

## ANDAMAN AND NICOBAR ISLANDS PUBLIC GAMBLING REGULATION 1951

NIC OBAR ISLANDS PUBLIC GAMBLING REGULATION, 1951 , No. 11 of.' A Regulation to pr.dvlde,• fpr the. puni5hrnent• of püblle gambling and •the of cornmofi gaming—houses In the • Andaman and Nicöbar Islands, and. for matters connected therewifhl. In excercise Of • the powers conferred, by claU9e ('2) of article 21F3 of the Constitution y the Président is a sed t' promulgate the following Reguu•atLon made by himt:- 1. Short tlelér éxteut 4Tld cörmnencement This Regulation ,may be called the Andaman and Nic obax• Island5 Public Gam-oling Regulation 1951 • 2. It extends to the whole ofx the Andaman arid IVic obar Islands . (3) It shall come 'into, force a-t once, ' Lkfinitions.- +.he coqtext otherwi;ser require r In this Rekulatlönj unless (W) Übeting office" means any plaque, whet.h. i.c •or private which used for wagering or betting voro or för rece-ving moneys as arf agency for wagering or g, t. ing upop,: any fight, game, spört o? exe'rlse. or for sdttlérJienj5 such wagers or be,ts Qr for the settlement l-)Y •the agent with •hl's princi.plas on the repumt of SDCh wage— or bets; (2) "the Code" means 'the of Crimina-k 1898' V of 1898), (3) trcommon gaming—house" means aby place, whaz h tyr i.e OT pYivate sin which (a) any instruments of gaming are Ir,ept i'or tha profiti or -gaini of the person fowlåg, occupy Ing, using or Weep-inv such place whether by way Of charge for tho use of tre inst.ruænt:9 of gaming as such, or Öf the plape or otherwise howsoever' for gaüffng, purposes, Or (b) the ,gatne .of the- well- known In Burma or China or any other game •or pretended. game Of •ta like nature, is carer-L— (i+) "District superintendent of poll eel! L (Idludes as assistant Super&ltentend of Poldee, or other person • appoint.ed general or special ardér of the Chief Commissioner to e xerclse, the powers and to perform the- duties—of. a. District' Su-- of Police under this' Regal atlon any area; Continuet•-l Copy of letter No. 19-71/(76-Home dated 1-7- T F'6 from the I-ssis Gant gecretary (General ) ) Andaman and -Nicobar Adminls.tration,' Port glair addressed to Ehe Inspector General of Policea Andamän and Nicobar Islands, Port Blair. Sub Supply\* of Andaman and Niece>.ar.,. Gamba-Ing negulaL- J am directed to refer tÖ your Yet ter Noa 5518/ 1 6/11/76 dated 916, 1976 on the sub.jecE noted above, and to forward hé+éwlth. one copy of the Andaman arid Nicobar Islands PuYlic Gambling Regulation, 1951 (No. 11 Of 1951 ) and to say that. •suffelci•ent number of copies thereof. , as per the requir- ement of the .-'>oartment may kindly be gdt cyclostyled for e of the vai'lous Police Stations andi outposts etc, (FFICE OF QF POLICE AND Nic ISLANDS 000 Port •Blair , dated tkfe . 9 —COPY—f-or-wæded---to A-I-l- . S P s S.H.Otg fDr information. Jul)" , 1976. c. 1 Is and . ; Super.in•terrdöfit-of POI ice . Vara an (5) the words t.'gamlngtt and "Pl'aying)t with their grammatical \_ variations and cognate expressions incl ude 'taking part In the game of the Qr in any other game or .prate— nded game of a like nature, but do not include: the promoting of, or the taking papt In, any. game of more human skill, whe- reever played; (-6) the expression 'Ting trumentS of gaming') means— (a) 'any cards, dice, counters, éoi,ns, gaming bles, gaming •cloth, ugaming boards or other articles devised Qr actually uqed Yor' the purpose. of gaming ; (b) any boxes, . recep#acl.es.,. 1 i B tsh papers, tick-. e ts or 'forms uéed for purppge -of of to ar any other game or pyetétlded gahe• IQf\_ a 11We ' nature; "place!! includes a tent, enc.l,- o.sure, room, gpaée:, D vesSel vehicles 3M Penalty ft-Oli owing or keeping or having cha- rge df a gaoffnådhouée • — Wh owner. or • ea occupier or • hav- ing the I-isec•of.' , .B,pp.eQs, pr uses s amd as a ommon gaming-lhöus ds; • or (b ) being. \$he..towner or pccb.pi.erl of any owing-Iy pefiits -t'hé• to be opened, Kept• äg an gaming—house ; -•pr (c hå'å. eare -in any bU.gin:ess •pf any -c ga'tli+ Ing-houge; (d) ådVances or furnishes for: the p;urpos.e o? gaming with persons •frdquentlng atly pcofirmng g.a•rnlng-hb.use• shall fl•rst offenOe a f lne not exceeding five d&Zd rupees OY •isonment• for riot éxcee— d nü för-. p+sequ'ept, pffence td a f lne not exceeding?dhe' rupees;• or to• ffrhprffgonyen+/ för 'berm not exc ééding • Peiiälty for playing or be'ing Irl a. gaming— ho— use,' Whoever any "common. gaming—house or 'Is there present A for. the purÄqqé.R gaming, whether or not actually playing, shall bé n fable fer a • flr.st- offence; 'to a fine not, exceeding one hund+ed 'l\*üäcäß/• or to 'imp,rlgontnenc fbr a terms not exceeding one month; for offence to a fi- ne not éxceedlng two rupees or bo Imprisonment for a term not exbéedlng -two months.

