

MYSORE LOTTERIES AND PRIZE COMPETITIONS CONTROL AND TAX RULES, 1952

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MYSORE LOTTERIES AND PRIZE COMPETITIONS CONTROL AND TAX RULES, 1952

In exercise of the powers conferred by sub-section (1) of Section 31 of the Mysore Lotteries and Prize Competitions Control and Tax Act, 1951 (Mysore Act XXVII of 1951), HisHighness the Maharaja of Mysore is pleased to make the following rules under the said Act, the same having been published in the Karnataka Gazette, dated 8th November, 1951, in Notification No. H.A. 7020-Pol. 314-51-3, dated 6th November, 1951, as required by the said section.

1. Title :-

These rules may be called the Karnataka Lotteries and Prize Competitions Control and Tax Rules, 1952.

2. Definitions :-

In these rules unless there is anything repugnant in the subject or context.

(a) "Act" means the Karnataka Lotteries and Prize Competitions Control and Tax Act, ¹ [1951];

(b) "Form" means a form appended to these rules;

(c) "Licence" means a licence granted under Sections 5, 6, 7 or 8 of the Act;

(d) "Section" means a section of the Act;

(e) "Tax" means the tax levied under Section 12 of the Act on a lottery or prize competition licensed under Sections 5, 6, 7 or 8 of the Act, as the case may be;

(f) Words and expression not defined in these rules shall have the meanings assigned to them in the Act.

1. Substituted for the figures "1952" by Notification No. S.R. 7364-L and P. 1-51-8, dated 30-1-1952

3. Application for Licence :-

Any promoter desirous of obtaining a licence under Sections 5, 6, 7 or 8 shall, either personally or by registered post, submit an application in Form A, B, C or D, as the case may be, to the Secretary to the State Government notified in this behalf.

4. Forms and particulars of the Licence :-

Every licence under Section 5, 6, 7 or 8 shall be in Forms E, F, G and H, respectively, and shall be subject to the conditions and restrictions therein specified and to the provisions of the Act, and these rules. The licence shall be effective throughout the State of Karnataka.

5. Fees for grant of licences :-

(1) A fee shall be charged for every licence as follows.

(i) Rupees ten for every entertainment lottery;

(ii) Rupees ten for every private lottery promoted by a society having not more than 500 members and restricted to its members;

(iii) Rupees twenty-five for every other lottery;

¹[(iv) Rupees twenty-five for every prize competition for which an entry fee is levied;

(v) Rupees ten for every prize competition for which no entry fee is levied in any manner.]

(2) No application for the grant of a licence shall be entertained unless the amount of the licence fee is so paid.

2 [(3) If a licence is not granted, the amount of fee paid by the applicant shall be refunded.]

1. Clauses (iv) and (v) substituted for clause (iv) by Notification No. F1 (B) 14075-T.S. 5-53-7, dated 11-1-1954

2. Sub-rule (3) added by Notification No. F1. B 4199-T.S. 13-53-5, dated 14/17-6-1954

6. Suspension or cancellation of licence :-

While ordering the suspension or cancellation of any licence under Section 11, the State Government shall give the reasons for such order and shall, if requested, furnish a copy of such order together with the reasons for it to the holder of the licence.

7. Transfer of the licence and partnership :-

Every licence granted under these rules shall be deemed to have been granted personally to the promoter named therein, and no such promoter shall sell or otherwise transfer, or enter into a partnership with any person for the working of such licence.

8. Loss of Licence :-

When any licence granted under these rules is lost or is destroyed or if a holder so desires, a duplicate copy thereof may be furnished to the holder by the State Government on payment of a fee of:

(i) Rupees two for licence for an entertainment lottery;

(ii) Rupees five for licence for any other lottery;

(iii) Rupees ten for licence for a prize competition.

9. Production of licence on demand :-

Every person holding or acting under a licence granted under these rules shall produce the same or a copy thereof furnished to him under Rule 8 whenever called upon to do so by an officer duly empowered in this behalf.

10. Keeping books of accounts :-

The books of accounts kept by a licensee under Section 15 of the Act shall contain the following particulars.

(a) In the case of an entertainment lottery.

(i) the number of tickets printed;

(ii) the price of the tickets;

(iii) the number of the tickets sold;

- (iv) the amount received by sale of tickets;
- (v) the expenses incurred in printing tickets;
- (vi) the expenses incurred in purchasing prizes in the lottery;
- (vii) the proceeds of the entertainment including the proceeds of the lottery;
- (viii) the expenses incurred on the entertainment excluding expenses incurred in connection with the lottery;
- (ix) the total proceeds of the entertainment (including the proceeds of the lottery) after deducting the amounts under paragraphs (v), (vi) and (viii);
- (x) the tax paid on the lottery.

(b) In the case of private lottery.

- (i) the number of tickets printed;
- (ii) the price of the ticket or chance in the lottery;
- (iii) the number of tickets or chances sold;
- (iv) the total proceeds of the lottery;
- (v) the expenses incurred for printing and stationery;
- (vi) the amount devoted to the provision of prizes for purchasers of tickets or chances; or the amount devoted to the purposes which are purposes of the society as the case may be;
- (vii) the tax paid on the lottery.

(c) In the case of Charitable, Religious and Educational Lottery.

- (i) the number of tickets printed;
- (ii) the price of the ticket or chance in the lottery;
- (iii) the number of tickets or chances sold;
- (iv) the total proceeds of the lottery;
- (v) the expenses incurred for printing and stationery;
- (vi) the amount devoted to the provision of prizes for purchasers of tickets or chances;
- (vii) the amount devoted for the benefit of the Charitable, Religious

or Educational Institution or organisation concerned;

(viii) the tax paid on the lottery.

(d) In the case of prize competitions.

(i) the number of coupons submitted by persons in respect of every prize competition;

(ii) the number of free entry coupons;

(iii) the amount received in respect of such competition;

(iv) the tax paid in respect of the prize competition:

Provided that in case of a prize competition in respect of which the entrance fee is included in or forms part of the consideration for the sale of any goods and is not separately levied the licensee shall keep a separate account of the sums received in respect of such fee:

Provided further that when no entrance fee is levied in any manner whatever in respect of a prize competition, the licensee shall keep a separate account of the prizes given away in such prize competition.

11. Every licensee to furnish return of accounts kept under Section 15 of the Act :-

(a) Every licensee in the case of lotteries shall submit to the Deputy Commissioner of the District a statement of account within seven days of the drawing of the lottery; and

(b) Every licensee in the case of prize competition shall, within fifteen days of the close of each calendar month, submit to the Deputy Commissioner of the District a return in Form I of the total sum received by him during the month and other particulars in respect of every prize competition.

12. Penalty for breach of Rule 7, 9, 10 or 11 :-

Any licensee contravening Rule 7, 9, 10 or 11 of these rules shall, on conviction, be liable to fine which may extend to fifty rupees.