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MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY

# Online Gaming Act 2025: what India bans, registers and punishes

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KEY FACTS

DATA PROTECTION

Digital Personal Data Protection Act, 2023

DATA RULES

Digital Personal Data Protection Rules, 2025

IT LAW

Information Technology Act, 2000

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## What does the Online Gaming Act ban?

The Online Gaming Act bans online money games: no one may offer them, advertise them or handle payments for them (sections 5 to 7). The ban covers games of skill, chance or both, offered in India or run from outside India. The Act came into force on May 1, 2026, together with the Online Gaming Rules, 2026.

- Offering one, or aiding, abetting or inducing its offering (section 5).
- Advertising one in any media, directly or indirectly (section 6).
- Processing its payments, by a bank, financial institution or anyone else who handles payments (section 7).

The President assented to the Promotion and Regulation of Online Gaming Act, 2025 (Act No. 32 of 2025) on August 22, 2025 (the Gazette copy). S.O. 1994(E) set May 1, 2026 as its start, and the Rules start the same day (G.S.R. 303(E), rule 1(2); see our note on the Rules). Pages giving October 1, 2025 as the start are wrong.

Two texts from the Ministry of Electronics and Information Technology (MeitY) lag. Its consolidated intermediary rules of February 10, 2026 still print the 2023 rules on "permissible online real money games", from before the ban (rules 4A to 4C). Its bare act dates the Act September 22, 2025 in a footnote; the Gazette shows August 22.

## What counts as an online money game?

An online money game is one you play by paying fees, or depositing money or other stakes, in the hope of winning money or other enrichment (section 2(1)(g)). Skill, chance or both makes no

difference, and e-sports are excluded. Other stakes include credits, coins and tokens, real or virtual, bought with money directly or indirectly (section 2(1)(j)).

In deciding a game's status, the Authority weighs (Online Gaming Rules, 2026, rule 9):

- Fees, deposits or other stakes paid to play.
- An expectation of winning money or other enrichment in return.
- What the money buys: competition entry, a subscription or access, or a bet or stake.
- The revenue model.
- Whether rewards or in-game assets can be redeemed, cashed out or used outside the game.

A decision covers only that game from that provider (rule 10(2), explanation). The Rules name no business models, such as free contests with cash prizes, in-game purchases or loot boxes.

The Rules set a target: a decision within 90 days of a complete application, as far as practicable (rule 10(3)). The Authority lists each game it finds to be an online money game on its website or app (rule 26).

A finding that a game isn't a money game stays valid until a change affecting its payments, which the provider must report to the Authority first (rules 10(2)(b)(iii) and 11(1)). The Authority may also review it, and suspend it while it checks a changed game (rule 11(2) and (3)).

## Which games must be registered or decided?

Not every game needs the Online Gaming Authority's decision or registration. A decision is needed only when the Authority calls for one, the game is to be an e-sport, or the government notifies its category of social games. Registration is needed only for e-sports, notified games and games the Authority says need it (rules 8(1) and 12).

When a game needs a decision or registration (Online Gaming Rules, 2026)

| Case | What happens | Rule |
|---|---|---|
| The Authority gives written notice that it will decide your game | You make your case; the Authority decides within 90 days of its notice, as far as practicable, not counting the time you take to give it information | Rules 8(1)(a), 10(1)(a) and 10(3) |
| You want to offer a game as an e-sport | If it isn't a money game, the Authority is to register it within 90 days of a complete application, once satisfied it's recognized under the National Sports Governance Act, 2025 | Rules 8(1)(b), 12(1)(b) and 13(3) |

| | | |
|---|---|---|
| The government notifies a category of social games for decision, or games for registration | Providers apply; the Authority decides each game's status first | Rules 8(1)(c), 8(2), 12(1)(a) and 13 |
| The Authority, deciding your application, finds it needs registering | It must be registered | Rule 12(2) |
| Any other game | No decision or registration is required | Rules 8(1) and 12(1) |

Pages saying every online game must register are wrong. The government set out these cases in Parliament on July 29, 2026 (Lok Sabha question 1776).

