

# The Public Gambling Act, 1867

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### Act 3 of 1867

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#### 170.

Statement of Objects and Reasons.-The primary object of this Bill, which has been prepared at the desire of the Lieutenant Governor of the North-Western Provinces and of the Chief Commissioner of British Burmah, is to repress public gambling in large towns situate in the territories respectively under their governments, without, at the same time giving rise to oppression and other malpractices on the part of the Police. In those territories, as the law stands, persons cannot be prosecuted for gambling or - keeping gaming-houses and can only be punished under the Indian Penal Code, section 290, if it can be shown that their acts cause "common injury", danger and "annoyance to the public". This, of course, is a matter of such difficulty that these persons practically enjoy an immunity from punishment. The present Bill is founded on sections 56-66 of the Towns Police Act No. XIII of 1856, which correspond with sections 10-15 of the Act No. XXI of 1857. The Calcutta and Howrah Police and Conservancy Act [now entitled "The Howrah Offences Act, 1857"]. These sections 10-15, have, in the form of rules, been for some years in force in Oudh, the Central Provinces and the Punjab, and they have been found to work satisfactorily. It is obviously desirable to convert these rules into express legislative enactment, and this Bill, if it become law, will effect that object. A similar Act has recently been passed by the Governor of Bombay in Council under the present Bill, houses will only be searched by an Officer of Police not below the rank of Inspector, and under the authority of a warrant from a Magistrate with full powers. An Act to provide for the punishment of public gambling and the keeping of common gaming-houses in the [United Provinces, East Punjab, Delhi] [Substituted by A.O. 1948, for "North-Western Provinces of the Presidency of Fort William, and in the Punjab, Oudh".] [and the Central Provinces] [Substituted by Act 1 of 1903, for "the C.P. and British Burma".]. Preamble .Whereas it is expedient to make provision for the punishment of public gambling and the keeping of common gaming-houses [in the United Provinces, East Punjab, Delhi and the Central Provinces] [Substituted by A.O. 1948, for "in the territories, respectively, subject to the Governments of the Lieutenant-Governor of the

North-Western Provinces of the Presidency of Fort William and of the Lieutenant-Governor of the Punjab, and to the administrations of the Chief Commissioner of Oudh, and of the Chief Commissioner of the Central Provinces".];It is hereby enacted as follows:-

Short title given by the Amending Act, 1897 (5 of 1897).

[Himachal Pradesh].In the Preamble, after the words Central Provinces, insert and Himachal PradeshH.P. (Application of Laws) Order, 1948, Cl. 3 and Sch. (w.e.f. 25-12-1948).

## **1. Interpretation clause**

.In this Act[- - -] [Definitions of [Lieutenant-Governor] and [Chief Commissioner] repealed by A.O. 1937.]Common gaming-house .Common gaming-house means any house, walled enclosure, room or place in which cards, dice, tables or other instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, enclosure, room or place, whether by way of charge for the use of the instruments of gaming, or of the house, enclosure, room or place or otherwise howsoever.[- - -] [The Clauses relating to [Number] and [Gender] repealed by Act 17 of 1914, Section 3 and Sch.II.]

[Assam].Assam Game and Betting Act, 1970 (18 of 1970) extends this Act to the whole of Assam, excluding the autonomous State of Meghalaya but including the City of Shillong. Section 2 gives definition of bet; acceptance of bet; Betting House; instruments of betting; records of betting; District Magistrate; District Superintendent of Police; person; valuable security; the Act and invitation for betting for the purposes of this Act in its application to Assam.Assam Act 18 of 1970, Section 2.[Himachal Pradesh].In its application to the State of Himachal Pradesh, in Section 1, substitute the following definitions, namely:Gaming includes wagering or betting on any figures or numbers or dates to be subsequently ascertained or disclosed, or on the occurrence or non-occurrence of any natural event, or in any other manner whatsoever except wagering or betting upon a horse race, when such wagering or betting upon a horse race takes place:(a) on the day on which such race is to be run, and(b) in an enclosure which the stewards controlling such race have, with the sanction of the State Government, set apart for the purpose, but does not include a lottery;Instrument of gaming includes any article used as a means or an appurtenance of, or for the purpose, of carrying on or facilitating gaming and any document used as a register or record or evidence of any gaming and, in particular, satta papers, that is to say, any document wherein may be recorded any words and/or figures evidencing bets and used or intended to be used for in connection with gaming;Explanation.It any document is recovered from the possession of any person containing words and, or figures, whichprima facieappear to evidence bets, it shall be presumed that the words and figures evidence bets and the document was used or intended to be used for gaming unless the person aforesaid proves to the contrary;Common gaming-house means any house or room or tent or enclosure or vehicle or vessel or any place whatsoever in which any instruments of gaming are kept or used for gaming purposes:(a) with a view to the profit or gain of any person owning, occupying, or keeping such house, room, tent, enclosure, vehicle, vessel or place whether by way of charge for the use of such house, room, tent, enclosure, vehicle, vessel, place or instrument or otherwise howsoever,(b) with or without a view to such profit or gain if the gaming for the purpose of which such instruments are so kept or used in gaming on any figures or numbers

