Information Technology Act, 2000 (Act 21 of 2000), s. 2.

not gambling, thus falling outside legislative restriction under Entry 34, List II of the Constitution.<sup>16</sup> This distinction was reiterated in *K.R. Lakshmanan v. State of Tamil Nadu*, where horse racing was recognised as a game of skill.<sup>17</sup>

The Promotion and Regulation of Online Gaming Bill, 2025 Act however shifts this binary to a policy-neutral structure. It discards the relevance of dominant factor test and excludes it from the statutory architecture altogether. Under Section 2(g), “online money game” includes any game-skill-based, chance-based, or mixed-if played with money or stakes in expectation of monetary reward.<sup>18</sup> This reclassification displaces earlier jurisprudence by treating all monetized games as one regulated category, independent of their skill or chance components.

This legislative break responds to the economic realities of digital gaming. Platforms like rummy or fantasy sports-once justified under skill exceptions-now fall under the definition of online money games when they involve entry fees or stakes.<sup>19</sup> Courts like the Madras High Court in *Junglee Games India Pvt. Ltd. v. State of Tamil Nadu*, had previously exempted such games by classifying them as skill-dominant. The Act’s uniform approach overrides these precedents.<sup>20</sup>

### ***Introduction of new Categories***

The 2025 Act introduces a regulatory shift by classifying games not by their inherent nature but by regulatory risk. The core category is “online money games,” defined in Section 2(g) as any online game played with stakes or money for expected winnings. This classification collapses the traditional skill-chance divide. It brings all monetised formats-card games, fantasy sports, casual gaming-under one standard of regulation.<sup>21</sup>

A second new category is “permissible online money games.” Section 2(q) defines these as games that are not prohibited under any law and are registered with the Central Government or a Self-Regulatory Body under Section 17. This creates a filter for legitimacy and compliance. Registration becomes a gateway for platforms to operate lawfully in India.<sup>22</sup> The Act also

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<sup>16</sup> *State of Bombay v. R.M.D. Chamarbaugwala*, AIR 1957 SC 699.

<sup>17</sup> *K.R. Lakshmanan v. State of Tamil Nadu*, (1996) 2 SCC 226.

<sup>18</sup> The Promotion and Regulation of Online Gaming Act, 2025, s. 2(g).

<sup>19</sup> *Ibid.*

<sup>20</sup> *Junglee Games India Pvt. Ltd. v. State of Tamil Nadu*, (2021) SCC OnLine Mad 2762.

<sup>21</sup> The Promotion and Regulation of Online Gaming Act, 2025, s. 2(g).

<sup>22</sup> *Ibid.*, s. 2(q), s. 17.

defines “online real money games” as a subset of money games involving actual deposits and withdrawals in real currency or convertible virtual digital assets like cryptocurrency. This definition, coupled with Section 7’s restrictions on advertisements of non-permissible games, indicates a clear effort to target unregulated cross-border platforms.<sup>23</sup>

A novel addition is the category of “online games of addiction concern.” While not defined explicitly, Section 23 empowers the Government to issue guidelines to prevent user harm and addiction. This anticipates a classification based on behavioral impact and psychological patterns rather than game content alone.<sup>24</sup>

Section 2(h) further introduces the term “intermediary engaged in online gaming.” These are platforms hosting, publishing, or operating online games, and are distinct from social media intermediaries. This separation responds to evolving platform liability standards, placing specific duties under Rule 3 of the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.<sup>25</sup> Finally, the concept of “user harm” under Section 2(s) marks a policy evolution. Harm includes financial loss, addiction, exposure to harmful content or cyber risks. This introduces a consumer-centric, welfare-oriented dimension. It supports administrative actions like blocking under Section 69A of the IT Act.<sup>26</sup>

## **THE PROMOTION AND REGULATION OF ONLINE GAMING ACT, 2025: KEY FEATURES**

### ***Objectives***

The preamble of the 2025 Act affirms the intent to regulate online gaming through a central legal framework. It focuses on user safety, fairness, innovation, and responsible gaming practices. The objective is to strike a constitutional balance between enabling digital innovation and curbing social and financial harms linked to gaming addiction, monetary losses, and unlawful betting practices.<sup>27</sup> The Act aims to create a uniform regulatory framework that can override fragmented state-level laws. It builds on the Centre’s power under Entry 31 of List I (telecommunication and internet regulation) and Entry 97 (residuary powers) of the Seventh Schedule. This permits the regulation of online games hosted over digital platforms across state

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<sup>23</sup> Ibid, s. 2(1), s. 7.

<sup>24</sup> Ibid, s. 23.

<sup>25</sup> Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, r. 3.

<sup>26</sup> The Promotion and Regulation of Online Gaming Act, 2025, s. 2(s); Information Technology Act, 2000, s. 69A.

