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GOVERNMENT OF GOA

Department of Finance
Revenue & Control Division

Notification

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Whereas the Government of Goa with an objective to generate and raise its revenue has been conducting, organizing and promoting State lotteries both in paper and online forms for funding various public utilities, social welfare schemes and creation of public assets such as roads, bridges, schools, hospitals etc.

And whereas with an intention to streamline the process of conducting Online Lotteries in the State of Goa, to avoid any malpractices, the Government of Goa has decided to enact the following rules.

Therefore, 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.*— (i) These rules may be called as the Goa Online Lottery Rules, 2023.

(ii) 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) “Central Computer Server” means, a system of multiple computers at a central location under direct control of the Government, installed for diverse functions of computing data communication such as ticket transactions, prize amount calculation, verification of prize amount, cancellation of tickets etc;

(c) “Director” means the Director, Directorate of Small Savings and Lotteries, Government of Goa;

(d) “Draw Committee” means the committee constituted by the Government to conduct the draw of the Online Lotteries;

(e) “Goa Online Lottery” means an online network system organised, conducted and run by the Government of Goa to permit players to purchase lottery tickets generated by the Central Computer Server and purchased by player via a personal device such as Personal Computer or Phone connected to internet or an online lottery point of sale terminal, where the information about the sale of a ticket and the player’s choice of numbers is simultaneously registered with the central computer server;

(f) “Government” means the Government of Goa;

(g) “Marketing Agent” shall mean the Marketing Agent appointed under rule 6;

(h) “State” means the State of Goa;

(i) “Ticket” means player’s choice of any combination of numbers which is registered with the central computer server. The ticket can be either in an electronic form (eTicket) or in printed form via Lottery Point of Sale Terminal. Each Ticket can have multiple selections of such number combinations.

3. *Organising, Conducting and headquarters.*— (1) The State may organise paper and online lottery or both in the State, in consonance with the Act and/or the Rules made thereunder.

(2) The State shall decide and identify by way of a notification, the slots and sets to be earmarked for the Goa Online Lotteries amongst the permissible lottery slots or sets and release such number of schemes and draws in conformity with the Act and Rules.

(3) The Goa Online lottery shall be organised, conducted and/or promoted by the Government.

(4) The Online Lottery conducted to be of minimum 4 digits. No price in an Online Lottery shall be on the basis of single, double or triple digit in any form or combination.

(5) The headquarters of the Goa Online Lottery shall be the Directorate of Small Savings and Lotteries, Government of Goa or at any other place as may be decided by the Government.

4. *Administration and Implementing Online Lotteries.*— The Online Lotteries shall be administered by the Secretary, Finance, Government of Goa and implemented by the Director, Directorate of Small Savings and Lotteries, Government of Goa, or any other Officer as may be decided by the Government, in the manner determined by the Government from time to time.

5. *Conduct of the Online Lotteries.*— (1) The draws of the online lottery shall be

conducted in the presence of the draw committee, constituted by the Government which shall consist of not less than three members. One of the members so appointed shall be Chairperson of the draw committee and two members shall constitute the quorum.

(2) In absence of the Chairperson, any member of the draw committee present for the draw shall act in his place as Chairperson and conduct the draw.

(3) The Chairperson and members of the draw committee shall be paid such honorarium as decided by the Government.

(4) The State shall announce in advance, by way of a notification in the Official Gazette, the following information in respect of the Online Lottery:

(i) the name of the Lottery;

(ii) prices of the Lottery and the amounts offered;

(iii) total number of tickets, gross value of the tickets;

(iv) name or names of the Marketing Agency/Distributors/Selling Agents with their address and contact information;

(v) date of draw;

(vi) place where the draw will be conducted.

6. *Appointment of the Marketing Agent/ Agency.*— (i) The Government may in a transparent manner through an open tender and on the recommendation of the “Tender Scrutiny Committee” appoint a Marketing Agent/Agency for marketing and sale of Online Lotteries.