Each game from each provider needs its own registration (rule 12(4)). The certificate lasts up to ten years, the period the provider names when applying (rule 14(2)). The October 2025 draft said up to five (MeitY's explanatory note, Part V).

Registration doesn't bring money games back. An online money game can't be registered as an e-sport (rule 12(3)), and section 5 of the Act still bans it. The Authority may suspend or cancel a registration only on the grounds rule 14(3) lists, and only after a hearing.

## What are the penalties under the Online Gaming Act?

Offering an online money game, or handling its payments, can bring up to three years in prison, a fine of up to ₹1 crore, or both. Advertising one can bring up to two years, a fine of up to ₹50 lakh, or both. Repeat convictions carry minimum prison terms and higher fines (section 9 of the Act).

Offenses and penalties: prison, a fine or both; both on a repeat (sections 9, 12)

| Offense | Prison | Fine | Section |
|---|---|---|---|
| Offering an online money game (section 5) | Up to 3 years | Up to ₹1 crore | Section 9(1) |
| Advertising one (section 6) | Up to 2 years | Up to ₹50 lakh | Section 9(2) |
| Handling its payments (section 7) | Up to 3 years | Up to ₹1 crore | Section 9(3) |
| Offering or payments, again | 3 to 5 years | ₹1 crore to ₹2 crore | Section 9(4) |
| Advertising, again | 2 to 3 years | ₹50 lakh to ₹1 crore | Section 9(5) |

| | | | |
|---|---|---|---|
| Breaching a direction of the government or the Authority | None | A penalty of up to ₹10 lakh, or suspension or cancellation of registration and a ban for a set period | Section 12(1) |

Offering and payment offenses are cognizable and non-bailable (section 10); advertising isn't. The Rules give the Authority 90 days to decide each section 12 complaint, after a hearing (section 12(2); rule 21(6)).

When a company offends, whoever was in charge of the business concerned can be prosecuted too, unless they prove they didn't know or took all due care (section 11(1) and (2)). So can a director or officer whose consent, connivance or neglect is proved, but not an independent or non-executive director who took no part in the actual decision making (section 11(3)).

Authorized officers may search any place, physical or digital, and arrest without a warrant anyone there reasonably suspected of an offense (section 16). S.O. 1993(E) authorizes the police officers in charge of state and union territory cyber cells, and nodal cyber cell officers, to investigate.

## Can players be punished under the Online Gaming Act?

None of the Online Gaming Act's penalty sections names a user who only plays. Section 9 punishes offering online money games, advertising them and handling their payments. The Act's long title does speak of prohibiting "participation" in online money games, and neither the Act nor the Rules say anything about play before May 1, 2026.

## Do app stores, banks, cloud providers and ad agencies have duties?

Yes. The Online Gaming Act's bans reach anyone who aids, abets or induces the offering of online money games or their ads, and any bank or payment firm facilitating their payments (sections 5 to 7). The Online Gaming Authority's advisory of July 29, 2026 tells app stores, banks, ad agencies and others what that means.

The advisory applies the bans to anyone who aids or facilitates online money gaming, "whether or not as a primary operator" (para 4). It names app stores, cloud, telecom and internet

providers, banks, social media, over-the-top (OTT) streaming platforms and ad agencies (para 5), and says they must (paras 6 and 7):

- Disable and stop hosting online money gaming apps.
- Refuse payments for them.
- Allow no ads for them.
- Build compliance checks suited to their business.

Failure can mean blocking under section 14 (para 8). The date is handwritten as July 29, 2026; MeitY's document list gives July 31.

Under the Rules, banks and payment firms follow the directions on checking an e-sport's or social game's registration before handling its money (rule 19(1)). On the Authority's direction, they suspend, restrict or stop a money game's payments without delay (rule 19(2)).

## Does the Act reach foreign and offshore operators?

Yes. The Online Gaming Act applies to online money gaming services offered in India and to those run from outside India (section 1(2)). Information about a service that breaks the bans on offering, advertising or payments can be blocked under the procedure of the Information Technology Act, 2000 (IT Act) (section 14).