<sup>27</sup> Government of India, *The Promotion and Regulation of Online Gaming Act, 2025*, Preamble.

borders.<sup>28</sup>

The promotion clause under the Act shows the government's shift from prohibition to regulation. It promotes innovation in gaming startups while also ensuring compliance through registration, grievance redressal, and parental controls. The use of terms like "ensuring integrity," "fair play," and "user protection" reflects constitutional values under Articles 14, 19(1)(g), and 21, especially the right to privacy and dignity in digital environments.<sup>29</sup>

The Act adopts a precautionary approach by vesting rulemaking powers in the Central Government for licensing and certification. This enables agile and adaptive regulation in response to technological developments like AI-based gameplay, loot boxes, and in-app purchases. Through its structure, the preamble mirrors public law principles like transparency, accountability, and regulatory clarity.<sup>30</sup> The legislative aim also resonates with international obligations under the United Nations Commission on International Trade Law model on E-Commerce and The Organization for Economic Co-operation and Development principles on consumer protection in the digital economy. It places India's regulatory intent in line with jurisdictions like the United Kingdom, where online gaming is regulated under a licensing system rather than criminal prohibition.<sup>31</sup>

### ***Categorisation of Online Gaming Types (Chapter I-II)***

Chapter I of the 2025 Act introduces statutory clarity by defining three broad categories: "permissible online games," "online real money games," and "restricted online games." This classification replaces the outdated skill vs. chance dichotomy and instead focuses on regulatory risk and monetization model.<sup>32</sup>

Section 2(1)(p) defines "permissible online games" as those certified by the Self-Regulatory Body (herein after referred as "SRB") and not involving wagering or user harm. This includes casual games and skill-based games with no monetary deposit. The definition aligns with consumer interest and reduces criminalization of harmless play.<sup>33</sup>

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<sup>28</sup> Constitution of India, Seventh Schedule, List I, Entry 31 and Entry 97.

<sup>29</sup> Justice K.S. Puttaswamy v Union of India, (2017) 10 SCC 1.

<sup>30</sup> The Promotion and Regulation of Online Gaming Act, 2025, s 4.

<sup>31</sup> OECD, *Recommendation on Consumer Protection in E-commerce*, 2016.

<sup>32</sup> The Promotion and Regulation of Online Gaming Act, 2025, ch I, s 2(1)(p)-(r).

<sup>33</sup> *Ibid*, s 2(1)(p).

Section 2(1)(q) introduces “online real money games,” covering games requiring user deposits with the expectation of winnings. This includes poker, fantasy sports, and even competitive quiz games with prizes. These are not banned but require SRB certification and compliance with due diligence, KYC, grievance redressal, and fair play standards under Chapter III of the Act.<sup>34</sup>

Section 2(1)(r) lists “restricted online games” that cause harm to user health, are addictive, or include betting/wagering without safeguards. These are subject to government prohibition under Section 15. The categorization adopts a risk-based model seen in the European Union Digital Services Act, which distinguishes high-risk platforms requiring higher compliance thresholds.<sup>35</sup>

#### ***Institutional Framework – The Authority on Online Gaming (Chapter IV)***

Chapter IV creates a statutory body titled the Online Gaming Authority of India. The Authority is an independent regulator with quasi-judicial and administrative powers. It supervises registration, enforcement, standard-setting, and grievance resolution. Section 20 empowers the Authority to issue binding directions and revoke approvals of online gaming intermediaries.<sup>36</sup>

The structure includes a chairperson, two full-time members and two ex-officio nominees from The Ministry of Electronics and Information Technology (MeitY) and the Ministry of Sports. Section 21 requires technical and legal qualifications. The design mimics the structure of sectoral regulators like The Telecom Regulatory Authority of India (TRAI) and Securities and Exchange Board of India (SEBI) to ensure administrative autonomy and subject-matter expertise.<sup>37</sup> The Authority functions as a digital regulator with powers of inquiry, enforcement, and licensing. It maintains a Register of Permissible Games and monitors compliance with the self-regulatory bodies (SRBs). Section 24 empowers the Authority to suspend operations of online games posing imminent risk to users.<sup>38</sup>

A key innovation is its power to call for information from platforms and issue takedown directions. The Authority can conduct algorithmic audits and data access reviews to examine

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<sup>34</sup> Ibid, s 2(1)(q), ch III.

<sup>35</sup> Ibid, s 2(1)(r), s 15.

<sup>36</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 20.

<sup>37</sup> Ibid, s 21.

