

PART III

GOVERNMENT OF PUNJAB
DEPARTMENT OF FINANCE
(DIRECTORATE OF LOTTERIES)

NOTIFICATION

The 24th August, 2015

No. G.S.R.47/C.A.17/1998/S.12/2015.- In exercise of the powers conferred by section 12 of the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules to regulate the State Lotteries run by the State Government, namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab State Lotteries Rules, 2015.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to all the lotteries, organized, conducted and run by the State Government.

2. Definitions.- In these rules, unless the context otherwise requires,-

- (a) 'Act' means the Lotteries (Regulation) Act, 1998;
- (b) 'advertising agency' means an agency engaged by the State Government for making the publicity of the State Lottery Schemes;
- (c) "Agency license fee" means a fee payable by the project agent to the authority in consideration of rights granted to him for On-Line lottery. However, the quantum of fee shall be equivalent to the bid amount quoted on the basis of minimum guaranteed revenue or percentage (%) of net sales (i.e. gross sales minus price winning claims) as specified in the bid document, for a agency period as calculated on per annum basis, whichever is higher. The same shall be payable from the date of sale of the first ticket of the lottery on yearly basis and the same shall be payable in advance on priority basis for each week comprising seven days or any left over license number of days at the end of each such year on proportionate basis during the agency period or as decided from time to time by the Government ;

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- (d) "Agency period" means a period for which an agreement has to be executed between the project agent and the Director ;
- (e) 'agent' means a person appointed as such by the State Government, with whom an agreement for the sale of lottery tickets both paper lottery and On-Line lottery mode is executed and it includes sole selling agent, distributor or selling agent ;
- (f) 'agreement' means an agreement executed between the Director and the Agent or Printer or Advertising Agency or any other agency, as the case may be ;
- (g) "Authority" means an Authority decided as such by the Government from time to time for carrying out the purposes of these rules;
- (h) "Central Rules" means the Lotteries (Regulation) Rules ,2010;
- (i) 'Director' means the Director of Punjab State Lotteries;
- (j) "Minimum guaranteed revenue" means a minimum amount on which the project agent has to submit bid as per bidding document and has to quote a bid over and above the said amount. If the Agency Period is more than one year then Minimum Guaranteed Revenue for subsequent years would be as defined in the bid document ;
- (k) 'Printer' means a person with whom an agreement has been executed for printing of lottery tickets and stationery items to be used for printing of online lottery tickets ;
- (l) "Proceed remittable to bidder" means such percentage of proceeds (as defined in bid document) remittable by the Government to the bidder for such year where percentage of Net Sales as defined in Bid document (Gross Sale minus prize Winning Claims) is greater than minimum guaranteed revenue for that year ;
- (m) 'purchase advance' means an amount required to be paid in advance by an agent before lifting the tickets;
- (n) 'State Government' means the Government of the State of Punjab in the Department of Finance;
- (o) 'State Lottery' means the Punjab State Lottery organized, conducted or run by the State Government both paper lottery and On-Line Lottery which is envisaged to offer lottery games played through a network of terminals, with the terminals connected to a main data centre at a Central Computer Server ;

- (p) 'tender committee' means a Committee of Officers including its Chairman constituted by the Principal Secretary, Finance for considering and making recommendations with regard to the tenders invited for all kinds of matters related to the lottery organisation and incidental thereto or any such committee which is constituted by any authority higher in rank than Principal Secretary, Finance ; and
- (q) 'tickets' means the State Lottery tickets including both paper lottery and online lottery published and released by the Director for sale of a particular draw under any lottery including tickets released by different/authorized outlets with respect of On-Line Lottery ;

3. Headquarter of the office of the Director.- The Headquarter of office of the Director shall be at Chandigarh or at any other place as may be decided by the State Government .

4. Conducting of the State Lottery.- (1) The State Lottery shall be organized and conducted as per provisions of the Act by the State Government by opening sale depots for tickets or by sale of tickets through agent or by setting up a Central Information and Processing Centre which shall be connected on line to all outlets. However, the procedure for the selection of Agent, shall be decided by the Government from time to time under the terms and conditions regulated by the agreement executed with them.

(2) The State lottery shall be named as the Punjab State Lotteries. It may be sub-named as may be decided by the Director in consultation with the agents.

5. Printing of tickets .- (1) In case of On-Line Lottery, printing of tickets and stationery on which the lottery tickets are to be printed shall be arranged by the State Government through the Director. The expenditure on printing of tickets shall be got reimbursed from the Agents.

(2) The Director, shall arrange to deliver the tickets to the agents, at the place mutually agreed upon and through the authorized outlets with respect to the On-Line Lottery.

(3) The form, size and design of tickets shall be decided by the Director.

(4) The tickets printed for each draw shall bear Imprint and logo of the Government of the State of Punjab, ticket number, the date of draw and price of ticket. However, with respect of the On-Line Lottery, the numbers or any other form chosen as per the scheme by the purchaser shall be printed/allotted

by the outlet holder by means of computer/any other approved device.

