

Panaji, 29th January, 2003 (Magha 9, 1924)

SERIES I No. 43

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

No. 3

GOVERNMENT OF GOA

Department of Finance

Revenue and Expenditure Division

Notification

17-3-2003-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 Lotteries (Regulation) Rules, 2003.

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

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

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

(b) "agent" means a person or a registered firm or private or public limited company, appointed as such by the Government, and with whom an agreement for the sale of printed tickets is executed and includes sole selling agent, sole distributor or selling agent;

(c) "Agreement" means an agreement executed between the Government or Director

and the agent or printer or any agency, as the case may be;

(d) "discounted price" means the sale proceeds of the tickets payable by the agent for each draw calculated in the manner specified by the Government under the agreement with the agent;

(e) "Director" means the Director of the Directorate of State Lotteries;

(f) "Draw" means a method by which the prize winning numbers are drawn for each lottery by operating the draw machine or any other mechanical method based on random methodology which is visible and transparent to the viewers used for the purpose;

(g) "draw committee" means the committee appointed by the Government to hold the draw;

(h) "Form" means the form appended to these rules;

(i) "Government" means the Government of Goa;

(j) "incentive" means an amount to be paid to an agent, stockist or seller for promoting the sale of tickets;

(k) "lottery" means the Goa State Lottery organised, conducted and run by the Government of Goa;

(l) "printer" means the Government Printing Press or a private security press with whom an agreement has been executed for printing of lottery tickets;

(m) "prize" means the amount payable against a ticket, the number of which is drawn as per clause (f) above;

(n) "sale proceeds" means the wholesale price at which the total printed tickets for a particular draw of lottery is sold to the agent;

(o) "Secretary" means the Secretary to the Government of Goa, incharge of the Department of State Lotteries;

(p) "security" means any lumpsum amount specified under the Agreement by the Government required to be furnished by the agent or printer, with whom an agreement is executed for sale of Lottery tickets, or for printing, packing, transporting of tickets to various destinations/sales depots for due performance of obligations under the Agreement;

(q) "tender committee" means committee consisting of officers constituted by the Government for recommending to the Government with regard to the inviting of tenders, appointing agents for various lotteries floated by the Government; printing of tickets and also to consider other matters with regard to the tenders or the matters allied thereto;

(r) "tickets" means the Goa State lottery tickets released for sale by the Government;

(s) "winner" means a person who possesses the prize winning lottery ticket. Words and expression used in these rules but not defined shall have meaning respectively assigned to them in the Act.

3. *Headquarters of the office of the Director.*— The headquarters of the office of the Director shall be at Panaji, Goa, or at any other place as may be decided by the Government.

4. *Organising/Conducting of lottery Schemes.*— The lottery Schemes shall be organised, conducted and/or promoted by the Government. The Director shall implement the lottery Scheme in the manner determined by the Government from time to time.

5. *Appointment of agent to sell the lottery tickets.*— (1) The sale of lottery tickets may be made by the Government itself or through an agent or agents as recommended by the tender committee, on such terms and conditions as specified in an Agreement between the Government and such agent.

(2) The requirements of qualification, experience and other terms and conditions, for agent shall be specified by the Government

keeping in view the prevailing market conditions for becoming an agent.

(3) The agent may appoint stockists or selling agents to sell the tickets to the public. The list of such stockists or selling agents with necessary particulars, addresses, etc., shall be submitted to the Director along with the proposed Schemes by the agent.

6. *Framing of lottery Schemes and conditions thereto.*— (1) The Government may frame different lottery Schemes which it may like to introduce from time to time. The agent may be involved in drawing up various lottery Schemes suitable to the market in accordance with the provisions of the Act.

(2) The lottery shall be named as the "Goa State Lottery". It may be sub-named as may be decided by the Director in consultation with the agent.

(3) The prize structure and maximum retail price of ticket shall be decided by the Government. The agent may be consulted in this regard, if necessary.

(4) The amount of prize outgo in a draw shall not be less than 50% of the gross value calculated considering maximum retail price of the ticket and number of tickets printed for sale for each draw.