For games that aren't money games, the government may weigh a provider's country of origin or head office in notifying games for registration (Online Gaming Rules, 2026, rule 12(1)(a)(v)).

On April 25, 2026, MeitY warned virtual private network (VPN) providers and other intermediaries that giving access to blocked betting and prediction market platforms may breach their due diligence (advisory, paras 1 and 3). They risk the IT Act's section 79 shield for third-party content (paras 4 and 7). See our IT Rules guide.

## Must gaming companies keep data in India or route payments here?

Under the Online Gaming Act, gaming companies must keep data in India, or route payments a set way, only when a direction says so. The Rules let a direction require providers of online social games and e-sports to store traffic data and metadata on computers in India, and set how user payments are routed and settled (rules 17 and 18).

Rule 17 applies only once a direction says what is kept and for how long, and it leaves other laws' retention duties in place. Pages saying the Rules themselves require data to stay in India are wrong.

The Digital Personal Data Protection (DPDP) Rules, 2025 add an erasure duty for online gaming intermediaries with at least 50 lakh registered users in India (G.S.R. 846(E), rule 8(1) and Third Schedule). They must erase a user's personal data three years after the user's last contact or the Rules' start, whichever is later, unless a law requires keeping it. Data the user needs to reach the account, or to use virtual tokens worth money, goods or services, is exempt.

Rule 8 starts about May 13, 2027 (eighteen months after the Gazette of November 13, 2025; rule 1(4)). For data that must stay in India, see Cross-border data transfer under India's DPDP Act.

## Who runs the Online Gaming Authority, and where do appeals go?

The Online Gaming Authority of India is an attached office of MeitY, based in Delhi. An Additional Secretary of MeitY chairs it, and Joint Secretaries from five other ministries or departments sit as members. Its orders on decisions, registration, grievances and penalties can be appealed within 30 days to the Secretary of MeitY (rules 2(1)(b), 3 and 7).

The Authority's members come from Home Affairs, Financial Services, Information and Broadcasting, Youth Affairs and Sports, and Legal Affairs (rule 3(1); S.O. 1992(E) of April 22, 2026).

A user's grievance about a social game or e-sport takes three steps:

1. Complain to the provider

Every provider of an online social game or e-sport must run a grievance system (rule 20(1)).

2. Appeal to the Authority

Use the Authority's digital form within 30 days of the provider's answer, or of no answer. The Authority aims to decide within 30 days (rule 20(2) and (3)).

3. Appeal to the Secretary of MeitY

File within 30 days of receiving the Authority's decision in writing. The Appellate Authority aims to decide within 30 days too (rules 7(2), 7(6) and 20(5)).

## How IndusDesk helps game publishers

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Talk to our desk about the Online Gaming Act Message us on WhatsApp

## Frequently asked questions

**Which games are legal now, and does the law name titles?**

Neither the Act nor the Rules names a game. The Act defines e-sports, online social games and online money games, and bans only the last (sections 2 and 5). A decision covers one game from

one provider, and the Authority lists the games it finds to be online money games on its website or app (rules 10(2) and 26).

### What is the difference between an e-sport and a money game, and must a tournament register?

An e-sport is a competitive skill game played as part of multi-sports events, recognized under the National Sports Governance Act, 2025 and registered with the Authority (section 2(1)(c)). Entry fees and prize money are allowed but bets and stakes aren't, and an online money game can never be registered as one (rule 12(3)). A game offered as an e-sport must be registered, and the Authority is to register it within 90 days of a complete application, once satisfied of that recognition (rules 12(1)(b), 13(1) and 13(3)).

### Can you use a VPN to reach blocked betting or prediction sites?

MeitY's advisory of April 25, 2026 is addressed to VPN providers and other intermediaries, warning that giving access to blocked betting and prediction market platforms may cost them their section 79 shield (paras 3 and 7). It describes users who reach those platforms through VPNs as "circumventing the legal restrictions" (para 1) but sets out no step against them. Section 9 of the Act punishes offering, advertising and handling payments.

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