(5) On the back of the ticket, there shall be printed in English, prize pattern and such other essential details and conditions, which the Director may consider necessary for the information of the purchasers of tickets. In case of On-Line lottery the detail of the scheme can be obtained from terminal holder or the Director.

(6) In the case of paper lottery, the tickets and the stationery shall be printed and issued by the Director to the agents or to the officials of the Directorate of Lotteries and the cost shall be borne by the Government.

6. Prohibition of sale of tickets.- The tickets shall not be sold by the agent in a State or upon where the sale of the tickets is prohibited by law unless permission of the competent authority is obtained in this behalf by the Director.

7. Timings and place of draw.- (1) The draw shall be conducted by the State Government.

(2) The timings of draw for all types of lotteries shall be fixed by the Director between 6.00 A.M. to 9.00 P.M. in consultation with the Agents.

(3) The date and timing of draw shall not be altered ordinarily. However, under exceptional circumstances, depending upon the market conditions or for any other unforeseen circumstances, the Director, may alter date and timing of draw.

(4) The place of draw shall be within the State of Punjab which shall be fixed by the Director. However, the Director may change it if he considers necessary to do so.

8. Lifting of tickets by the agents.- (1) The first draw shall be held within period as specified in the terms and conditions of a particular lottery. In case the first draw is not held within the stipulated period due to any failure on the part of the agent, then his earnest money shall be forfeited:

Provided that the Government may extend the period for holding first draw if it considers necessary to do so in public interest.

(2) The agent shall lift a specific number of tickets in case of paper lottery scheme by depositing the requisite advance as per approved rates or as being directed by the Director in this behalf or by depositing requisite Agency fee as per the provisions of the terms and conditions of the lottery scheme.

In case of On-Line lottery, the requisite fixed agency fee as per approved

rates shall be deposited strictly as per agency agreement.

(3) In case the agent does not lift the tickets already printed in full or in part, he shall have to pay the damages equal to the amount of the invoice value of the tickets.

(4) In case of tenders, the agent or printer shall have to furnish bank guarantee equal to the amount as decided by the Tender Committee or by the State Government as the case may be. However, in case of bumper draw of a lottery, the amount of bank guarantee or security shall be as provided in the particular bumper draw of lottery to be approved by the State Government.

(5) In case there is a loss of tickets in transit due to any valid reasons, the same shall be published by the Director in the local newspaper. However, in case the tickets are once handed over to the agent or to his duly authorized sub-agent and there is any loss of tickets due to any reasons, no compensation of any kind shall be allowed to the agent.

9. Withdrawal from sale marketing of tickets by the agent.- In case the agent wants to stop the sale of tickets at his own Will, he shall have to give a notice of such an advance period as agreed upon by him by way of agreement, otherwise he shall have to pay the penalty as per the said agreement.

10. Publication of results.- The result of the draw shall be published by the Director in various newspapers as well as the Punjab Government Gazette and would also be made available on the outlets. A certified copy of the result shall be supplied to the agents immediately after the draw and the sole responsibility shall be of the agent to make available the result of the draw to all the sellers of lottery tickets.

11. Payment of prizes.- (1) The payment of prizes below or equal to the value of 10,000/- rupees (ten thousand rupees) after deducting the applicable taxes as may be required under Taxation law, if any, to the prize winners on behalf of the State Government within a stipulated period as specified in the Schemes from time to time shall be made by the agent on behalf of the State and agent would seek reimbursement as per scheme.

(2) The payment of bigger prizes shall be made by the Director after deducting the Income Tax.

(3) The prizes, which are not claimed by the prize winners within a stipulated period as specified in the Scheme, shall stand forfeited to the State Government:

Provided that the Director may after the expiry of the specified period in the Scheme, but not exceeding 'ninety days', disburse the prize amount to a prize winner on his application, for reasons, to be recorded in writing:

Provided further that the State Government after the expiry of a period of ninety days, but not exceeding one hundred and eighty days, disburse the prize amount to a prize winner on his application, for reasons, to be recorded in writing.

(4) If any prize money remains unclaimed or is not disbursed within the aforesaid specified period, it shall become the property of the State Government. To determine the unclaimed or undistributed prize money, the agents shall submit the prize winning tickets to the Director within the period, determined by the tender committee.

(5) For the purpose of transactional accounting in case of online lottery, the agents shall ensure the genuineness before disbursing all the prizes below and equal to Rs. 10,000/- (ten thousand rupees) to the winners on the day of the draw or as specified in the Scheme.

12. Appointment of Consultants.- The Director may appoint any consultant or any other person having requisite qualifications to be prescribed by the Director for checking and counting of tickets and prize winning tickets or to carry out a due diligence, if need be, on the selected bidder.

13. Payment to minors.- In the event of a minor becoming a prize winner, the prize money shall be given to his natural guardian on production of proof to the satisfaction of the Director regarding the genuineness of guardianship, failing which the amount shall be paid to the minor prize winner, on attaining the age of maturity.

