डा0 न्यायमूर्ति बलबीर सिंह चौहान
पूर्व न्यायाधीश, सर्वोच्च न्यायालय
अध्यक्ष
भारत का विधि आयोग
भारत सरकार
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सत्यमेव जयते

Dr. Justice B. S. Chauhan
Former Judge, Supreme Court of India
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Appeal

The Supreme Court, in *Board of Control for Cricket in India* v. *Cricket Association of Bihar & Ors.*, (2016) 8 SCC 535, mandated the Law Commission of India to study the possibility of legalizing betting in India, *inter-alia*, observed thus:

> … the recommendation made by the Committee that betting should be legalized by law, involves the enactment of a Law which is a matter that may be examined by the Law Commission and the Government for such action as it may consider necessary in the facts and circumstances of the case.

While considering the issue, the Commission discerned that gambling is also a subject which is very closely associated with betting. While considering legalization of betting, leaving aside gambling may render the whole exercise futile. Therefore, the Commission would like to study the issue of legalizing betting as well as gambling in the country.

Various media reports time and again point out that betting and gambling, though not legal in India, is practised across the country clandestinely. These reports argue that many families are rendered bankrupt and many people are behind the bars owing to these practices. Strict rules against betting and gambling have not necessarily acted as a deterrent. Online gambling and betting is another area which has become very difficult to curb. It is understood that a lot of money is involved in illegal gambling business, creating almost a parallel economy, converting legally earned money into black money that is drained to gambling operators in other countries online.

The Commission has been mulling this idea for quite some time now. Discussions were initiated with some of the stakeholders and the Commission is working towards a possible report. Will legalizing betting and gambling help in curbing the illegal activities undertaken by the citizens of our country in this regard? Will licensing such activities help the Government earn substantial revenue and generate employment? How far will legalizing betting and gambling be morally correct in the Indian circumstances? What could be a possible model by which the people engaging in such activities can be safeguarded against bankruptcy? If legalized, should foreign betting and gambling companies be allowed to have a foothold in the country? These are certain basic areas that need to be addressed, along with any other issues that may come up while considering the matter.

The Commission would like to invite views and suggestions from all concerned - the stakeholders and the general public, with regard to legalizing betting and gambling, so as to arrive at a judicious opinion and make suitable suggestions and recommendations to the Government, which are balanced and protect the interests of the common man and the stakeholders alike. Your suggestions may be sent either by post or in person, to the Law Commission of India, 14th Floor, Hindustan Times House, Kasturba Gandhi Marg, New Delhi – 110 001; or by email at lci-dla@nic.in [i.e., LCI<hypen>DLA<at>NIC<dot>IN]; or by fax at +91 11 23355741, so as to reach the Commission within 30 days.

BS chauhan

[Dr. Justice B S Chauhan]

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