

Guidelines For Online Betting And Gambling

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Context

The Ministry of Information and Broadcasting has advised all influencers on social media **to refrain from promoting or advertising offshore online betting and gambling platforms.**

Major highlights of the advisory

- **Prohibition:** The guidelines limit the endorsement and commercial of activities prohibited by law, including a bet or gambling, and any such endorsements or advertisements will be subject to rigorous scrutiny.
 - The advisories also warn celebrities and influencers to refrain from endorsing and promoting illegal betting and gambling activities.
- **Socio-financial implications:** The Ministry has said that these commercials have a sizable financial and socio-economic implications of online betting and gambling on purchasers, specially the youth.
 - The Ministry has also cautioned the online commercial intermediaries not to target such promotional content material towards Indian audiences.
- **Sensitization drives:** Social media intermediaries have also been recommended to conduct sensitization efforts among their users to refrain from publishing such content.
- **Penalty:** The advisory cautions that failure to comply with it may lead to proceedings under the provisions of **Consumer Protection Act, 2019** including removal or disabling of social media posts or accounts and penal action under the applicable statutes.
- **Applicability:** These guidelines apply to all advertisements regardless of the medium

and are aimed at protecting consumers, particularly the youth, from the potential harms associated with illegal betting and gambling.

Online Gambling

- Online gambling refers to the practice of participating in gambling activities over the internet. It entails placing bets or wagers on numerous games and activities with the goal of winning money or different prizes.
 - It may be performed on diverse devices, such as computer systems, laptops, tablets, and smartphones and includes the usage of virtual chips or digital currencies in place of physical money.
 - The global online gambling market size is worth USD 63.53 billion in 2022 and is anticipated to develop at a compound annual growth rate (CAGR) of 11.7% from 2023 to 2030.
- **Major Types**
 - **Casino games:** These consist of slots, blackjack, roulette, and baccarat, among others.
 - **Sports betting:** This entails setting bets on activities events, together with soccer, basketball, cricket, and horse racing.
 - **Poker:** This is a card recreation played against other players online.
 - **Lottery:** This includes shopping tickets for online lotteries that offer huge money prizes.

Challenges of Online gambling

- **Addiction:** Online gambling can result in addiction causing severe financial and social problems as it is easily accessible, and players can spend hours gambling games without realizing the amount of money and time they're spending.
- **Lack of Regulation:** Online gambling is often unregulated, making it easy for fraudulent activities to take place. This can result in players dropping their money or their personal information being compromised.
- **Underage Gambling:** Online gambling websites may be without difficulty accessed by means of minors, leading to underage gambling. This can cause intense mental and financial issues for children and their families.
- **Money Laundering:** Online gambling may be used as a way for money laundering, in which players can deposit massive amounts of money into on-line bills after which withdraw the money in a legitimate form.
- **Cybersecurity Risks:** Online gambling sites can be prone to cyber-attacks, which can lead to the theft of touchy personal and economic statistics of the players.
- **Social Isolation:** Online gambling can lead to social isolation, as players can spend hours gambling games online, leading to a loss of social interaction with circle of relatives and friends.

Related Supreme Court Judgements

- **Dr. K.R. Lakshmanan vs. State of Tamil Nadu (1996):** The Supreme Court of India held

that video games of skill, consisting of horse racing and rummy, aren't taken into consideration gambling underneath the Public Gambling Act of 1867.

- **State of Andhra Pradesh vs. K. Satyanarayana (1968):** The Andhra Pradesh High Court ruled that gambling rummy for stakes is considered gambling and is consequently illegal.
- **Varun Gumber v. Union Territory of Chandigarh (2017):** The Punjab and Haryana High Court declared that online delusion sports games, consisting of Dream11, contain a giant degree of talent and are not taken into consideration gambling.
- **Mahalakshmi Cultural Association v. State of Tamil Nadu (2013):** The Madras High Court held that online games of risk, which include poker and rummy, are taken into consideration gambling and are consequently illegal.
- **Shri Krishna Agrawal vs. State of Maharashtra (1999):** The Bombay High Court ruled that the sport of poker includes a significant diploma of skill and is therefore now not taken into consideration gambling.

Way Ahead

- Overall, online gambling poses great challenges that need to be addressed by regulators and policymakers to make certain that players are covered and that online gambling is performed in a fair and accountable way.
- The felony panorama surrounding on-line gambling in India is complicated and can range widely by country therefore there's need for individuals to be privy to the laws in their state and to ensure they're simplest collaborating in legal and authorized on-line gambling activities.

Source: [News on AIR](#)