

CROSS-BORDER JURISDICTION AND ILLEGAL ONLINE GAMBLING PLATFORMS: EXAMINING REGULATORY CHALLENGES IN INDIA

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I. Introduction

The expansion of digital technologies and cross-border internet connectivity has transformed the operational structure of gambling and betting activities across jurisdictions. Online gambling platforms increasingly function through interconnected digital ecosystems involving offshore interfaces, mobile applications, intermediary platforms, and digital payment channels. This transformation has generated new legal and regulatory considerations relating to jurisdiction, enforcement, and cyber governance within digital environments (Centre for Knowledge Sovereignty [CKS], 2024).

Unlike conventional gambling activities associated with physical locations, online gambling platforms may operate across multiple jurisdictions simultaneously. Such platforms may be hosted outside India while remaining accessible to Indian users through internet-based networks and mobile application ecosystems (Singh, 2023). This transnational character creates interpretative considerations regarding the application of traditional jurisdictional principles based on territoriality and physical presence. It also raises questions concerning the extent to which domestic regulatory authorities may exercise jurisdiction over offshore digital entities operating through cyberspace (Quick, 2026).

The use of digital payment systems, intermediary-based platform structures, and technology-enabled interfaces further contributes to enforcement-related considerations in the context of illegal online gambling. Existing scholarship on cybercrime and digital payments indicates that online financial systems may involve issues relating to fraud, transaction integrity, cybersecurity, and regulatory compliance (Adwani, 2025; Tripathy, 2024). Similarly, studies on digital platform regulation suggest that intermediaries and platform ecosystems require careful regulatory examination because they involve multiple actors, data flows, and technology-driven business models (Tyagi, 2023).

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Within the Indian context, the Information Technology Act, 2000, along with allied cyber regulatory frameworks, provides an important legal basis for examining digital platform activities and cyber-enabled transactions. However, the application of these frameworks to cross-border online gambling platforms continues to involve evolving jurisdictional and enforcement-related considerations (CKS, 2024). This paper adopts a doctrinal research methodology to examine the jurisdictional and regulatory challenges associated with illegal online gambling platforms operating across borders. The study analyses the interaction between cyber law, intermediary platforms, and cross-border jurisdictional principles while maintaining a neutral and analytical legal perspective.

II. Research Objectives

The present study aims to examine the jurisdictional and regulatory challenges associated with cross-border illegal online gambling platforms within the framework of cyber law and digital governance. The specific objectives of the study are as follows:

- **RO1:** To examine the cross-border operational nature of online gambling platforms within digital environments.
- **RO2:** To analyse the jurisdictional challenges associated with regulating offshore online gambling platforms under Indian cyber law frameworks.
- **RO3:** To examine enforcement-related considerations involving intermediary platforms, digital payment systems, and cross-border digital ecosystems.

III. Research Questions

- **RQ1:** What is the operational nature of cross-border online gambling platforms within digital ecosystems?
- **RQ2:** What jurisdictional considerations arise in regulating offshore online gambling platforms under Indian cyber law frameworks?
- **RQ3:** What enforcement-related considerations emerge in relation to intermediary platforms, digital payment systems, and cross-border online gambling activities in India?

IV. Jurisdictional Challenges under Indian Cyber Law

The regulation of cross-border online gambling platforms presents important jurisdictional considerations within digital environments. Traditional legal principles relating to territorial jurisdiction were primarily developed in the context of physical activities conducted within identifiable geographical boundaries. However, online gambling platforms frequently operate through decentralised digital ecosystems involving offshore servers, intermediary platforms, mobile applications, and cross-border payment systems, thereby raising interpretative considerations regarding the application of conventional jurisdictional doctrines (Quick, 2026).

Within the Indian legal framework, the Information Technology Act, 2000 provides a significant statutory basis for examining cyber-enabled activities involving computer systems and digital networks. Section 75 of the Act extends the applicability of the legislation to offences or contraventions committed outside India where a computer resource located in India is involved. This provision reflects the transnational nature of cyber-enabled activities within digital environments.

However, the practical application of jurisdictional principles to online gambling platforms continues to involve regulatory and enforcement-related considerations. Offshore gambling platforms may operate from jurisdictions where online betting activities are either permitted or subject to different regulatory standards. At the same time, such platforms may remain digitally accessible to Indian users through websites, applications, and intermediary-based networks (Centre for Knowledge Sovereignty [CKS], 2024). Consequently, determining territorial nexus, operational control, and applicable legal authority may involve interpretative and enforcement-related considerations within cross-border digital ecosystems.

Scholarly discussions on cyber jurisdiction indicate that cyberspace challenges traditional concepts of territorial sovereignty because digital activities may simultaneously involve multiple jurisdictions, servers, intermediaries, and users (Quick, 2026). In such circumstances, jurisdictional approaches based exclusively on physical location may require contextual reinterpretation within platform-based digital environments. This has contributed to discussions surrounding concepts such as functional nexus, effects-based jurisdiction, and digital presence within cyber law scholarship.

Another important consideration relates to intermediary platforms and digital service providers that may facilitate access to offshore gambling ecosystems. Online gambling platforms

frequently depend upon hosting services, payment gateways, digital advertising systems, and application distribution platforms operating across jurisdictions. The involvement of multiple intermediaries may give rise to considerations relating to liability, enforcement authority, and regulatory accountability (Tyagi, 2023).

