



FROM GAMING TO SPORT: ESTABLISHING A LEGAL AND ETHICAL FRAMEWORK FOR E-SPORTS IN INDIA

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ABSTRACT :

The rapid expansion of eSports, driven by emerging technologies such as artificial intelligence, blockchain, big data analytics, and immersive digital platforms, has transformed competitive gaming into a global industry. However, the legal framework governing eSports remains fragmented and underdeveloped, particularly in emerging jurisdictions like India. Unlike traditional sports, eSports is largely controlled by private game publishers and tournament organizers, leading to concerns regarding regulatory transparency, contractual fairness, data protection, competitive integrity, and dispute resolution.

This paper proposes the introduction of a comprehensive legal framework specifically tailored to eSports governance. Unlike South Korea and France, which have adopted structured statutory frameworks for e-sports, and the United States, which relies largely on private governance, It recommends statutory recognition of eSports as a distinct sporting activity, establishment of an independent regulatory authority, mandatory arbitration mechanisms for dispute resolution, standardized player contract protections, certified anti-cheating systems, Doping and strict data privacy compliance. Additionally, it highlights the need for ethical AI regulation, betting controls, consumer safeguards, and cross-border enforcement mechanisms.

Any regulatory framework must address legislative competence under Article 246 and the Seventh Schedule, which allocate powers between the Union and the States. In the absence of a specific constitutional entry on e-sports, regulation must be grounded within permissible Union domains while respecting India's federal structure.

By integrating principles of sports law, technology law, labour law, and arbitration, the proposed reforms aim to ensure fairness, integrity, accountability, and sustainable growth within the eSports ecosystem. A structured legal approach will not only protect players and stakeholders but also enhance India's position in the rapidly evolving global digital sports economy.

Keywords: eSports Law, Sports Arbitration, Emerging Technology, Artificial Intelligence, Blockchain Governance, Data Protection, Regulatory Framework, Competitive Integrity, Player Contract Protection, Digital Sports Ethics, Dispute Resolution, Online Gaming Regulation, Doping, Anticheating, Third party software.

I. INTRODUCTION:

Electronic sports (eSports) have rapidly transformed from recreational gaming into a global competitive industry involving professional players, international tournaments, corporate sponsorships, streaming platforms, and millions of spectators worldwide¹. The digital revolution, accompanied by technological advancements such as artificial intelligence, cloud computing, big data analytics, and immersive gaming environments, has enabled eSports to evolve into a structured form of competitive entertainment. What began as informal gaming competitions has now become a multi-billion-dollar global ecosystem with professional leagues, salaried players, and large prize pools.

Despite its massive growth, the legal recognition and governance of eSports remain underdeveloped in many countries, particularly in India. Traditional sports such as cricket, football, and athletics are governed by national federations, regulatory bodies, and statutory frameworks that ensure transparency, fairness, and accountability. In contrast, eSports is largely controlled by private game publishers and tournament organizers who determine the rules of competition, player participation, and dispute resolution mechanisms. This private governance structure raises serious legal and ethical concerns relating to contractual fairness, intellectual property rights, data protection, gambling regulation, labour rights of players, and competitive integrity.

In India, the absence of a comprehensive regulatory framework has resulted in legal **z**and grouped together with online gaming or gambling, even though the two operate on fundamentally different principles. eSports competitions primarily rely on skill, strategy, and team coordination rather than chance.²

Furthermore, the Indian constitutional structure adds complexity to the regulation of sports and gaming activities. Under Article 246 and the Seventh Schedule of the Constitution, legislative powers are distributed between the Union and the States. Sports and entertainment-related matters may fall under multiple entries across the Union List, State List, and Concurrent List, making centralized regulation challenging without clear statutory provisions.

Given these challenges, it is essential to establish a comprehensive legal and ethical framework for eSports governance in India. Such a framework should incorporate elements of sports law, technology law, labour law, and arbitration mechanisms.³ It must also address emerging issues such as artificial intelligence-assisted gameplay, online betting risks, data privacy protection, and cross-border enforcement of tournament rules.

