

The Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Act, 1993

SIKKIM

India

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Act 10 of 1993

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The Sikkim Lotteries (Prohibition On Running Of And Sale Of Single Digit And Private Lottery Tickets) Act, 1993 ACT NO. 10 OF 1993 AN ACT to prohibit running of or sale of single digit lottery and private lottery tickets in the State of Sikkim. Whereas it has come to the notice of the State Government that the business of single digit lottery tickets in the State has been having serious social and economic impact detrimental to the society in general; And whereas there has been a serious adverse effect on public order on account of the said lottery business; And whereas in view of the above it is deemed expedient to stop the business of single digit lottery as well as private lotteries in the State. Be it enacted by the Legislative Assembly of Sikkim in the Forty-fourth Year of the Republic of India as follows:

1.

(1) This Act may be called the Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Act, 1993. (2) It shall be deemed to have come into force on the 1st day of August, 1993.

2.

In this Act, unless the context otherwise, requires, (a) “agent” means the main stockist and includes an individual, a partnership firm, an association or group of individuals or a company registered under the law relating to registration of companies entrusted with the responsibility of sale of lottery tickets on agency basis; (b) “lottery” means a scheme for distribution of prizes by lot or chance to

those persons participating in the chances of a prize by purchasing ticket;(c)“ticket” in relation to any lottery or proposed lottery, includes any document evidencing the claim of a person to participate in the chances of a lottery.

3.

Notwithstanding any agreement or contract entered into by the Government of Sikkim with any person, party or agent, no person, party or agent shall, with effect from the date of coming into force of this Act, run any private lottery, sale, deal, distribute or purchase any single digit lottery ticket within the territory of Sikkim, whether such private lottery or single digit lottery is organized within or outside the State of Sikkim:Provided that nothing in this section shall affect the right of the Government to allow registered Societies or other recognised Institution to hold raffles or lucky draws for the purpose of raising funds for educational, charitable or other social causes.

4.

If any person, party or agent contravenes the provisions of section 3, he shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to ten thousand rupees, or with both.

5.

If any person with a view to promoting or conduct of any single digit or private lottery,(a)prints or publishes any ticket, single digit or private lottery for use coupon or other document or private in the single digit lottery; or(b)offers or advertises for sale or has in his possession for the purpose of sale or distribution any single digit or private lottery ticket coupon; or other document for the use in single digit or private lottery; or(c)prints, publishes or distributes or has in his possession for the purpose of publication and distribution,(i)any advertisement of single digit or private lottery; or(ii)any such matter descriptive of or otherwise relating to the single digit or private lottery as is calculated to act as an inducement to persons to participate in such lottery; or(d)brings, or invites any person to send into the territories of Sikkim for the purpose of sale or distribution, any single digit or private lottery ticket, coupon or other documents for use in any advertisement of single digit or private lottery; or(e)uses any premises, or cause or knowingly permits any premises to be used for the purpose connected with the promotion or conduct of any single digit or private lottery; or(f)causes or procures or attempts to procure any person to do any of the acts specified in clauses (a) to (e); he shall be punishable with imprisonment of either description for a term which may extend to one year or with fine which may extend to ten thousand rupees, or with both.

6.

(1)It shall be lawful for any police officer not below the rank of a Sub-Inspector authorised by the Government in this behalf by general or special order in writing;(a)to enter, if necessary by force, whether by day or night, with such assistance as he may consider necessary, any premises which he

has reason to suspect are being used for the purposes connected with the promotion or conduct of any single digit and private lottery in contravention of the provisions of this Act;(b)to search the premises and the person whom he may find therein been made or credible information has been received or a reasonable suspicion exists of their having been concerned with the use of such premises for purposes connected with or with the promotion or conduct of any lottery in contravention of the provisions of this Act; and(d)to seize all things found therein which are intended to be used or reasonably suspected in having been made in connection with such lottery.(2)All searches under this section shall be made in accordance with the provisions of the law relating to Criminal Procedure for the time being in force in the State.

7.

All offences under this Act shall be cognizable and non-bailable.

8.

(1)The Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Ordinance, 1993, is hereby repealed.(2)Notwithstanding such repeal anything done or any action taken under the Ordinance so received, shall be deemed to have been done or taken under the corresponding provisions of this Act.