or dates to be subsequently ascertained or disclosed, or on the occurrence or non-occurrence of any natural event. Himachal Pradesh Act 30 of 1976, Section 2. [Madhya Pradesh]. In its application to the State of Madhya Pradesh, in Section 1(1) before the definition of common gaming-house, insert the following definitions, namely: Gaming includes wagering or betting but does not include a lottery. Any transaction by which a person in any capacity whatever employs another in any capacity whatever or engages for another in any capacity whatever to wager or bet with another person shall be deemed to be gaming. The collection or soliciting of bets receipt or distribution of winnings or prizes in money or otherwise in respect of wagering or betting or any act which is intended to aid or facilitate wagering or betting or such collection, soliciting, receipt or distribution shall also be deemed to be gaming and Instruments of gaming. The expression instruments of gaming includes any article used or intended to be used as a subject or means of gaming, any document used or intended to be used as a register or record or evidence of any gaming the proceeds of any gaming and any winnings or prizes in money or otherwise distributed or intended to be distributed in respect of any gaming. (2) for the definition of common gaming-house, substitute the following definition, namely: Common gaming-house means (i) in the case of gaming (a) on the market price of cotton, opium or other commodity or on the digits of the number used in stating such price, or (b) on the amount of variation in the market price of any such commodity or on the digits of the number used in stating the amount of such variation, or (c) on the market price of any stock or share or on the digits of the number used in stating such price, or (d) on the occurrence or non-occurrence of rain or other natural event, or (e) on the quantity of rainfall or on the digits of the number used in stating such quantity, any house, room, tent, enclosure, space, vehicle, vessel or any place whatsoever in which such gaming takes place or in which instruments of gaming are kept or used for such gaming. (ii) in the case of any other form of gaming, any house, room, tent, enclosure, space, vehicle, vessel or any place whatsoever in which any instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, space, vehicle, vessel, place or instrument or otherwise howsoever. C.P. Act 3 of 1927, Section 2 and Madhya Pradesh Acts 12 of 1954, Section 2 (w.e.f. 26-3-1954) and 23 of 1958, Section 3 and Sch. In its application to the State of Madhya Pradesh, in Section 1, in the definition of Common Gaming-House in Cl. (i), (a) in item (e), insert the word or at the end, and (b) after item (e), insert the following item, namely: (f) on the digits or figures or signs or symbols or pictures used in stating the opening, middle or closing digits or figures or signs or symbols or pictures declared for or in connection with Worli Matka Gaming or any other form of gaming. Madhya Pradesh Act 47 of 1976, Section 2 (w.e.f. 6-10-1976). [Manipur]. In its application to the Union territory (now State) of Manipur, in Section 1, (i) after the word enclosure, insert Tent, Space, Vehicle; and (ii) add the following definitions, after the definition of common gaming-house, namely: Instrument of gaming includes any article used as a means or appurtenance to or for the purpose of carrying on or facilitating gaming, Gaming includes wagering or betting but does not include a lottery. Note. Act as amended in Uttar Pradesh, Punjab and Madhya Pradesh, subject to certain modifications and restrictions, had been extended to the Union territory of Manipur. Manipur is now a State and the said amendments would continue to be in force thereat by virtue of section 77 of the Act 81 of 1971. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3. [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, for the definition of common gaming-house in Section 1, the following definitions shall be deemed to be substituted, namely: Gaming includes wagering or betting on any figures or numbers or dates to

be subsequently ascertained or disclosed, or on the occurrence or non-occurrence of any natural event, or in any other manner whatsoever except wagering or betting upon a horse-race when such wagering or betting upon a horse-race takes place(a) on the day on which such race is to be run, and(b) in any enclosure which the stewards controlling such race have with the sanction of the Provincial Government set apart for the purpose, but does not include a lottery. Instrument of gaming includes any article used as a means of appurtenance of, or for the purpose of carrying on or facilitating gaming, and any document used as a register or record or evidence of any gaming. Common gaming-house means any house or room or tent or enclosure or vehicle or vessel or any place whatsoever in which any instruments of gaming are kept or used for gaming purposes(a) with a view to the profit or gain of any person owning, occupying or keeping such house, room, tent, enclosure, vehicle, vessel, place whether by way of charge for the use of such house, room, tent, enclosure, vehicle, vessel, place or instrument or otherwise howsoever;(b) with or without a view to such profit or gain if the gaming for the purpose of which such instruments are so kept or used in gaming on any figures or numbers or dates to be subsequently ascertained or disclosed, or on the occurrence or non-occurrence of any natural event. Punjab Acts 1 of 1929, Section 3; 18 of 1958, Section 3 and Sch.; 9 of 1960, Section 2 (w.e.f. 28-1-1960) and Central Act 31 of 1966, Section 88.[Uttar Pradesh]. In its application to the State of Uttar Pradesh, (i) the definition of gaming is same as that of Punjab. The definition of instruments of gaming is same as that of Punjab, except the last words in that definition, namely, and any document..... of any gaming which do not occur. Uttar Pradesh Act 1 of 1917, Section 2. (ii) in Section 1, for the definition of common gaming-house substitute the following, namely: Common gaming-house means (1) in the case of gaming on the digits of the sale price of any commodity, for example, opium or cotton, or on the digits of papers or bales manipulated from within jars or other receptacles, or on the occurrence or non-occurrence of any natural event, for example, rainfall or the quantity of rainfall, any house, room, tent, walled enclosure, space, vehicle, vessel or any place whatsoever in which instruments of gaming are kept or used for such gaming; (2) in the case of any other form of gaming, any house, room, tent, walled enclosure, space, vehicle, vessel or any place whatsoever in which any instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, space, vehicle, vessel or place whether by way of charge for the use of such house, room, tent, enclosure, space, vehicle, vessel, place or instrument, or otherwise howsoever. Uttar Pradesh Acts 1 of 1917, Section 2 and 1 of 1925, Section 2. (iii) in the definition of instruments of gaming, colon at the end shall be deleted and the following shall be added and, in particular, satta papers, that is to say, any document wherein may be recorded any words and/or figures evidencing bets and used or intended to be used for or in connection with gaming; and (iv) after the definition of instruments of gaming add the following as Explanation. thereto, Explanation. If any document is recovered from the possession of any person containing words and/or figures, which prima facie appear to evidence bets, it shall be presumed that the words and figures evidence bets and the document was used or intended to be used for gaming, unless the person aforesaid proves to the contrary. Uttar Pradesh Act 21 of 1961, Section 2 (w.e.f. 7-9-1961).