¹ T. L. Taylor, *Raising the Stakes: E-Sports and the Professionalization of Computer Gaming* (MIT Press, 2012).

² Seth E. Jenny, R. D. Manning, M. C. Keiper & T. W. Olrich, "Virtual(ly) Athletes: Where eSports Fit Within the Definition of Sport," *Journal of Sport Management*, 31(1), 2017.

³ Simon Gardiner et al., *Sports Law* (4th ed., Routledge 2012).

This research paper aims to analyze the current regulatory gaps in the Indian eSports ecosystem and propose a structured legal framework that ensures transparency, fairness, accountability, and sustainable growth for the industry.

II. EVOLUTION OF E-SPORTS AS A GLOBAL SPORTING PHENOMENON:

The origins of competitive gaming can be traced back to the late twentieth century when arcade gaming competitions began attracting participants in small community gatherings. Over time, technological advancements and internet connectivity allowed multiplayer games to evolve into organized tournaments with international participation.⁴

The growth of streaming platforms and online broadcasting has played a crucial role in popularizing eSports worldwide. Millions of viewers now watch professional gaming competitions through digital platforms, making eSports comparable to traditional spectator sports in terms of audience engagement.

Countries such as South Korea recognized the potential of eSports at an early stage and established regulatory bodies to govern professional gaming competitions. Similarly, France introduced legal recognition of eSports players and tournament regulations through statutory reforms.⁵

In contrast, the United States follows a largely decentralized model where private organizations regulate tournaments and league operations. This model provides flexibility but often lacks standardized legal protections for players and teams.⁶

The global eSports industry has attracted significant investments from technology companies, sports franchises, and entertainment organizations. Major corporations sponsor tournaments, while professional teams recruit players through contractual agreements similar to those used in traditional sports leagues.⁷

India has also witnessed rapid growth in gaming communities, with increasing participation in national and international tournaments. However, without a clear legal framework, the industry faces regulatory uncertainty and limited institutional support.

III. LEGAL STATUS OF E-SPORTS IN INDIA:

The legal classification of eSports in India remains unclear due to the absence of a specific statutory definition. Competitive gaming activities are often examined under the broader category of online gaming, which includes both skill-based games and gambling platforms.

Indian courts have repeatedly emphasized the distinction between games of skill and games of chance. This distinction is crucial in determining the legality of gaming activities under various state laws.

⁴ T. L. Taylor, *Raising the Stakes: E-Sports and the Professionalization of Computer Gaming* (MIT Press 2012).

⁵ William Collis, *The Book of ESports: The Definitive Guide to Competitive Video Games* (RosettaBooks 2020).

⁶ Justin T. Holden, Marc Edelman & Ariel N. Katz, "ESports Governance and the Future of Competitive Gaming," *International Journal of Sport Policy and Politics* (2019).

⁷ Newzoo, *Global ESports & Live Streaming Market Report* (2023).

Case Law: State of Andhra Pradesh v. K. Satyanarayana (1968)

In this landmark judgment, the Supreme Court held that the card game “Rummy” involves a substantial degree of skill and therefore cannot be classified as gambling. The Court observed that skill-based games are protected under constitutional principles of trade and occupation.⁸

This principle is relevant to eSports because competitive gaming requires strategic decision-making, reflexes, coordination, and analytical thinking. Therefore, it can be argued that eSports should be treated as a skill-based activity rather than a gambling activity.

Case Law: Dr. K.R. Lakshmanan v. State of Tamil Nadu (1996)

The Supreme Court reaffirmed that competitions involving a predominance of skill fall outside the definition of gambling. The Court clarified that skill-based activities constitute legitimate business and entertainment activities protected by law.⁹

This decision further strengthens the argument that eSports should receive legal recognition as a legitimate competitive activity.

Case Law: Varun Gumber v. Union Territory of Chandigarh (2017)

The Punjab and Haryana High Court ruled that fantasy sports platforms involve substantial skill and therefore cannot be treated as gambling.¹⁰ Although fantasy sports differ from eSports, the judgment demonstrates the judiciary’s willingness to recognize skill-based digital competitions as legitimate activities.

