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Centre Urges Media Not to Publish Ads of Betting Platforms

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Key Developments
May 2023

Welcome to the May edition of 'Inform: Sports Law' publication. We endeavour to provide a synopsis of key developments in sports, esports, and gaming laws in India, as well as to engage with stakeholders in these fields.

Highlight Story

Centre Urges Media Not to Publish Ads of Betting Platforms

The Ministry of Information & Broadcasting issued an advisory on April 6, 2023, to media entities, platforms and online advertisement intermediaries urging them not to publish or transmit advertisements or promotional content of betting platforms or sites. The stakeholders have been apprised that in case of non-compliance, the Government would take appropriate action.

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Updates

Abhinav Bindra and MM Somaya Are Now Part of the Committee Overseeing Funds' Allocation to Sports Federations

While hearing writ petitions challenging the renewal of recognition granted to certain sports federations in violation of the National Sports Development Code of India, 2011, the Delhi High Court passed an order dated April 25, 2023, appointing Olympic Gold Medalist and retired sport shooter, Abhinav Bindra and former field hockey player, MM Somaya as members of the Committee to oversee the disbursement of government funds to sports federations.

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Delhi Police Registers FIRs Against WFI President on Charges of Sexual Harassment

Two FIRs were registered by the Delhi Police on April 28, 2023, against the Wrestling Federation of India (WFI) President, Brij Bhushan Sharan Singh; one pertaining to allegations made by a minor under the provisions of the Prevention of Children from Sexual Offences Act, 2012 and the Indian Penal Code, 1860, and the other for investigating the claims of the other complainants under the IPC for outraging the modesty of women.

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BCCI Office Bearers Now Eligible for USD 1000 Daily Allowance on Foreign Trips

The daily allowances of the BCCI office bearers have been increased from USD 750 to USD 1000 for overseas tours. They will also be eligible to travel in first class. Office bearers would receive INR 40,000 per day for meetings conducted in India. This decision was taken at the BCCI Apex Council meeting held on April 9, 2023; however, the changes will be effective from October 2022.

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RP Singh Appointed Chairman of Hockey India's Selection Committee

RP Singh, former hockey player and Uttar Pradesh Sports Director, has replaced Harbinder Singh as the chairman of Hockey India's (HI) selection committee. The appointment was made on April 11, 2023, effective April 15, 2023. Apart from Mr Singh, the Committee comprises Balwinder Singh, Mohd Riaz, MM Somaya, Subhadra Pradhan, Sardar Singh, BP Govinda, Chinglensana Singh Kanjugam, Rajnish Mishra, VR Raghunath, Sameer Dad, Yuvraj Walmiki, Joydeep Kaur and Asunta Lakra.

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Tax Authorities Identify Offshore Gambling Entities Evading GST

Certain online gambling and betting entities based out of the alleged tax havens - Cyprus, Mauritius and the Cayman Islands have been discovered by the Directorate General of GST Intelligence (DGGI) to be in collusion with high-net-worth individuals with the object of laundering money abroad. It is claimed that a few of the entities operate in India under the guise of fantasy gaming platforms.

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Sports Minister Unveils App to Identify Prohibited Substance in Medicines

A national conference was held on April 13, 2023, to raise awareness about the risks of consuming nutritional supplements. During its inaugural session, the Union Minister of Youth Affairs and Sports, Anurag Singh Thakur, unveiled a web and mobile application called "Know Your Medicine". The app is developed by National Anti-Doping Agency (NADA). It lets the user know if any substance in the World Anti-Doping Agency (WADA) prohibited list is found in the medicines.

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AFI Rolls Out Whistle-Blower Policy to Tackle Doping & Age Fraud in Track and Field

The Athletics Federation of India (AFI) has rolled out a whistle-blower policy to deal with doping and age fraud in track and field sports. The same was reported through a press release dated March 17, 2023. The move was considered necessary to ensure the integrity of the track and field sport. The decision was taken at the AFI Executive Committee meeting held recently in Kaziranga, Assam.

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STAIRS Foundation Launches Initiative to Promote Sports Development at Grassroots Level

The Society for Transformation, Inclusion, and Recognition through Sports (STAIRS) has come up with an initiative called "One India One Goal" to facilitate sports development at the grassroots level in the country. The initiative was launched on April 15, 2023, and is reportedly based on three pillars, 'Play to Play', 'Play to Win', and 'Play to Earn'. Hence, the programme covers the overall lifecycle of a sportsperson. The President of the STAIRS Foundation, Siddhartha Upadhyay, expressed that the initiative seeks to play a part in the country's participation and triumph at international sports events.

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Case Laws

In Cricket NFT Case, Rario's Plea for Interim Injunction Against MPL & Striker Rejected

In an order dated April 26, 2023, in the case of Digital Collectibles Pte Ltd and Ors. vs. Galactus Funware Technology Private Limited and Anr. [CS(COMM) 108/2023], the Delhi High Court rejected the contentions of the plaintiffs and refused to issue an interim injunction against online gaming platforms, Mobile Premier League (MPL) and Striker preventing them from using cricket non-fungible tokens (NFTs). Remarking that NFT technology is freely available, the court held that an exclusive right to use such technology cannot be claimed.

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Stay Order Issued on TN Rules Amendment Permitting Alcohol Consumption at Sports Events

In an order dated April 26, 2023, the Madras High Court issued a stay on the operation of the amendment to the Tamil Nadu Liquor (License and Permit) Rules, 1981, which allowed the consumption of liquor at national and international summits, events or conferences and "sports events of National/ International importance". The amendment mentions the requirement of a special licence for possessing and serving liquor at conference halls, convention centres, and sports stadiums.

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