## 2. Power to extend Act

[Sections 13 and 17] [Substituted by Act 12 of 1891, for "sections 13, 17 and 18".] of this Act shall extend to the whole of the [said States] [Substituted by A.O. 1950, for "said Provinces".] and it shall be competent to the State Government, whenever it may think fit, to extend, by a notification to be published in three successive numbers of the Official Gazette, all or any of the remaining sections of this Act to any city, town, suburb, railway, station-house and place being not more than three miles distant from any part of such station-house within the [States] [Substituted by A.O. 1950, for "Provinces" which had been substituted by A.O. 1948, for "territories subject to its Government or administration".], and in such notification to define, for the purposes of this Act, the limits of such city, town, suburb or station-house, and from time to time, to alter the limits so defined. From the date of any such extension, so much of any rule having the force of law which shall be in operation in the territories to which such extension shall have been made, as shall be inconsistent with or repugnant to any section so extended, shall cease to have effect in such territories.

[Assam]. In its application to the State of Assam, for Section 2, substitute the following section, namely: 2. The Act shall extend to the whole of Assam excluding the autonomous State of Meghalaya but including the municipality of Shillong. Assam Act 18 of 1970, Section 3 (w.e.f. 19-12-1970). [Himachal Pradesh]. In its application to the State of Himachal Pradesh, for the first paragraph of Section 2, substitute the following paragraph, namely: Sections 13 and 17 of this Act shall extend to the whole of the State of Himachal Pradesh, and it shall be competent to the State Government, whenever it may think fit, to extend by a notification to be published in the Official Gazette, all or any of the remaining sections, of this Act to any area within the territory of Himachal Pradesh. Himachal Pradesh Act 30 of 1976, Section 3. [Madhya Pradesh]. In its application to the whole of the State of Madhya Pradesh, in Section 2, (a) the words three successive numbers of shall be omitted. Madhya Pradesh Act 25 of 1950, Section 2 (w.e.f. 3-11-1950). (b) for the words and place being not more than three miles distant from any part of such station house, substitute or local area. C.P. Act 3 of 1927, Section 3. (c) for the words within the State, substitute within the Mahakoshal region. Madhya Pradesh A.L.O., 1956. (d) for the words within the Mahakoshal region, substitute within the State. Madhya Pradesh Act 23 of 1958, Section 3 and Sch. (e) for the words or station-house, substitute a comma and the words station-house or local area. C.P. Act 3 of 1927, Section 3. [Manipur]. In its application to the Union territory (now State) of Manipur, for the first paragraph of Section 2, substitute the following paragraph, namely: Sections 13 and 17, as amended by this notification, of this Act shall extend to the whole of Manipur and it shall be competent to the Chief Commissioner whenever he may think fit to extend, by notification to be published in three successive numbers of the Official Gazette, all or any of the remaining sections of this Act to any local area subject to his administration and in such notification to define, for the purposes of this Act, limits of such area, and from time to time to alter the limits so defined. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149. [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, for the first paragraph of Section 2, substitute the following paragraph, namely: Sections 13 and 17 of this Act shall extend to the whole of the said territories, and it shall be competent to the State Government whenever it may think fit, to extend, by notification, all or any of the remaining sections of this Act to any area within the territories administered by the State Government. Punjab Acts 1 of 1929, Section 3; 18 of 1958, Section 3 and

Sch. and Central Act 31 of 1966, Section 88. Sections 3, 4, 4-A, 5 to 11, 13-A, 13-B, 14, 15, 15-A, 15-B and 18 of the said Act have been extended to the whole of Punjab. See Punjab Gazette, dated 27-1-1964, Pt. III (L.S.), p. 121. [Uttar Pradesh]. In its application to the State of Uttar Pradesh, for the first paragraph of Section 2, substitute the following paragraph, namely: Sections 13 and 17 of this Act shall extend to the whole of the said territories, and it shall be competent to the State Government whenever it may think fit, to extend, by a notification to be published in the Official Gazette, all or any of the remaining sections of this Act to any area within the Uttar Pradesh. Uttar Pradesh Act 5 of 1919, Section 2.

### **3. Penalty for owning or keeping, or having charge of a gaming-house**

.Whoever, being the owner or occupier, or having the use, of any house, walled enclosure, room or place, situate within the limits to which this Act applies, opens, keeps or uses the same as a common gaming-house; and whoever, being the owner or occupier of any such house, walled enclosure, room or place as aforesaid, knowingly or wilfully permits the same to be opened, occupied, used or kept by any other person as a common gaming-house; and whoever has the care or management of, or in any manner assists in conducting, the business of any house, walled enclosure, room or place as aforesaid, opened, occupied, used or kept for the purpose aforesaid; and whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, walled enclosure, room or place; shall be liable to a fine not exceeding two hundred rupees, or to imprisonment of either [description,] [See Section 53 of the Indian Penal Code.] as defined in the Indian Penal Code (45 of 1860), for any term not exceeding three [months.] [As to enhanced punishment for a second conviction of an offence under Section 3 or Section 4, see Section 15 of this Act.]

[Assam]. In its application to the State of Assam, in Section 3, for the words two hundred rupees, substitute five hundred rupees. Assam Act 18 of 1970, Section 4 (w.e.f. 19-12-1970). [Himachal Pradesh]. In its application to the State of Himachal Pradesh, in Section 3, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, vehicle, vessel or place. Himachal Pradesh Act 30 of 1976, Section 4. [Madhya Pradesh]. In its application to the State of Madhya Pradesh, in Section 3, (i) for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, space, vehicle, vessel or place. C.P. Act 3 of 1927, Section 4. (ii) for the last paragraph, substitute the following, namely: shall be punished (a) for a first offence with imprisonment which may extend to six months or with fine which may extend to one thousand rupees; (b) for a second offence with imprisonment which may extend to one year and, in the absence of special reasons to the contrary to be mentioned in the judgment of the Court, shall not be less than fourteen days, either with or without fine which may extend to two thousand rupees; and (c) for a third or subsequent offence with imprisonment which may extend to one year and, in the absence of special reasons to the contrary to be mentioned in the judgment of the Court, shall not be less than four months, together with fine which may extend to two thousand rupees. C.P. Act 3 of 1927, Section 5 and Madhya Pradesh Act 25 of 1950, Section 3 (w.e.f. 3-11-1950). [Manipur]. In its application to the State of Manipur, in Section 3, after the words walled enclosure, insert tent, space, vehicle. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3. [Punjab, Haryana and Chandigarh]. Same as that of Madhya Pradesh (i). Punjab Acts 1 of 1929, Section 4; 16 of 1958 and Central Act 31 of 1966, Section 88. [Uttar Pradesh]. In its application to the State of Uttar Pradesh, in Section 3, (i) for the words house, walled