(ii) The “Tender Scrutiny Committee” shall consist of such members as may be notified by the Government.

(iii) The State Government may specify the qualifications, experience and terms and conditions for appointment of the Marketing Agent/Agency and its Sub Agents.

(iv) The Marketing Agent may appoint Sub-Agents for marketing and sale of Online

Lotteries and such Sub-Agents shall possess the qualification and experience as may be specified by the Government from time to time. However the Marketing Agent appointed shall be responsible to ensure that the Sub-agents adhere to and act in conformity with the provisions of the Act and these rules.

(v) The State Government in order to ensure the integrity of the hardware and software used for operation of the Online Lottery, get the software used duly certified by the Standardization, Testing and Quality Certification Directorate (STQC) under the Ministry of Electronics & IT, Government of India or any other authority specified by the Government of India from time to time.

(vi) 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 any irregularities or illegalities are noticed in the discharge of functions of the Marketing Agent or any violation of the conditions of the agreement executed. The decision of the Government in this respect shall be final and binding on the Marketing Agent.

7. Duties and responsibilities of the marketing agent.— (1) The Marketing Agent appointed under rule 6(i) 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 hardware the online software, App and other programs used in the network from the server to the Central System licensed to the Government is procured and maintained at the cost of the Marketing Agent. The Marketing Agent shall also ensure and make available all the required updates available to the Software.

(3) The Marketing Agent shall ensure that regular updates to the software are made available.

(4) The Marketing Agent shall ensure the security and safety of the Server/Central Computer System equipment's, data, etickets and other consumables used in the generation and/or production of tickets, the Online Lottery Server Network, and Computer Terminal so as to prevent theft, fraud, misuse or total destruction from fire, accidents or such other natural disasters. In case any security measures are necessary then the Marketing Agent at its cost provide the same as and when ordered by the Government from time to time.

(5) The Marketing Agent shall ensure that the Online Lottery tickets are not sold in the States and Union Territories which do not permit such sale of lottery and/or declared as "Lottery Free Zone".

(6) The Marketing Agent shall enter into an agreement, arrangement or understanding with the Government for successful running and management of the Online Lottery on specified terms and conditions as may be decided by the Government. The agreement so entered shall confirm with the provisions of the Act and or the Rules made there under.

8. Termination of Services of Marketing Agent.— (1) The Government may terminate the services of the Marketing Agent by giving a notice for such period as may be specified in the Agreement, if, in its opinion it is found that the Marketing Agent is not adhering to or fulfilling the conditions stipulated in the Agreement.

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

(3) In case of the Marketing Agent or its Sub Agents indulge and/or commit a crime in

connection with or related to the Online Lottery, punishable under the Indian Penal Code, 1860, or any other statutes in the country, the Government shall forthwith cancel and terminate the agreement with the Marketing Agent.

9. *Payment Gateway.*— (1) A separate Joint Escrow Bank account shall be maintained, in any Scheduled Commercial Bank recognized by the Reserve Bank of India, for all the transactions and receipts of the sale proceeds from the Online Lotteries.

(2) The said account shall be integrated and synchronized with the software payment Gateway of the online lottery to ensure that the entire proceeds of the sale of the lottery tickets are credited into the account after any applicable deductions such as Payment Gateway Charges.

(3) The Marketing Agent shall submit its invoice to the Director on a monthly basis for payment of its commission from the Joint Escrow account as per the terms and conditions specified in the agreement.

(4) Any interest income earned on the deposit in the escrow account shall remain with the Director and any service charges or associated taxes for maintenance of the Escrow Account shall be borne by the Marketing Agent.

(5) The Marketing Agency shall submit, to the State Government, the details of the tickets sold just before the draw and the price winning amount more than Rs. 10000/- in respect of each draw, as the case may be, within 10 days for the respective draw date.

(6) The payment of prize winning amount upto a certain limit, as may be decided by the Government, may be paid by the marketing agent and claim the same from the Directorate subsequently on production of proper proof and details thereof. The Directorate may get such details verified if need be and pay the amount to the marketing agent from the joint Escrow Account.