(5) The lottery Scheme may be changed or modified by the Director keeping in view the market conditions in consultation with the agent. The Director shall inform the Government about the changes carried out by him, from time to time.

7. *Prohibition of sale of tickets.*— The tickets shall not be sold by the agent in a State or area where the sale of tickets is prohibited by law.

8. *Printing of tickets.*— (1) The Government shall entrust the work of printing of tickets to the Government Printing Press, Panaji or empanelled security presses or to any other private press approved by Reserve Bank of India/Indian Bank Association as security press, so as to ensure secrecy and authenticity or printing of tickets. The security Press shall be selected by inviting open tenders for the same.

(2) The payment towards cost of paper/packing/transportation and printing of tickets

shall be made by the Government out of the sale proceeds of tickets realised from agent.

(3) The form, maximum retail price (MRP), size and design of the tickets shall be decided by the Government. The agent may be consulted in this regard, if necessary.

(4) The tickets shall bear continuous serial numbers with or without distinct alphabetical series.

(5) The tickets printed for each draw shall bear the imprint, logo of the State of Goa; facsimile signature of the Secretary to the Government of Goa, Department of State Lotteries; the date and time of draw and maximum retail price of ticket (M.R.P.).

(6) On the reverse 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 purchaser of tickets.

9. *Mode of issue of tickets.*— (1) The tickets in the form of booklet or in any other form as may be decided by the Director, shall be delivered by the printer to the Director at Head Quarters or at the agreed destination as specified by the Director.

(2) The tickets shall be issued by the Director to the agent for sale.

(3) The agent shall lift the entire stock of tickets printed for each draw on all sold basis by depositing the amount payable towards discounted price to the Government in cash or by a demand draft drawn in favour of the Director on any nationalised or Scheduled Bank at Panaji or as specified in the Agreement.

(4) If any defect or deficiency is noticed in the printed tickets, it shall be brought to the notice of the Director. Under no circumstances, the defective tickets shall be sold. The purchaser or agent/agents, shall get correct numbered tickets in exchange for defective tickets.

10. *Conduct of draw.*— (1) The draw shall be conducted by the Committee constituted by the Government for the purpose at a public place within the State on such date and time as may be decided by the Director.

(2) The Committee shall consist of not less than five members selected from amongst Senior and

Junior Grade A and Grade B Gazetted Officers of the Government of Goa. One of the members shall be its chairperson. Three members shall constitute the quorum. If, for any reason, the chairperson is unable to remain present at the time of the draw, one of the members of the committee shall act as its chairperson. If, for any reason, the quorum is not constituted at the time of the draw, the Director shall request a senior suitable officer not below the rank of a Group 'B' Gazetted Officer to act as a member of the Committee.

(3) The timings of draw for all kinds of lotteries shall be fixed by the Director, between 9.30 a.m. to 5.45 p.m.

(4) The date and timings 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 the date and timings of draw. The Director shall publish such alteration in the newspapers.

(5) Every committee member may be paid such allowance for attending the draw as may be decided by the Government.

11. *Authentication of prize winning numbers.*— After the digits of the prize winning numbers are drawn and recorded on the prize list such entries shall be duly authenticated by the members of the Committee who are present for such draw.

12. *Publication of result.*— The result of the draw shall be published by the Director in the Official Gazette of the Government of Goa and such publication shall be deemed to be the final and official announcement of the result of the draw. The agent may publish result in various prominent newspapers on behalf of the Government, provided that, such publicity shall not be to the detriment of the interests of the Government.

13. *Claim for prizes by winners.*— (1) The prize amount shall be claimed by the winner within thirty days from the date of draw. This time limit shall be specified on the ticket!

Provided that, the Director may after the said period of thirty days but before expiry of ninety days from the date of draw entertain a claim if he is satisfied that the delay in claiming the prize

amount is for reasons beyond the control of the claimant:

Provided further that the Secretary to the Government may after expiry of said period of ninety days but before expiry of 120 days from the date of draw, entertain a claim for prize, for cogent reasons to be recorded in writing.