Despite these judicial precedents, the absence of explicit legislative recognition for eSports creates uncertainty regarding licensing, taxation, and regulatory oversight.

IV. GOVERNANCE MODELS FOR E-SPORTS:

Effective governance is essential to ensure fairness, integrity, and transparency within competitive gaming ecosystems. Currently, eSports governance globally follows three primary models.¹¹

1. Publisher-Controlled Model

In this model, game publishers control the rules, tournament structures, and competitive formats of their respective games. Since publishers own the intellectual property rights to the game software, they maintain exclusive authority over how competitions are conducted.¹²

⁸ *State of Andhra Pradesh v. K. Satyanarayana*, AIR 1968 SC 825.

⁹ *Dr. K.R. Lakshmanan v. State of Tamil Nadu*, (1996) 2 SCC 226.

¹⁰ *Varun Gumber v. Union Territory of Chandigarh*, 2017 SCC OnLine P&H 5372.

¹¹ Justin T. Holden, Rotenberg, R. M., & Kaburakis, A., “Esports Corruption: Gambling, Doping, and Global Governance,” *Maryland Journal of International Law*, 32(1), 2017.

¹² William Collis, *The Book of Esports: The Definitive Guide to Competitive Video Games* (RosettaBooks 2020).

2. Federation-Based Model

Some countries have established national eSports federations responsible for regulating tournaments, player registrations, and ethical compliance. Such federations function similarly to traditional sports governing bodies and provide a more transparent governance structure.¹³

3. Hybrid Regulatory Model

A hybrid model combines statutory oversight with private governance. Government authorities set regulatory standards while tournament organizers and publishers manage operational aspects. This model is considered the most effective because it balances innovation with accountability.¹⁴

V. LEGAL ISSUES IN THE E-SPORTS LEGAL ECOSYSTEM:

1. PLAYER CONTRACT AND LABOUR RIGHTS:

Professional eSports players often sign contracts with teams or tournament organizers. However, many contracts lack transparency and may include unfair clauses regarding prize distribution, sponsorship rights, and termination conditions. In the absence of labour protections, players may face exploitation or unequal bargaining power. Establishing standardized player contracts would help protect athletes' rights and ensure fair compensation.

2. INTELLECTUAL PROPERTY RIGHTS:

Unlike traditional sports, eSports competitions revolve around copyrighted software owned by game publishers. This creates complex legal questions regarding broadcasting rights, tournament organization, and commercial exploitation. Publishers retain exclusive rights over game content, which may restrict independent tournament organizers from hosting competitions without authorization.

3. DATA PROTECTION AND PRIVACY:

eSports platforms collect large volumes of user data, including gameplay statistics, biometric information, and personal identification details. India's data protection framework must ensure that gaming companies comply with privacy standards and protect user information from misuse.

4. MATCH FIXING AND CHEATING:

Competitive integrity is one of the most critical issues in professional eSports. The use of unauthorized software tools, hacking, and match fixing can undermine fair competition. Technological monitoring systems and certified anti-cheating mechanisms must be implemented to prevent such practices.

¹³ Korea e-Sports Association, *Esports Governance and Player Regulation Report* (2020).

¹⁴ B. Chao, "You Must Construct Additional Pylons: Building a Better Framework for Esports Governance," *Harvard Journal of Sports & Entertainment Law*, 2019.

Nikhil Kumawat Cheating Case (2018)

Nikhil “Forsaken” Kumawat, a professional Indian player of Counter-Strike: Global Offensive, was involved in a major cheating controversy during the eXTREMESLAND Asia Finals 2018. During the tournament, officials suspected unusual gameplay and decided to inspect his computer during a live match. It was discovered that he had been using unauthorized cheating software, which gave him an unfair advantage over other players. As a result, Kumawat was immediately disqualified and banned from professional competitions. Following the incident, his team OpTic India was removed from the tournament, and the case became one of the most well-known cheating scandals in Indian e-sports.

