

THE PSYCHOLOGICAL IMPACT OF ONLINE GAMING AND ITS LEGAL IMPLICATIONS

AUTHORS – THANESH N & JAIADITHYA K, STUDENTS SCHOOL OF EXCELLENCE IN LAW, THE TAMIL NADU DR. AMBEDKAR UNIVERSITY, TAMIL NADU

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ABSTRACT

Nowadays online gaming has attained a glorious boom in India and it attracts persons of all age group especially the youth. The gaming disorder is termed as mental health disorder by The World Health Organization (WHO)⁶⁸. In the eleventh revision to the International Classification of Diseases. Monetary rewards on winning the game attracts more humans to this platform. Gaming disorder leads to lack of control over the gaming is impaired, takes priority over the day to day activities, affects the interpersonal relationship, studies and occupation, negative consequences and so on. The online gaming elevated to a higher level due to the telecom companies offer data services at affordable prices. In recent past a huge number of cases have been held before the courts regarding the effects of online gaming such as mental health, economical loss, famous personalities endorsing these games, loss of life and more. Public Gambling Act 1867 and Information Technology Act 2000 regulates the online gaming platform in India. Online games of skill is considered to be judicial whereas game of chance is not judicial in India which creates the economical loss leading to mental disorders of the gamer. The Ministry of Electronics and IT has taken necessary steps to reduce the loopholes in the laws of online gaming, and to reduce the addiction, new directions have been made in April 2023. It is found that the number of online gamers have tremendously increased from 183 millions in 2017 to 491 million in 2024. This paper focuses on how the online game addiction makes the gamer to neglect everything in their lives which leads to psychological disorders and also the legal aspects to protect the gamer from mental trauma.

Keywords: Online gaming, Gamers, Psychological impacts, Mental illness, Social issues, Legal aspects

GRASP - EDUCATE - EVOLVE

INTRODUCTION :

As the technology develops, it leads to adverse development in the society. The technological development have paved a way for standardizing the human life styles. While talking about the pros of technological development, it is also having its own drawbacks. The new and attractive innovation in this modern era attracts the attentions of the people , seek people of different ages from children to elderly people. It creates addiction on different platforms of the internet. Especially on gaming platform, where children and adults are fond of in spending their time. Gaming has a wider range of attention among any other internet platforms. Game addictions have come long way across the country among the young people.

. Gaming has also been used for various illegal activities like gambling and betting etc. Gaming not only having issue in the society but also in studies and affects the career of the young generations , it also has psychological impact, which is major threat. Gaming has lead to psychological impact on the younger generations. Gaming has lead to various social, mental and physical issues, both individually and collectively. Due to online games, children were not involving in physical activities which is essential for human body. It also affects mentally, it causes stress, anxiety, irregular sleep, depression and isolates from social conduct.

Hence talking about this issue, there is no laws or any legal frame work regarding the control over online gaming and the marketing of games in the market. There is need to create awareness regarding this issue, which is in the hands of parents, teachers and health professionals. This study is about negative side of the online gaming and money forging through online gaming platforms. Chance based online games are major threat in which many forgery cases are dealt in higher amounts like rummy and paid games purchases.

This study aims at the preventative measures and essential interventions mechanism required for the regulation of online gaming forgeries.

LEGAL FRAMEWORK :

GAME OF SKILL VS GAME OF CHANCE:

When it comes to legal framework the rules and regulations are implemented when the game is based on chance. Online games divided into Skill Based and chance based, Skill Based games are the games in which it is based on the participant's knowledge, efficiency of forecasting , strategy and skillful mind of the player. Whereas Game of chance is based on the influence by random factors such as subscription made, luck.

K.. Satyanarayana VS State of Andhra Pradesh⁶⁹, In this case it raised issue against the petitioner for organizing gambling in his club for the game "rummy". The state said that rummy comes under gambling hence it is against the law and constituted illegal. The petitioner argued that the game is based on skill set of the participant, which involves mind calculation and higher remembrance of cards discarded by other players. The respondent argued that this game is based on pure chance that it involves betting, which against norms of the law. Hence betting comes under gambling the rummy game should be considered to game of chance and the petitioner should be made liable and punished under Andhra Pradesh Gambling Act.

