

REGULATING THE WAGER: SPORTS BETTING AND GAMBLING LAW IN INDIA

LEGAL DEFICIENCIES, JUDICIAL TRAJECTORIES, AND THE IMPERATIVE FOR REFORM

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Abstract

Sports betting and gambling in India occupy an uneasy intersection of colonial inheritance, constitutional complexity, and digital disruption. This article examines the manifold inadequacies of the existing Indian regulatory framework – anchored in the anachronistic Public Gambling Act 1867 – and traces the judiciary's evolving jurisprudence on the skill-chance distinction as it has been applied to fantasy sports and online gaming. Drawing on comparative analysis of regulatory models in the United Kingdom, Australia, and the United States, the article argues that India's continued adherence to a prohibitionist approach is counterproductive and that a coherent, evidence-based regulatory framework is urgently required. The article concludes with specific legislative, institutional, and consumer-protection recommendations, including the enactment of framework gambling legislation and the creation of an independent National Gambling Regulatory Authority.

Keywords: Sports Betting, Public Gambling Act 1867, Skill-Chance Dichotomy, Online Gaming, Fantasy Sports, Gambling Regulation, Law Reform, India

I. INTRODUCTION

Gambling and betting are phenomena deeply embedded in Indian civilisation. The Mahabharata's Dyuta Parva recounts how Yudhishtira wagered his kingdom at the dice table, and the Rigveda's Hymn of the Gambler catalogues the ruin that compulsive gaming wreaks upon households and communities. Despite – or perhaps because of – this long cultural entanglement, modern India's legal treatment of gambling has been characterised by ambiguity, fragmentation, and persistent controversy.

The contemporary betting landscape has been transformed beyond recognition by digital

technology. Fantasy sports platforms, online poker rooms, and cricket-betting applications now constitute a multi-billion-dollar industry. The online gaming sector was valued at approximately USD 2.8 billion in 2022 and is projected to reach USD 5 billion by 2025.¹ Yet the primary legislation governing gambling – the Public Gambling Act 1867 – was drafted to police physical gaming dens in colonial India and makes no mention of virtual platforms, mobile applications, or cross-border digital transactions.

The constitutional allocation of betting and gambling to the State List under Entry 34 of the Seventh Schedule compounds the problem by conferring primary legislative authority on

individual state governments. The result is a patchwork of inconsistent state laws that cannot coherently regulate industries that by their nature transcend state boundaries. Platforms accessible on a mobile phone in Tamil Nadu may be licensed in Sikkim, hosted on servers in Malta, and owned by companies incorporated in Gibraltar.

Against this background, both the Law Commission of India in its 276th Report (2018) and NITI Aayog have recommended legalisation and regulated permissibility of sports betting, acknowledging the vast illegal market and its documented nexus with organised crime, money laundering, and match-fixing.² The Supreme Court's recognition of fantasy sports as predominantly skill-based activities, and the subsequent judicial invalidation of several state prohibition laws, have further underscored the urgency of legislative action.

This article proceeds in five substantive parts. Part II traces the historical evolution of gambling law from the colonial Public Gambling Act through post-independence constitutional frameworks and theoretical debates. Part III analyses the existing legislative framework and its central deficiencies. Part IV examines the judiciary's role in shaping gambling law, with particular focus on the skill-chance dichotomy and the legal status of fantasy sports. Part V undertakes a comparative analysis of regulatory models in the United Kingdom, Australia, and the United States. Part VI sets out the article's conclusions and reform recommendations.

II. HISTORICAL AND THEORETICAL FRAMEWORK

A. From Ancient Texts to Colonial Statute

Ancient Indian legal texts address gambling with striking sophistication. Kautilya's Arthashastra advocated state supervision of gambling houses rather than outright prohibition, proposing a Superintendent of Gambling (Dyutadhyaksha) responsible for overseeing activities, resolving disputes, and protecting the revenue interests of the crown.³

The Manu Smriti, by contrast, adopted a restrictive posture, categorising gambling among the vices of desire and prescribing punishments for participants. This tension between regulatory tolerance and moral prohibition has remained a defining feature of Indian gambling law.

