

Goa Public Gambling (Amendment) Act, 2003

25 of 2003

[20 November 2003]

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AN ACT further to amend the Goa, Daman and Diu Public Gambling Act, 1976. BE it enacted by the Legislative Assembly of Goa in the Fifty-fourth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(i) This Act may be called the Goa Public Gambling (Amendment) Act, 2003.

(2) It shall come into force at once.

2. Amendment Of Section 3 :-

In section 3 of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976) (hereinafter referred to as the "principal Act"),--

(i) for the words "two years", the words "three years" and for the words "two thousand five hundred rupees", the words "five thousand rupees" shall be substituted;

(ii) in the proviso,--

(a) in clause (i), for the words "one month", the words "two months" and for the words "two hundred rupees" the words "one thousand rupees" shall be substituted;

(b) in clause (ii) for the words "there months", the words "six

months" and for the words "three hundred rupees", the words "two thousand rupees" shall be substituted;

(c) in clause (iii), for the words "six months", the words "one year" and for the words "five hundred rupees", the words "three thousand rupees" shall be substituted.

3. Insertion Of New Section 4A :-

In sub-section (1) of section 4 of the principal Act,--

(i) for the words "one year", the words "three years" and for the words "one thousand rupees", the words "five thousand rupees" shall be substituted;

(ii) in the proviso,--

(a) in clause (a), for the words "one month", the words "three months" and for the words "two thousand rupees", the words "two thousand and five hundred rupees" shall be substituted;

(b) in clause (b), for the words "three months", the words "six months" shall be substituted,

(c) in clause (c), for the words "six months", the word "one year" shall be substituted.

4. Insertion Of New Section 4A :-

After section 4 of the principal Act, the following section shall be inserted namely:--

" 4A. Cancellation of licence.-- If any place where any business or any other activity is being carried on under a licence granted under any law for the time being in force, and such place is used for the purpose of (sic) in contravention of the provisions of this Act and/or the rules made thereunder, then, notwithstanding anything contained in section 3 or in section 4 or in such law, the licensee of such business or other activity may, on conviction, be liable for suspension of such licence for such period as deemed fit or for cancellation of such licence:

Provided that no order under this section shall be passed unless the licensee is given an opportunity of being heard in the matter".

5. Amendment Of Section 5 :-

In section 6 of the principal Act, for the words "four months", the words "one year" and for the words "one thousand rupees" the words "two thousand rupees" shall be substituted

6. Amendment Of Section 11 :-

In sub-section (2) of section 11 of the principal Act.

(i) for the words "three months", the words "six months and for the words "two thousand rupees", the words "five thousand rupees" shall be substituted.

(ii) for the existing provisions, the following provisions, shall be substituted, namely:--

"Provided that--

(i) (a) for the first offence under clause (a) of sub section (2), such imprisonment shall not be less than ten days and fine shall not be less than one thousand rupees;

(b) for the second offence under clause (a) of sub-section (1), such imprisonment shall not be less than twenty days and fine shall not be less than two Thousand rupees; and

(c) for the third or subsequent offence under clause (a) of sub-section (1), such imprisonment shall not be less than thirty days and fine shall not be less than three thousand rupees;

(ii) (a) for the first offence under clause (b) of sub-section (1), such imprisonment shall not be less than fifteen days and fine shall not be less than one thousand rupees;

(b) for the second offence under clause (b) of sub-section (1), such imprisonment shall not be less than twenty days and fine shall not be less than two thousand rupees, and

(c) for the third or subsequent offence under clause (b) of sub-section (1), such imprisonment shall not be less than thirty days and fine shall not be less than three thousand rupees,

(iii)(a) for the first offence under clause (c) of sub-section (1) such imprisonment shall not be less than one month and fine shall not be less than two thousand rupees; and

(B) for subsequent offence under clause (c) of sub-section (1), such imprisonment shall not be less than fifty days and fine shall not be less than three thousand rupees--

provided further that where such gambling consists of wagering or betting or any such transaction as referred to in sub-clause (b) of clause (2) of section 2, such person shall be punishable to the extent specified in section 4 and all moneys found with such persons shall be forfeited."