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OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Finance

Revenue and Expenditure Division

Notification

17-16-2002-FIN(R&C)

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 it in this behalf the Government of Goa, hereby makes the following rules, namely.—

1. *Short title and commencement.*— (1) These rules may be called the Goa Computerised Network Lottery Rules, 2003.

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

2. *Definition.*— In these rules, unless the context otherwise requires,—

(a) 'Act' means the Lotteries (Regulation) Act, 1998 (Central Act 17 of 1998);

(b) 'Central Computer System' means a system of multiple computers installed for diverse functions of computing data communication, ticket transaction, prize amount calculation, verification of prize amount, cancellation of tickets, etc.;

(c) 'Committee' means the committee specified in rule 4;

(d) 'Computerised network lottery' means the Goa Computerized network lottery;

(e) 'Director' means the Director of State Lottery, Government of Goa;

(f) 'draw' means an activity by which lots or numbers are drawn with the help of machine or mechanical or electronic method or any other method to determine the winning numbers;

(g) 'draw break' means the date and time at which lottery tickets cease to be sold prior to the draw for such scheme being held;

(h) 'Government' means the Government of Goa;

(i) 'lottery ancillary activity' means any other activity related to lottery business which the Government by an order shall determine to be a lottery ancillary activity;

(j) 'marketing agent' means a marketing agent appointed under rule 18;

(k) 'Network' means a communication and data exchange system created by physically or otherwise connecting two or more computers with network interface, cards and cables and running on Network Operating System;

(l) 'play slip' means a preprinted slip having a set of defined field from where a player can select a set of numbers as specified for each draw by the Government;

(m) 'prize amount' means the prize amount payable to a prize winning ticket in a lottery draw;

(n) 'retail computer terminal' means a place from where Computerised network lottery tickets are sold;

(o) 'retailer' means a person appointed as retailer to run the retail computer terminal which sells or offers for sale any ticket under the computerised network lottery run by the Government;

(p) 'ticket' means the Goa computerised network lottery ticket issued to a player under the computerised network lottery scheme;

(q) 'winner' means a person who possesses the prize winning ticket of the Goa Computerised network lottery draw;

(r) 'working day' means any day which is not a public holiday declared by the Government.

3. *Administering and Implementing Goa Computerised network lottery Scheme.*— The Goa Computerised network lottery Scheme shall be administered by the Secretary to the Government of Goa, Finance Department. The Director shall implement the Goa Computerised network lottery Scheme as determined by the Government from time to time.

4. *Conduct of Goa Computerised network lottery.*— (1) The Goa computerised network lottery shall be conducted by the State Government in the presence of the committee constituted by it which shall consist of the following members, namely:—

(a) Director of State Lottery,
Government of Goa. ...Chairperson

(b) A person nominated by
the Government to represent
the marketing agent. ...Member

(c) Special Secretary (Finance)
or any of Joint Secretary/Under
Secretary to the Government
authorized by Finance Depart-
ment. ...Member

(d) Joint Director (Accounts)/
/Assistant Director (Lotteries),
Goa State Lottery,
Government of Goa. ...Member
Secretary

(2) In the absence of the Chairperson, a Member from the members as specified in Clause (c) above, shall act in his place and conduct the draw. The Chairperson and Member Secretary may nominate one or their subordinates to represent them in their absence. In case both the Chairperson and the Member Secretary are not present, members present shall conduct the draw.

5. *Release of Schemes.*— The Government may release such number of Schemes and draws in conformity with the Act.

6. *Denomination of ticket.*— Denomination of the tickets for the Goa Computerized network lottery shall be issued as specified by the Government through an order in respect of a draw or groups of draws.

7. *Decision regarding date of draw, etc.*— The following matter in respect of each draw or groups of draws shall be decided by the Government. The marketing agent may be consulted if required, namely:—

- (a) the date and time of draw;
- (b) the number of Schemes;
- (c) the price of each ticket; and
- (d) the prize structure.

8. *Place of draw.*— (1) The place of draw shall be decided by the Director in consultation with the Government. The marketing agent shall give wide publicity about the same.

(2) The place of draw shall be located within the State of Goa.

9. *Printing of tickets.*— (1) The Government through the Director of State Lotteries shall arrange the printing of tickets.

(2) The printing of tickets shall be entrusted to any Security Press by obtaining tenders after ensuring the secrecy and security of printing of the lottery tickets.

(3) The Director or his representative shall regularly inspect the security press to ensure security and capability of the press.

(4) The tickets shall bear the facsimile signature of the Secretary (Finance), the imprint and logo of the State, price of the ticket, date and time of the draw, and may have security marks or bar

codes to protect the interest of the player as well as the State.

(5) The ticket shall be used at the retail computer terminal where tickets are sold after printing the player's selected number.