enclosure, room or place, substitute house, room, tent, walled enclosure, space, vehicle, vessel or place. Uttar Pradesh Act 1 of 1917, Section 3.(ii) for the words two hundred rupees, substitute five hundred rupees. Uttar Pradesh Act 34 of 1952, Section 2 (w.e.f. 5-12-1952).(iii) in Section 3, delete the last paragraph and substitute therefor the following paragraph, namely:shall be liable in case of first offence to fine not exceeding five hundred rupees nor less than two hundred rupees and to rigorous imprisonment for a term not exceeding three months, and in the case of any subsequent offence to a fine not exceeding two thousand rupees nor less than five hundred rupees and to rigorous imprisonment for a term not exceeding twelve months nor less than three months. Uttar Pradesh Act 21 of 1961, Section 3 (w.e.f. 7-9-1961).

#### **4. Penalty for being found in gaming-house**

.Whoever is found in any such house, walled enclosure, room or place playing or gaming with cards, dice, counters, money or other instruments of gaming, or is found there present for the purpose of gaming, whether playing for any money, wager, stake or otherwise, shall be liable to a fine not exceeding one hundred rupees, or to imprisonment of either [description,] [See Section 53 of the Indian Penal Code.] as defined in the Indian Penal Code (45 of 1860), for any term not exceeding one [month,] [As to enhanced punishment for a second conviction of an offence under Section 3 or Section 4, see Section 15 of this Act.]and any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

[Himachal Pradesh].In its application to the State of Himachal Pradesh, in Section 4, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, vehicle, vessel or place.Himachal Pradesh Act 30 of 1976, Section 4.[Madhya Pradesh].In its application to the State of Madhya Pradesh, in Section 4,(i) for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, space, vehicle, vessel or place.C.P. Act 3 of 1927, Section 4.(ii) for the words one hundred rupees, substitute five hundred rupees and for the words one month, substitute four months.Madhya Pradesh Act 25 of 1950, Section 4 (w.e.f. 3-11-1950).[Manipur].Same as that of Madhya Pradesh (ii).S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149.[Punjab, Haryana and Chandigarh].Same as that of Madhya Pradesh (i).Punjab Acts 1 of 1929, Section 4; 18 of 1958, Section 3 and Sch. and Central Act 31 of 1966, Section 88.[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 4,(i) for the words house, walled enclosure, room or place, substitute house, room, tent, walled enclosure, space, vehicle, vessel or place.Uttar Pradesh Act 1 of 1917, Section 3.(ii) for the words one hundred rupees, substitute three hundred rupees.Uttar Pradesh Act 34 of 1952, Section 3 (w.e.f. 5-12-1952).(iii) in Section 4, in the marginal note, between the words found in and gaming-house, add or in the immediate vicinity thereof;(iv)(a) in para. 1 of Section 4, between the words is found there present and for the purpose of, add or in the immediate vicinity thereof; and(b) words beginning with shall be liable to a fine and ending with exceeding one month shall be deleted and the following shall be substituted therefor:shall be liable in the case of a first offence to a fine not exceeding three hundred rupees nor less than one hundred rupees or to rigorous imprisonment for any term not exceeding one month, and in the case of any subsequent offence to a fine not exceeding five hundred rupees nor less than two hundred rupees and to rigorous imprisonment for a term not exceeding six months nor less than one month.(v) in para. 2, between the words common gaming-house and during any gaming,

add and any person found in the immediate vicinity thereof with any instrument of gaming. Uttar Pradesh Act 21 of 1961, Section 4 (w.e.f. 7-9-1961).

#### Section 4-A

[Himachal Pradesh]. Same as that of Punjab. Himachal Pradesh Act 30 of 1976, Section 4. [Madhya Pradesh]. In its application to the State of Madhya Pradesh, after Section 4, insert the following section, namely: 4-A. Punishment for printing or publishing digits, figures, signs, symbols or pictures relating to worli matkas or other form of gaming. (1) Whoever prints or publishes in any manner whatsoever any digits or figures or signs or symbols or pictures or combination of any two or more of such digits or figures or signs or symbols or pictures relating to Worli Matka or any other form of gaming under any heading whatsoever or by adopting any form or device, or disseminates or attempts to disseminate or abets dissemination of information relating to such digits or figures or signs or symbols or pictures or combination of any two or more of them shall be punishable with imprisonment which may extend to six months and with fine which may extend to one thousand rupees. (2) Where any person is accused of an offence under sub-section (1), any digits or figures or signs or symbols or pictures or combinations of any two or more of such digits or figures or signs or symbols or pictures in respect of which the offence is alleged to have been committed shall be presumed to relate to Worli Matka gaming or some other form of gaming unless the contrary is proved by accused. Madhya Pradesh Act 47 of 1976, Section 3 (w.e.f. 6-10-1976). [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, after Section 4, insert the following section, namely: 4-A. Enhanced punishment if offence under section 3 or 4 relates to gaming with figures, etc. Where an offence committed by any person under section 3 or section 4 relates to gaming on any figures or numbers or dates to be subsequently ascertained or disclosed, such person shall, notwithstanding anything contained in those sections, (a) in the case of an offence under section 3, be liable to fine not exceeding one thousand rupees, or to imprisonment of either description for a term not exceeding one year, or to both; and (b) in the case of an offence under section 4, be liable to fine not exceeding five hundred rupees, or to imprisonment of either description for a term not exceeding six months, or to both. Punjab Act 9 of 1960, Section 3 (w.e.f. 28-1-1960) and Central Act 31 of 1966, Section 88.