5. ONLINE BETTING AND GAMBLING CONCERN:

The popularity of eSports tournaments has also attracted betting platforms that allow users to wager on match outcomes. Without proper regulation, such activities could lead to illegal gambling and financial exploitation. Strict regulatory controls are required to separate legitimate competitions from gambling operations.

VI. CONSTITUTIONAL FRAMEWORK FOR REGULATION:

Regulating eSports in India requires careful consideration of the constitutional division of legislative powers. Under Article 246 of the Constitution, legislative authority is distributed between the Union and State governments through the Seventh Schedule. Traditional sports fall under the State List as entertainment and amusement activities. However, e-sports differs from conventional sports because it operates through digital platforms, online communication systems, and interstate commercial activities. Due to this technological and cross-border nature, e-sports may also fall under Union List entries related to communication systems, interstate commerce, and residuary powers. The doctrine of pith and substance helps determine the true nature of legislation when overlap occurs between legislative lists. Since e-sports was not specifically contemplated when the Constitution was drafted, Parliament may regulate it using its residuary powers under Article 248 of the Constitution of India and Entry 97 of the Union List. At the same time, India’s federal system requires cooperation between the Union and the States. A balanced regulatory model may allow Parliament to create national standards for e-sports while states regulate local aspects such as physical venues, taxation, and public order. Sports and entertainment activities often fall under entries in the State List. However, aspects such as telecommunications, digital platforms, international trade, and intellectual property rights fall under the Union List.

Therefore, a national regulatory framework for eSports could be justified under Union powers relating to digital technology, communication networks, and international commerce. At the same time, state governments may regulate physical tournaments, local licensing requirements, and public order concerns. A cooperative federal approach would therefore be necessary to establish a balanced regulatory structure.

VII. NEED FOR A DEDICATED E-SPORTS REGULATORY AUTHORITY:

Billy Mitchell, a well-known arcade gaming champion famous for his high scores in Donkey Kong, became involved in a major controversy in 2018. The scoreboard organization Twin Galaxies investigated his record-setting gameplay and concluded that he had used an emulator instead of original arcade hardware. Based on this finding, the organization removed his world records and banned him from its leaderboards. Mitchell denied the allegations and filed a defamation lawsuit, claiming that the investigation was flawed and damaged his reputation. The dispute highlighted the importance of fair investigative procedures and transparency in the governance of competitive gaming. authority to ensure transparent investigations, fair adjudication, and protection of players' reputations.¹⁵

To ensure effective governance, India should consider establishing a dedicated eSports regulatory authority. Such an institution would function similarly to sports governing bodies and oversee the development of professional gaming competitions.

The proposed authority should perform the following functions:

- Recognition and registration of eSports tournaments and leagues.
- Licensing of professional teams and players.
- Implementation of anti-cheating and fair play regulations.
- Regulation of sponsorship and broadcasting agreements.
- Dispute resolution through specialized arbitration mechanisms.
- Monitoring compliance with data protection and consumer safety laws.

An independent regulatory authority would enhance transparency and provide institutional support for the growth of the eSports industry.

VIII. ROLE OF ARBITRATION IN E-SPORTS DISPUTE RESOLUTION:

Disputes frequently arise in eSports competitions involving contractual disagreements, sponsorship conflicts, or tournament rule violations. Traditional court litigation may not be suitable for resolving such disputes because gaming competitions often require quick decisions. Arbitration provides a faster and more efficient dispute resolution mechanism.

Case Law: Board of Control for Cricket in India v. Cricket Association of Bihar (2016)

The Supreme Court emphasized the importance of transparency and accountability in sports governance and recognized the role of independent dispute resolution mechanisms in maintaining integrity.⁴ This principle can be extended to the governance of eSports. Establishing a specialized eSports arbitration tribunal would help resolve disputes efficiently while maintaining competitive fairness.¹⁶

¹⁵ *Mitchell v. Twin Galaxies, LLC*, defamation lawsuit concerning removal of competitive gaming records, filed in the Superior Court of California (2018).