The growth of digital payment systems and online financial interfaces has also contributed to cross-border jurisdictional considerations. Digital transactions may occur through multiple payment channels involving international financial intermediaries and technology-enabled systems. Existing scholarship on cyber-enabled financial systems indicates that such environments may involve considerations relating to traceability, regulatory oversight, and financial monitoring (Adwani, 2025; Tripathy, 2024).

Therefore, the jurisdictional challenges associated with cross-border online gambling platforms reflect broader developments within cyber law and digital governance. The transnational and technologically integrated nature of these platforms highlights the relevance of adaptive legal interpretation and coordinated regulatory approaches capable of addressing evolving digital ecosystems.

V. Intermediary Platforms and Enforcement-Related Considerations

Intermediary platforms play an important role in the operational structure of online gambling ecosystems within digital environments. Cross-border online gambling platforms frequently depend upon a network of intermediaries, including hosting providers, application distribution platforms, payment gateways, advertising systems, and communication networks, to facilitate user access and transactional functionality. The involvement of multiple digital actors across jurisdictions creates important considerations relating to platform responsibility, regulatory oversight, and enforcement mechanisms (Tyagi, 2023).

Within the Indian cyber law framework, intermediary regulation occupies a significant position in the governance of digital platforms. The Information Technology Act, 2000, along with associated intermediary guidelines, provides a legal basis for examining the obligations of digital intermediaries operating within online ecosystems. However, the application of such frameworks to offshore gambling platforms and cross-border intermediary structures continues to involve interpretative and enforcement-related considerations.

One important issue relates to the indirect facilitation of online gambling activities through intermediary-based digital infrastructures. Application stores, online advertising networks, hosting providers, and payment intermediaries may contribute to platform accessibility and operational continuity without directly conducting gambling activities themselves. Consequently, determining the extent of intermediary accountability may require careful legal examination within platform-based digital environments (Tyagi, 2023).

The growth of digital payment systems and technology-enabled financial interfaces has further expanded the complexity of online gambling ecosystems. Existing scholarship indicates that digital transactions, online payment gateways, and emerging financial technologies may facilitate rapid cross-border financial movement while simultaneously creating considerations relating to traceability, cybersecurity, and financial monitoring (Adwani, 2025; Tripathy, 2024). In some instances, cryptocurrency-enabled systems and anonymised digital transactions may additionally complicate investigative and enforcement processes within cyber-enabled environments (Cong et al., 2024).

Enforcement-related considerations also arise due to the transnational operational structure of online gambling platforms. Offshore entities may operate from jurisdictions with differing regulatory standards while remaining digitally accessible across borders. This may create practical challenges relating to information sharing, evidence collection, regulatory coordination, and enforcement cooperation among authorities operating within different legal systems (CKS, 2024).

Scholarly discussions on cybercrime and digital governance suggest that technologically networked environments may require coordinated regulatory approaches involving legal institutions, intermediaries, financial systems, and digital governance mechanisms (Tripathy, 2024). Within this context, intermediary platforms occupy a significant position because they function as connective structures within broader digital ecosystems.

Therefore, intermediary platforms and technology-enabled infrastructures remain central to understanding the enforcement-related dimensions of cross-border online gambling activities. The interaction between cyber law, intermediary regulation, digital payment systems, and transnational platform ecosystems highlights the evolving nature of regulatory governance within digital environments.

VI. Conclusion

The expansion of cross-border digital ecosystems has transformed the operational structure of online gambling platforms, creating important jurisdictional and regulatory considerations within cyber-enabled environments. Unlike conventional gambling activities associated with identifiable territorial boundaries, online gambling platforms increasingly operate through interconnected digital infrastructures involving offshore servers, intermediary systems, digital payment interfaces, and cross-border technological networks. Such developments have contributed to evolving discussions concerning the application of cyber law within transnational digital environments.

The study indicates that jurisdictional principles based primarily on territoriality may require contextual interpretation when applied to online gambling platforms operating across multiple jurisdictions simultaneously. The Information Technology Act, 2000 provides an important statutory framework for examining cyber-enabled activities involving digital networks and computer systems. However, the practical application of these legal frameworks to offshore online gambling ecosystems continues to involve interpretative and enforcement-related considerations.

The analysis further reflects that intermediary platforms, digital payment systems, and technology-enabled financial interfaces occupy a significant role within online gambling ecosystems. These interconnected structures may influence platform accessibility, financial transactions, and operational continuity within cross-border digital environments. Consequently, regulatory examination of online gambling increasingly intersects with broader discussions concerning intermediary accountability, cyber governance, and digital financial oversight.

The study also highlights that enforcement-related considerations within cross-border online gambling environments may involve issues relating to jurisdictional coordination, digital evidence, traceability, and regulatory cooperation among institutions operating across different legal systems. In this context, cyber law frameworks may continue to evolve alongside technological developments and platform-based digital ecosystems.

Overall, the study suggests that regulation of cross-border online gambling platforms may benefit from a balanced and context-sensitive legal approach capable of addressing the

transnational and technologically integrated nature of digital environments while remaining consistent with evolving principles of cyber governance and digital regulation.

Ethical approval

The Institutional Review Board approval is not required.

Declaration of patient consent

Patient's consent was not required as there are no patients in this study.

Conflicts of interest

There are no conflicts of interest.

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