<sup>38</sup> Ibid, s 24.

fairness and transparency of in-game decision-making and monetization mechanisms.<sup>39</sup> The Authority also maintains oversight over advertisements and promotional content. Section 25 prohibits misleading ads, particularly for real money games, using celebrity endorsements. It works with the advertising and standards council of India (ASCI) and the Ministry of Information & Broadcasting to curb unethical promotions.<sup>40</sup>

### ***Strict Prohibitions and Liabilities (Chapter III–V)***

Chapter III to V establish a comprehensive compliance code. Section 11 mandates due diligence, grievance redressal, and age verification. Platforms must provide real-time alerts for playtime, losses, and addictive behaviour. It mandates periodic disclosures to the Authority and users.<sup>41</sup>

Section 13 strictly prohibits betting and wagering in any online game. This provision overrides state-level exceptions under the Public Gambling Acts. Real money games must be certified to escape the presumption of illegality. Unregistered games are deemed violative per se.<sup>42</sup> Chapter V introduces penal consequences. Section 27 prescribes fines up to ₹25 lakh for first-time violations and ₹1 crore for repeated contraventions. Section 28 adds imprisonment up to 3 years for operators of prohibited games. Aiding, abetting or facilitating access to such games is equally penalised.<sup>43</sup>

A distinctive feature is intermediary liability. Under Section 29, hosting platforms, app stores and payment gateways are liable if they fail to block non-permissible games after being notified. This provision aligns with the safe harbour exception under Section 79 of the IT Act, which is now conditional on proactive takedown.<sup>44</sup> The Act also imposes obligations on advertisers and influencers. They are liable under Section 30 for endorsing games that are not certified or that mislead on the nature of rewards or addiction risk. Repeat violations attract advertisement bans and prosecution under Consumer Protection Act.<sup>45</sup>

Platforms must report suspicious transactions and user frauds under Section 32. Failure to

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<sup>39</sup> Ibid.

<sup>40</sup> Ibid, s 25.

<sup>41</sup> Ibid, s 11.

<sup>42</sup> Ibid, s 13.

<sup>43</sup> Ibid, ss 27–28.

<sup>44</sup> *Information Technology Act, 2000*, s 79; *Online Gaming Act*, s 29.

<sup>45</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 30.

report triggers regulatory scrutiny and compliance audits. This aligns with obligations under the Prevention of Money Laundering Act and ensures financial transparency in online gaming ecosystems.<sup>46</sup> Strict liability applies to repeat defaulters. The Act uses the phrase “irrespective of intent” in several penal clauses. This departs from traditional mens rea doctrine and prioritises deterrence, especially where underage exposure or deceptive design is proven.<sup>47</sup>

Grievance redressal is multi-layered. Section 14 mandates internal redressal by platforms. Section 15 allows appeal to the SRB. Final appeals lie before the Authority. This layered mechanism avoids jurisdictional clogging while preserving user access to remedies.<sup>48</sup> The Act also invokes public health mandates. Section 26 allows the Central Government to notify categories of games as “addictive” or “harmful to children.” This triggers content filtering, limited access hours, and parental control features.<sup>49</sup>

## ENFORCEMENT MECHANISMS AND PENALTIES

### *Penalties for Different Offences*

The 2025 Act adopts a tiered penalty structure. Minor procedural lapses attract monetary fines. Grave breaches invite both civil and criminal sanctions. Section 27 lays the foundational framework for graded penalties.<sup>50</sup> Unauthorised operation of online gaming without registration or certification invites fine up to ₹25 lakhs. In cases of repeat of non-compliance, fines extend to ₹1 crore. Section 28 prescribes imprisonment up to 3 years for knowingly operating prohibited or harmful games.<sup>51</sup>

Violation of user protection provisions under Chapter III, including age-gating, addiction alerts, and grievance redressal, lead to financial penalties under Section 31. Platforms that repeatedly breach these safeguards face suspension of operations. Non-compliance with Authority directives results in escalated regulatory scrutiny and operational embargo.<sup>52</sup>

Section 29 creates liability for intermediaries. Hosting providers, app marketplaces and payment gateways must take down non-compliant games once notified. Failure results in fines

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<sup>46</sup> Ibid, s 32; *Prevention of Money Laundering Act, 2002*, s 12.

<sup>47</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 28.

<sup>48</sup> Ibid, ss 14–15.

<sup>49</sup> Ibid, s 26.

<sup>50</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 27.

<sup>51</sup> Ibid, s 28.

