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# Game, Set & Match Monthly

*Gaming and Sports Law Newsletter (September 2026)*

## GAMING NEWS UPDATE

### 1. SUPREME COURT ISSUES NOTICE ON DELTA CORP'S PLEA FOR GAMING LICENCE IN DAMAN

The Supreme Court, on September 1, 2026, issued notice (*accessible here*) on Delta Corp Limited's ("**Delta Corp**") challenge to the Bombay High Court's ("**BHC**") judgment (*accessible here*) concerning its application for a licence to operate electronic amusement/slot machines at its five-star hotel in Daman. The dispute concerned the Goa Public Gambling (Amendment) Act, 1992 ("**Amendment**"), which introduced Section 13A permitting the government to authorise such machines in five-star hotels. Although the Amendment was extended to the UT of Daman and Diu ("**UT**") in 1998, the BHC held that the Amendment was never brought into force in the UT as the Central Government had not appointed a date for its commencement by notification in the official gazette.

The BHC accordingly held that Section 13A was not applicable and that no licence could be granted. Delta Corp had received a no-objection letter in 2007 and subsequently invested over INR 450 crore in constructing the Deltin Hotel. Its licence application dated March 14, 2014 was ultimately refused, following which it approached the BHC, which dismissed the petition on April 29, 2026. The judgment is now under challenge before the SC, which issued notice, returnable on October 1, 2026.

### 2. NEW JERSEY PETITIONS THE US SUPREME COURT ON WHETHER KALSHI'S SPORTS EVENT CONTRACTS ARE SUBJECT TO STATE GAMBLING LAWS

The Attorney General of New Jersey and the interim director of the New Jersey Division of Gaming Enforcement, in *Mary Jo Flaherty and Jennifer Davenport, V. Kalshiex, LLC, vide* a petition for a writ of certiorari filed on September 2, 2026 (*accessible here*) ("**Petition**"), asked the Supreme Court of the United States ("**US SC**") to review the decision of the U.S. Court of Appeals for the Third Circuit ("**Third Circuit**") in *KalshiEX LLC v. Flaherty*. By a split decision dated April 6, 2026, the Third Circuit had held that sports event contracts offered by KalshiEX LLC ("**Kalshi**") on a designated contract market registered with the Commodity Futures Trading Commission ("**CFTC**") are swaps within the exclusive jurisdiction of the CFTC, and that the Commodity Exchange Act, 1936 likely pre-empts the enforcement of New Jersey's gambling laws against such contracts.

The Petition relies on a decision of the U.S. Court of Appeals for the Ninth Circuit dated August 28, 2026, in proceedings concerning the State of Nevada, which reached the opposite conclusion and held that Kalshi's sports event contracts amount to gambling rather than federally regulated swaps, and contends that the resulting conflict between the two circuits warrants review.

### 3. CCI CLOSES WINZO'S ANTITRUST CASE AGAINST GOOGLE FOLLOWING THE PROHIBITION ON ONLINE MONEY GAMES

The Competition Commission of India ("**CCI**"), *vide* an order dated September 8, 2026 (*accessible here),* has closed its inquiry in Case No. 42 of 2022 against Google LLC, Alphabet Inc., Google India Private Limited and Google India Digital Services Private Limited (collectively, "**Google**"), initiated on information filed by WinZO Games Private Limited ("**WinZO**") under the Competition Act, 2002 ("**Competition Act**"). WinZO had alleged that Google abused its dominant position under Section 4 of the Competition Act by permitting only daily fantasy sports and rummy real-money gaming ("**RMG**") applications on Google Play and Google Ads under its 2022 pilot programme, while excluding other categories of RMG applications, and by displaying warnings on certain payments made through Google Pay.

The CCI noted that the Promotion and Regulation of Online Gaming Act, 2025 ("**PROGA**"), which came into force on May 1, 2026, prohibits the offering and advertisement of online money games and the facilitation of payments towards such games, irrespective of whether they are games of skill or chance. The CCI held that the reliefs sought by

WinZO could no longer be granted, as a direction to Google to host or advertise RMG applications would be contrary to PROGA, and accordingly recalled its order directing investigation and closed the inquiry. The CCI clarified that the closure does not constitute a finding on the merits of Google's conduct and reserved the right to take cognizance of the matter if the relevant provisions of PROGA are stayed, struck down, repealed or otherwise cease to operate.

## 4. FINANCIAL ACTION TASK FORCE PUBLISHES REPORT AND RISK INDICATORS ON MONEY LAUNDERING RISKS IN THE GAMING AND GAMBLING SECTORS

The Financial Action Task Force, on September 9, 2026, published its findings on the *Risks of Gaming and Gambling* along with accompanying red flag risk indicators ("**Report**") (*accessible here*). The Report examines money laundering, terrorist financing and proliferation financing risks across casinos, sports betting, other forms of gambling and online gaming, and draws on inputs from more than 80 jurisdictions, industry bodies and researchers. The Report identifies the growth in market size, the increased use of online platforms and the availability of payment methods enabling rapid and anonymous cross-border transactions as factors creating new opportunities for criminal abuse of these sectors.