(2) An application claiming all taxable prizes shall be made to the Director in Form — I hereto, by the claimant alongwith the genuine prize winning ticket, two passport size photographs, domicile certificate and any other details as required by the Director.

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

(4) One ticket will entitle the holder thereof to claim one prize only, which ever is higher.

(5) The Director may get, the ticket claimed as prize winning, verified from the security printing press or forensic science laboratory or any other authority for the genuineness and authenticity.

14. *Payment of prizes to winners.*— (1) The payment of prizes shall be made by the Director after deducting income tax and such charges, as specified in the Agreement and as notified in the tickets at source. The Government may authorise the agent to make arrangements for payment of such lower denomination prizes within such time as specified in the Agreement (after deducting income tax as may be required under the law for the time being in force) to the prize winner on behalf of the Government and seek reimbursement of such prize amount paid by him, within a period of one hundred and twenty days from the date of draw from the Government. The Government may, call upon the agent to assist it in disbursing the prizes of the value as specified in the Agreement to the winner, for which purpose, the agent shall be allowed to retain the required sums from the "sale proceeds" payable by him, as calculated under each Scheme for each draw. The agent shall within a period of 120 days from the date of each draw render accounts with necessary documentary evidence of the prize amount actually paid by him to the Director and the same shall be subject to verification by an authorised

officer of the Government and audit. The prizes paid tickets (PPTs) shall be submitted by the agent to the Director or may be held in safe custody on his behalf.

(2) The prize money unclaimed within the time specified in rule 13 of these Rules or not otherwise distributed shall become the property of the Government.

(3) All prize winners shall be paid in Indian Currency.

(4) Prize amount for any prize winning ticket against which a case is filed in any court of law or is the subject matter under investigation by Police or Income Tax Authority shall not be paid unless such a case is settled.

15. *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 his/her guardianship. Failing to prove guardianship the amount shall be paid to the minor prize winner on his/her attaining age of majority.

16. *Forged or torn tickets.*— A ticket which is forged, torn, mutilated or tampered with shall be rejected except in cases where it is possible to verify the genuineness of the ticket. If, during the verification it is found that the ticket is genuine, the prize amount shall be disbursed. The claim shall be rejected if the genuineness of the ticket cannot be established. In such case, the decision of the Director shall be, final and binding on the claimant.

17. *Depositing the sale proceeds of tickets.*— The agent shall deposit the sale proceeds of the tickets with the Government in the form of cash/ /demand draft or in any other manner as specified in the Agreement.

18. *Bank Guarantee.*— (1) The agent shall furnish security in the form of bank guarantee for an amount as decided by the Government for due performance of his obligations including payment of prizes as specified in the Agreement.

(2) The printer shall enter into an Agreement and furnish a Bank Guarantee for an amount that may be decided by the Government as security.

19. *Making good of loss.*— (1) In the event of any loss or damage is caused to the Government, due to the omission or negligence of the agent or printer, as the case may be, the same shall be made good by the said agent or printer.

(2) In case there is a loss of tickets in transit due to fire, theft, riots, pilferage or any other valid reasons, the same shall be notified in newspapers and a complaint shall be lodged with the concerned Police Station and the Government may at its discretion, reduce the discounted price by an amount equal to the prize amount contained in such tickets at the time of settling the account of such draw by the agent. However, in case the tickets are handed over to the agent or to his duly authorised sub-agent and there is any loss of tickets due to any reason thereafter, then no reduction in discounted price or compensation of any kind shall be allowed to the agent.

20. *Weeding out of old records.*— 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 minimum period of three years. After completion of this period, the records shall be destroyed by communicating the decision in this regard to the office of the Accountant General, Panaji, Goa, one month before the date of such destruction.

21. *Termination services of agent.*— (1) The Government may terminate the services of the agents, by giving a notice for such period as specified in the agreement, if, in its opinion, it is found that the agent/s is not fulfilling the conditions stipulated in the Agreement.

(2) In case the agent wants to stop marketing the tickets at his own will, he shall give six months notice to that effect to the Government and forfeit the security deposit to the Government in its entirety or part thereof for adjustment of dues, without prejudice to other rights of the Government.