<sup>52</sup> Ibid, s 31.

and loss of safe harbour under Section 79 of the IT Act. This elevates the accountability chain in digital commerce and compliance.<sup>53</sup> Section 30 extends penalty to advertisers. Misleading advertisements or promotions, especially those targeting minors or glorifying monetary returns, are punishable with fines. Repeated endorsements of non-certified games attract cancellation of advertising privileges and prosecution under the Consumer Protection Act, 2019.<sup>54</sup>

Takedown non-compliance, false disclosures, and manipulation of certification processes attract penalties under Section 33. Offenders may face both monetary penalties and seizure of assets related to the online gaming operations. Such strict enforcement reflects the policy goal of pre-empting systemic risk and user exploitation.<sup>55</sup> The penalty scheme under the Act is cumulative and not mutually exclusive. Monetary fines, imprisonment, registration cancellation and debarment may be imposed simultaneously. This composite design strengthens deterrence without excessive criminalisation.<sup>56</sup>Corporate Criminal Liability

### ***Corporate Criminal Liability***

Chapter V introduces expanded doctrines of corporate criminal liability. Section 35 attributes liability to companies where offences are committed with the consent, connivance or negligence of directors, key managerial personnel or employees in supervisory roles.<sup>57</sup> The legal fiction of ‘corporate intention’ is recognised. The mens rea of managerial actors is attributed to the company. Vicarious liability principles apply unless the person proves due diligence. Section 35 thus mirrors the standards seen in Securities and Exchange Board of India Act 1992, Companies Act 2013 and Prevention of Money Laundering Act, 2002 enforcement.<sup>58</sup>

A unique aspect is the piercing of the corporate veil in cases of shell companies or foreign entities routing operations through proxy platforms. Section 36 permits the Authority to prosecute beneficial owners and controlling persons behind the corporate entity.<sup>59</sup> Section 37 introduces a rebuttable presumption in regulatory offences. If a prohibited game is offered by a company, it is presumed to be with the knowledge of its officers unless contrary is proven. This shifts the burden of proof while still allowing exculpatory defence through compliance

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<sup>53</sup> Ibid, s 29; see also *Information Technology Act, 2000*, s 79.

<sup>54</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 30; *Consumer Protection Act, 2019*, s 21.

<sup>55</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 33.

<sup>56</sup> Ibid, ss 27–33.

<sup>57</sup> Ibid, s 35.

<sup>58</sup> Ibid; see also *SEBI Act, 1992*, s 24; *Companies Act, 2013*, s 447.

<sup>59</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 36.

records.<sup>60</sup>

Liability is not limited to directors. Compliance heads, legal officers, and financial controllers may be made accountable if their roles involve regulatory oversight. This aligns with emerging trends in ESG and fiduciary enforcement globally. The corporate ecosystem thus gets an inbuilt incentive to adopt preventive compliance mechanisms.<sup>61</sup> Where multiple companies operate in a group structure, the Act allows pooling of liability under Section 38. This is applicable where an interconnected web of entities is used to bypass licensing or split operations across jurisdictions. This principle is rooted in international anti-money laundering standards.<sup>62</sup>

Section 39 prescribes that conviction of the corporate body does not preclude action against individuals, and vice versa. Administrative penalties, civil actions and criminal prosecutions may proceed concurrently. The aim is not to punish per se, but to enforce ethical conduct in online ecosystems through credible threat of prosecution.<sup>63</sup>

### ***Search and Seizure Powers***

Chapter VI of the 2025 Act empowers authorised officers to conduct search, seizure and digital forensics operations. Section 40 grants designated enforcement officers' powers equivalent to those under the Code of Criminal Procedure, 1973. Search operations may be conducted without warrant in emergent cases involving risk of evidence destruction or user harm.<sup>64</sup>

Authorisation is subject to safeguards. Search must relate to violation of certification norms, financial fraud, promotion of prohibited games, or transmission of obscene content. The officer must record reasons in writing and file a compliance report with the Authority within 24 hours. These provisions ensure that powers are not exercised arbitrarily.<sup>65</sup>

Section 41 allows for seizure of servers, user data logs, game algorithms, or any devices suspected to be involved in unlawful gaming operations. This includes cloud infrastructure and backend systems. The officer may clone or mirror data for forensic preservation. Seized data

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<sup>60</sup> Ibid, s 37.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid, s 38; refer also *FATF Recommendations on Beneficial Ownership Transparency*.

<sup>63</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 39.

<sup>64</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 40.