¹⁶ *Board of Control for Cricket in India v. Cricket Association of Bihar*, (2016) 8 SCC 535 (Supreme Court of India).

IX. COMPARATIVE REGULATIVE MODELS:

The regulatory treatment of e-sports varies significantly across jurisdictions. Some countries have adopted statutory recognition frameworks, while others rely primarily on private governance and contractual regulation. A comparative examination of South Korea, France, and the United States reveals distinct approaches that offer important lessons for India.

1. South Korea's Statutory Framework:

South Korea is widely regarded as a pioneer in formalizing e-sports governance. Recognizing the economic and cultural significance of competitive gaming, the government integrated e-sports into its national sports and digital economy strategy. The establishment of the Korea e-Sports Association (KeSPA) marked a foundational step toward institutional regulation. KeSPA operates under the supervision of the Ministry of Culture, Sports and Tourism and is responsible for:

- Licensing professional players
- Regulating tournaments
- Enforcing competitive standards
- Overseeing disciplinary measures

South Korea's broader legal architecture also incorporates provisions under the Game Industry Promotion Act, which provides regulatory oversight over the gaming industry, including aspects relevant to professional competition. This statutory integration ensures that e-sports is not governed solely by publishers but operates within a structured legal framework. Importantly, the model combines governmental oversight with industry participation, thereby preserving innovation while ensuring regulatory accountability.

However, critics argue that excessive state intervention may limit market flexibility. Nevertheless, South Korea's approach demonstrates that formal recognition and statutory backing enhance legitimacy and global competitiveness.

2. France's Legislative Model:

France represents one of the first European jurisdictions to enact specific legislation addressing e-sports. Through the Digital Republic Law (2016), France formally recognized competitive video gaming and introduced legal provisions governing tournament organization and player status.

The law clarified:

- Legal status of professional e-sports players
- Contractual protections for minors
- Authorization requirements for competitions
- Prize distribution mechanisms

France's approach treats e-sports as a hybrid between digital entertainment and sport. While not fully equated with traditional athletic disciplines, the legislative framework provides statutory certainty and safeguards against exploitation. Notably, French regulation emphasizes player protection, particularly concerning employment rights and social security coverage. This labour-oriented dimension is particularly

relevant for emerging markets like India, where player contracts are often informal and publisher-drafted. The French model illustrates that targeted legislative intervention can address governance gaps without over-regulating the industry.

3. United States' Private Governance Approach:

In contrast, the United States relies largely on private governance mechanisms. There is no comprehensive federal statute regulating e-sports as a sport. Instead, regulation occurs through:

- Publisher-imposed tournament rules
- Contractual dispute resolution clauses
- Independent integrity organizations

The Esports Integrity Commission (ESIC), though international in scope, operates significantly within U.S.-based tournaments. Its authority derives from contractual adherence rather than statutory mandate. Additionally, professional players entering the United States for tournaments may receive recognition under the P-1 visa category for internationally recognized athletes. This immigration recognition implicitly acknowledges e-sports as a legitimate professional activity, though without formal sports law classification. The U.S. model prioritizes market autonomy and innovation. However, the absence of centralized regulatory authority has led to fragmented dispute resolution systems and inconsistent enforcement standards across tournaments.

Implications for the Indian Regulatory Framework

The comparative analysis highlights three distinct regulatory philosophies:

- State-Integrated Model (South Korea) – Strong statutory oversight combined with institutional governance.
- Legislative Recognition Model (France) – Targeted statutory provisions ensuring contractual and player protection.
- Private Governance Model (United States) – Market-driven regulation with limited state intervention.

For India, adopting a purely private governance model may exacerbate regulatory fragmentation given the country's federal structure. Conversely, excessive state control could stifle technological innovation and industry growth.

X. ETHICAL CHALLENGES IN E-SPORTS:

● ARTIFICIAL INTELLIGENCE AND COMPETITIVE FAIRNESS:

Advancements in artificial intelligence may allow players to use automated systems that provide strategic advantages during gameplay.