(6) On the reverse of the ticket, the Director may, if necessary print in English the prize structure and such other conditions and details which are necessary for the information of the purchaser of the ticket.

(7) On the reverse of the ticket, the Director may allow space to be sold for advertising.

10. *Conducting of Computerized network lottery.*— (1) The Government shall organize, conduct and promote the Goa Computerized network lottery.

(2) The tickets will normally be sold to the intending player/purchaser on payment through the authorized marketing agents, sub-agents at the retail computer terminal set up for this purpose.

(3) The sale of tickets shall be regulated as per the terms and conditions of the agreement entered into between the Government and the marketing agent.

(4) The proceeds from the sale of tickets shall be credited to the Government under an exclusive Head of Account to which no other credits will be made other than that pertaining to Online Lottery Scheme.

(5) The net profit made shall be used only for Social Welfare activities as identified by the Government from time to time.

(6) In an agreement entered into with the marketing agent, the Government will specify the time and date of draw break at which the sale of tickets to the players and purchasers will be stopped. Any sale of tickets after the draw-break will be considered as breach of Agreement, unless the draw break period is extended by an order of the Government.

(7) If any ticket is issued to the purchaser beyond the specified time at any place and in the event of such ticket winning any prize, the ticket shall not be honored by the Government and it will be the responsibility of the marketing agent to compensate such purchaser of the ticket.

11. *Holding of the draw.*— (1) The date and time of draw shall be indicated on the ticket. Under exceptional circumstances or for any other unforeseen reason, the Director may postpone the date and time of draw to any other date and time. The Director shall publish the postponed date and time of draw in newspapers having wide circulation. The draw shall be conducted within such period and time as may be specified by the Government.

(2) The draw shall be held in a place open for public located within the State of Goa, in the presence of the committee. Wide publicity shall be given about the date, time and place of the draw.

(3) The draw shall be conducted by the Government as per the pre-announced schedule by operating the draw machine or any mechanical or electronic method or any other method which can produce random selected winning numbers for each lottery Scheme in a visibly transparent manner.

(4) The Committee shall make a note of the prize winning numbers. The prize winning numbers shall be cross checked with the prize winning ticket numbers entered in the register maintained for this purpose.

(5) The result of the draw shall be announced under the signature of the Director and released to the press by the marketing agent.

(6) After the prize winning numbers are drawn and displayed, the prize winning ticket numbers shall be entered in the register and the entries in the register shall be signed by the members of the Committee or their nominees who have represented them at the time of such draws.

(7) After the draw is over, all records including the register shall be kept in the custody of the Director for a minimum period of three years after which they shall be destroyed. The ticket shall be preserved for a period of five years from the date of draw:

Provided that such records and tickets when required for statutory audit or for production in the court of law, they shall be kept and preserved beyond the aforesaid period.

(8) Wide publicity shall be given to the result of each draw including conducting of live telecast

of the draw process, print and other Audio visuals media etc. list of draw shall also be published in the Official Gazette or in such other manner which shall constitute the Official announcement of the result.

12. *Mode of issue of tickets.*— The tickets shall be issued to the player on demand. A player will choose his number as per the Scheme from a given play slip and the number in the play slip will be entered into the ticket vending machine at the retail computer terminal. The ticket will be produced on the pre printed ticket material where each ticket will be distinguished by a distinct design and alphabetical notation. The tickets shall be serially numbered. The tickets shall bear the facsimile signature of the Secretary, to the Government of Goa, Finance Department. Each ticket shall be assigned a secret mark or code, by the Director. Such mark or code may be changed from ticket to ticket and series to series in any draw. Such secret mark or code shall be in the custody of the Government or the Director.

13. *Responsibility of the player.*— The player should ensure for himself the correctness and the genuineness of the Computerized lottery ticket issued by the authorised retailer. Unless the constituent player brings to the notice of the sales person or retailer at the retail counter any discrepancy, errors or omissions, etc. immediately before leaving the retail computer terminal the matter and numbers printed on the ticket shall be deemed to have been accepted by the player as correct and shall bind the constituent player for all purposes and intents.

14. *Award of prize amount.*— (1) The prize amount will be awarded to players who possess tickets with winning numbers of the particular lottery game as determined after the official draw conducted by the Government. The prize structure will depend on each game type which entertains and offers a reasonable chance to win a meaningful prize. There will be a prize pool for each set of winning number including a jackpot prize pool. Players having similar winning number tickets will have to share a prize from that pool category. Each player is entitled to his share of prize that may be determined after calculating all such winning number tickets in each category.

(2) No lottery ticket shall be eligible for more than one prize in any draw.

15. *Claiming of the prize amount.*— (1) Subject to sub-rule (5) of rule 17, all persons possessing a genuine prize winning ticket shall claim their prize amount within ninety (90) days from the date of draw. If there is a failure to claim the prize amount in respect of any draw within the specified period of ninety days, the prize amount shall lapse and stand forfeited to the Government. If ninetieth day is a holiday the claim can be accepted during office hours of the next working day.