### **5. Power to enter and authorise police to enter and search**

.If the Magistrate of a district or other officer invested with the full powers of a Magistrate, or the District Superintendent of Police, upon credible information, and after such enquiry as he may think necessary, has reason to believe that any house, walled enclosure, room or place, is used as a common gaming-house; he may either himself enter, or by his warrant authorise any officer of police, not below such rank as the State Government shall appoint in this behalf to enter with such assistance as may be found necessary, by night or by day, and by force, if necessary, any such house, walled enclosure, room or place; and may either himself take into custody, or authorise such officer to take into custody, all persons whom he or such officer finds therein, whether or not then actually gaming; and may seize or authorise such officer to seize all instruments of gaming and all moneys and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming, which are found therein; and may search or authorise such officer to search all parts of the house, walled enclosure, room or place which he or such officer shall have so entered when he or such officer has reason to believe that any instruments of gaming are concealed therein, and also the persons of those whom he or such officer so takes into custody; and



may seize or authorise such officer to seize and take possession of all instruments of gaming found upon such search.

[Himachal Pradesh].In its application to the State of Himachal Pradesh, in Section 5, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, vehicle, vessel or place.Himachal Pradesh Act 30 of 1976, Section 4.[Madhya Pradesh].In its application to the State of Madhya Pradesh, in Section 5,(i) for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, space, vehicle, vessel or place.C.P. Act 3 of 1927, Section 4.(ii) in the first paragraph, after the words or the District Superintendent of Police, insert or the Deputy or the Assistant Superintendent of Police; and(iii) in the fourth paragraph, add at the end the following words, namely:and also all moneys and securities for money found on the person of such persons as are found playing or gaming or found there present for the purpose of gaming within the meaning of section 4.Madhya Pradesh Acts 25 of 1950, Section 5 (w.e.f. 3-11-1950) and 23 of 1958.[Manipur].In its application to the State of Manipur, in Section 5, in paragraph 1,(i) for the words Magistrate of a District, substitute District Magistrate;(ii) after the words walled enclosure, insert tent, space, vehicle,;(iii) same as that of Madhya Pradesh (iii).S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149.[Punjab, Haryana and Chandigarh].Same as that of Madhya Pradesh (i).Punjab Acts 1 of 1929, Section 4; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88.[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 5,(i) for the words house, walled enclosure, room or place, substitute house, room, tent, walled enclosure, space, vehicle, vessel or place.Uttar Pradesh Act 1 of 1917, Section 3.(ii) in para. 1, between the words the District Superintendent of Police and the words upon credible information, add or any police officer of gazetted rank especially empowered in this behalf by the State Government;(iii) in para. 3, delete the semicolon and add the following words at the end: and all persons found in the immediate vicinity thereof with any instruments of gaming.Uttar Pradesh Act 21 of 1961, Section 5 (w.e.f. 7-9-1961).

#### Section 5-A

[Madhya Pradesh].In its application to the State of Madhya Pradesh, after Section 5, insert the following section, namely:5-A. Seizure of register, record or writing.If the District Magistrate or the Additional District Magistrate or a Police Officer not below the rank of Assistant Superintendent of Police is of the opinion that any register, record or writing of any kind whatsoever which contains digits or figures or signs or symbols or pictures or combination of any two or more of such digits, figures, signs, symbols or pictures relates to worli matka gaming or some other form of gaming, he shall be entitled to seize the same and such register, record or writing shall be presumed to be an instrument of gaming unless it is shown by the person from whom it is seized that it is a register, record or writing of any transaction in connection with a lawful trade industry, business, profession or vocation of any lawful personal transaction of any person or it is otherwise not an instrument of gaming.Madhya Pradesh Act 47 of 1976, Section 4 (w.e.f. 6-10-1976).

### **6. Finding cards, etc., in suspected houses, to be evidence that such houses are common gaming-houses**

.When any cards, dice, gaming tables, cloths, boards, or other instruments of gaming are found in any house, walled enclosure, room or place, entered or searched under the provisions of the last

preceding section, or about the person of any of those who are found therein, it shall be evidence, until the contrary is made to appear, that such house, walled enclosure, room or place, is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the Magistrate or police officer, or any of his assistants.

[Himachal Pradesh].In its application to the State of Himachal Pradesh, in Section 6, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, vehicle, vessel or place.Himachal Pradesh Act 30 of 1976, Section 4.[Madhya Pradesh].In its application to the State of Madhya Pradesh, in Section 6, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, space, vehicle, vessel or place.C.P. Act 3 of 1927, Section 4.[Manipur].Same as that of Madhya Pradesh.S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149.[Punjab, Haryana and Chandigarh].Same as that of Madhya Pradesh (i).Punjab Acts 1 of 1929, Section 4; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88.[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 6,(i) for the words house, walled enclosure, room or place, substitute house, room, tent, walled enclosure, space, vehicle, vessel or place.Uttar Pradesh Act 1 of 1917, Section 3.(ii) between the words and comma who are found therein, and the words it shall be evidence, add the words and comma found in the immediate vicinity thereof.Uttar Pradesh Act 21 of 1961, Section 6 (w.e.f. 7-9-1961).

## **7. Penalty on persons arrested for giving false name and addresses**

.If any person found in any common gaming-house entered by any Magistrate or officer of police under the provisions of this Act, upon being arrested, by any such officer or upon being brought before any Magistrate, on being required by such officer or Magistrate to give his name and address, shall refuse or neglect to give the same, or shall give any false name or address, he may, upon conviction before the same or any other Magistrate, be adjudged to pay any penalty not exceeding five hundred rupees, together with such costs as to such Magistrate shall appear reasonable, and on the non-payment of such penalty and costs, or in the first instance, if to such Magistrate it shall seem fit, may be imprisoned for any period not exceeding one month.

