

Punjab State Lottery Rules, 1998

PUNJAB

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Rule PUNJAB-STATE-LOTTERY-RULES-1998 of 1998

- Published on 9 November 1998
- Commenced on 9 November 1998
- [This is the version of this document from 9 November 1998.]
- [Note: The original publication document is not available and this content could not be verified.]

Punjab State Lottery Rules, 1998Published vide Punjab Government Notification No. GSR 77/C.A. 17/98/S.12/98 dated 9-11-1998.No. G.S.R. 77/C.A. 17/98/S.12/98. - 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 him in this behalf, the Governor of Punjab is pleased to make the following rules to regulate the State Lotteries run by the State Government namely:

1. Short title, commencement and application.

(1)These rules may be called the Punjab State [Lotterys] [Substituted for 'Lottery' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.], Rules, 1999.(2)They shall come into force on and with effect from the date of their publication in the official Gazette.(3)They shall apply to all the lotteries organised, conducted and run by the State Government.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)['Act' means the Lotteries (Regulation) Act, 1998] [Added vide Punjab Notification No. GSR57/CA17/98/Ss. and 12/99 dated 16.7.1999.](aa)'advertising agency' means an agency engaged by the State Government for making the publicity of the State Lottery schemes;(b)'agent' means a person appointed as such by the State Government, with whom an agreement for the sale of printed tickets is executed and it includes sole selling agent, distributor or selling agent;(c)For the purpose of these rules, 'agreement' means an agreement executed between the Director and the Agent or Printer or Advertising Agency or any other agency, as the case may be;(d)'Director' means the Director of Punjab State Lotteries;(e)'incentive, means an amount to be paid to an agent for promoting the sale of tickets;(f)'draw' means a method by which the prize winning numbers are drawn as per lottery by operating the draw machine;(g)'Printer' means a person with whom an agreement has been executed for printing of lottery tickets;(h)'purchase advance' means an amount required to be paid

in advance by an agent before lifting the tickets;(i)'State Government' means the Government of the State of Punjab in the Department of Finance;(j)"State Lottery" means the Punjab State Lottery organised, conducted or run by the State [Government including On-line Lottery which is envisaged to offer lottery games played through a network of computer terminals installed at retail locations, with the terminals installed at retail locations, with the terminals connected to a main data centre at a central headquarter] [Substituted for 'Government' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.];(k)'tender Committee' means a Committee of Officers including its Chairman constituted by the Principal Secretary Finance for considering and making [recommendations] [Substituted for 'recommendation' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.] with regard to the tenders invited for appointing the sole selling agent for various lotteries floated by the State Government and also to consider the matters with regard to the printing of tickets or the matters allied thereto; and(l)'tickets' means the State Lottery[lottery including tickets released by different authorised outlets with respect of On-Line Lottery] [Substituted for 'Lottery' vide Punjab Government Notification G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.] tickets published and released by the Director for sale of a particular draw under any [lottery including tickets released by different authorised outlets with respect of On-Line Lottery] [Substituted for 'Lottery' vide Punjab Government Notification G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.].

3. Headquarter of the office of the Director.

- The Headquarter of office of the Director shall be at Chandigarh or at any other place as may be decided by the State Government.

4. Conducting of State Lottery.

(1)The State lottery shall be organised and conducted as per law by the State government by opening sale depots for tickets or by sale of tickets through agent [or by setting up a Central Information and processing Centre which will be connected on-line to all outlets using state-of-the art communication network. For the selection of Agent] [Substituted for 'for which' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.] open tenders shall be invited except in the Bumper draw of a lottery in which case the tenders may or may not be invited.(2)The sale of tickets may be made by the State Government itself or through agent or agents under the terms and conditions regulated by the agreement.(3)The State lottery shall be named as the 'Punjab State Lotteries'. It may be sub-named as may be decided by the Director in consultation with the agents.

5. Printing of Tickets.

(1)The printing of tickets shall be arranged by the State Government through the Director. The expenditure on printing also shall be borne by the State Government.(2)The Director shall arrange to deliver the tickets to the agent or agents, as the case may be at the place mutually [agreed upon and through the authorised outlets with respect to the on-line lottery] [Substituted for 'agreed upon'

vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.](3)The form, size and design of tickets shall be decided by the Director.(4)The tickets printed for each draw shall bear imprint and logo of the State Government, the tickets number, the date of draw and price of [ticket. However, with respect of the on-Line Lottery, the number chosen by the purchaser shall be printed/alloted by the outlet holder by means of computer/any other approved device from the numbers already approved/earmarked for a particular draw of the On-Line Lottery.] [Substituted for 'ticket' vide Punjab Government Notification G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.](5)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 purchasers of tickets. [-] [Sub-rule 6 omitted vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd. (3)/2001, dated 20.6.2001.](6)The tickets shall be issued by the Director to the agents or to the officials of the Directorate of Lotteries for sale.

