

# Karnataka Race Courses Licensing Act, 1952

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### Act 7 of 1952

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Karnataka Race Courses Licensing Act, 1952(Karnataka Act No.7 of 1952)Last Updated 25th January, 2020(Received the assent of His Highness the Maharaja on the Twenty-first day of February, 1952)An Act to provide for the licensing of race courses in the State of [Karnataka] [Substituted by Act 15 of 2011 w.e.f 01.04.2011] except Bellary District.Whereas, it is expedient to make provision for the licensing, regulation, control and management of horse-racing on race courses and all matters connected therewith in the State of [Karnataka] [Substituted by Act 15 of 2011 w.e.f 01.04.2011] except Bellary District.It is hereby enacted as follows.-

### 1. Short title, extent and commencement.

(1)This Act may be called the [Karnataka] [Substituted by Act 15 of 2011 w.e.f 01.04.2011] Race Courses Licensing Act, 1952.(2)[ It extends to the whole of the State of Karnataka] [Substituted by Act 15 of 2011 w.e.f 01.04.2011](3)It shall come into force at once.

### 2. Definitions.

- In this Act.-(1)"Government" means the State Government;(2)"Horse-race" means any race in which any horse, mare or gelding runs, or is made to run, in competition with any other horse, mare or gelding for any prize of whatsoever nature or kind, or for any bet or wager made or to be made in respect of any such horse, mare or gelding or the riders thereof, and at which more than twenty persons shall be present;(3)"Licence" means a license granted under Section 4 of this Act;(4)"Licensee" means a person licensed under Section 4 of this Act;(5)"Permit" means a permit granted to a book-maker under sub-section (4) of Section 4 of this Act;(6)"Prescribed" means prescribed by rules made under this Act;(7)"Race Course" means any ground on which a horse race can be held.

### **3. Prohibition of horse-racing on unlicensed race courses.**

- No horse race shall be held save on a race course for which a licence for horse racing granted in accordance with the provisions of this Act, is in force.

### **3A. [ Payment of totalisator tax by way of composition. [Substituted by Karnataka Act No. 15 of 2011, dated 7.3.2011]**

- Notwithstanding anything contained in section 3, but subject to such conditions as may be prescribed, the State Government may, if a licensee so elects, accept in lieu of the totalisator tax payable under section 3 during any year, by way of composition, in respect of a licensee in Bangalore City at the rate of eight percent of the total amount of moneys paid into the totalisator and in respect of a licensee in Mysore City at the rate of four percent of the total amount of moneys paid into the totalisator.]

### **4. Licences for horse-racing.**

(1)The owner, lessee or occupier of any race course may apply to the Government for a license for horse racing on such race course [or for arranging for wagering or betting in such race course on a horse race run on some other race course either within the State or outside the State.] [Deemed to have been inserted by Act 7 of 1974 w.e.f 29.11.1973](2)The Government may withhold such license or grant it subject to such conditions and for such period as they may think fit.(3)In particular and without prejudice to the generally of the foregoing power, such conditions may provide for.-(a)the payment of a licence fee;(b)the maintenance of such accounts and furnishing of such returns as are required by the Betting Tax Act, 1932;(c)the amount of stakes which may be allotted for different kinds of horses;(d)the measures to be taken for the training of person to become Jockeys;(e)the measures to be taken to encourage Indian bred horses and Indian Jockeys;(f)the inclusion or association of such persons as the Government may nominate as Stewards or members in the conduct and management of horseracing;(g)the utilisation of the amount collected by the licensee in the conduct and management of horse-racing;(h)such other matters connected with horse-racing and the maintenance of the race course for which, in the opinion of the Government, it is necessary or expedient to make provision in the licence.(4)The Government may, by such licence, authorize the licensee to grant, subject to such conditions as may be specified by the Government in such licence, a permit to an book-maker for such period not exceeding the period of the licence granted to the licensee as the licensee may think fit.(5)The Government may, at any time, suspend, cancel, or modify any of the conditions specified in, any licence or permit.(6)The grant, cancellation or modification of any license shall be published in the Karnataka Gazette.

### **5. Penalty for taking part in horse race on unlicensed race-course.**

- Whoever takes part in any horse race on any race course for which no licence is granted or for which a license granted in accordance with the provisions of Section 4 is not in force, shall be punishable with fine which may extend to five hundred rupees.

## **6. Penalty for owner, etc., allowing racing on unlicensed racecourses.**

- If any horse race is held on any race course [whether run on the same race course or on any other race course either within the State or outside the State] [Inserted by Karnataka Act No.7 of 1974, Dated 6.4.1947] for which a licence has not been granted or for which a licence granted is not in force, any person being the owner, lessee or occupier of such race-course, shall be punishable with fine which may extend to one thousand rupees.

## **7. Penalty of contravening conditions of license.**

(1) If any person to whom a licence has been granted contravenes any of the conditions subject to which such licence was granted, such person shall, without prejudice to any action that may be taken by the Government under sub-section (5) of Section 4, be punishable with fine which may extend to one thousand rupees. (2) If any person to whom a permit has been granted by a licensee contravenes any of the conditions subject to which such permit was granted, he shall without prejudice to any action that may be taken by the Government under sub-section (5) of Section 4, be punishable with fine which may extend to one thousand rupees.

## **8. Saving of Orders.**

- The granting, refusing or cancellation of a license and the conditions subject to which a license or permit is granted shall be within the discretion of the Government and shall not be liable to be called in question in any Court.

## **9. Cognizance of offences under the Act.**

(1) No Court inferior to that of a Magistrate of the First class, shall try any offence under this Act and no person shall be prosecuted under this Act except with the previous sanction of the Government. (2) All offences under this Act shall be compoundable.

## **10. Exemption.**

- The Government may, by general or special order published in the Mysore Gazette exempt any horse race from the operation of this act.

## **11. Power to make rules.**

(1) The Government may, by notification in the Mysore Gazette, make rules for the purpose of carrying into effect the provisions of this Act. (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-(i) the form and manner in which applications for licenses are to be made; (ii) the fees payable [for such licenses] [Deemed to have been substituted by Act 7 of 1974 w.e.f 29.11.1973] (iii) the period for which such licenses are to be granted; (iv) the renewal, modification and

cancellation of licenses.

**12. [ [Omitted by Act 15 of 2011 w.e.f 01.04.2011]**

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**13. [ [Omitted by Act 15 of 2011 w.e.f 01.04.2011]**

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**14. [ [Omitted by Act 15 of 2011 w.e.f 01.04.2011]**

xxx][Schedule XXX] [Omitted by Act 15 of 2011 w.e.f 01.04.2011]