**5. Penalty for gâming Nor setting birds or ani—m•als to tight in public blace\$.- b.moeuer 'In any street. or thorough '-are or place to which the public have (a) plays •for money or other valuable thinä' with any instrument of gaming; or (b) sets •any birds. or animals to fight; or (c) being there tresent, aids and abets such 'public fighting or birds or animals; or (d) in any local ar.9#r •to, which the Chief Commi- sgloner**

may, by notification in the official gazette, apply this clause, in any manner invites or encourages 'any person to wager or bet on ' any fight, game, or exercise; shall be liable to a fine not exceeding five hundred rupees, or to imprisonment for a term not exceeding one month

**6. Penalty for conducting game of to or other like game , Whoever—**(a) conducts or assists in conducting the . game of to or any other game or pretended game of. as a manager or stake holder; Or (b) according to the rules of the game pretended game, entitled to receive the surplus proceeds, or any part the surplus proceeds, or the stake after deducting the amount payable to the successful player or players; or (c) in a pretended game by soliciting or collecting stakes or otherwise; shall be liable to imprisonment for a term which may extend to six months; or with fine, or with both. 7, Power to arrest without warrant and to seize instruments of gaming- (a) Any police officer may, without warrant arrest any person who in any street or thoroughfare or place to which the public have access and in the view of such police officer- (a) solicits or collects stakes for the game of to or any other game or pretended game of a like nature; or (b) plays for money or other valuable thing with any instrument of gaming; or (c) sets birds or animals to fight; or (d) being there present, aids and abets such public fighting of, birds or animals; or (e) commits an offence punishable under clause (d) Of section 5. (2) Any instrument of gaming or any other thing which under the provisions of section 8 may be seized in a betting house; may be seized if found in such street, thoroughfare or place or on the persons of those who are arrested under sub-section (1)