6. Prohibition of sale of tickets.

- The tickets shall not be sold by the agent in a State or area where the sale of the tickets is prohibited by law unless permission of the competent authority is obtained in this behalf by the Director.[6A. Conducting or organising etc. of lotteries by other States. - (1) Any other State may, sell its lottery tickets in the State of Punjab after satisfying the State Government that the lottery tickets sold by them are in consonance with the provisions of the Act.(2)Before selling the lottery tickets, the State of Punjab, the other concerned State, shall satisfy the State Government by supplying relevant record and information. The State Government may also call for any additional record or information, if it is so needed to satisfy itself.

6B. Prohibition of conducting of organising etc. of lottery of other State.

- The State Government either suo moto or on a complaint received from any person, may, within the State of Punjab, prohibit the sale of tickets of a lottery, organised or conducted or promoted by other State, if it is satisfied that the letter organised or conducted or promoted by other State, is being run in contravention of the provisions of the Act.] [Added vide Notification No. GSR 57/CA17/98/Ss. 5 and 12/99 dated 16.7.1999.]

7. Timings and Place of draw.

(1)The draw shall be conducted by the State Government.(2)The timings of draw for all types of lotteries shall be fixed by the Director between [6.00 A.M. to 9.00 P.M.] [Substituted for '9.00 A.M. to 4.30 P.M.' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.] The Director may consult the agents in this regard.(3)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 a date and timings of draw.(4)The place of draw within the State of Punjab shall be fixed by the Director. However, the Director may change it if he considers necessary to do so.

8. Lifting of tickets by the agents.

(1)The first draw shall be held within [such period as specified/mentioned in the terms and conditions of a particular lottery] [Substituted vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.]. In case the first draw is not held within the stipulated period due to any failure on the part of the agent, then his earnest money shall be forfeited:Provided that the Government may extend the period for holding the first draw if it considers necessary to do so in public interest.(2)The agent shall lift a specific number of tickets as per lottery scheme by depositing the requisite purchase advance as per approved rates, one or two or three weeks, in advance as the case may be, as may be directed by the Director in this [behalf or by depositing requisite agency fee as per the provisions of the terms and conditions of the lottery.] [Substituted for 'behalf' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.](3)In case the agent does not lift the tickets already printed in full or in part, he shall have to pay damages equal to the amount of the invoice value of the tickets.(4)The agent or printer shall have to furnish bank guarantee equal to the amount as decided by the Tender Committee. In case of bumper draw of a lottery, the amount of bank guarantee or security shall be as provided in the particular bumper draw of lottery to be approved by the Director with the prior approval of the State Government.(5)To ensure the payment of prizes by the agent, if the Director deems it proper during the period of contract, he may require the agent to furnish sound security equal to the amount of prizes of one draw, which shall be furnished by him within fifteen days from the date of communication received for the State Government. However, this time can be extended by the Director for a further period of fifteen days on the request of the agent.(6)In case 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 purchasers or agent/agents, as the case may be, can get correct numbered tickets in exchange for defective tickets.(7)In case there is a loss of tickets in transit due to any valid reasons, the same shall be published by the Director in the newspapers. However, in case the tickets are once handed over to the agent or to his duly authorised sub-agent and there is any loss of tickets due to any reasons, no compensation of any kind shall be allowed to the agent.(8)[In case of Bumper draw of a lottery, the Agent shall lift the tickets as per his requirement and return the unsold tickets to the Director as agreed upon by him in the agreement.] [Added vide Punjab Government Notification No. G.S.R. 84/C.A. 17/98/S. 12/Amd. (2)/2000, dated 3.7.2000.]

9. Withdrawal of marketing of tickets by the agent.

- In case the agent wants to stop the marketing of tickets at his own will, he shall have to give prior notice of [such period as agreed by way of agreement] [Substituted for 'thirty days' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.], or to pay penalty as per agreement executed for the concerned lottery scheme.

10. [Publication of results. [Substituted vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.]

- The result of the draw will be got published by the Director in various newspapers as well as the Punjab Government Gazette or/and would be made available on the outlets. A certified copy of the result shall be supplied to the agents immediately after the draw.]