The British colonial administration enacted the Public Gambling Act 1867 to consolidate and replace an earlier patchwork of local regulations. The statute was animated primarily by concerns about public order and the suppression of activities associated with vagrancy and crime. Its central mechanism – the prohibition of keeping or visiting a 'common gaming house' – was premised entirely on the existence of a physical premises, a conceptual architecture wholly inapt for the digital era. Section 12 of the Act created a notable exemption for 'games of mere skill wherever played,' which was to generate an extensive body of judicial interpretation spanning more than a century.⁴

B. Constitutional Framework and Post-Independence Developments

The Constitution of India 1950 placed betting and gambling on the State List under Entry 34, conferring primary legislative competence on the states. This allocation reflected the framers' view that gambling regulation was closely tied to local cultural attitudes and social norms. The fundamental right under Article 19(1)(g) to carry on any trade or business became central to the constitutional debate over gambling restrictions, with the Supreme Court consistently holding that while the right is guaranteed, it may be subjected to reasonable restrictions under Article 19(6) in the interests of the general public.

Post-independence state legislations varied considerably. Goa adopted the most liberal approach under the Goa, Daman and Diu Public Gambling Act 1976, permitting casino gambling in five-star hotels and offshore vessels. Sikkim enacted the Online Gaming (Regulation) Act 2008, among the first state laws to recognise

online gaming as a distinct regulatory category. Meghalaya enacted the Regulation of Gaming Act 2021, establishing a licensing framework for casinos and certain online games. At the opposite end of the spectrum, Andhra Pradesh and Tamil Nadu enacted legislation specifically targeting online gambling, though Tamil Nadu's 2022 statute was subsequently struck down by the Madras High Court.⁵

C. Theoretical Underpinnings

Four theoretical frameworks illuminate the gambling regulation debate. Libertarian theory emphasises individual autonomy, arguing that competent adults should be free to make their own leisure choices without paternalistic state interference. Social harm theory foregrounds the negative externalities of gambling – addiction, financial ruin, family breakdown, and associated crime – and supports state regulation to protect both gamblers and third parties. Public choice theory warns of the risk of regulatory capture, predicting that the gambling industry will lobby for favourable treatment and that regulatory institutions must be insulated from industry influence.⁶ The mercantile or developmental theory contends that a well-regulated gambling industry generates tax revenues, tourism, and employment, and that India's experience with horse racing demonstrates the economic benefits of regulated permissibility.

III. THE LEGISLATIVE FRAMEWORK AND ITS DEFICIENCIES

A. The Public Gambling Act 1867: An Anachronism

The Public Gambling Act 1867 remains the principal central legislation governing gambling in India. Its definitional provisions are its greatest weakness. Section 3 criminalises keeping a 'common gaming house,' while Section 1 defines that term by reference to physical premises – 'a house, room, tent, enclosure, space, vessel or place.' No provision addresses digital or virtual gambling platforms. Courts have struggled to apply the Act to online

services, and the Law Commission has repeatedly highlighted this central lacuna.⁷

The penalties prescribed are equally obsolete. A maximum fine of five hundred rupees – trivial even at the time of enactment and derisory now – provides no deterrent whatever against operators of commercial platforms generating revenues in the millions or billions of rupees. The absence of any licensing, transparency, or consumer protection mechanism reflects the Act's origins as an instrument of public-order policing rather than commercial regulation.

B. The Information Technology (Intermediary Guidelines) Framework

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021, as amended in 2023, introduced a framework for 'permissible online games,' distinguishing between games that do not involve wagering – which may operate through self-regulatory bodies – and wagering games, which are treated as impermissible.⁸ The framework has attracted sustained criticism on three grounds. First, the definition of 'permissible online games' is ambiguous, offering no clear criteria for classification. Second, delegating primary regulatory responsibility to industry-funded self-regulatory organisations raises obvious conflicts of interest. Third, and most critically, the framework makes no provision for the offshore online gambling market, which accounts for the overwhelming share of illegal betting activity in India.

C. Anti-Money Laundering and Foreign Exchange Gaps

The Prevention of Money Laundering Act 2002 designates certain gambling-related offences as scheduled offences and imposes anti-money laundering reporting obligations on regulated entities. However, since most online gambling platforms operating in India are not licensed under any Indian law, they fall entirely outside the PMLA's reporting framework.⁹ The result is a significant vulnerability in India's financial crime architecture: illegal betting

transactions can be conducted on an enormous scale without triggering any regulatory scrutiny.

The Foreign Exchange Management Act 1999 technically prohibits cross-border remittances for purposes unlawful under Indian law, but enforcement against the large volume of small-value digital payments to offshore gambling sites is practically impossible. The increasing use of cryptocurrency for betting transactions adds a further layer of opacity that existing enforcement mechanisms are wholly unequipped to address.