(2) Notwithstanding anything contained in sub rule (1) the Director may entertain claims for the prize amount made beyond the period specified in sub rule (1) but it shall be made within one hundred and twenty days from the date of draw where he is satisfied that such delay is for reason beyond the control of the claimant.

(3) The prize amount unclaimed within the stipulated time limit or not otherwise distributed shall become the property of the Government.

16. *Verification of the ticket.*— (1) The Director shall receive the claim for prize-winning ticket after verifying with the results announced. The tickets produced shall be admitted for payment only after the receipt of genuineness report from the Government forensic laboratory and such other mode of verification checks.

(2) If the genuineness of the ticket referred to the laboratory is not established and the report indicates any tampering, super imposing, altering of numbers or erasing, etc. the claim shall be rejected and the claimant shall be liable for prosecution.

(3) The claims for prizes based on mutilated, torn or disfigured tickets shall be rejected, if it is not possible to verify the genuineness of the ticket. The prize amount of such ticket shall be disbursed only if the ticket is found genuine on verification.

(4) Where any investigation by the Income Tax Department is pending, the claim on the ticket may be considered subject to the result of such investigation and the amount shall be payable after deducting the Income-Tax dues, if any.

(5) In all cases under this rule the decision of the Director shall be final.

17. *Payment of prize amount.*— (1) The Director is authorized to make payment against the prize winning ticket. The Director is also authorized to make the arrangement for payment of lower denomination prizes of rupees five thousand and below, with the marketing agent.

(2) A person who possesses any genuine prize winning ticket to claim prize amount shall apply along with a genuine prize winning ticket in Form-I along with two passport size photographs duly attested by a 1st class Magistrate/Gazetted Officer and any other details/documents required by the Director for payment of prize amount:

Provided that where the prize amount does not exceed rupees five thousand, it may be disbursed without obtaining a claim in the said Form-I but on presentation of the winning ticket with date and signature on the revenue stamp of appropriate value and the name and address of the prize winner in Form II shall be obtained.

(3) No person shall be eligible for the prize amount, unless the prize winning ticket is surrendered in support of the claim with signature, name and address of the claimant of the ticket on its reverse in a clear manner.

(4) No joint claim on any prize winning ticket shall be recognised from any group of individuals formed for the purpose of sharing prizes among themselves.

(5) The prize amount payable on a prize winning ticket, the value of which is rupees five thousand and above, shall be claimed in person only after the expiry of three days from the date of draw:

Provided that if the Director is satisfied that a prize winner cannot appear in person for any bonafide reasons, he may entertain the claim of the prize winner sent through a person duly authorised alongwith the original ticket duly signed by the original winner.

(6) Where the prize amount is rupees five thousand and above the prize amount shall be paid by cheque subject to deduction of Income-Tax payable on the prize amount.

(7) Prize amount for any prize winning ticket, against which a case is filed in any court of law, shall not be paid unless such case is settled.

18. *Appointment of agent.*— (1) The Government may after inviting open tenders and on the recommendation of the Tender Scrutiny Committee or any Organisation authorised by the Government in this behalf appoint one or more marketing agents for selling the Computerised network lottery tickets. The Government may permit such agents to set up the required infrastructure and use of technology for the purpose.

(2) The Government may specify the qualification, experience and terms and conditions for appointment of marketing agents and sub-agents.

(3) The marketing agent appointed under sub-rule (1) may appoint sub-agents for sale of tickets and such sub-agents shall possess the qualification and experience as may be specified by the Government from time to time. The marketing agents appointed shall be responsible for sub-agents adherence to procedure, compliance with codes of practice, prevention of frauds in issue of tickets, payment of prizes, etc.

(4) It shall be open to the Government to terminate the agency of marketing agent for good and sufficient reasons after giving him a reasonable opportunity of being heard. It shall be open to the Government to forfeit the security deposit if irregularities are noticed in the discharge of functions of the marketing agent or any violation of conditions in the agreement. The decision of the Government in this respect shall be final and binding on the marketing agent.

19. *Duties and responsibilities of the marketing agent.*— (1) The marketing agent appointed under rule 18 shall prepare and submit to the Government detailed accounts of sale of tickets every day in such form as may be specified by the Government. Further, he shall prepare and submit a statement showing aggregate value of all tickets sold per draw, before the draw is conducted.

(2) The marketing agent shall ensure that the retail computer terminal including all component parts accessories used in the network from retail outlet to Central system are new at the time of installation.

(3) The marketing agent shall ensure that any data and information relating to Computerised network lottery cannot be accessed, read, added to, removed or altered by unauthorized person.

