

IT Ministry releases draft online gaming rules, seeks feedback till October 31

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Comments to the draft rules can be sent until October 31.

The Ministry of Electronics and IT Thursday released the draft rules for online gaming under which it proposes to set up the Online Gaming Authority of India as a regulator, draw up the

process of obtaining registration for companies to legally operate in India and form a three-tiered grievance redressal system, among other things.

The draft rules will operationalise the Promotion and Regulation of Online Gaming Act, 2025, which prohibits all forms of online money games such as poker and fantasy sports, while only allowing “online social games” and e-sports.

The draft rules propose to make violations a non-bailable offence and hold the entire company staff liable for facilitating any breach.

The proposed online gaming authority will have a chairperson and five other members from various government ministries. It would be empowered to determine if a game is an “online money game”, register games, issue directions and impose penalties.

The law, which received Presidential assent in August, was drafted amid security concerns over online gaming platforms and their potential societal harm.

The regulator will have the power to adjudge whether any “material change” has been made to a game it has registered, such as a shift in its revenue model that makes it an online money game. If such a violation is found, its registration certificate could be canceled.

The draft rules call for the Ministry of Information and Broadcasting to issue codes of practice or guidelines regarding the categorisation of online social games for recreational, educational, skill development, or such other purposes.

Entities looking to seek registration for their online games would have to submit details about their revenue model, and user safety features. They will have to showcase that they generate revenue through advertisements, subscription or one-time access fee or any other revenue model that does not involve receipt of payments in the nature of a stake or wager.

If an entity violates the Act, the gaming authority will determine the quantum of penalty depending on factors like the gain made from non-compliance, loss caused to users, and the repetitive nature of the violation.

The draft rules set up a three-tiered grievance redressal mechanism, starting with the registered online game service provider’s internal mechanism. If a user is dissatisfied, they can appeal first

to the Grievance Appellate Committee (established under rule 3A of the IT Intermediary Rules, 2021) and then to the gaming authority.

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