IV. THE JUDICIARY'S ROLE: SKILL, CHANCE, AND CONSTITUTIONAL LIMITS

A. The Foundational Skill-Chance Dichotomy

The skill-chance distinction is the master concept of Indian gambling law. Its constitutional significance is profound: activities classified as games of predominant skill are protected under Article 19(1)(g) as legitimate business; activities classified as games of chance may be prohibited by the state as gambling. The Supreme Court established the governing standard in *R M D Chamarbaugwala v Union of India* AIR 1957 SC 628, holding that competitions in which success depends to a substantial degree on the knowledge, training, attention, experience, and adroitness of the participant are games of skill rather than chance.¹⁰ Crucially, the Court articulated a predominance test: the mere presence of a chance element does not disqualify an activity from classification as a game of skill if skill is the preponderant determinant of outcome.

Dr K R Lakshmanan v State of Tamil Nadu AIR 1996 SC 1153 applied this framework to horse racing, confirming its status as a game of skill on the ground that a bettor's success depends substantially on knowledge of horses, jockeys, track conditions, and form.¹¹ The judgment additionally identified the analytical factors relevant to the skill-chance assessment – the nature of the activity, the degree to which knowledge and judgment determine outcomes,

and the extent to which random factors are outside the player's control – providing a framework that later courts would apply to online gaming.

B. Fantasy Sports: Judicial Settlement and Residual Uncertainty

The legal status of fantasy sports has been litigated extensively, with a consistent outcome. In *Varun Gumber v Union Territory of Chandigarh* (2017) SCC Online P&H 48, the Punjab and Haryana High Court applied the *R M D Chamarbaugwala* predominance test to Dream11's fantasy cricket product, concluding that success required substantial knowledge of cricket statistics, player selection strategy, team composition, and pitch conditions.¹² The Court held that the real-world performance of selected players, while uncertain, was not a 'chance' element in the gambling law sense: the uncertainty was an objective fact about the world that a skilled participant could assess and account for. The Supreme Court declined to interfere with this judgment.

The Bombay High Court reached the same conclusion in *Gurdeep Singh Sachar v Union of India* (2019) SCC Online Bom 13059, holding that Dream11's fantasy cricket game required participants to deploy cricket knowledge, analytical judgment, and strategic expertise, and was therefore a game of predominant skill beyond the reach of gambling prohibitions.¹³ Subsequent High Court decisions have reinforced this position, though the Supreme Court has yet to issue a formal ruling on the substantive merits of the skill-chance question in the fantasy sports context. This lacuna continues to generate regulatory uncertainty.

C. Judicial Invalidation of Prohibition Statutes

A significant line of judicial authority has invalidated state statutes that purport to prohibit skill-based online gaming. The Madras High Court in *Junglee Games India Pvt Ltd v State of Tamil Nadu* (2023) SCC Online Mad 2706 struck down the Tamil Nadu Prohibition of Online Gambling and Regulation of Online

Games Act 2022 on the ground that it violated Article 19(1)(g) by prohibiting online skill games merely because they involved monetary stakes.¹⁴ The Karnataka High Court in *All India Gaming Federation v State of Karnataka* (2022) SCC Online Kar 1439 similarly held that prohibition of online skill-based games could not constitute a reasonable restriction within the meaning of Article 19(6).

These decisions establish that states cannot simply prohibit online gaming in its entirety without distinguishing between skill and chance-based activities. They also reveal the perils of the existing case-by-case judicial approach: each new game type or platform must be individually litigated, creating costly uncertainty for operators, investors, and consumers alike. A clear legislative classification mechanism – determining by statute or delegated regulation whether specific game types qualify as skill games – is urgently needed to reduce this litigation burden.

D. The GST Controversy and Judicial Engagement

The GST Council's 2023 decision to apply a 28% Goods and Services Tax on the face value of bets placed on online games – rather than on gross gaming revenue – has been challenged in court by multiple fantasy sports and online gaming operators.¹⁵ The effective tax rate implied by this decision renders legal online gaming commercially unviable for many operators, creating powerful incentives to migrate to the informal sector. The constitutional validity of this taxing approach is presently sub judice, and its resolution will have major implications for the future of legal online gaming in India.