Strict technological regulations are required to ensure that AI tools do not compromise fair competition.

- **DOPING AND PERFORMANCE ENHANCEMENT:**

Although physical doping is less common in eSports, players may use stimulants or cognitive enhancement drugs to improve reaction time and concentration.

Anti-doping policies similar to those used in traditional sports should be implemented.

- **MENTAL HEALTH AND PLAYER WELFARE:**

Professional gamers often practice for extended hours, leading to mental stress and physical health issues. Ethical governance must ensure that tournament schedules and training conditions prioritize player welfare.

- **LACK OF CLEAR LEGAL CLASSIFICATION:**

One of the primary challenges is the absence of a uniform legal definition of e-sports. Indian law often struggles to distinguish between games of skill and games of chance, and this ambiguity may lead to e-sports being mistakenly regulated under online gambling laws in some states. The dispute in *James Varga v. Twitch* highlights the lack of clear legal classification within eSports. Streamer James Varga was banned by Twitch following allegations related to skin gambling connected to Counter-Strike: Global Offensive. The case demonstrates how the absence of clear legal frameworks governing digital assets, online gambling, and eSports streaming can lead to ethical and legal disputes.¹⁷

- **FEDERAL–STATE JURISDICTION CONFLICTS:**

Under the Indian constitutional framework, betting and gambling fall under State List (Entry 34). Since many states regulate online gaming differently, introducing a central e-sports law may create jurisdictional conflicts between the Union Government and State Governments.

- **CROSS-BORDER NATURE OF E-SPORTS PLATFORMS:**

Many e-sports tournaments, publishers, and platforms operate **internationally**. Enforcing Indian regulatory standards on **foreign game publishers and tournament organizers** may be difficult due to jurisdictional limitations, Infrastructure and Digital Divide

- **DATA PRIVACY AND CYBERSECURITY RISKS:**

E-sports platforms collect vast amounts of **user data**, including player statistics, financial transactions, and personal information. Ensuring compliance with **data protection and cybersecurity standards** is essential but complex.

¹⁷ *Varga v. Twitch Interactive, Inc.*, No. 2:16-cv-00885, United States District Court for the Northern District of California (2016).

XI. PROPOSED LEGAL REFORMS:

To establish a robust governance framework for eSports in India, the following reforms are recommended:

- **Statutory Recognition of eSports**

Parliament should formally recognize eSports as a legitimate sporting activity distinct from gambling.

- **Creation of a National eSports Regulatory Authority**

A central body should oversee tournament regulation, licensing, and compliance.

- **Standardized Player Contracts**

Legal guidelines should protect professional players from unfair contractual practices.

- **Mandatory Arbitration Mechanisms**

All professional competitions should include arbitration clauses for dispute resolution.

- **Anti-Cheating and Fair Play Regulations**

Certified software and technological monitoring systems should prevent cheating.

- **Data Protection Compliance**

Gaming platforms must comply with privacy regulations and protect user data.

- **Betting Regulation**

Strict laws should prevent illegal betting on eSports competitions.

XII. CONCLUSION:

The transformation of video gaming into a professional competitive activity has created new opportunities for economic growth, technological innovation, and global entertainment.¹⁸ However, the rapid expansion of the eSports industry has also exposed significant regulatory gaps, particularly in emerging markets such as India.

Without a comprehensive legal framework, the industry faces risks related to contractual exploitation, cheating, data misuse, and unregulated betting practices. Moreover, the current reliance on private governance structures limits transparency and accountability in tournament administration.

India's constitutional structure allows for the development of a balanced regulatory framework that combines Union-level technological regulation with state-level oversight of sporting activities. By recognizing eSports as a legitimate sporting discipline and establishing an independent regulatory authority, India can create a stable environment for the industry to thrive.¹⁹ Legal reforms must integrate principles from sports law, technology law, labour law, and arbitration mechanisms. Such a framework would ensure that professional players receive adequate protection, tournament organizers operate transparently, and technological innovations are regulated ethically.