The supreme court held in favour of the petitioner stating that "rummy "does not comes under the category of gambling hence it require game of skill. In this case the court also figured the difference between game based on skill and the game based on chance. It also keenly observed that this game is different from pure chance like Three- card games or Flush, hence this game requires skill sets.

Relevant Case Law on Online Gambling:

⁶⁹ K. Satyanarayana Vs State of Andhra Pradesh [1968 AIR 825].

The Information And Technology act 2000, Public Gambling Act 1867 are some framework that governs the activities of games. Information and Technology act 2000, lays some rules and regulation regarding the online games. Gambling is strictly prohibited under Public Gambling act 1867. VARUN GUMBER VS UNION TERRITORY OF CHANDIGARH⁷⁰ it is a case regarding the skill element in fantasy sports game. In this case the petitioner stating that a particularly need to ban DREAM 11 a fantasy based sports game website. He said that he lost his money by spending in that game. He also states that game come under chance based games, although he have transferred Rs 50000 for participating in various leagues in that website through his credit card. He have participated in league by using Rs 24000 while creating a virtual team in cricket contest between Ireland and Afghanistan as per the instruction stated in the website, but he have lost that money by participating in that league.

Again the petitioner have participated in a contest by using the remaining amount of Rs26000 in creating a virtual team in a football contest between Manchester City and Middleborough, in that contest also he have lost his money. Then the petitioner claims that the nature of the games offered were not skill based games. It is purely a chance based game and it should be banned under Public Gambling Act 1867. The respondent company claims that this leagues and contest does not come under game of chance, by stating that this kind of fantasy game require skill and knowledge regarding the particular sport to create a virtual team.

The Punjab and Haryana High Court held in favour of Varun. This case law gave a clear view about the legalities of fantasy sports games in India. Further stated that this kind of fantasy sports games are skilled based and require adequate knowledge regarding the kind of sports they are going to participate.

PSYCHOLOGICAL IMPACT OF ONLINE GAMES:

Online games are now very common among the young people of the nation. The addiction in online games have a huge impact in one's behavior, and mental health and emotional well being. People are getting addicted to online games to escape from the reality. When it comes to personal issue many are not in state to face the problem instead facing the issue they are trying to skip or postponing to the extent of the problem, in such circumstances games are main thing which divert their mind from the issue. But the fact is that this kind of procrastination at times leads to stress, anxiety etc. The intensity of the game in the subsequent levels increase the dopamine of people to play the game for long period of time and creates the individual to implant a never ending attraction towards playing those games regularly.

Online gaming addiction cause many impact in the mind and behavioral in various ways, it leads to anxiety and depression due to heightened level of stress and prolonged gaming would lead to social isolation which cause depression. Gaming for longer period can lead deficit attention towards other things different from Gaming. They will be isolated from their family and friends creates conflicts among them due to their peculiar actions of defensive and secretive of their gaming habits. With regards to violent games cause aggressive behavior due to exposure to in-game violence which make them more prone to their real life circumstances. Gaming particularly affects emotional stability of an individual, the achievements regarding in-game goals leads to euphoria while on the other hand the setbacks and losing of levels leads to frustration and anger.

Sleep is the most essential part in human life, everyone need a perfect sleep schedule to maintain their physical and mental fitness, irregularities in sleeping would lead depression, anxiety and cognitive impairment. Most of the gamers would sacrifice their sleep

⁷⁰ Varun Gumber vs Union Territory of Chandigarh &Ors.,2017 SCC Online P&H 5372.

to play games overnight. Irregular sleep pattern would lead to various issues in mental health and can insomnia. Gaming creates a compulsive behavior that playing games would become part of daily routine, despite knowing the drawbacks the prefer gaming as ideal process. It will become their identity in the sense that they will be connected to the virtual characters more their own selves.