V. COMPARATIVE ANALYSIS: INTERNATIONAL REGULATORY MODELS

A. The United Kingdom: A Comprehensive Risk-Based Model

The United Kingdom's Gambling Act 2005 is widely regarded as one of the most sophisticated gambling regulatory frameworks

in the world. The Act established the Gambling Commission as an independent regulator charged with three statutory objectives: preventing gambling from being a source of crime or disorder; ensuring that gambling is conducted fairly and openly; and protecting children and other vulnerable persons from harm or exploitation.¹⁶ The Commission issues licences to all operators serving UK consumers, regardless of where the operator is incorporated – an extraterritorial approach that directly addresses the challenge of offshore online gambling.

The UK framework embeds responsible gambling measures as conditions of licensing rather than voluntary industry commitments. These include mandatory participation in the Gamstop national self-exclusion register, affordability checks for customers showing signs of financial distress, restrictions on gambling advertising directed at under-18s, and a statutory levy on operators to fund the treatment of problem gambling. The Government's 2023 White Paper on gambling reform proposed further strengthening of these provisions, including stricter affordability limits and enhanced Gambling Commission enforcement powers.¹⁷

B. Australia: Managing Online Gambling in a Federal System

Australia's experience is particularly instructive for India given their structural similarities: both are federal constitutional systems with divided regulatory competence over gambling. Australia's Interactive Gambling Act 2001 prohibited offshore online casino games while permitting licensed online sports betting, creating a two-tier system that distinguishes between casino-style games and sports wagering. The Australian Communications and Media Authority has powers to block access to prohibited offshore websites, though the effectiveness of blocking as an enforcement tool is acknowledged to be limited.¹⁸

The National Consumer Protection Framework for Online Wagering, implemented in 2019

through an Inter-governmental Agreement among Commonwealth and state governments, introduced minimum national standards including a national self-exclusion register, limits on credit for betting, and restrictions on inducements to gamble. This cooperative federalism model – a national framework developed by agreement rather than by unilateral Commonwealth legislation – offers a constitutionally viable template that India might usefully adapt.

C. The United States: State-Level Legislation and Its Lessons

The United States Supreme Court's 2018 decision in *Murphy v National Collegiate Athletic Association* 584 US 453 struck down the Professional and Amateur Sports Protection Act, which had prohibited states from authorising sports betting, as a violation of the anti-commandeering doctrine.¹⁹ The consequence was rapid, state-by-state legalisation of sports betting. By 2024 more than 35 states had legalised sports betting; the total handle on legal sports betting exceeded USD 100 billion in 2022, generating approximately USD 7.5 billion in revenues for operators and significant tax receipts for state governments. New Jersey alone, which was the direct subject of the *Murphy* litigation, generated over USD 10 billion in sports bets in 2022.

The American experience demonstrates both the revenue-generating potential of regulated sports betting and the risks of an uncoordinated regulatory approach. The proliferation of aggressive gambling advertising – particularly on television and social media – has raised concerns about its impact on problem gamblers and young people. Several states have been required to strengthen their responsible gambling programmes in response. The US experience counsels in favour of establishing minimum national standards for responsible gambling, consumer protection, and advertising, even in a system that otherwise allows significant state-level variation.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. Summary of Findings

The analysis presented in this article yields four principal findings. First, the existing legislative framework – centred on the Public Gambling Act 1867 and an incoherent array of state laws – is manifestly unfit for the digital gambling environment and incapable of regulating online betting platforms, whether domestic or offshore. Second, the judicial skill-chance jurisprudence, while analytically significant, is insufficient as the sole regulatory mechanism: it requires individual litigation of every new gaming product, generates inconsistent outcomes across jurisdictions, and provides no mechanism for the ongoing regulatory governance of the industry. Third, India's prohibitionist approach has predictably failed to suppress gambling; instead, it has driven betting into an illegal market estimated at between USD 60 billion and USD 150 billion annually, generating revenues for organised crime and depriving the state of tax income.²⁰ Fourth, the comparative evidence from the UK, Australia, and the United States demonstrates that well-designed regulated permissibility achieves better outcomes across every dimension – crime reduction, consumer protection, revenue generation, and sport integrity – than prohibition.

B. Legislative Recommendations

Parliament should enact a comprehensive national framework for gambling regulation, drawing on either the residuary legislative power under Entry 97 of the Union List or the concurrent power over inter-state trade and commerce under Entry 42. Alternatively, a Model Gambling Regulation Act developed in consultation with state governments through the cooperative federalism process could achieve similar outcomes while preserving constitutional state autonomy.²¹

The legislation should establish clear definitions of 'game of skill' and 'game of chance,' provide a statutory classification mechanism for new

game types, and specify the categories of gambling that are permitted (subject to licensing), conditionally permitted (subject to state discretion), and prohibited. The current constitutional anomaly – by which horse race betting is legally protected as a game of skill while economically equivalent cricket betting is prohibited – must be addressed by statute. The GST framework should be revised to tax operators on gross gaming revenue rather than bet face value, at a rate calibrated to maintain competitiveness with the illegal market.