¹⁸ T. L. Taylor, *Raising the Stakes: E-Sports and the Professionalization of Computer Gaming* (MIT Press 2012).

¹⁹ Constitution of India, art. 246; M. P. Jain, *Indian Constitutional Law* (LexisNexis 2019).

For further reference, a proposed draft legislation titled “**The Indian E-Sports (Regulation and Governance) Bill, 2026**” is attached as the Annexure to this research paper. This proposed Bill is to provide for the recognition, regulation, and governance of electronic sports in India; to ensure transparency, integrity, and fairness in competitive digital gaming; to protect the rights of professional e-sports players; and to establish a regulatory authority for the supervision of tournaments, technological compliance, and dispute resolution mechanisms connected therewith.

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ANNEXURE

INDIAN E-SPORTS (REGULATION AND GOVERNANCE) BILL, 2026

(Draft prepared for academic research purposes)

PREAMBLE

WHEREAS electronic sports (e-sports) have emerged as a significant global competitive industry involving professional players, organized tournaments, sponsorship agreements, and digital broadcasting platforms

AND WHEREAS the rapid growth of competitive gaming requires a structured legal and regulatory framework to ensure fair competition, transparency, player protection, and technological compliance

AND WHEREAS the Constitution of India under Article 246 and the Seventh Schedule empowers Parliament to legislate on matters relating to digital communications, inter-state commerce, and emerging technological industries

AND WHEREAS it is necessary to distinguish skill-based competitive gaming from gambling and to regulate the e-sports ecosystem in a manner consistent with constitutional principles and international best practices

BE it enacted by Parliament in the Seventy-Seventh Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

Section 1. Short Title, Extent and Commencement

1. This Act may be called the Indian E-Sports (Regulation and Governance) Act, 2026.
2. It extends to the whole of India.
3. It shall come into force on such date as the Central Government may notify in the Official Gazette.

Section 2. Definitions

In this Act, unless the context otherwise requires:

- a. **“E-Sports”** means organized, competitive video gaming conducted in a professional or semi-professional format where the outcome is determined primarily by skill.
- b. **“Player”** means an individual participating in professional or organized e-sports competitions.
- c. **“Team”** means a group of players registered to compete collectively in e-sports tournaments.
- d. **“Publisher”** means the entity holding intellectual property rights over a video game used for competitive e-sports events.
- e. **“Tournament Organizer”** means any individual or organization responsible for conducting e-sports competitions.
- f. **“Integrity Violation”** includes cheating, match fixing, unauthorized software usage, doping, or manipulation of game systems.
- g. **“Authority”** means the Indian E-Sports Regulatory Authority established under this Act.

CHAPTER II

RECOGNITION OF E-SPORTS

Section 3. Recognition as Skill-Based Competition

1. E-sports shall be recognized as a skill-based competitive activity distinct from gambling or games of chance.
2. Participation in e-sports competitions shall not be treated as gambling merely because the competition occurs through digital platforms.
3. Nothing in this Act shall permit unregulated betting or wagering on e-sports competitions.

CHAPTER III

ESTABLISHMENT OF THE INDIAN E-SPORTS REGULATORY AUTHORITY

Section 4. Establishment of Authority

The Central Government shall establish a statutory body to be known as the Indian E-Sports Regulatory Authority (IESRA) for the purposes of regulating and supervising the e-sports ecosystem.

Section 5. Composition of the Authority

The Authority shall consist of:

1. A **Chairperson**, who shall be a retired judge or a person with significant legal expertise.
2. One **technology expert** specializing in digital gaming systems.
3. One **sports governance expert**.
4. One **cybersecurity specialist**.
5. One **player or athlete representative**.
6. One **data protection and digital rights expert**.

Section 6. Functions of the Authority

The Authority shall:

1. Regulate and license e-sports tournaments and leagues.
2. Maintain a national registry of professional players and teams.
3. Ensure compliance with integrity and fair-play standards.
4. Regulate sponsorship and broadcasting agreements.
5. Issue standardized guidelines for player contracts.
6. Monitor technological compliance and anti-cheating mechanisms.

