

OFFICIAL GAZETTE

GOVERNMENT OF GOA

SUPPLEMENT

GOVERNMENT OF GOA

Home (General) Department

Notification

2-20-82-HD (G)

In exercise of the powers conferred by section 13A of the Goa, Daman and Diu Public Gambling Act, 1976 (Act 14 of 1976), and in supersession of Government Notification of even number dated 10-6-1992, the Government of Goa is pleased to authorise games of electronic amusement/slot machines subject to the following terms and conditions:

1. *Definitions.*—In this Notification, unless the context otherwise requires—

- (i) "Act" means the Goa, Daman and Diu Public Gambling Act, 1976 (Act No. 14 of 1976);
- (ii) "Authority" means the Under Secretary (Home), Government of Goa, Secretariat, Panaji-Goa;
- (iii) "appellate authority" means the Administrative Tribunal constituted under the Administrative Tribunal Act, 1965;
- (iv) "games of electronic amusement/slot machines" means all kinds of electronic games and slot machines but do not include video games;
- (v) "Government" means Government of Goa;
- (vi) "Inspection Officer" means any officer of the Government duly authorised in writing by the Government to inspect the licensed premises to determine compliance with the provision of the Act and of this Notification;
- (vii) "licence" means any licence granted pursuant to clause 5;
- (viii) "licensee" means any person who has been granted a licence to instal and operate games of electronic amusement/slot machines under clause 5;

2. Any person desirous of obtaining a licence for installing and operating games of electronic amusement/slot machines shall make an application to the Authority in Form 'A' appended hereto Appendix I.

3. The licence may be applied for by an individual or by a firm or by a body corporate.

4. (i) The application under clause 2 shall be signed and verified in case of—

(a) an individual, by the proprietor or a person having due authority to act on behalf of the proprietor;

(b) a firm, by any partner managing the business thereof;

(c) a body corporate (including a company, a cooperative society, corporation or other authority), by a Director, Manager, Secretary, Principal Officer thereof or by a person duly authorised to act in that behalf.

(ii) The person signing and verifying an application for grant of licence shall specify his status and shall wherever possible, give particulars of the authority vested in him for signing and verifying the application.

5. (i) A licence fee of Rs. 2500/- per machine for electronic amusement/slot machine shall be payable towards grant of licence and such fee shall be paid into the Government treasury. The licence fee for renewal of licence shall be the same as indicated above.

(ii) If the Authority, after making such inquiry as may be necessary, is satisfied that the application conforms to these terms and conditions, shall recommend to the Government to grant licence in Form 'B' appended hereto as Appendix II in favour of the applicant on receipt of a copy of the challan in proof of payment of Rs. 2500/- per machine of electronic amusement/slot machine to the Government treasury and the licences shall be restricted only to 20 such machines per applicant.

(iii) Upon receipt of recommendation of the Authority, the Government may approve the issue of licence.

(iv) The total number of slot machine/game of electronic amusement shall not however, exceed 200 in the entire State of Goa and each licensee shall be restricted to instal not more than twenty slot machines/games of electronic amusement.

(v) A licence granted hereunder shall be for a period of five years and may be renewed after five years on payment of the same fees due before the expiry of the currency of the licence.

(vi) The Government may for reasons to be stated in writing reject an application for grant of licence.

(vii) For renewal of licence, the licensee shall follow the same procedure as specified above for the grant of a new licence at least 30 days before the expiry of the licence.

(viii) A licensee shall be liable to pay fee at the rate of Rs. 6000/- per year per machine of electronic amusement/slot machine in advance on or before 31st March of every year which amount shall be deposited into Government treasury by means of challan under the Head Account as specified by the authority and shall furnish a copy of challan to the Home Department of the Government.

(ix) Every licensee shall display conspicuously at the licenced premises, the licence granted under sub-clause (ii). The licensee shall take all necessary steps to keep the premises neat and tidy and shall ensure that appropriate facilities are made available for proper conduct of the games of electronic amusement/slot machines in the licenced premises.

(x) The licensee shall deposit in Government treasury a sum of Rs. 5000/- per machine of electronic amusement/slot machine as security deposit for due compliance with the terms and conditions of the licence and the challan in respect thereof, furnished to the Authority.

(xi) In case a licence is not renewed, an application for refund of fee paid, shall be made to the Authority within one month from the date of such refusal or non-renewal as the case may be. Whenever, the authority is satisfied that a refund is due, it shall issue a refund voucher to the applicant/licensee which shall be encashed at the Government treasury.

6. In the event of the breach of any condition contained hereinabove, the Government shall, after issuing notice and granting a hearing to the licensee, determine the licence and forfeit the security deposit. In case of such determination/forfeiture, the licensee shall be liable to pay arrears of fees if any.