11. Payment of Prizes.

(1)The agent shall make the payment of prizes upto the value of five thousand rupees after deducting the Income Tax as may be required under the law for the time being in force, to the prize winners on behalf of the State Government within a period of thirty days from the date of publication of result in the Punjab Government Gazette and seek reimbursement, if any, within a period of one hundred and twenty days from the date of draw provided this time can be extended by the Director with the prior approval of the State Government.(2)The payment of bigger prizes will be made by the Director after deducting the Income Tax and [establishment cost] [Substituted for 'departmental charges' vide Punjab Government Notification No. G.S.R. 84/C.A. 17/98/S. 12/Amd. (2)/2000, dated 3.7.2001.] if any.(3)The prizes, which are not claimed by the prize winners within a period of thirty days from the date of publication of result in the Punjab Government Gazette, shall not be disbursed and shall stand forfeited to the Government:Provided that the Director may after the expiry of the aforesaid period of thirty days, but not exceeding one hundred and eighty days disburse the prize amount to the prize winners on his application, for the cogent reasons to be recorded in writing:Provided further that the State Government after the expiry of a period of one hundred and eighty days, but not exceeding three years disburse the prize amount to the prize winners, on his application for the cogent reasons to be recorded in writing.(4)If any prize money remains unclaimed or is not disbursed within the aforesaid prescribed period, it will become the property of the State Government. To determine the unclaimed or undistributed prize money, the agent shall submit the prize winning tickets to the Director within the period, determined by the tender committee.(5)[The Directorate of Lotteries, shall have the over-riding charge to make deductions from the prizes as may be specified by the State Government from time to time in Bumper draw of lottery towards the establishment cost of the said Directorate enabling it to discharge its financial liabilities pertaining to the said Bumper draw of a lottery.] [Substituted vide Punjab Government Notification No. G.S.R. 84/C.A. 17/98/S. 12/Amd. (2)/2000, dated 3.7.2001.]

12. Appointment of Chartered Accountant.

- The Director may appoint any Chartered Accountant or any other person having equivalent qualifications for checking and counting of tickets and prize [winning tickets or to carry out a due diligence, if need be, on the selected bidder.] [Substituted for 'winning tickets' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.].

13. 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 the genuineness of guardianship, failing which the amount shall be paid to the minor prize winner, on attaining the age of maturity.

14. Deduction of Income Tax.

- Income Tax on prizes, wherever applicable, shall be deducted at source.[15. Forged or torn-out tickets. - (1) A ticket which is forged, torn-out, mutilated or tampered with, shall not be entertained.(2)In case of any doubt, the Director may get the tickets verified from the printing press or by a forensic science laboratory or any other authority.] [Substituted vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.]

15A. Mode of Disbursement of payments.

(1)All the prize winning tickets holders shall be paid in Indian currency.(2)One ticket will enable the holder thereof to claim one prize only, whichever is higher.]

16. Depositing of sale proceeds of tickets.

- The agent shall deposit the sale proceeds of the tickets within a period of one hundred and twenty days from the date of draw, provided that this time may be extended by the Director with the prior approval of the State Government.

17. Framing of lottery schemes and prescribing conditions.

(1)The State Government may frame different lottery schemes which it may like to introduce from time to time.(2)The State Government may lay down qualifications, experience and other terms and conditions, keeping in view the market conditions for becoming agent or printer.(3)The lottery scheme can be changed or modified by the State Government keeping in view the market conditions, in consultation with the agents.

18. Making good of loss.

- In the event of any loss or damage, caused to the State Government due to the omission or negligence of the agent, printer or advertising [agent or his duly authorised outlet holder] [Substituted for 'agent' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.], as the case may be, the same shall be made good [from] [Substituted for 'by' vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.] the said agent or printer or advertising agency.

19. Weeding out of Old Record.

- 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 maximum period of three years, after which it shall be destroyed by communicating the decision in this regard to the office of the Accountant General, Punjab, one month before the date of such destruction.[20. Arbitrator. - In case of any dispute having arisen, action or decision having been taken under the rules, the same shall be referred to the Secretary to

the State Government in the Department of Finance, as a Sole Arbitrator and his decision thereon shall be final and binding.] [Substituted vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.]

21. Remission.

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

22. Interpretation.

- If any question arises as to the interpretation of these rules, or any other matter concerning thereto, the same shall be referred to the State Government and the decision of the State Government thereon shall be final.[23. Right to issue instructions. - The State Government shall have all rights to issue any instructions from time to time for the matters which may not be specifically covered under these rules for the smooth functioning of its lotteries including On-Line Lottery and all instructions so issued by the State Government will be read in conjunction with other rules, provisions of the Act, terms and condition laid down in the Tender Document-Invitation of Bids for On-Line Lottery System and also with the terms and conditions entered in the other tender notice and agreements. All such instructions shall have the force of law and will be binding on all concerned.] [Added vide Punjab Government Notification No. G.S.R. 78/C.A. 17/98/S. 12/Amd.(3)/2001, dated 20.6.2001.]