7. Establish arbitration mechanisms for dispute resolution.

CHAPTER IV

PLAYER RIGHTS AND CONTRACTUAL PROTECTION

Section 7. Standard Player Contracts

1. The Authority shall publish a Model Player Contract applicable to all professional e-sports teams and tournaments.
2. Any contract containing unreasonable restrictions or exploitative clauses shall be considered void.

Section 8. Player Welfare

Tournament organizers and teams shall ensure:

1. Fair remuneration and prize distribution.
2. Safe training conditions.
3. Protection of mental and physical health.
4. Compliance with labour and employment standards.

CHAPTER V

INTEGRITY AND FAIR COMPETITION

Section 9. Anti-Cheating Regulations

1. The Authority shall establish technological monitoring systems to detect cheating.
2. The use of unauthorized third-party software or exploitative tools shall constitute an integrity violation.

Section 10. Anti-Doping Regulations

1. The Authority may establish guidelines regarding the use of performance-enhancing substances.
2. Violations may result in suspension, disqualification, or financial penalties.

Section 11. Match-Fixing Prohibition

Any attempt to manipulate the outcome of a competition for financial or personal gain shall constitute a criminal offence punishable under this Act.

CHAPTER VI

DATA PROTECTION AND TECHNOLOGICAL COMPLIANCE

Section 12. Data Protection

1. E-sports platforms shall comply with Indian data protection laws while collecting and processing player data.
2. Personal data must be collected only for legitimate purposes and protected against misuse.

Section 13. Artificial Intelligence Governance

AI-based gaming systems used in tournaments shall comply with transparency and fairness standards prescribed by the Authority.

CHAPTER VII

REGULATION OF BETTING AND GAMBLING

Section 14. Prohibition of Betting by Participants

Players, coaches, and officials participating in registered tournaments shall be prohibited from betting on e-sports competitions.

Section 15. Monitoring of Illegal Betting

The Authority may collaborate with law enforcement agencies to monitor and prevent illegal betting activities associated with e-sports events.

CHAPTER VIII

DISPUTE RESOLUTION

Section 16. Arbitration Tribunal

1. The Central Government shall establish a specialized **E-Sports Arbitration Tribunal**.
2. All disputes arising from professional competitions shall be resolved through arbitration.

CHAPTER IX

OFFENCES AND PENALTIES

Section 17. Cheating

Any person found guilty of cheating in a tournament shall be punished with:

- Suspension from competition
- Monetary penalties
- Disqualification from tournaments

Section 18. Match-Fixing

Any person involved in match fixing shall be punishable with:

- Suspension or lifetime ban
- Fine up to ₹50,00,000
- Possible criminal prosecution

Section 19. Unauthorized Tournament Organization

Conducting an e-sports tournament without authorization from the Authority may result in fines and cancellation of the event.

CHAPTER X

MISCELLANEOUS

Section 20. Power to Make Rules

The Central Government may make rules to carry out the provisions of this Act.

CHAPTER XI

COOPERATIVE FEDERALISM

Section 21. Coordination with State Governments

State governments may regulate:

- Local tournament venues
- Licensing of physical gaming arenas
- Public order and safety concerns

SCHEDULE**Illustrative Penalties**

Offence	Penalty
Cheating	Suspension up to 3 years
Match fixing	Lifetime ban + fine
Illegal betting	Fine up to ₹10 lakh
Unauthorized tournament	Event cancellation + penalty

STATEMENT OF OBJECTS AND REASONS

The purpose of this Bill is to provide a structured legal framework for the regulation and governance of electronic sports in India. The rapid expansion of competitive gaming has created economic opportunities but has also exposed regulatory gaps relating to player protection, technological compliance, integrity violations, and dispute resolution.

This Bill seeks to establish a national regulatory authority, ensure fair competition, protect professional players, and promote the responsible development of the e-sports industry in India.