(7) The marketing agent shall be responsible for payment of GST and other applicable taxes.

10. *Mode of issue of tickets.*— (i) The Online System of the lottery shall generate automatically a ticket for every lottery purchased. In case of Lottery ticket purchased at a Lottery Point of Sales Terminal, then a physical ticket printed from the Terminal will be generated.

(ii) The ticket shall bear the facsimile signature of the Secretary (Finance), price of the ticket, date and time of the draw and such other marks or security codes for identification and to protect the interest of the player as well as the State.

(iii) The player should ensure for himself the correctness and genuineness of the ticket generated.

11. *Conduct of draw.*— (1) The draw shall be conducted in presence of the committee constituted under rule 5(1) above at a place within the State on such date and time as may be decided by the Director of Small Savings and Lotteries. The draw to be conducted by draw machines or any other mechanical method based on random technology which is visibly transparent to the viewers.

(2) Timings of the draw for Online Lotteries shall be fixed by the Director of Small Savings and Lotteries between 9.30 am to 9.30 pm.

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

(4) The draw conducted shall be open for public at large and shall be recorded for all purposes to maintain transparency in the entire process.

The Government in order to bring in more transparency may decide to telecast the draw through radio or the TV channels or by any other mode as the Government may deem fit and proper.

(5) No instrument of any kind used in transmission of alpha-numeric message or any instrument of audio visual display/ /recording shall be allowed to the person(s) present at the draw place.

(6) Date and timings of the draw shall not be altered ordinarily. However, under exceptional circumstances depending upon the market conditions or any other unforeseen circumstances, the Directorate of Small Savings and Lotteries may alter the date and timings of the draw. The Director shall publish such alterations in the newspaper.

(7) No draw of an online lottery shall be conducted on any National Holiday.

(8) The number of lottery draws in the State of Goa including the Online Lotteries, except the bumper draw from all lottery schemes put together, shall not be more than twenty four per day.

12. *Publication of the results.*— (1) The Committee shall make a note of the prize winning numbers. The prize winning numbers shall be cross checked with the prize winning eticket numbers entered in the register maintained for this purpose.

(2) The result of the draw shall be announced under the signature of the Director or any other Officer of the Directorate, duly authorised and released to the press by the Marketing Agent. Results of the draws shall be published in at least one National and two State level newspapers out of which one shall be in English.

(3) 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.

(4) Authorised representative of the Government shall upload the prize winning numbers in the Online Lottery Software for information of the public at large.

(5) After the draw is over, all records including the register shall be kept in the custody of the Director for minimum period of the three years after which they may be

destroyed. The eticket shall be preserved for a period of five years from the date of the 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.

(6) 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.

13. *Authentication of prize winning numbers.*— After the draw, the Committee constituted under rule 5(1) shall verify the eticket on the basis of the Security code on the said ticket and authenticate the prize winning numbers.

14. *Award of the Prize Amount.*— (1) Prizes will be awarded to the players who possess the eticket generated by the Online Network System, with winning numbers of the particular online lottery game as determined after the official draw is 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. For certain prizes, 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 such category.

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

15. *Claim and payment of prizes by winners.*— (1) The person possessing a genuine prize winning ticket shall claim their prize amount within thirty days from the date of draw. This time limit shall be specified on the ticket.

(2) In case of failure to claim the prize amount in respect of any draw within the specified period of thirty days from the date of such draw, the prize amount shall lapse and stand forfeited to the Government. If the thirtieth day is a holiday the claim can be accepted during office hours of the next working day.

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

(3) An application claiming all taxable prizes shall be made online to the Director in prescribed Form by the claimant along with the genuine prizewinning ticket, photo, election card/domicile certificate/aadhar card or any other details as may be required by the Director.

(4) 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 them.

(5) One selection within a ticket will entitle the holder thereof to claim one prize only, whichever is higher.