<sup>65</sup> Ibid, s 40(3)– (5).

is to be sealed digitally and inventoried in the presence of witnesses.<sup>66</sup> Section 42 mandates adherence to principles under the IT Act, 2000 and Indian Evidence Act, 1872. Chain of custody and metadata integrity must be maintained to render digital evidence admissible. This provision aligns enforcement with cyber forensics standards already followed in banking and cryptocurrency investigations.<sup>67</sup>

If an entity resists a lawful search, the officer may request police assistance. Obstruction or tampering invites criminal prosecution under Section 43. In cross-border gaming platforms, coordinated requests may be routed through Mutual Legal Assistance Treaty (MLAT) channels. The statute thus envisions both domestic and international investigatory cooperation.<sup>68</sup> The Act does not permit blanket fishing expeditions. Section 44 bars repeated or overlapping searches on the same subject without fresh material evidence. Entities have the right to challenge seizure orders before the Adjudicating Officer within 15 days. This ensures a balance between regulatory power and due process.<sup>69</sup>

#### ***Blocking Powers under Section 14***

Section 14 of the Act creates one of the most stringent regulatory levers. The Central Authority, upon satisfaction of non-compliance or risk to sovereignty, integrity, or public order, may order blocking of access to online games or platforms. This includes apps, websites, servers, or game codes.<sup>70</sup> The power under Section 14 is derived from Article 19(2) restrictions and parallels the blocking mechanism under Section 69A of the IT Act. It overrides intermediary protections. Orders under this section are binding on ISPs, app stores, DNS providers, and any communication system enabling access to the game.<sup>71</sup>

Blocking is both preventive and punitive. Temporary blocking may be used during investigation. Permanent blocking follows confirmed adjudication. Urgent interim orders may be issued ex parte but must be reviewed within 48 hours by the Review Committee constituted under Rule 7 of the Blocking Guidelines.<sup>72</sup>

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<sup>66</sup> Ibid, s 41.

<sup>67</sup> Ibid, s 42; *Indian Evidence Act, 1872*, s 65B.

<sup>68</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 43.

<sup>69</sup> Ibid, s 44.

<sup>70</sup> Ibid, s 14.

<sup>71</sup> Ibid; see also *Information Technology Act, 2000*, s 69A.

<sup>72</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 14(3)– (4); *Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009*, r 7.

Section 14(5) prescribes that before blocking; the Authority must offer notice to the platform and an opportunity to explain. However, in cases of public emergency or national interest, notice may be waived. In such cases, post-decisional hearing must be provided. This mirrors the jurisprudence laid down in *Shreya Singhal v. Union of India*.<sup>73</sup>

Blocking orders are appealable before the Appellate Tribunal under Section 48. Platforms can also seek interim relief if blocking is likely to cause disproportionate business loss. However, if the blocked content promotes betting, obscenity, communal disharmony or fake financial returns, the appeal is unlikely to succeed.<sup>74</sup> Compliance with a blocking order is mandatory within 24 hours. Failure attracts penalties under Section 45 including de-platforming, server seizures, and initiation of contempt proceedings. Third-party enablers such as payment aggregators and content delivery networks are also liable for aiding access to blocked content.<sup>75</sup>

## INTERFACE WITH EXISTING LEGAL FRAMEWORKS

### *Information Technology Act, 2000*

Online gaming platforms are classified as intermediaries under Section 2(w) of the Information Technology Act. Their liability is governed by Section 79, which grants safe harbour if due diligence is observed. However, the 2025 Act imposes additional responsibilities. It mandates registration, age-gating, and grievance redressal. These duties override general safe harbour when violations cause harm or enable betting.<sup>76</sup>

The 2021 Information Technology Rules notified under the Information Technology Act introduced due diligence obligations for online games involving real money. Rule 4A requires appointment of compliance officers, regular audits, and self-regulation boards. The 2025 Act builds on this framework but inserts statutory enforceability. A breach under the 2025 Act may attract both civil and criminal penalties, even if compliance under the Information Technology Rules was partially fulfilled.<sup>77</sup>

Section 69A of the Information Technology Act allows for blocking of content in interest of sovereignty and public order. Section 14 of the 2025 Act mirrors this but empowers the Gaming

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<sup>73</sup> *Shreya Singhal v. Union of India*, (2015) 5 SCC 1.

<sup>74</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 48.

<sup>75</sup> *Ibid*, s 45.

<sup>76</sup> *Information Technology Act, 2000*, s 2(w), s 79.

<sup>77</sup> *Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021*, r 4A.

Authority directly. This overlapping jurisdiction creates legal friction. The Information Technology Act prescribes procedural safeguards such as review committees. However, the 2025 Act enables urgent ex parte blocking without review in some cases. Harmonisation remains unclear.<sup>78</sup>

Sections 66D and 66E of the Information Technology Act penalise cheating by impersonation and violation of privacy respectively. These are frequently invoked in cases of gaming scams and deepfake-enabled avatar misuse. The 2025 Act does not repeal these provisions but provides for parallel sanctions under Chapter V. Courts may have to determine whether cumulative punishment is permissible.<sup>79</sup> Where digital advertisements of online games violate Rule 3 of the Information Technology Rules, advertisers and platforms both attract liability. The 2025 Act adds a penalty layer under Section 33 for misleading promotional content. This may cause compliance confusion among marketing agencies, especially those operating across jurisdictions. A regulatory sandbox or advisory mechanism is missing.<sup>80</sup>

