

HARYANA PRIVATE LOTTERIES PROHIBITION ACT, 1993 (14 OF 1993)

HARYANA GOVT GAZ. SEPT. 1993 (BHDR. 29, 1915 SARA) PART 1 LEGISLATIVE DEPARTMENT Notification The 20th 1993 151 No. I-ag. 14/93.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 15th September, 1993, and is hereby published for general information (Haryana Act No. 14 of 1993) THE HARYANA PRIVATE LOTTERIES PROHIBITION ACT, 1993 ACT to prohibit all private lotteries and the lotteries authorised by the States, Union Territories Administrations or the Government of India and State Lotteries, which are run or organised by private persons, parties or promoters except those which are organised by any State Government, Union Territory Administration or the Government of India itself within the territory of the State of Haryana. BB it enacted by the Legislature of the State of Haryana in the Forty—fourth Year Of (he Republic of India as follows 1. This Act may be called the Haryana Private Lotteries Prohibition Act, 1993. 2. In this Act, unless the context otherwise requires, (a) "agent" means a person who is authorised by or on behalf of any person to sell or dispose of lottery tickets or coupons and includes a person who is authorised by or on behalf of any person to sell or dispose of lottery tickets or coupons; (b) "lottery" means a scheme for distribution of prizes by lot or to those persons participating in the chances of a prize by purchase of tickets or coupons and includes a raffle; (c) "private lottery" means a lottery which is not being organised by the Government or Government of India, Institution, Society or Club; (d) "ticket" means a document evidencing the claim of a person to participate in the chances of the lottery. Prohibition on lottery. Other offences in connection with a lottery. 3. Notwithstanding any agreement or contract entered into by the State Governments, Union Territories Administrations, Government of India, Institutions, Societies or Clubs with any person, party or firm, no person shall deal with in the trade or business of lotteries or be an agent or promoter in respect of any lottery nor shall he sell, distribute or purchase any lottery ticket within the territory of State of Haryana, or any part thereof as have been organised by any State Government, Union Territory Administration or the Government of India itself.

4. No person with a view to the promotion or conduct of any lottery except those lotteries which are being organised by any State Government, Union Territory Administration or Government of India itself, shall (a) print or publish any ticket, coupon or other document for use in the lottery, or (b) distribute or have in his possession for the purpose of sale or distribution any ticket, coupon or other document for use in the lottery (c) print, publish or distribute or have in his possession for the purpose of publication or distribution, (i) any advertisement of the lottery; or (ii) any list (whether complete or not) of prize winners in the lottery; or (iii) any such matter descriptive of, otherwise relating to the lottery as is calculated to act as an inducement to persons to participate in the lottery (d) bring or take into the territories of Haryana State for the purpose of sale or distribution, any ticket, coupon or other document for use in, or any advertisement of the lottery; or (e) attempt to send out of the State of Haryana, any money or valuable things received in respect of the sale or distribution of any ticket, coupon or other document for use in the lottery; or (f) use any premises or cause or knowingly permit any premises to be used for purpose connected with the promotion or conduct of the lottery; or HARYANA GOVT GAZ. (EXTRA.), SEPT. 20, 1993 (BHDR. 29, 1915 SAKA) 153 (g) cause or procure or attempt to procure any person to do any of the above mentioned acts. 5. (1) If the person committing an offence under this Act is a Company, the Company as well as every person who was in charge of, and responsible to, the Company for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of that offence and shall be liable to be proceeded against. Provided that nothing in this sub-section shall render any such person liable to any punishment if he proves that he was not at the time of the commission of the offence, or that he exercised all due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a Company and it is proved that the offence has been committed with the consent or connivance of, or that (if the offence is attributable to any neglect on the part of any director, manager,

secretary or other officer of the Company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against. Explanation—For the purpose of this section— (a) 'Company' means any body and includes a firm or other association of individuals ; and (b) 'director' in relation to a firm is a partner in the firm. 6. (1) It shall be lawful for any police officer not below the rank of a Deputy Superintendent of Police authorized by the State Government in this behalf by general or special order in writing : (a) to enter, if necessary by force, whether by day or night, with such assistance as he considers necessary, any premises which he has reason to suspect are being used (or purposes connected with the promotion or conduct of any lottery except the lotteries which are being organised by any State Government. Union Territory Administration or the Government of India itself, in contravention of the provisions of this Act (b) to search the premises and the person whom he may find therein ; (c) to take into custody and produce before a magistrate all such persons whom he has reason to believe to be guilty of an offence punishable under this Act or against whom a reasonable complaint has been made or credible information has been received or reasonable suspicion exists of their having been concerned with the use of such premises for purposes connected with or With the promotion or conduct any lottery except the lotteries which are being organised by any State Government. Union Territory Administration or the Government of India itself, in contravention of the provisions of this Act by Offences Committed. Power of entry and search. 154 HARYANA GOVT GAZ. (EXTRA.), SEPT. 20, 1993 (BHDR. 29, 1915 SAKA) (d) to seize all things found therein which, are intended to be used or reasonably suspected to have been used in connection with such lottery. Penalty for Offences cognizable and non-bailable. (2) All searches under this section shall be made in accordance with the provisions of the Code of Criminal Procedure, 1973

7. Any person who contravenes any provision of this Act, shall be punished with a rigorous imprisonment for a term which may extend to three years or with fine which may extend to twenty thousand rupees, or with both, 8. The offences under this Act shall be cognizable and non-bailable. T. P. GARG, Secretary to Government, Haryana, Legislative Department.