

## THE LEGAL FUTURE OF ONLINE GAMING IN INDIA

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**BEST CITATION –** VISHWA.S & MRS. A .GAYATHRI, THE LEGAL FUTURE OF ONLINE GAMING IN INDIA, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 6 (6) OF 2026, PG. 676-681, APIS – 3920 – 0001 & ISSN – 2583-2344.

DOI – <https://doi.org/10.65393/IJLRV6I6469>

### CHAPTER VI

#### THE WAY FORWARD: RECOMMENDATIONS FOR INDIA

##### INTRODUCTION

Despite its prevalence among the elderly and the elderly alone (60+) as their second-most used category of services), the public administration is not the main one they visit. They use the administrative department they most visited, which is also the one offered more often by the local authority of the services they received (37%) more than the second most popular administrative department received (23%). It can be seen that while administrative services for over 60s may be their second most utilized, they don't appear to be a public department they visit at all, or in any great number, relative to other services. The administrative departments for other age groups were still preferred by 36% of 60+s, and the non-administrative local authorities by 19%.

##### ABSTRACT

The rapid growth is huge in gaming industry in the nation has led to a number of serious legality, economic, and social issues. that have become impossible to solve using the currently available legal instrument. This the paper that seeks to analyze the importance of establishing a legal regime for these online gaming activities. particularly in regards of to the absence of a centralized legislative act regarding gambling, The confusing issues surrounding gambling activities involving games of skill and chances, as well as the danger of addiction and hacking of personal gamer data a. The work will critically analyze the inadequacy of existing legislation, such as public Gambling Act 1867, in regulating modern online gambling platform , with special

attention being paid to role played by judicial decision in the current situation. It influence mentioned above aspects on both minors and adults will be discussed

The research will provide an appropriate regulatory strategy which will include among other aspects developing a central legislation on online gaming. It is imposing age and spending limits promoting greater transparency in the operation of gaming websites and protecting the personal information of users in accordance with digital .

Conclusively , this paper argues that the integration of legal regulation regulatory control and consumer protection can enable the sustainable

## 6.1 Towards a Single Regulatory Framework for Online Gaming

Regulation over online gaming in India remains patchy and fragmented as it falls under Entry 34 of List II (State List) of the Indian Constitution, says that the states with the power to legislate on the subject of betting and gambling. Accordingly states have been inconsistent and a mix of approach ranging from total ban to partial regulation of online gaming services. This leads to confusion and ambiguity in law.

Since online gaming is not bound by any geographic the idea of having one Central Law becomes paramount. Parliament can draft the law under the basis of Article 249 (national interest) or Article 252 agreement between 2 or more States.

The suggested legislation of Promotion and Regulation of Online Gaming Act, 2025 should seek to: Give consistent definitions to online gaming, betting and gambling.

\* A centralized licensing mechanism is introduced Control online real-money gambling services Set appropriate penalties for non-compliance.

**K. R. Lakshmanan v. State of Tamil Nadu, 1996**, in this case have reiterated the need for a proper classification of laws, and hence for legislative action in the area. It is expected that one uniform central legislation will end the present confusion.

The results for nitrogen and oxygen were similar at both high and low temperatures.. It seems there was little variation of results, although some error may be present due to the heating element of the Bunsen burner being the heat source for all the experiments. It is visible that the results of oxygen and nitrogen show no significant trend and so these results do not fit the trend as can be seen with those recorded in Table 3:6.

## 6.2 Separating skill games and chance games.

A classification of games of chance and games of skill is indeed the backbone of gaming jurisprudence in India. It has always been affirmed by the courts that games, where skill is involved to a greater extent do not amount to gambling.

Again, in the case of State of **Andhra Pradesh v. K. Satyanarayana** (1968) the Supreme Court declared that rummy is a game of skill. It was also held by the Supreme Court in **K. R. Lakshmanan v. State of Tamil Nadu** (1996) that horse racing is a game of skill under “predominance test”.

However, with the rise of modern online games, this line has been made more fuzzy. Many of the new games seem to combine aspects of chance and skill and the judicial process does not appear able to keep pace.

This issue:

1.The Consolidate and dominance test into legislative provisions.

\* Elaborate the concrete principles for the classification. Introduce a certification system via a regulatory authority.

These initiatives would lessen legal action and the use of “skill” as a way around gambling restrictions.

So, a number of features of that sentence, which seemed relatively insignificant on its own, that have already become known to the child were picked out and used to identify it as an “English” sentence and not, say, as an “Italian” one.