[Assam].In its application to the State of Assam, in Section 7, for the words five hundred rupees, substitute one thousand rupees.Assam Act 18 of 1970, Section 5 (w.e.f. 19-12-1970).[Madhya Pradesh].In its application to the State of Madhya Pradesh, in Section 7, for the words five hundred rupees, substitute one thousand rupees and for the words one month, substitute four months.Madhya Pradesh Act 25 of 1950, Section 3 (w.e.f. 3-11-1950).[Manipur].Same as that of Madhya Pradesh.S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149.[Punjab].In its application to the State of Punjab, in Section 7, for the words before the same or any other Magistrate, substitute before any Judicial Magistrate.Punjab Act 25 of 1964, Section 2 and Sch. (w.e.f. 2-10-1964).[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 7, between the words person found in and the words any common gaming-house, add and commas or in the immediate vicinity of.Uttar Pradesh Act 21 of 1961, Section 7 (w.e.f. 7-9-1961).

## **8. On conviction for keeping a gaming-house, instruments of gaming to be destroyed**

.On conviction of any person for keeping or using any such common gaming-house, or being present therein for the purpose of gaming, the convicting Magistrate may order all the instruments of gaming found therein to be destroyed, and may also order all or any of the securities for money and other articles seized, not being instruments of gaming, to be sold and converted into money, and the proceeds thereof with all moneys seized therein to be forfeited or, in his discretion, may order any part thereof to be returned to the persons appearing to have been severally thereinto entitled.

[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 8,(i) for the words may occurring between the word and and the words also order, substitute shall;(ii) the words or, in his discretion, may order any part thereof to be returned to the persons appearing to have been severally thereinto entitled shall be deleted; and for semi colon, after forfeited, substitute a full stop.Uttar Pradesh Act 21 of 1961, Section 8 (w.e.f. 7-9-1961).

## **9. Proof of playing for stakes unnecessary**

.It shall not be necessary, in order to convict any person of keeping a common gaming-house, or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager or stake.

## **10. Magistrate may require any person apprehended to be sworn and give evidence**

.It shall be lawful for the Magistrate before whom any persons shall be brought, who have been found in any house, walled enclosure, room or place entered under the provisions of this Act, to require any such persons to be examined on oath or solemn affirmation and give evidence touching any unlawful gaming in such house, walled enclosure, room or place, or touching any act done for the purpose of preventing, obstructing or delaying the entry into such house, walled enclosure, room or place or any part thereof, of any Magistrate or officer authorised as aforesaid.No person so required to be examined as a witness shall be excused from being so examined when brought before such Magistrate as aforesaid, or from being so examined at any subsequent time by or before the same or any other Magistrate, or by or before any Court on any proceeding or trial in any ways relating to such unlawful gaming or any such acts as aforesaid, or from answering any question put to him touching the matters aforesaid, on the ground that his evidence will tend to criminate himself.Any such person so required to be examined as a witness, who refuses to make oath or take affirmation accordingly or to answer any such question as aforesaid, shall be subject to be dealt with in all respects as any person committing the offence described in section 178 or section 179 (as the case may be) of the Indian Penal Code (45 of 1860).

[Himachal Pradesh].In its application to the State of Himachal Pradesh, in Section 10, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, vehicle, vessel or place.Himachal Pradesh Act 30 of 1976, Section 4[Madhya Pradesh].In its application to the State

of Madhya Pradesh, in Section 10, for the words house, walled enclosure, room or place, substitute house, room, tent, enclosure, space, vehicle, vessel or place. C.P. Act 3 of 1927, Section 4. [Manipur]. In its application to the State of Manipur, in Section 10, after the words walled enclosure, insert tent, space, vehicle. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3. [Punjab, Haryana and Chandigarh]. Same as that of Madhya Pradesh. Punjab Acts 1 of 1929, Section 4; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88. [Uttar Pradesh]. In its application to the State of Uttar Pradesh, in Section 10, for the words house, walled enclosure, room or place, substitute house, room, tent, walled enclosure, space, vehicle, vessel or place. Uttar Pradesh Act 1 of 1917, Section 3.

## **11. Witness indemnified**

.Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before a Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who, upon such examination, shall, in the opinion of the Magistrate, make true and faithful discovery, to the best of his knowledge, of all things as to which he shall be so examined, shall thereupon receive from the said Magistrate a certificate in writing to that effect and shall be freed from all prosecutions under this Act for anything done before that time in respect of such gaming.

## **12. Act not to apply to certain games**

.Nothing in the foregoing provisions of this Act contained shall be held to apply to any game of mere skill wherever played.

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, Section 12 shall be deemed to be repealed. Himachal Pradesh Act 30 of 1976, Section 6. [Manipur]. Same as that of Uttar Pradesh. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3. [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, Section 12 is repealed. Punjab Acts 1 of 1929, Section 5; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88. [Uttar Pradesh]. In its application to the State of Uttar Pradesh, Section 12 is repealed. Uttar Pradesh Act 1 of 1917, Section 4.

## **13. Gaming and setting birds and animals to fight in public streets**

.A police officer may apprehend without warrant any person found playing for money or other valuable thing, with cards, dice, counters or other instruments of gaming, used in playing any game not being a game of mere skill, in any public street, place or thoroughfare situated within the limits aforesaid, or any person setting any birds or animals to fight in any public street, place, or thoroughfare situated within the limits aforesaid, or any person there present aiding and abetting such public fighting of birds and animals. Such person when apprehended shall be brought without delay before a Magistrate, and shall be liable to a fine not exceeding fifty rupees, or to imprisonment, either simple or rigorous, for any term not exceeding one calendar month; Destruction of instruments of gaming found in public streets. And such police officer may seize all instruments of gaming found in such public place or on the person of those whom he shall

so arrest, and the Magistrate may, on conviction of the offender, order such instruments to be forthwith destroyed.