**8. Power to enter and authorize police officer to enter and search any suspected house, etc.-** (1) If the district magistrate, or any magistrate of the class or any other magistrate specially empowered by Chief Commissioner in this behalf, or the Metropolitan Superintendent of Police (Includes A.S.P) on credible information or on any other sufficient grounds, and after such inquiry as he may think necessary, has to believe that any place is used as a common gaming-house, he may either himself do any of the following acts or by warrant, authorise any police officer not below the rank of assistant sub-inspector of police:- (a) enter, within seven days from the date thereof, with such assistance as may be found necessary by night or by day and by force if necessary, any such place; (b) take into custody all persons whom he finds therein whether they are then actually gaming or not; (c) seize all instruments of gaming, all moneys and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming, which are found therein; and (d) search the place, which he shall have so entered, when he has reason to believe that any instruments of gaming are concealed therein and also the persons of those whom he has taken into custody; and seize and take possession of all instruments of gaming found upon such search (2) All searches under sub section (1) shall be made in accordance with the provisions of sub-section (3) of section 102 and of section 103 of the code. (3) any place is entered, under sub section by a police officer, without undue delay after the completion of the proceedings under that sub section, submit a report of such proceedings together with the warrant, if any, to a magistrate who has jurisdiction to take cognizance of any offence which appears to have been committed and take or send to the district magistrate the persons; arrested and the article seized, Continued- 5/- Provided, that the police officer may release the persons so arrested on bail or on their own recognizances to appear before such magistrate: and Provided further 'that if no person is arrested, the police officer shall submit a report of his proceedings to a magistrate. Issued the warrant, If any. Power to enter and search- betting offices , (1) The district magistrate or the Metropolitan Superintendent of Police, or any police officer below the rank of Officer-in-charge of a police station upon being duly empowered by a warrant issued by either of such officers may by day or night, enter and search with such assistance as may be necessary, any place which is believed to be used as a betting office and seize any moneys, registers; books or other documents found and used, or intended to be used or reasonably suspected to be used as a record or evidence of, any upon any fight game or exercise. (2) All searches under sub section (1) shall be made in accordance with the provisions of, sub section (3) of section 102 and of section 103 of the Code. (3) No warrant issued under sub-section (1) shall be executed after the expiry of seven days from the date thereof. (4) When any place is entered under sub section (1) by a police officer other than the District Superintendent of Police, he shall immediately after the completion of the proceedings, submit a report, thereof to the district magistrate or if the warrant was issued by the District Superintendent, Presumption respecting instruments of gaming found in places entered.- any instrument of gaming is found in any place entered under the provisions of this

Regu— -or about the persons of •any of these who are found therein, it shall be presumed until the contrary is proved, that such place is used as a common gaming—house and that the persons found therein were there present 'for the purpose of gaming, although no play was actually \$\_een by the magistrate or police officer, • or by any one aiding in the entry, (1) It shall be lawful for the magistrate, • Before whom any person is accused of an offence under section 3 or section 1+ or section 5 or section 6, with a view to obtaining on the trial the evidence of the person touching any unlawful gaming touching anything done with reference to, or in furtherance of, any unlawful gaming, or touching any act done for the purpose of preventing, obstructing or delaying the entry, - in any place of any magistrate or police officer authorised to make such entry, to tender a pardon to such person on condition of his making a full and true disclosure of the whole of the circumstances within his knowledge relative to the offence. The provisions of sections 37, 339 and 2, 339 A of the Code shall apply to any person to whom a pardon has been tendered under sub section (I ) as they apply to any person to whom a pardon has been tendered under those provisions, 12. Magistrate may order destruction of cards, and forfeiture of articles seized on the conviction etc, , of any person for an offence committed under this Regulation, the convicting magistrate may order any instruments of gaming, seized to be destroyed and may also order any other article seized to be sold and converted into money, and the proceeds thereof with all moneys seized therein to be forfeited to the Government; or in his discretion may order any of such articles and the whole or any part of such moneys to be returned to the person appearing to have been severally thereto entitled. All fines imposed under 13. Recovery of fines - this Regulation may be recovered in the manner provided in the Code. Portion of fine may be • paid as reward. — The magistrate trying any case under this Regulation may direct any portion of any fine levied under this Regulation to be paid to any person who has contributed in any way to the conviction. 15.- Power • to demand security for good behaviour Whenever a district magistrate or any magistrate of the first class specially empowered in this behalf by the Chief Commissioner, receives information that any person within the local limits of his jurisdiction earns his livelihood, wholly or in part by unlawful gaming or by promoting or assisting in the promotion of unlawful gaming -he may deal with such person as nearly as may be as if the information received about him were of the description mentioned in 110 of the Code and for the purpose of any proceeding under that section' the fact that a person earns his livelihood as aforesaid may be proved by evidence of general repute or otherwise.

PRASAD President. K.V. SUNDAR AN 9 Secretary to the Government of India. Varadan