

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 5200
TO BE ANSWERED ON: 02.04.2025

IMPACT OF ONLINE GAMBLING

5200. DR. M P ABDUSSAMAD SAMADANI:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Government is aware of the rising trend of online gambling and its increasing negative impact on youth across the country;
- (b) if so, the details of studies or reports, if any, conducted to assess the social and financial consequences of online gambling particularly among young individuals;
- (c) whether the Government has taken any measures to regulate or curb online gambling platforms to protect youth from addiction and financial exploitation; and
- (d) if so, the details thereof and if not, the reasons therefor?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (d): “Betting and gambling” is a State subject under entry 34 of the List II (State List) of the Seventh Schedule of the Indian Constitution and State legislations define betting and gambling related offences. Therefore, as per the provisions of article 246 read with article 162 of the Constitution, State Legislatures have power to legislate on matters related to betting and gambling.

Further, ‘Police’ and ‘Public Order’ are State subjects as per the Seventh Schedule of the Constitution of India. The States/UTs are primarily responsible for the prevention, detection, investigation and prosecution of crimes including for action on illegal betting and gambling through their Law Enforcement Agencies (LEAs).

Accordingly, State police departments take preventive and penal action as per law in respect of illegal betting and gambling. The Central Government supplements the initiatives of the States/UTs through advisories and financial assistance under various schemes for capacity building of their LEAs.

The policies of the Central Government are aimed at ensuring an open, safe, trusted and accountable Internet for its users. To help achieve this aim, the Central Government has taken suitable steps to counter the risks posed by online gaming, betting & gambling operations and the

associated potential harms & illegal activities like addiction, financial losses, financial frauds, money laundering and other unlawful activities, etc.

To protect users in India and the Indian internet at large from the emerging harms emanating from the misuse of technologies and to ensure accountability towards law of the land, the Ministry of Electronics and Information Technology (“MeitY”) regularly engages with and receives inputs from the industry for promoting ethical use of technologies.

The Central Government after extensive consultations with relevant stakeholders notified amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (“IT Rules, 2021”) under the Information Technology Act, 2000 (“IT Act”) to address various socio-economic concerns emanating from online games.

MeitY also reminds the intermediaries from time-to-time to ensure compliance with their due-diligence requirements under the IT Act and the IT Rules, 2021 to combat the unlawful activities/ information including betting & gambling made available on their platforms.

The IT Rules, 2021 casts specific obligations on intermediaries, including social media intermediaries and online gaming intermediaries. The intermediaries are required not to host, store or publish any information violative of any law for the time being in force. They are also obligated to ensure their accountability that includes their expeditious action towards removal of the unlawful information categorised under the IT Rules, 2021 against the Government’s order or on the basis of grievances received against any unlawful information. Such unlawful information comprises any information that, among other things, is harmful to child or that is relating or encouraging money laundering or gambling, or that is misinformation, patently false information, untrue or misleading in nature, or that threatens the unity, integrity, defence, security or sovereignty of India, public order, or that violates any law for the time being in force.

Section 112(1) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”) which came into effect from July 1, 2024, punishes unauthorised betting and gambling with minimum 1 year of imprisonment that may extend to 7 years and with fine.

In addition, Government has introduced GST at the rate of 28% in online gaming from 1st October, 2023. The supplier of online money gaming shall obtain a single registration under the Simplified Registration Scheme referred to in the Integrated Goods and Services Tax Act, 2017 (“IGST Act”).

The suppliers of offshore online money gaming are also being regulated under the IGST Act.

The Directorate General of GST Intelligence Headquarters (“DGGI”) is empowered as appropriate government/agency under the IT Act and the IGST Act to direct intermediaries to block unregistered online money gaming platforms including offshore online money gaming platforms violating the IGST Act.

Further, the IT Act has provisions to issue blocking orders to intermediaries for blocking access to specific information/ link in the interest of sovereignty and integrity, defence of India, security

of the State, friendly relations with foreign States or public order or for preventing to the incitement to the commission of any cognizable offence relating to above following the due process as envisaged in the Information Technology (Procedure and Safeguards for Blocking for Access of Information for Public) Rules, 2009.

MeitY has issued 1410 blocking directions related to online betting/gambling/gaming websites (including mobile applications) between the year 2022- 25 (till February, 2025).

DGGI is also investigating offshore entities involved in the supply of online money gaming/betting/gambling are under DGGI's scanner. So far, 357 websites/URLs of illegal/non-compliant offshore online money gaming platforms have been blocked by the DGGI, in coordination with MeitY, under the IT Act. In two other separate cases, DGGI has collectively blocked nearly 2,400 bank accounts and frozen nearly Rs. 126 crore. DGGI advised public to remain cautious and not engage with offshore online money gaming platforms.

The Ministry of Home Affairs ("MHA") has established the Indian Cyber Crime Coordination Centre ("I4C") to provide a framework and eco-system for LEAs to deal with cyber-crimes in a comprehensive and coordinated manner.

MHA has also launched the National Cyber Crime Reporting Portal (<https://cybercrime.gov.in>) to enable the public to report all types of cyber-crimes including cyber financial frauds. Cybercrime incidents reported on this portal are routed to the respective State/UT law enforcement agency for further handling as per the provisions of law. The portal has distinct mechanisms for registering complaints related to financial frauds.

A tollfree Helpline number '1930' has been operationalised to get assistance in lodging online complaints.

In addition, the Ministry of Information and Broadcasting ("MIB") has issued advisory to all private satellite television channels on 'Advertisements on Online Games, Fantasy Sports, etc.', advising all broadcasters that the guidelines issued by the Advertising Standards Council of India (ASCI) be complied with and that the advertisements broadcast on television adhere to the same. The guidelines include that every gaming advertisement must carry the disclaimer in line with ASCI code in print/static media as well as audio/video forms indicating that this game involves an element of financial risk and may be addictive. MIB has also issued advisories prohibiting advertisements (including surrogate) of betting and gambling platforms.