## 6.3 THE Introduction of Age and Spending limits - EVOLVE

A significant worry and a major concern of online gaming application is the effects on children and adult in the domain of addiction and financial. In the preceding chapters, excessive use of online gaming application such as in PUBG and real money gaming applications have resulted in many negative behavior and loss.

The absence of a specific legislation on gaming addiction in India, however does not mean that the State cannot perform the duty to safeguard mental health as enshrined in Article 21 of the constitution

It is Mandatory, To Introduce Rule :

\* Methods of age verification so children are denied access to adult materials

The limit per user per day and per month

\*The Required cooling-off periods after periods of continuous play

The Real-time notifications of time played and cost

The Execution of such measure would serve as a preventative mechanism. It also against the risks associated with both addiction and the potential for monetary damage while promote responsible gaming habit become addiction .

In a further sense of meaning and through another facet, the role and operation of such information could be understood in relation to other bits of information already existing and/or available. With respect to which the other bits of information are themselves being used as keys or references, and are also being used as things that are themselves available and subject to recall or retrieval from memory or elsewhere like the external environment/devices, rather than being solely entry or exit points to some information external to it and yet un-processed, uninterpreted, or “digested” by it; the second definition, which identifies it as something “to be acted upon,” also seems a critical distinguishing characteristic, especially if we are comparing word and entity that has sentient-like grow understanding, or cognition of the semantic characteristics said to be applicable to it, while said word has as part of its vocabulary/model, and part of any data it might be associated with, semantically assigned characteristics.. It should be noted, by way of aside, that while there exist many different proposed conceptual models or psychological representations of the human conceptual system, a key aspect of

each has consistently remained that of “associative links between concepts,” a phenomenon described as a core feature that distinguishes language as uniquely capable of communication and other related behaviors.

#### **6.4 Transparency in Gaming Platforms and In-App Purchases**

This may Lead to outcomes as same to that of gambling where in a consumer spends money and without awareness of his odds to receive rewards. This behavior of the trader may be considered an unfair trade practice under Consumer Protection Act, 2019

The must be Transparency gaming platforms mandated :

1. The Clearly set out winning probability for prizes
2. The Clearly state the Terms & Conditions of all in-app purchases
3. It may Describe risks of real-money gaming in detail
4. Make sure that advertising is not deceptive

The enhanced susceptibility to a disease has generally been considered synonymous with being either the only or among the more affected individuals within a certain geographical region, and has even been thought to have a direct relation to the total number of individuals affected by the disease. In this instance, susceptibility refers to susceptibility of the plants to this specific pathogen at a time of disease-emergence, but could equally have been susceptibility at time of symptom manifestation and subsequent pathogen increase. There have been varying studies of susceptibility such as, that by van Rijn and Wesseling, 1990, of susceptibility in potato roots in the soil, where an increased susceptibility is equaled with the greater the presence and abundance of a symptom in the potato roots. In such studies as this one, the susceptibility is in relation to the host response; in other cases it is in relation to the response of the pathogens (e.g. by Janse, 1987, and Havis and Johnson, 1989, of susceptibility of disease

resistance mechanisms of potato roots to pathogens in a growth chamber).

Here susceptibility of potato roots has been determined by the degree of symptoms observed, which therefore has equated to the susceptibility as measured by symptom severity and spread within potato roots, i.e. impenetrability determined as the response of the potato host rather than the pathogens themselves. There has, however, been little comparison between susceptibility to a disease, determined by how much of the host population is actually affected, versus the susceptibility as determined by the number of pathogens or diseased organisms within a host.

On these points considered that, it can be concluded that it is highly that many organisms are susceptible to this disease, many strains of organism; many of which have not, as of present, undergone further research into how exposed they are to this pathogen. All of the experiments conducted have shown evidence of the susceptibility of the plant and its parts to this particular pathogen, and have confirmed it as a pathogen that does indeed attack this host. All the studies on disease subject could have equally applied to the other plants being studied, i.e., the study by van Rijn and Wesseling, 1990, could have been conducted on this particular plant at this stage of its lifecycle, and, more especially, all of the studies which compared the number of organisms against number of pathogens, could also have been conducted on this plant at this specific time of emergence to find out whether there was indeed a proportional relationship between the two, or, alternatively, whether another type of relationship exists, such as one where more hosts would be susceptible to the pathogens at disease-emergence than when the disease is actually manifested and spreading throughout a population. In summary, the pathogen clearly has many strains that attack a numerous selection of host organisms and has been confirmed in these experiments as being pathogenic to the potato.