A log book should be maintained to prevent unauthorised infringement of the place where such system is installed.

(4) It shall be the responsibility of the marketing agent to protect the secrecy of the process of production and distribution of the lottery tickets and other items in a Computerised Network. He shall ensure the safety of such materials and equipments which could be used to produce forged tickets.

(5) The marketing agent shall ensure the security and safety of the Central Computer system equipments, data, ticket materials and other consumables used in production of tickets, the communication network and retail computer terminal so as to prevent theft, fraud, misuse or total destruction from fire, accidents or such other natural disasters. He shall abide by any security measure, that may be ordered by the Government in this behalf.

(6) The marketing agent shall ensure that the lottery tickets are not sold in "Lottery Free Zone," States or Union Territories.

(7) The marketing agent shall enter into an agreement, arrangement or understanding with the Government for successful running and management of the Computerised network lottery on specified terms and conditions as decided by the Government.

20. *Procedure for payment of sale proceeds.*— The marketing agent appointed under rule 18 shall make payments of all the sale proceeds of the lottery tickets to the Government by way of Cash/Demand Draft before 3.00 p.m. on every day with regard to the sales transaction of the previous day and if the day happens to be a public holiday then on the next working day. The marketing agent should submit alongwith the remittance a statement of sales showing the ticket numbers, amount and other details.

21. *Lottery ancillary activities.*— The Government reserves the right to promote lottery ancillary activities related to the Computerised network lottery in order to generate more revenue to the Government. The Government may appoint one or more agents to run these activities subject to such conditions that would be laid down in the order of appointment. The lottery ancillary activities shall include the following:—

(a) the right of live broadcasting or disposal of the right to broadcast (whether on radio or

television or any such visual or other audio transmissions) any matter in connection with the Computerised network lottery of the Government;

(b) the sale or other disposal of space for advertising on State run Computerised network lottery or any place associated with such lottery including radio or television advertisement;

(c) the exploitation of any equipment, facility or network system by the marketing agents, sub-agents, or any distributor primarily in connection with computerised network lottery:

Provided that, without prejudice to the rights under this rule the Government may give or withhold approval in its discretion if it is not satisfied regarding monetary consideration paid to the Government for performing the lottery ancillary activities or if any condition has been violated.

22. *Appointment of Auditors/Technical Experts.*— The Government may appoint any Chartered Accountant or any other person having requisite qualifications to conduct an independent audit of all accounts, pertaining to the conduct of lottery. The Government may also appoint Computer Engineers or experts to conduct audit and inspection of the Network Operating System installed by the agent. Such person will also be responsible for checking and counting of tickets being sold, to detect any computer related errors, mistakes, frauds, misuse of the system, to prevent data manipulation and such other work assigned to him by the Government and the Director.

23. *Remission.*— In case of natural calamities or circumstance beyond the control of marketing agent or any other person involved in the process, the Government may allow such remission as it may deem appropriate.

24. *Resolution of dispute.*— (1) In case of dispute in the matters of payment of prize, sale of tickets or any other matter, the decision of the Government in the Department of Finance shall be final.

(2) All disputes arising out of these rules shall be decided by the Courts having jurisdiction to decide such dispute within the limits of the city of Panaji.

25. *Interpretation of rules.*— If any question arises as to the interpretation of these rules or any other matter not expressly provided for in these rules, the matter shall be referred to the Government in the Finance Department and the decision of the Government on such question shall be final.

FORM - I

[See rule 17(2)]

Name and full address of the prize winner :

Father's/Husband's/Guardian's Name :

No. of Prize winning ticket :

Rank of the prize :

Amount of the prize :

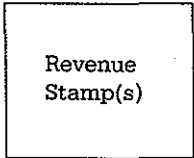
Rupees :

Received the sum of Rs.

(Rupees only), being the prize amount payable on the prize winning ticket mentioned above and attached herewith.

Accompaniment :

- 1. Prize winning ticket.
- 2. Two passport size photographs duly attested by a 1st class Magistrate/Gazetted Officer.



Place :

Date :

Claimant Signature

RECEIPT

Received from the Director, State Lotteries, Government of Goa, Panaji, the sum of Rs./-

(Rupees only) being the prize won vide ticket number detailed above in the draw held on

Signature of Prize winner :

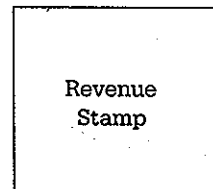
Full Name:

Address :

FORM - II

[See rule 17(2)]

Received Rs. /- (Rupees only) from
..... towards the prize winning ticket No. for the
draw held on



Recipient signature

Dated :

Encl. Winning ticket enclosed.

Full Name of the prize winner :

Address:

By order and in the name of the Governor of Goa.

Yvonne Cunha, Under Secretary (Fin.-Exp.).

Panaji, 6th February, 2003.