C. Institutional Recommendations

India should establish a National Gambling Regulatory Authority (NGRA), modelled on the UK Gambling Commission, as an independent statutory body with broad licensing, standard-setting, and enforcement powers. The NGRA should issue licences to online gambling operators serving Indian consumers on an extraterritorial basis, regardless of where the operator is incorporated – mirroring the UK approach. A transparent, merit-based appointment process for the NGRA's governing board, combined with adequate funding and institutional independence from both industry and political influence, is essential to guarding against regulatory capture.²²

A National Council on Gambling Harms, funded through a statutory levy on licensed operators, should be established to coordinate research, advise on responsible gambling policy, and administer a fund for problem gambling treatment. The Prevention of Money Laundering Act should be amended to designate licensed gambling operators as reporting entities, bringing the industry within the anti-money laundering framework and closing the current enforcement gap.

D. Consumer Protection and Responsible Gambling

The regulatory framework should mandate: a national self-exclusion register, through which problem gamblers may exclude themselves from all licensed operators; affordability checks

for customers exhibiting signs of financial distress; prohibition of credit card use for gambling transactions; restrictions on advertising directed at minors or vulnerable persons; and mandatory display of responsible gambling information. Operators should be required to implement algorithmic monitoring to identify at-risk customers and intervene proactively.

E. Concluding Observations

India stands at a regulatory crossroads. The choice between continued adherence to an ineffective prohibitionist framework and the adoption of a modern, evidence-based regulatory approach carries profound consequences for public revenue, organised crime, consumer welfare, and the integrity of sport. The recommendations advanced in this article are grounded in comparative evidence and tailored to India's specific constitutional, economic, and social context. The establishment of a well-resourced independent regulator, a coherent legislative framework distinguishing between permissible and impermissible activities, robust consumer protections, and effective anti-money laundering enforcement would transform India's approach from reactive crisis management to proactive evidence-based governance. The case for reform is analytically overwhelming; the imperative for action is urgent.

BIBLIOGRAPHY

Cases

All India Gaming Federation v State of Karnataka (2022) SCC Online Kar 1439

All India Gaming Federation v Union of India (2023) SCC Online SC 1247

Anvar P V v P K Basheer (2014) 10 SCC 473

Dominance Games Pvt Ltd v State of Gujarat (2017) SCC Online Guj 940

Dr K R Lakshmanan v State of Tamil Nadu AIR 1996 SC 1153

Gurdeep Singh Sachar v Union of India (2019)
SCC Online Bom 13059

Indian Hotel and Restaurant Association v State
of Maharashtra (2019) 3 SCC 429

Junglee Games India Pvt Ltd v State of Tamil
Nadu (2023) SCC Online Mad 2706

Murphy v National Collegiate Athletic
Association 584 US 453 (2018)

R M D Chamarbaugwala v Union of India AIR
1957 SC 628

S R Bommai v Union of India (1994) 3 SCC 1

State of Bombay v R M D Chamarbaugwala AIR
1957 SC 699

Varun Gumber v Union Territory of Chandigarh
(2017) SCC Online P&H 48

Legislation

Constitution of India 1950

Consumer Protection Act 2019

Foreign Exchange Management Act 1999

Gambling Act 2005 (UK)

Information Technology Act 2000

Information Technology (Intermediary
Guidelines and Digital Media Ethics Code) Rules
2021, as amended 2023

Interactive Gambling Act 2001 (Australia)

Meghalaya Regulation of Gaming Act 2021

Prevention of Money Laundering Act 2002

Prize Competitions Act 1955

Public Gambling Act 1867

Sikkim Online Gaming (Regulation) Act 2008

Books and Journal Articles

Bartlett W and Sherwood C, Regulating
Gambling in the Digital Age (Routledge 2018)

Hart HLA, The Concept of Law (3rd edn, OUP
2012)

Mill JS, On Liberty (first published 1859, Penguin
2006)

Mitra K, 'The Legal Status of Online Gaming in
India: Recent Judicial Trends' (2022) 8 Indian
Gaming Law Review 12

Narayanan S, 'Gambling and Household Finance
in Rural India: An Empirical Study' (2017) 52
Economic and Political Weekly 44