7. (i) If an applicant/licensee is aggrieved by the decision of the Government, an appeal shall lie to the Appellate Authority within a period of 30 days from the receipt of order thereof.

(ii) A Memorandum of Appeal shall be presented in duplicate to the appellate authority by the Appellant/licensee or his agent or it may be sent to the appellate authority by registered post.

(iii) The Memorandum of appeal shall,

(a) be in writing;

(c) specify the date of order appealed against;

(d) contain a clear statement of facts;

(e) contain all specific grounds of appeal;

(f) state precisely and in brief the relief sought for; and

(g) be signed and verified by the appellant by the agent duly authorised by him in writing to do so on his behalf in the following form:

"I, _____, Appellate Agent appointed by the Appellant, named in above Memorandum of Appeal, do hereby declare that what is stated herein-above is true to the best of my knowledge and belief".

(iv) A fee in the amount of Rs. 200/- shall be payable in respect of the Memorandum of Appeal. The Memorandum of Appeal shall be accompanied by either the order in original appealed against, duly authenticated copy thereof, unless omitted, or produce such order or copy thereof is explained at the time of presenting of the Memorandum of Appeal to the satisfaction of the appellate authority.

(v) The appeal may be summarily rejected by the appellate authority if the appellant fails to comply with any of the requirements as stated above despite an opportunity given to rectify any omission or non-compliance.

(vi) The appellate authority may after giving an opportunity to the parties to the appeal an opportunity to be heard, pass such orders as it thinks fit either confirming, modifying or annulling the order or decision appealed against and may remand the case to the Government for fresh order or decision after considering additional evidence if necessary or such other action as the appellate authority may specify.

(vii) Save as otherwise provided hereinabove, the appellate authority may follow the same procedure as laid down in the Goa, Daman and Diu Administrative Tribunal Rules, 1965, for the purpose of presentation and disposal of appeal.

8. (i) The Authority or the Inspection Officer or any other officer authorised by him in this behalf may enter any licenced premises at any reasonable time to inspect compliance with the provisions of the Act and/or these terms and conditions.

(ii) The licensee shall provide every reasonable assistance to the Authority or the Inspection Officer in the performance of his duties under sub-clause (i).

(iii) If any person prevents or obstructs the exercise of the Authority or the Inspection Officer or any other Officer authorised by him in this behalf, he shall, in addition to any other punishment to which he may be liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees on conviction before a Magistrate.

By order and in the name of the Government of Goa.

APPENDIX-I
FORM 'A'

Application Form for grant of Licence/Renewal of Licence
for games of Electronic Amusement/Slot Machines

1. Full name of the applicant.
2. Address of the applicant.
 - i) Temporary address.
 - ii) Permanent address.
3. Age of the applicant.
4. Occupation.
5. Rates of fees proposed to be charged to the customer, categorywise for different types of games.
6. No. of machines proposed to be installed.
7. Whether the application is for grant of fresh licence or renewal? If renewals previous licence number and date of expiry of the said licence.
8. Whether the relevant fee/tax under any statutory law for the previous period has been cleared and if so, the total amount paid (enclose a copy of the challan under which the amount has been paid).
9. Hours during which the games will be conducted.

Signature of the applicant.

Date:

Place:

APPENDIX-II
FORM 'B'

Licence for installation of Games of Electronic
Amusement/Slot Machines

No. ... District ...

This is to certify that Shri/Messrs of has been authorised and granted a Licence for installation of

Games of Electronic Amusement/Slot Machines on the terms and conditions as prescribed vide Government Notification No. dated..... with effect from to.....

This Licence shall be subject to conditions as specified hereunder and as prescribed under the Government Notification in terms of section 13A of the Goa, Damão and Diu Public Gambling Act, 1976.

1. The Licensee shall operate the games/machines only in
2. The Licensee shall ensure that no inconvenience/disturbance is caused to the other occupants staying in premises/vicinity of the premises where the slot machines will be operated.
3. The Licensee shall be responsible for providing appropriate facilities to the customers.
4. The Licensee shall pay the requisite fee/tax under statutory law to the Government before the end of year and before an application is made for renewal of this licence.
5. The Licensee shall extend co-operation to the Auditor and to any Officer authorised by the Government, carrying out inspection of the premises and records maintained by him;
6. Any contravention of terms and conditions of this Licence or non-co-operation to the Authority or to any Officer authorised by the Government, the Licence shall be liable for cancellation.
7. The Licensee shall also observe terms and conditions prescribed under section 13A of the Goa, Damão and Diu Public Gambling Act, 1976 vide Government Notification No. dated

Dated:

Place:

Signature of the Under
Secretary (Home)