The Report identifies indicators of abuse including the use of gambling platforms to move funds without actual gambling, structuring of multiple small transactions to avoid detection, unusually large or coordinated bets on events flagged for possible competition manipulation, and the use of multiple accounts and payment methods under different identities. The Report further highlights links between gaming and gambling abuse and offences such as corruption, cyber-enabled fraud and professional money laundering networks, the use of illegal or unlicensed offshore operators, and the risk of beneficial ownership of platforms being structured to bypass thresholds for regulatory checks.

## 5. GOVERNMENT OF HARYANA NOTIFIES RUMMY AND POKER AS GAMES OF SKILL

The Government of Haryana on September 10, 2026, (*accessible here*) notified Rummy and Poker as games of skill for the purposes of the Haryana Prevention of Public Gambling Act, 2025 ("**Haryana PGA**"). The notification has been issued under the proviso to clause (g) of sub-section (1) of Section 2 of the Haryana PGA and published in the Haryana Government Gazette Extraordinary.

## 6. INDIA'S ONLINE GAMING FRAMEWORK FACES A REGISTRATION STANDSTILL

Four months after the 2026 rules took effect, the Online Gaming Authority of India reportedly had not approved a single game registration as of 1 September 2026, despite MeitY recording 201 gaming-related complaints (*accessible here)*.

The reported position underscores the practical uncertainty created by the Promotion and Regulation of Online Gaming Act, 2025: "online money games" involving financial stakes are prohibited, including related advertising and facilitation of gaming-related payments. Registration is confined to e-sports and non-wagering online social games that may charge subscription fees, yet neither category has reportedly generated an application.

The regulatory impasse is accompanied by constitutional and commercial challenges before the Karnataka, Madhya Pradesh and Delhi High Courts, leaving operators, platforms, payment intermediaries and advertisers to navigate a framework whose implementation architecture remains untested.

## SPORTS NEWS UPDATE

### 1. CENTRE ISSUES REMOVAL OF DIFFICULTIES ORDER UNDER THE NATIONAL SPORTS GOVERNANCE ACT

The Ministry of Youth Affairs and Sports ("**Ministry**"), notified the National Sports Governance (Removal of Difficulties) Order, 2026 ("**Order**") *vide* notification dated September 9, 2026, (*accessible here*) in exercise of its powers under Section 38 of the National Sports Governance Act, 2025 ("**NSG Act**"). The Order provides that, until the National Sports Board ("**NSB**") is constituted, the Central Government may notify the National Sports Election Panel without the recommendations of the NSB, thereby removing the difficulty in giving effect to the requirement under Section 16 of the NSG Act for constitution of the National Sports Election Panel.

### 2. SUPREME COURT SEEKS CLARIFICATION ON NSG ACT APPLICABILITY TO BCCI

The Supreme Court of India ("**SC**"), in *Board of Control for Cricket in India v. Cricket Association of Bihar & Ors. vide* order dated September 8, 2026 (*accessible here*), has asked the Board of Control for Cricket in India ("**BCCI**") and the state cricket associations to explain why they should not be governed by the NSG Act. A bench comprising Chief Justice Surya Kant and Justices Joymalya Bagchi and V. Mohana raised the question while hearing applications filed by certain cricket bodies in the BCCI matter, which has been pending before the SC since 2014, and directed counsel for the BCCI and the state cricket associations to obtain instructions on why the terms and conditions of service of their office-bearers should not be governed by the NSG Act.

### 3. THE MINISTRY OF YOUTH AFFAIRS AND SPORTS INVITES APPLICATIONS FOR RECOGNITION AS THE NATIONAL SPORTS FEDERATION FOR YOGASANA

The Ministry, *vide* a public notice (*accessible here*), has invited applications from eligible bodies for grant of recognition as the National Sports Federation ("**NSF**") for the sport of Yogasana, with September 17, 2026, as the last date for submission. The notice has been issued in compliance with the judgment of the Delhi High Court ("**DHC**") dated July 9, 2026 in *Yoga Federation of India v. Union of India, 2026 SCC OnLine Del 5024* ("**Judgement**"), which quashed the recognition granted to Yogasana Bharat as the NSF for Yogasana on November 27, 2020, together with the subsequent speaking order and annual renewals, as being contrary to the National Sports Development Code of India, 2011 (*accessible here*).

Under the Judgment, the DHC held, *inter alia*, that Yogasana Bharat did not satisfy the mandatory eligibility requirements at the time of recognition, including the minimum period of existence and the prescribed number of state and union territory affiliates, and that Ministry had relied on the recommendation of the Ministry of AYUSH without independent evaluation. The DHC clarified that no applicant, including the petitioner, would be automatically recognised, and protected the medals, titles, rankings and selections secured by athletes during the period of Yogasana Bharat's recognition.



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