(6) The Director may get, the ticket claimed as prize winning, verified from its Directorate authority or any other authority duly empowered by the Government for the genuineness and authenticity.

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

(8) The payment of prizes to the winners shall be made by the Director after deducting income tax and other such charges, as specified in the Agreement and as notified in the tickets at source. The Government may also authorise the agent to make necessary 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 winner on behalf of the Government. The agent shall settle such claims within the time schedule

and submit the details of the same to the Director within 10 days after the scheduled claim date for claiming the prize amount by the eligible claimant. The payment procedure shall be subject to verification by an authorised officer of the Government and audit. The prize paid tickets shall be submitted by the agent to the Director or may be held by him in safe custody on behalf of the Director.

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

(10) Prize amount for any prize winning ticket against which a case is filed in any court of law or where any investigation by the Income Tax Department is pending or the subject matter under investigation by police or any other authority, the claim on the ticket shall be subject to the result of such investigation and the amount shall be payable only after the case is settled after deducting the Income-Tax dues, if any.

(11) The Marketing agent shall within a period of 60 days from the date of each draw render accounts with necessary documentary evidence to the Director and the same shall be subject to verification by an authorised officer of the Government and audit. Record of the Prize Paid Tickets (PPT's) shall be submitted by the Marketing Agent to the Director or may be held in safe custody on his behalf.

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

16. *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 prize winning minor on his/her attaining age of majority.

17. *Bank Guarantee.*— The Marketing 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.

18. *Damages or Loss Caused to the Government.*— (1) In the event of any damage or loss arise or is caused to the Government,

due to omission or negligence of the Marketing Agent or Sub-Agent, as the case may be, the same shall be made good by the Marketing Agent.

19. *Appointment of Auditors/Technical Experts.*— (1) The Government may appoint any Chartered Accountant or any other person having requisite qualification to conduct an independent audit of all accounts, pertaining to the conduct of Online lottery. The Government may also appoint Computer or networking experts to conduct audit and inspection of the Online Lottery Network system installed by the Marketing Agent. Such person appointed shall be responsible for checking and counting of etickets being sold, to detect any computer or online network errors, mistakes, frauds, misuse of system, to prevent data manipulation and such other work assigned to them by the Government or the Director.

(2) The person so appointed under sub-rule (1) of rule 19 shall conduct an annual financial and systems audit of the Online Lottery organised by the State of Goa to ensure that the provisions of the Act and/or the rules made there under are not violated in any manner whatsoever.

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

21. *Resolution of dispute.*— In case of any dispute in the matters of payment of prize, generation or sale of etickets, or any other matter, the decision of the Government in the Department of Finance shall be final.

22. *Jurisdiction.*— All litigation arising relating to the Online Lotteries shall be decided by the Court having jurisdiction within limits of the City of Panaji-Goa only.

23. *Litigation Charges.*— The expenses, if any, incurred by the Government on litigation

in relation to the Online Lottery including the payment of sale proceeds shall be borne by the Marketing Agent and any expenditure incurred by the Government shall be adjusted against the Bank Guarantee of the Marketing Agent if not paid within a period of 90 days from the date of the demand by the Government thereof.

24. *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 and binding.

25. *Alteration or Modification of the rules.*— The Government may alter or modify these rules as and when it may be necessary.

26. *Repeal and saving.*— (1) Save as otherwise provided in these Rules, on and from the date of commencement of these Rules, the Goa Computerised Network Lottery Rules, 2003 stand repealed.

(2) The repeal of the said Rules shall not—

(a) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the repealed Rules or orders under such repealed Rules;

(b) affect any proceedings including that relating to an appeal, revision, review or reference or proceedings/representation before the government, instituted before, on or after the appointed day under the said repealed Rules and such proceedings shall be continued under the said repealed Rules as if these Rules had not come into force and the said Rules had not been repealed.

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

Pranab G. Bhat, Under Secretary, Finance (R&C).

Porvorim, 15th February, 2023.

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