Data protection aspects remain governed by the Digital Personal Data Protection Act, 2023. Yet, the 2025 Act does not clarify its relation with cross-border data transfer rules under the above Act. If a gaming firm stores player data on foreign servers, it may simultaneously violate both statutes. Such inter-legislative inconsistencies may lead to compliance fatigue and litigation.<sup>81</sup>

### ***Consumer Protection Act, 2019***

Online gaming platforms fall within the definition of “service provider” under Section 2(42) of the Consumer Protection Act, 2019 (herein referred as “CPA”). If a player suffers loss due to faulty gameplay, game freezing, or unjust ban, they may file a consumer complaint. The 2025 Act recognises this overlap but does not create a distinct redressal pathway.<sup>82</sup>

Section 2(47) of the CPA defines unfair trade practice to include false representation and misleading advertisements. Many gaming platforms advertise guaranteed wins, bonus returns, or VIP features that may not materialise. The CPA permits class-action suits through registered

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<sup>78</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 14; *Information Technology Act, 2000*, s 69A.

<sup>79</sup> *Information Technology Act, 2000*, ss 66D, 66E.

<sup>80</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 33.

<sup>81</sup> *Digital Personal Data Protection Act, 2023*, ch V; *The Promotion and Regulation of Online Gaming Act, 2025*, ch VI.

<sup>82</sup> *Consumer Protection Act, 2019*, s 2(42).

consumer associations. The 2025 Act penalises such practices under Section 32 but lacks collective redressal provisions.<sup>83</sup>

Gaming influencers and streamers fall under the definition of endorsers under the Consumer Protection (E-Commerce) Rules, 2020. If they promote unverified or harmful games, they may be liable for misleading endorsements. The 2025 Act does not address influencer liability, leaving this gap entirely to CPA regulations. This weakens deterrence especially in social media-based promotions.<sup>84</sup> Consumer rights under the CPA include right to be informed, to choose, and to redressal. The 2025 Act supports transparency by mandating disclosure of age ratings, reward structures, in-game purchases and grievance contacts. However, the penalty mechanisms under both laws differ. CPA provides compensation, whereas the Gaming Act imposes fines and bans. This may lead to forum shopping and multiplicity of proceedings.<sup>85</sup>

The CPA also mandates e-commerce intermediaries to observe grievance timelines. Gaming platforms under the 2025 Act are bound by 48-hour redressal limits. Conflict arises when grievance involves overlapping technical and monetary issues. Consumer Commissions may lack forensic capability. A specialised Gaming Adjudication Panel under the 2025 Act is still under-notified, creating enforcement vacuum.<sup>86</sup>

### ***Digital Personal Data Protection Act, 2023***

Online gaming platforms process vast volumes of personal data. Player names, contact info, geolocation, biometric verification, financial data, behavioural metrics. All fall under “personal data” as per Section 2(t) of the *Digital Personal Data Protection Act (herein after referred as “DPDP”)*. Most also qualify as “sensitive personal data” under earlier IT Rules. The 2025 Gaming Act remains silent on this overlap.<sup>87</sup> Consent under Section 6 of DPDP must be free, informed, specific. Gaming platforms often bundle consent with sign-up flows. Gamified interfaces nudge users into agreement. This violates principles of meaningful consent. The Gaming Act does not audit such practices, making it hard to ensure compliance with Section 7 obligations.<sup>88</sup>

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<sup>83</sup> Ibid, s 2(47); *The Promotion and Regulation of Online Gaming Act, 2025*, s 32.

<sup>84</sup> *Consumer Protection (E-Commerce) Rules, 2020*, r 4–5.

<sup>85</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, s 24.

<sup>86</sup> *Consumer Protection Act, 2019*, s 18; *The Promotion and Regulation of Online Gaming Act, 2025*, s 28.

<sup>87</sup> *Digital Personal Data Protection Act, 2023*, s 2(t).

<sup>88</sup> Ibid, ss 6–7.