[Assam].In its application to the State of Assam, in Section 13, for the words fifty rupees, substitute one hundred rupees.Assam Act 18 of 1970, Section 6 (w.e.f. 19-12-1970).[Himachal Pradesh].Same as that of Punjab.Himachal Pradesh Act 30 of 1976, Section 7 (w.e.f. 5-8-1976).[Madhya Pradesh].In its application to the State of Madhya Pradesh, in Section 13,(i) for the first three paragraphs, substitute the following, namely:A Police Officer may apprehend and search without warrant(a) any person found gaming or reasonably suspected to be gaming in any public street, or thoroughfare, or in any place to which the public have or are permitted to have access;(b) any person setting any birds or animals to fight in any public street, thoroughfare, or in any place to which the public have or are permitted to have access;(c) any person there present aiding and abetting such public fighting of birds and animals.Madhya Pradesh Act 12 of 1954, Section 3 (w.e.f. 26-3-1954).(ii) in the fourth paragraph, for the words fifty rupees, substitute one hundred rupees and for the words one calendar month, substitute four calendar months; and(iii) in the fifth paragraph, after the words may seize, insert all moneys and and after the words order such, insert moneys to be forfeited and such.Madhya Pradesh Act 25 of 1950, Section 7 (w.e.f. 3-11-1950).[Manipur].In its application to the State of Manipur, in Section 13, in para. 5, after the words such police officer may seize, insert all birds and animals and and at the end of the same paragraph, after the word destroyed, add such birds and animals to be sold.S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3.[Punjab, Haryana and Chandigarh].In its application to the State of Punjab, for Section 13, substitute the following sections, namely:13. Penalty for gaming in public street, etc.Whoever is found gaming in any public street, place or thoroughfare or setting any bird or any animal to fight in any such street, place or thoroughfare shall be punishable with fine not exceeding fifty rupees or with imprisonment of either description for a term not exceeding one month.13-A. Enhanced punishment if offence under section 13 relates to gaming with figures, etc.Where an offence committed by any person under section 13 relates to gaming on any figures or numbers or dates to be subsequently ascertained or disclosed, such person shall, notwithstanding anything contained in that section, be liable to fine not exceeding five hundred rupees, or to imprisonment of either description for a term not exceeding six months, or to both.13-B. Power to arrest without warrant.Any police officer may arrest without a warrant any person committing in his view any offence made punishable by section 13 or section 13-A.Punjab Act 9 of 1960, Section 4 (w.e.f. 28-1-1960) and Central Act 31 of 1966, Section 88.[Uttar Pradesh].In its application to the State of Uttar Pradesh, in Section 13,(a) for the words playing for money or other valuable thing with cards, dice, counters or other instruments of gaming, used in playing any game not being a game of mere skill, substitute gaming.Uttar Pradesh Act 1 of 1917, Section 5.(b) between paras. 1 and 2, add the following new paragraph as follows:any person found in any public street place or thoroughfare within the limits aforesaid with any instruments of gaming, or;(c) for the words, in para. 2, or any person there present aiding and abetting such public fighting of birds and animals, substitute or any person there present making preparation for or aiding or abetting such gaming or public fighting of birds or animals; and(d) in the last para the semi-colon after the words shall be liable shall be deleted and a dash substituted therefor and clauses (a) and (b) after the said words shall be liable shall be deleted and the following substituted therefor:in the case of a first offence to a fine

not exceeding two hundred and fifty rupees nor less than fifty rupees, or to rigorous imprisonment for a term not exceeding one month, and in the case of any subsequent offence to a fine not exceeding five hundred rupees nor less than one hundred rupees, and rigorous imprisonment for a term not exceeding six months nor less than one month. Uttar Pradesh Act 21 of 1961, Section 9 (w.e.f. 7-9-1961).

#### Section 13-A

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, after Section 13, insert the following section, namely: 13-A. Enhanced punishment if offence under section 13 relates to gaming with figures, etc. Where an offence committed, by any person under section 13 relates to gaming on any figures or numbers or dates to be subsequently ascertained or disclosed, such persons shall, notwithstanding anything contained in that section, be liable to fine not exceeding five hundred rupees, or to imprisonment of either description for a term not exceeding six months, or to both. Himachal Pradesh Act 30 of 1976, Section 7 (w.e.f. 5-8-1976). [Uttar Pradesh]. In its application to the State of Uttar Pradesh, after Section 13, insert the following section, namely: 13-A. Exemption of games of mere skill. Nothing in this Act shall apply to any game of mere skill, as distinguished from a game of chance or a game of chance and skill combined, unless it is carried on in a common gaming-house. Uttar Pradesh Act 10 of 1938, Section 2.

#### Section 13-B

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, after Section 13-A, insert the following section, namely: 13-B. Power to arrest without warrant. Any police officer may arrest without a warrant any person committing in his view any offence made punishable by section 13 or section 13-A. Himachal Pradesh Act 30 of 1976, Section 7 (w.e.f. 5-8-1976).

### 14. Offences by whom triable

. Offences punishable under this Act shall be triable by any Magistrate having jurisdiction in the place where the offence is committed. But such Magistrate shall be restrained within the limits of his jurisdiction under the [Code of Criminal Procedure,] [Now see the Code of Criminal Procedure, 1973 (2 of 1974).] as to the amount of fine or imprisonment he may inflict.

[Uttar Pradesh]. In its application to the State of Uttar Pradesh, in Section 14, insert the following new paragraph between paras. 1 and 2, namely: Offences under section 3 of this Act shall be non-bailable, anything contained to the contrary in any other law notwithstanding. Uttar Pradesh Act 21 of 1961, Section 10 (w.e.f. 7-9-1961).

#### Section 14-A

[Uttar Pradesh]. In its application to the State of Uttar Pradesh, after Section 14, insert the following section, namely: 14-A. Compounding of offences. An officer specially empowered in this behalf by the State Government by notification may, subject to any general or special order of the State Government in this behalf, compound any offence punishable under this Act, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount of fine fixed for the offence; and where the offence is so compounded (i) before the institution of the prosecution the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty; (ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender: Provided that nothing

contained in this section shall authorise the composition of any subsequent offence committed by an offender who has once been convicted for any offence punishable under this Act. Uttar Pradesh Act 35 of 1979, Section 6 (w.e.f. 21-12-1979).