22. *Conduct of lottery within the State by other States and Union Territories.*— (1) Any other State/Union Territory may sell in the State of Goa the tickets of a lottery organised, conducted or promoted by such State strictly in accordance with the provisions of the Act.

23. *Arbitration.*— In case of any dispute or difference, arising between the Government and the agent or printer, the same shall be settled by arbitration of a person appointed by the Secretary to the Government in the Department of State Lotteries. The decision of the Arbitrator shall be final and binding. The Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996) and rules framed thereunder shall apply to the arbitration proceedings.

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

25. *Jurisdiction.*— All litigation arising relating to lottery shall be decided by the Court having jurisdiction, within the limits of the city of Panaji-Goa only.

26. *Litigation Charges.*— The expenses, if any, incurred by the Government on litigation relating to payment of sale proceeds shall be borne by the agent and any expenditure incurred by the Government shall be adjusted against bank guarantee of the agent.

27. *Interpretation.*— If any question arises as to the interpretation of these rules or any other matter not expressly provided for in these rules, the same shall be referred to the Government and the decision of the Government thereon shall be final.

28. *Repeal and Savings.*— (1) The Goa State Lottery Rules, 1991 are hereby repealed.

(2) Notwithstanding such repeal, anything duly done or suffered, or any right, privilege, obligation or liability acquired, accrued or incurred under the Goa State Lottery Rules, 1991, shall, in so far as, it is not inconsistent with the provisions of these rules, be deemed to have been done, suffered, acquired or incurred, as the case may be, within the provisions of these rules.

29. *Others.*— The Government may alter or modify these rules as and when it deems it fit to do so.

FORM I

[See Rule 13(2)]

FORM OF APPLICATION FOR CLAIMING PRIZE OF THE LOTTERY

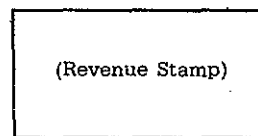
- (1) Date of Application
- (2) Name of claimant
(in capital letters)
- (3) Full postal address of the claimant
with pin code (in capital letters)
- (4) Profession of claimant
- (5) Name of Lottery schemes
- (6) Draw No. and date
- (7) Ticket No. and series
- (8) Category of prizes
- (9) Amount of prize
- (10) Exercise of options (if any)
- (11) If the payment of prize is sought in shape of D.D. name of the nearest Branch of State Bank of India or its subsidiary Bank where it shall be encashable shall be furnished.
- (12) The following are enclosed:
 - (i) Prize winning tickets duly signed by the claimant
 - (ii) Three copies of passport size photographs of claimant duly attested by a Gazetted Officer/Bank Manager

I solemnly affirm and under take as under:

- (i) that I have not won any other lottery prize of Goa State or any other State during the financial year 20.... 20....
- (ii) that I hereby agree and undertake to pay additional income tax/surcharge, if any, required under the Rules.
- (iii) that I have not made any claim for this prize previously.

.....
Signature of claimant.

(iv) Received this day the of20 the sum of Rs. (in figures) Rupees(in words) being the amount payable on account of the above claim.



Signature of Claimant

FOR USE IN PAYING OFFICE

(1) The above listed tickets have been verified from the list of prize winning numbers.

(2) Passed for payment of Rs. (Rupees only) after deducting Income Tax @ % of the prize amount.

1st verified by 2nd verified by

.....
Signature

.....
Signature

.....
Officer-in-charge of Accounts

Paid vide cheque No. Date

Counter signed by

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

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

Panaji, 29th January, 2003.

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Department of Transport

Notification

5/32/87/Tpt/156

In exercise of the powers conferred by Clause (iii) of the proviso to Rule 108 of the Central Motor Vehicles Rules, 1989, the Government of Goa hereby amends the Government Notification No. 5/32/87-Tpt dated 8-3-1994, 30-12-1999 and 18-2-2000 as under:—

After clause (e) of Para 1 of the said Notification the following clause (f) shall be added namely "(f) Motor Vehicle (carrying) the Deputy Chairman of Goa State Planning Board."

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

D. A. Hawaldar, Director of Transport & Ex Officio Joint Secretary.

Panaji, 27th January, 2003.