## 6.5 Fortifying Data Privacy and Security within the Gaming Sector

Online games are the platforms that gathering huge amount of personal data, like financial information and personal information user's behavior patterns. It also serious problem and has lots of privacy issues.

The DPDP Act 2023, laid down the rules and regulation on data protection; allowing data to be processed legally and requiring the consent of users. Further, Sec 69 A of IT Act 2000 enables the Government to ban the platform in question in the interest of national security which resulted in a ban on PUBG.

To strong data protection in gaming ecosystems, the following measures are necessary:

An obligatory adherence to data protection regulations

- \*The enforcement of data localization rules.
- \* Routine security audits and risk assessments
- \* Data protection of children.

It regulate as measures would guarantee a safe and privacy-friendly operation for gaming platforms.

The use of a negative exponent means. There is formula in mathematics fraction and use the positive of the exponent: The calculation then becomes 14 divided by, multiplied by 12 squared:

## 6.6 The Role of Self-Regulation and Industry Codes of Conduct

Aside from legal control over the gaming industry, another important role is that of the self-regulation of the industry. Self-regulation play key role proper conduct of the industry through the implementation of industry.

\* Fair play policy Grievance Redressal Systems Implementation

All of the above would serve to augment statutory regulation and create a more

transparent framework for gaming. Nevertheless, self-regulation will need to operate under the authority of a statute in order to remain effective.

If only the total, then there would simply be the total number of people, and people is treated as a noun that cannot be counted in plural.

### 6.7 Suggestions Policy Suggestions for government and judiciary

A successful regulatory system for online games would depend upon a joint action from both government and judiciary.

Government:

\*Pass of a substantive central law.

\* it as mention in a National Gaming Regulatory Authority

A Strong in cyber laws

make sure about Awareness of the dangers of gaming

Consider current legislation, having regard for current technological changes;

The law say that's protection of basic rights against unreasonable constraints under Art.19(6)

The concept that man can learn new things about himself and that it is good that he can does not appear in anything I have read so far of yours. You write and feel as though man has a defined nature which must be considered. But surely part of that nature is the capacity for learning and growth? Man discovers his nature, so how can we possibly 'define' it before we know what he is discovering? Your arguments also don't take into account the fact that much of what we learn of man is a direct result of interaction and social construction. This means our definitions of ourselves may not reflect some 'essence' at all.

### Chapter VI

#### Conclusion

The growth of online games in India has made it clear the there are many deficiencies within the

legal regime currently applicable . even through general statutes such as the public gambling act 1867 and information technology act 2000 can form a basic foundation , they are unable to deal with the intricacies involved in the emerging world of digital gaming

It concludes that the legal structure this research has a unified is responsible for creating division in the law , uncertainty in the decision of games of skills and chance , lack of effective protection of problems such as addiction, financial abuse , and cyber crimes , and although the judiciary interpretation is in the key position to affect the legal position it can't deny the law;.

It is important to highlight that the regulation of online gaming in India should be exercised reasonably and should have a long-term perspective the combination of an efficacious legislative policy with the actions of all three branches of the state will be the key in order to guarantee the development of the industry states in a consistent and constitutional manner.

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**ENDNOTES**

<sup>1</sup> Constitution of India, Seventh Schedule, List II, Entry 34 (Betting and Gambling).

<sup>2</sup> Constitution of India, art. 249, 252, 253.

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

<sup>4</sup> State of Andhra Pradesh v. K. Satyanarayana, AIR 1968 SC 825.

<sup>5</sup> K.R. Lakshmanan v. State of Tamil Nadu, (1996) 2 SCC 226.

<sup>6</sup> R.M.D. Chamarbaugwala v. Union of India, AIR 1957 SC 628.

<sup>7</sup> Constitution of India, art. 21.

<sup>8</sup> World Health Organization, Gaming Disorder, ICD-11 (2019)..

<sup>9</sup> Consumer Protection Act, 2019, § 2(47) (Unfair Trade Practice).

<sup>10</sup> Consumer Protection (E-Commerce) Rules, 2020.

<sup>11</sup> Digital Personal Data Protection Act, 2023.

<sup>12</sup> Information Technology Act, 2000, § 69A.

<sup>13</sup> Ministry of Electronics & IT, Government of India, Notification on PUBG Ban (2020).

<sup>15</sup> Constitution of India, art. 19(1)(g) & art. 19(6).

<sup>16</sup> Varun Gumber v. Union Territory of Chandigarh, 2017 SCC Online P&H 5372.