## **15. Penalty for subsequent offence**

.Whoever, having been convicted of an offence punishable under section 3 or section 4 of this Act shall again be guilty of any offence punishable under either of such sections, shall be subject for every such subsequent offence to double the amount of punishment to which he would have been liable for the first commission of an offence of the same description: Provided that he shall not be liable in any case to a fine exceeding six hundred rupees, or to imprisonment for a term exceeding one year.

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, for Section 15, substitute the following section, namely: 15. Penalty for subsequent offence under section 3. Whoever, having been convicted of an offence punishable under section 3 shall again be convicted of any offence punishable under that section shall be punished, (a) for a second offence with imprisonment of either description which may extend to six months, or with a fine which may extend to Rs. 1,000 or with both; (b) for a third or any subsequent offence, with imprisonment of either description, which may extend to one year, and in the absence of special reasons to the contrary to be recorded in the judgment of the Court, shall not be less than one month, together with a fine which may extend to Rs. 1,000. Himachal Pradesh Act 30 of 1976, Section 8 (w.e.f. 5-8-1976). [Madhya Pradesh]. In its application to the State of Madhya Pradesh, in Section 15, the words and figure section 3 or shall be omitted. C.P. Act 3 of 1927, Section 7. [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, for Section 15, substitute the following section, namely: 15. Penalty for subsequent offence under section 3. Whoever, having been convicted of an offence punishable under section 3 shall again be convicted of any offence punishable under that section shall be punished (a) for a second offence with imprisonment of either description which may extend to six months, or with a fine which may extend to Rs. 1,000 or with both; (b) for a third or any subsequent offence, with imprisonment of either description, which may extend to one year, and in the absence of special reasons to the contrary to be recorded in the judgment of the Court, shall not be less than one month, together with a fine which may extend to Rs. 1,000. Punjab Acts 1 of 1929, Section 7; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88. [Uttar Pradesh]. In its application to the State of Uttar Pradesh, Section 15 shall be deleted. Uttar Pradesh Act 21 of 1961, Section 11 (w.e.f. 7-9-1961).

### **Sections 15-A and 15-B**

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, after Section 15, insert the following sections, namely: 15-A. Penalty for subsequent offence under section 4. Whoever, having been convicted of an offence punishable under section 4 shall again be convicted of any offence punishable under that section shall be liable for every such subsequent offence to double the amount of punishment to which he would have been liable for the first commission of an offence of the same description. 15-B. Enhanced punishment for subsequent offence under sections 4-A and 13-A. Whoever, having been convicted of an offence punishable under section 4-A or section 13-A, is again convicted of an offence punishable under either of those sections shall, (a) for a second

offence, be punished with not less than twice the punishment awarded to him on his first conviction; and (b) for a third or any subsequent offence, be punished with the punishment specified in clause (a): Provided that the punishment under clause (b) shall not be less than imprisonment of either description for six months. Himachal Pradesh Act 30 of 1976, Section 8 (w.e.f. 5-8-1976). [Punjab, Haryana and Chandigarh]. In its application to the State of Punjab, after Section 15, insert the following sections, namely: 15-A. Penalty for subsequent offence under section 4. Whoever, having been convicted of an offence punishable under section 4 shall again be convicted of any offence punishable under that section shall be liable for every such subsequent offence to double the amount of punishment to which he would have been liable for the first commission of an offence of the same description. Punjab Acts 1 of 1929, Section 8; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88. 15-B. Enhanced punishment for subsequent offence under sections 4-A and 13-A. Whoever, having been convicted of an offence punishable under section 4-A or section 13-A, is again convicted of an offence punishable under either of those sections shall, (a) for a second offence, be punished with not less than twice the punishment awarded to him on his first conviction; and (b) for a third or any subsequent offence, be punished with the punishment specified in clause (a): Provided that the punishment under clause (b) shall not be less than imprisonment of either description for six months. Punjab Acts 9 of 1960, Section 5 (w.e.f. 28-1-1960) and Central Act 31 of 1966, Section 88.

## **16. Portion of fine may be paid to informer**

.The Magistrate trying the case may direct any portion of any fine which shall be levied under sections 3 and 4 of this Act, or any part of the moneys or proceeds of articles seized and ordered to be forfeited under this Act, to be paid to an informer.

## **17. Recovery and application of fines**

.All fines imposed under this Act may be recovered in the manner prescribed by section 61 of the [Code of Criminal Procedure,] [Now see the Code of Criminal Procedure, 1973 (2 of 1974).] [- - -] [The words "and such fines shall (subject to the provisions contained in the last preceding section) be applied as the Lieutenant-Governor or Chief Commissioner, as the case may be, shall from time to time direct" repealed by A.O. 1937.].

[Manipur]. In its application to the State of Manipur, in Section 17, substitute the following section, namely: 17. All fines imposed under this Act may be recovered in the manner prescribed under the existing laws of the State for the realisation of fines. S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3.

## **18. Offences under this Act to be offences within the meaning of Penal Code**

.[Repealed by the Repealing Act, 1874 (16 of 1874), section 1 and Schedule, Part I.]

[Himachal Pradesh]. In its application to the State of Himachal Pradesh, after Section 17, insert the following section, namely: 18. Repeal and savings. Exemption of games of mere skill Nothing in this Act shall apply to any game of mere skill wherever played. Himachal Pradesh Act 30 of 1976,



Section 9.[Manipur].Same as that of Punjab.S.R.O. 168, dated 30-1-1952, Gazette of India, dated 2-2-1952, Pt. II, Section 3, p. 149 and Act 81 of 1971, Section 3.[Punjab, Haryana and Chandigarh].In its application to the State of Punjab, after Section 17, insert the following section, namely:18. Exemption of games of mere skill.Nothing in this Act shall apply to any game of mere skill wherever played.Punjab Acts 1 of 1929, Section 9; 18 of 1958, Section 3 and Central Act 31 of 1966, Section 88.