NEED OF PUBLIC AWARENESS REGARDING ONLINE GAMES ADDICTION:

Due to excessive online games available, there is need to understand the negative impacts. To avoid this kind of negative impacts not only the youth but also the general public should be given a keen knowledge and awareness regarding the addiction of online games. They must be educated with the risk of Online gaming addiction about its impact on mental health, physical health, its impact on social life. Prevention against the online gaming addiction should be spread to the people so that they can prevent themselves from getting addicted to the game. Public awareness can help the teachers, parents and youths about the signs of getting addicted to online games. It will be determined based on their behavior like neglecting responsibilities, poor performance in the academics irritability from social life.

Awareness programs on promoting health habits, promoting physical activities like sports etc., The youth must be taught with the real life responsibilities, it will help in spending more time usefully rather than spending more time on online games. There are threats regarding safety and privacy on online platforms hence many online games require personal data for registration. Cyber security awareness may prevent both the parents and children from data piracy. And also they should be given awareness about the cyber bullying which is major threat in the internet community. The online games have in-game purchases so they should be educated with financial risks on those purchases.

The parents should have the knowledge about the things their children are doing in the internet. Because all games are not made for children, the knowledge regarding the contents of the game should be verified by the parents and the ratings of also must be verified. The impacts of online gaming addiction should be educated to the parents and the children so that academics of the children won't be affected. The youths must be educated with legal and ethics of the gaming platform that is involving online misconduct like server hacking, cheating, abusive online behavior etc. are illegal.

REHABILITATION FOR ONLINE GAMING ADDICTION:

Rehabilitation is essential for covering the addiction over online games. This helps the to get rid the addiction by combinations of therapies and interventions. Rehabilitation also done counseling and campaigns on rehabilitation. There are various approaches to rehabilitation process.

Cognitive Behavioral Therapy [CBT]:

It is an effective form of therapy especially for the game addiction. Through this they can identify the negative pattern of thoughts and behavior. This therapy depicts the triggers of online gaming which lead to anxiety, stress, and boredom. It helps deal with emotions through coping mechanism. This therapy aims at breaking the cycle of addiction of online gaming and teach about the time management, self regulatory actions and skills regarding problem solving.

Motivational Interviewing [MI]:

It is counseling approach which motivates individuals will to quit the gaming addiction. In this therapist would also accompany with addicted persons and help in exploring the aims, values and goals which the gaming addiction have curbed the career aspirations. This approach aims at increasing the personal responsibility of an individual which helps for his career advancement and self motivation reduce gaming.

Behavioral Therapy and Habit Reversal Training:

In this therapy it aims at changing the specific behavior of the individual by similar specific environments. In this the individuals are taught with various replacement activities as an alternative to gaming. It may be creating of new hobbies, physical activities such as fitness training, or any social activities. Main focus of this therapy is to replace the gaming with any other healthier behavior and enhance the lifestyle of the individual.

Family Therapy:

Family therapy is the one of best therapy that an individual can afford wherein the younger members of the family struggling the gaming addiction. This therapy creates a strong bond and belief in the mind of individual member that they can tackle any problem and boost the confidence of the individual. It also improve good communication among the family members. This therapy aims at build a supportive environment in the family.

Group Therapy And Support Group:

It is a kind of therapy in which different individual come together by sharing their experience, they themselves provide advices and support to others to get rid of the addiction. Group therapy paves way for the cooperative activities and team work. Group therapy removes the disadvantages of isolation from social life. Indeed like other therapies and counselling, it involves fostering sense of community and accountability.

Detox programs:

Digital detox is the initial step of addiction rehabilitation, which give rest to gaming entirely for a short period of time and other relationship with technology. Detox programs conducted from short span of period to longer period based on the severity of the addiction. While detox period the individuals are asked engage in activities other than online activities available in online platforms such as social interaction, creation of new hobbies and outdoor

recreation. This program aims at reducing the dependence on online gaming and to create new routine activities and alternative activities for discovering different kinds of entertainment and fulfillment.

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