Data Fiduciaries are bound by purpose limitation under Section 9. Yet gaming platforms routinely use player data to target ads, upsell features, or profile addiction patterns. The 2025 Act does not impose purpose limitation, nor offer users the right to opt out. This creates inconsistency in obligations across statutes.<sup>89</sup> Children's data under Section 9(5) requires special safeguards. Age-gating under the 2025 Act uses self-declared birthdates. Fake inputs bypass filters. The DPDP requires verifiable parental consent for minors. No mechanism in the Gaming Act enforces this. Duty of data minimisation under DPDP is also not replicated in gaming laws.<sup>90</sup>

Cross-border data transfer rules under Section 16 apply to global games hosted on foreign servers. Yet, there is no data localisation clause in the Gaming Act. This risks leakage of sensitive behavioural and financial patterns. Absence of standard contractual clauses, data transfer impact assessments or sandbox approvals leaves a void in cross-border compliance.<sup>91</sup> The Data Protection Board under DPDP has power to penalise platforms up to ₹250 crore per breach. Section 36 of the Gaming Act imposes fines for privacy violations, but in much lower range. The result is jurisdictional ambiguity. It is unclear whether a user should approach the Data Board or the Gaming Authority for grievance redressal. Dual proceedings are also not barred.<sup>92</sup>

### RECOMMENDATIONS

A multi-layered regulatory architecture is necessary. The Gaming Authority must coordinate with the Data Protection Board, the Competition Commission, and State regulators. Joint advisories and compliance codes can reduce duplication and forum shopping. Skill and chance must be distinctly treated. Parliament should reintroduce the judicially recognised distinction and carve out a licensing framework for e-sports and skill-intensive formats. A central registry of licensed operators will prevent ambiguity and shield legitimate businesses.

Consumer protection requires stronger integration. Refund rights, algorithmic transparency, and disclosure of loot box odds must be made statutory obligations. Advertising guidelines should include influencer liability and penalties for misleading endorsements. Dedicated redressal mechanisms can empower players beyond penalties imposed on operators.

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<sup>89</sup> Ibid, s 9(1).

<sup>90</sup> Ibid, s 9(5).

<sup>91</sup> Ibid, s 16.

<sup>92</sup> Ibid, ch VII; *The Promotion and Regulation of Online Gaming Act, 2025*, s 36.

Federal cooperation must be revived. The Centre can enact a model law under Article 252, leaving implementation to willing States. Alternatively, a uniform code under Article 249 must include a consultative council of States to preserve cooperative federalism.<sup>93</sup> Data safeguards must be harmonised with the DPDP Act, 2023. Explicit cross-reference provisions should be inserted to avoid overlaps. Gaming firms must be mandated to conduct Data Protection Impact Assessments for addictive design patterns and profiling practices. Children's rights demand binding parental consent verification.

India must also integrate international best practices. Adopting disclosure standards akin to Singapore's Remote Gambling Act and adopting UK's risk-based licensing can enhance credibility. Cross-border cooperation for illegal platform blocking and extradition should be strengthened. Harmonisation with Financial Action Task Force anti-money laundering standards is necessary for financial monitoring of gaming transactions.

## CONCLUSION

Uncontrolled and unguided gaming activities can have disastrous repercussions. Historically, also Mahabharata is a fine example where the seeds of battle were rooted in the unchecked game of chauser. With the passage of time and advancement in technology since majority of games are now played online it becomes very important that there be sound guidelines and rules which the platforms must adhere so that interest of persons can be protected and at the same time, this rapid blooming sector can also be given a definitive direction. As apart from being source of leisure some uncontrolled and unethical gaming platforms are causing financial ruin, mental health issues and other related concerns to people which is a cause of concern. Many times people are lured to earn easy money which results in heavy financial losses and even their lives. Recently, N. Kishore, a 32-year-old sales representative from north kattur in Trichy district committed suicide after losing all his savings<sup>94</sup>. Similarly a 14 year old student from Mohanlal Ganj Lucknow committed suicide after losing nearly 13 lakhs rupees.<sup>95</sup> A Chennai man Akash lost his life by committing suicide after losing money meant for his

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<sup>93</sup> *The Promotion and Regulation of Online Gaming Act, 2025*, ch IV; *Digital Personal Data Protection Act, 2023*, ch VII.

<sup>94</sup> "A Man dies by suicide after losing money via gambling apps", Times of India, Jul 05, 2025 available at <<https://timesofindia.indiatimes.com/city/trichy/man-dies-by-suicide-after-losing-money-via-gambling-apps/articleshow/122270289.cms>>(last visited on October 4, 2025.)

<sup>95</sup> "UP Teen Dies by Suicide After Losing Rs 14 lakh In Online Game", Ndtv, available at <<https://www.ndtv.com/lucknow-news/up-teen-dies-by-suicide-after-losing-rs-14-lakh-in-online-game-9284900>>(last visited on October 5, 2025.)

mother's cancer treatment in online rummy game. Similarly a 39 year old man named Bhudev allegedly died by committing suicide after losing his life's saving in online gaming. Similarly a 24 year old electrician died by suicide after losing money in online gaming where is lost saving of around two lakhs and burrowed money of around fifty thousand rupees.<sup>96</sup> These are some of the examples where actual total numbers may be huge. Today online gaming industry has grown so large that proper regulation has become very important.