14. Deduction of Income Tax.- Income Tax on prizes wherever applicable, shall be deducted at source.

15. Forged or torn out tickets.- (1) A ticket which is forged, torn out, mutilated or tampered with, shall not be entertained.

(2) In case of any doubt, the Director may get the tickets verified from the printing press or by a forensic science laboratory or any other authority as he deems fit.

16. Mode of disbursement of payments.- (1) All the prize winning ticket holders shall be paid in Indian currency.

(2) One ticket shall enable the holder thereof to claim one prize only,

whichever is higher.

17. Depositing of sale proceeds of tickets.- In case of paper lottery, the agent shall lift a specific number of tickets as per lottery scheme by depositing the requisite purchase advance as per approved rates , one or two or three weeks in advance, as may be directed by the Director in this behalf or by depositing requisite agent fee as per the provisions of the terms and conditions of the lottery Scheme.

In case of On-Line Lottery, the deposit of sale proceeds, reimbursement/ adjustment of prize money and revenue share of the agent shall be as per the Agency Agreement. A committee consisting of at least three officers /officials with Deputy Director of lotteries as in - charge shall ensure the reimbursement/ adjustment of prize winning amount and revenue share to the agent from the receipt of sale proceeds.

18. Framing of lottery scheme.- (1) The State Government may frame different lottery schemes from time to time.

(2) The State Government may specify qualifications, experience and lay down other terms and conditions keeping in view the prevailing market conditions to become eligible to be an agent or printer.

(3) The lottery scheme can be changed or modified by the State Government in consultation with the agents keeping in view the market conditions

(4) For the smooth running of the lottery schemes and to check the illegal menace of Satta/Matka under the garb of legal lotteries, a raiding team headed by an official of the Directorate of Lotteries and supported by police force to be headed by an officer not below the rank of Non Gazetted Officer, shall be constituted with the approval of the State Government. The salary of the said police personnel shall be borne by the Directorate of Lotteries. The entire raid team shall work under the overall directions and control of Director and instructions related to any issue concerning the Police Officials on Deputation with Directorate of Lotteries shall be issued by State Government from time to time.

19. Making good of loss.- In the event of any loss or damage caused to the State Government due to the omission or negligence of the agent or his duly authorized outlet holder, printer, advertising agency or any other quarter, as the case may be, the same shall be made good by the said agent, printer or advertising agency or any other quarter, as the case may be.

20. Weeding out of Old Record.- After the draw is over, the record which is no longer required, shall be kept in the custody of the office of the Director for a maximum period of one year, after which it shall be destroyed by communicating the decision in this regard to the office of the Accountant General, Punjab at least one month before the date of such destruction.

21. Arbitrator.- In case of any dispute having arisen and any action or decision taken thereof shall be referred to the Secretary to the State Government in the Department of Finance, as a Sole Arbitrator and his decision thereon shall be final and binding.

22. Remission.- In case of natural calamities or circumstances beyond the control of agent or printer, the State Government may consider to allow such remission to the agent or printer, as the case may be, as it may deem appropriate.

23. Interpretation.- If any question arises for the interpretation of these rules, or any other matter concerning thereto, the same shall be referred to the State Government and its decision thereon shall be final.

24. Right to issue instructions.- The State Government shall have all rights to issue any instructions from time to time for the matters, which may not be specifically covered under these rules, for the smooth functioning of its lotteries including On-Line Lottery and all instructions so issued by the State Government shall be read in cohesion with rules, provisions of the Act, terms and conditions laid down in the Tender Document, Invitation of Bids for On-Line Lottery System and also with the, terms and conditions entered in the other tender notice agreements. All such instructions shall have the force of law and shall be binding on all concerned.

25. Repeal and saving.- The Punjab State Lotteries Rules, 1998 are hereby repealed.

Notwithstanding such repeal, anything done or any action taken under the said rules of 1998, shall be deemed to have been done or taken under the corresponding provisions of these rules.

D P REDDY,

Principal Secretary to Government of Punjab,
Department of Finance.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(HOME-VI BRANCH)

NOTIFICATION

The 26th August, 2015

No. S.O.35/C.A.2/1974/S.2/2015.-In partial modification of the Government of Punjab Department of Home affairs and Justice, Notification No. 11/4/98-1H6/1239, dated the 11th June, 2001 and in pursuance of the provisions of clause (s) of section 2 of the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to direct the transfer of the local areas consisting of the villages mentioned on Column 2 of the Schedule given below, from the local area of the Police Station mentioned in the Column 3, to the local area of the Police Station mentioned in Column 4 of the said Schedule on and with effect from the date of publication of this notification in the Official Gazette, namely:-

SCHEDULE

Serial No.	Name of the Village and Hadbast Number	Name of the Police Station in which hither-to-fore included	Name of the Police Station to which transferred
1.	2.	3.	4.
1.	Khatib -243	Police Station Qila Lal Singh	Police Station Civil Lines Batala
2.	Gokhuwal -242	Police Station Qila Lal Singh	Police Station Civil Lines Batala

JAGPAL SINGH SANDHU

Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.



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EXTRAORDINARY

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