Rahman S, 'The Anachronism of the Public
Gambling Act, 1867: A Critique' (2019) 31 National
Law School of India Review 88

Rao MJ, 'Gambling and the Law' (2001) 43
Journal of the Indian Law Institute 201

Schwartz D, 'The Structure of the Legal Sports
Betting Market in the United States' (2022) 56
Gaming Law Review 112

Shaffer HJ and others, 'Toward a Syndrome
Model of Addiction' (2004) 49 Harvard Review of
Psychiatry 1

Singh P and Bose A, 'Fantasy Sports in India: A
Legal Conundrum' (2020) 6 Indian Journal of
Arbitration Law 45

Stigler G, 'The Theory of Economic Regulation'
(1971) 2 Bell Journal of Economics and
Management Science 3

Tran J, 'The Regulation of Skill-Based Games'
(2018) 29 Gaming Law Review 45

Reports and Official Documents

American Gaming Association, '2022
Commercial Gaming Revenue Report' (AGA
2023)

Australian Communications and Media
Authority, 'Illegal Offshore Gambling: Annual
Report 2022-23' (ACMA 2023)

FICCI-EY Report, 'Online Gaming: A Rs 29,000
Crore Opportunity' (EY, 2023)

Financial Intelligence Unit India, 'Annual Report
2022-23' (FIU-IND 2023)

Gambling Commission (UK), 'Licensing
Conditions and Codes of Practice' (Gambling
Commission 2023)

HM Government, High Stakes: Gambling Reform
for the Digital Age (White Paper, Cm 9990, 2023)

Internet and Mobile Association of India, 'White Paper on Online Gaming Regulation' (IAMAI 2023)

KPMG, 'Sports Betting in India: The Case for Legalisation and Regulation' (KPMG 2020)

Law Commission of India, Legal Framework: Gambling and Sports Betting Including in Cricket in India (Report No 276, 2018)

National Institute of Mental Health and Neurosciences, 'Gambling Disorders in India: A Preliminary Study' (NIMHANS 2019)

NITI Aayog, 'Guiding Principles for the Uniform National-Level Regulation of Online Fantasy Sports Platforms in India' (NITI Aayog 2020)

Endnotes

1 FICCI-EY Report, 'Online Gaming: A Rs 29,000 Crore Opportunity' (EY, 2023) 12.

2 Law Commission of India, Legal Framework: Gambling and Sports Betting Including in Cricket in India (Report No 276, 2018) para 1.1.

3 Kautilya, Arthashastra (LN Rangarajan tr, Penguin 1992) Book III, ch 20, 248-251.

4 Public Gambling Act 1867, s 12.

5 Junglee Games India Pvt Ltd v State of Tamil Nadu (2023) SCC Online Mad 2706.

6 George Stigler, 'The Theory of Economic Regulation' (1971) 2 Bell Journal of Economics and Management Science 3.

7 Law Commission of India (n 2) para 2.5.

8 Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules 2023, r 4B(9).

9 Prevention of Money Laundering Act 2002, s 2(1)(u) read with the Schedule.

10 R M D Chamarbaugwala v Union of India AIR 1957 SC 628, para 14.

11 Dr K R Lakshmanan v State of Tamil Nadu AIR 1996 SC 1153, para 21.

12 Varun Gumber v Union Territory of Chandigarh (2017) SCC Online P&H 48, para 32.

13 Gurdeep Singh Sachar v Union of India (2019) SCC Online Bom 13059, para 25.

14 Junglee Games India Pvt Ltd v State of Tamil Nadu (2023) SCC Online Mad 2706, para 89.

15 All India Gaming Federation v Union of India (2023) SCC Online SC 1247.

16 Gambling Act 2005 (UK), s 1.

17 HM Government, High Stakes: Gambling Reform for the Digital Age (White Paper, Cm 9990, 2023) ch 4.

18 Australian Communications and Media Authority, 'Illegal Offshore Gambling: Annual Report 2022-23' (ACMA 2023) 9.

19 Murphy v National Collegiate Athletic Association 584 US 453 (2018), 484.

20 Law Commission of India (n 2) para 4.3; KPMG, 'Sports Betting in India: The Case for Legalisation and Regulation' (KPMG 2020) 15.

21 NITI Aayog, 'Guiding Principles for the Uniform National-Level Regulation of Online Fantasy Sports Platforms in India' (NITI Aayog 2020) 3.

22 Gambling Commission (UK), 'Corporate Strategy 2021-2024' (Gambling Commission 2021) 4.