

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 2639
TO BE ANSWERED ON 11.08.2023

**AMENDMENT TO INFORMATION TECHNOLOGY RULES, 2021
FOR REGULATION OF ONLINE GAMING INTERMEDIARIES**

2639. DR. FAUZIA KHAN:

Will the Minister of Electronics and Information Technology be pleased to state:

(a) the timeline for the finalization of the proposed amendments under the Information Technology (Intermediary Guidelines and Digital Media Code of Ethics) Rules, 2021 with respect to regulation of online gaming intermediaries; and

(b) the details of qualification, eligibility, role and process of appointment of the members under the self-regulatory body for online gaming intermediaries?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

(a): The policies of the Government are aimed at ensuring an Open, Safe & Trusted and Accountable Internet for its all users. The Ministry of Electronics and Information Technology (MeitY) was allocated the matter related to online gaming rules under the Government of India (Allocation of Business Rules), 1961 on 23.12.2022. The Ministry prepared the draft amendment to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021") with respect to online gaming and commenced consultations on the same. Extensive consultations were held with stakeholders and the amendment to the IT Rules, 2021 were notified on 6.4.2023. These rules enforce accountability on online gaming and social media intermediaries in respect of online games to ensure an open, safe, trusted and accountable internet.

These rules layout a comprehensive framework for catalyzing and expanding online gaming innovation and at the same time protecting citizens in cyberspace. The rules define the 'permissible online game' as such online real money games that are verified by Self-Regulatory Bodies (SRBs), as not wagering on outcome, and as free from user harm and addiction.

(b): As per the IT Rules, 2021, an entity which fulfils the following criteria of qualification & eligibility may apply to the Ministry for designation as an online gaming SRB, namely:—

- (1) It should be a company registered under section 8 of the Companies Act, 2013 with its applicant members (i.e. online gaming intermediaries) having a track record of offering and promoting responsible online gaming;
- (2) Directors in the Board of Directors (BoD) must be reputed persons and free from conflict of interest;

- (3) BoD to comprise one Director each possessing special knowledge/ practical experience in the field of online gaming industry, promoting interests of gamers, education, psychology/mental health, information & communication technology (ICT), protection of child rights, public policy/public administration/law enforcement/public finance or other relevant field(as a Government nominee) and other individuals as may be appointed with Ministry's approval;
- (4) Its Memorandum of Association and Articles of Association must secure no conflict of interest, functioning at arm's length from its applicant members (i.e. online gaming intermediaries), accountability of its applicant members, and Government's approval for changes;
- (5) It should possess capacity, including financial capacity to perform its functions under these rules.