The 2025 Act represents India's first attempt at a unified regulatory regime for online gaming. It responds to judicial calls for legislative clarity and addresses the fragmented patchwork of State laws. Yet, it embodies centralisation and prohibition more than calibrated governance. The broad-brush treatment of all money games risks suppressing innovation and disregarding jurisprudence recognising games of skill. Federal balance remains unsettled. The Act sidelines State powers over betting and gambling, raising constitutional friction. A harmonised model rooted in consultation can preserve State autonomy while enabling uniform regulation. Without such consensus, jurisdictional challenges will persist. The Act's enforcement powers, especially blocking and search authority, risk overreach. Absence of procedural safeguards could trigger arbitrary takedowns and surveillance expansion. A more restrained, transparent, and rights-based enforcement model is needed. Economic potential of gaming remains underutilised. India could emulate UK and US models that balance industry growth with consumer protection. Current provisions, however, deter investment and create compliance fatigue. Policy recalibration must shift from prohibition to regulation with accountability. The Act's silence on emerging technologies-blockchain, metaverse, algorithmic collusion-makes it static in a dynamic ecosystem. Adaptive licensing, innovation sandboxes, and periodic review mechanisms are essential to future-proof the law. Ultimately, the future of online gaming regulation in India depends on balancing public morality, constitutional federalism, economic innovation, and consumer welfare. The 2025 Act is a significant step but only the beginning of a continuing dialogue between law, technology, and society. Both legal and technological developments should go in tandem with each other, so that one does not act as barrier in the development of other.

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<sup>96</sup> "Electrician ends life in Thane after losses on gaming app", The print, 05 November, 2025 *available at* < <https://theprint.in/india/electrician-ends-life-in-thane-after-losses-on-gaming-app/2777321/> >(last visited on) 05 November 6, 2025)

## References

### A. Primary Sources

#### *Statutes and Legislations*

- The Promotion and Regulation of Online Gaming Act, 2025 (Act 32 of 2025).
- The Public Gambling Act, 1867.
- The Information Technology Act, 2000 (Act 21 of 2000).
- The Digital Personal Data Protection Act, 2023.
- The Consumer Protection Act, 2019.
- The Competition Act, 2002.
- The Code of Criminal Procedure, 1973.

#### *Constitutional Provisions*

- Constitution of India, Seventh Schedule – Entries 31, 34 and 97.
- Constitution of India, Articles 14, 19, 21, 246, and 249.

#### *Case Law*

- *State of Bombay v. R.M.D. Chamarbaugwala*, AIR 1957 SC 699.
- *K.R. Lakshmanan v. State of Tamil Nadu*, (1996) 2 SCC 226.
- *Junglee Games India Pvt. Ltd. v. State of Tamil Nadu*, 2021 SCC OnLine Mad 2762.
- *Tata Sky Ltd. v. State of Madhya Pradesh*, (2020) 16 SCC 405.
- *Government of NCT of Delhi v. Union of India*, (2018) 8 SCC 501.
- *Shreya Singhal v. Union of India*, (2015) 5 SCC 1.
- *Murphy v. National Collegiate Athletic Association (NCAA)*, 584 U.S. (2018).

### B. Secondary Sources

#### *Books and Commentaries*

- Basu, Durga Das, *Commentary on the Constitution of India*, LexisNexis, 2021.
- Bakshi, P.M., *The Constitution of India*, 17th ed., Universal Law Publishing, 2023.
- Narayanan, R.K., *Information Technology Law in India*, Eastern Book Company, 2022.

- Majumdar, A., & Chaudhary, N., *Law Relating to Gaming and Gambling in India*, Thomson Reuters, 2023.

#### ***Journal Articles and Papers***

- Sengupta, A. (2022), "Skill versus Chance: The Judicial Approach to Online Gaming in India," *Indian Journal of Law and Technology*, Vol. 18.
- Choudhury, S. (2023), "Federalism in the Digital Age: Regulating Online Gaming," *NUJS Law Review*, Vol. 16.
- Goyal, R. (2024), "Comparative Analysis of Online Gaming Laws: India, UK, and Singapore," *Journal of Comparative Law Studies*, Vol. 12.
- Menon, N.R. (2021), "The Constitutional Dimensions of Betting and Gambling in India," *Supreme Court Cases (Journal)*.

#### ***Reports and Guidelines***

- NITI Aayog (2021), *Guiding Principles for the Uniform National-Level Regulation of Online Fantasy Sports Platforms in India*.
- Internet and Mobile Association of India (IAMAI), *India Digital Gaming Report 2023*.
- OECD, *Consumer Protection in the Digital Economy*, 2022.
- Financial Action Task Force (FATF), *Virtual Assets and AML/CFT Guidance*, 2021.

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